

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

CHRISTOPHER W. PITTS and
TERESA PITTS, husband and wife,

Plaintiffs,

v.

BULK LOGISTICS, INC.; SCHWERMAN
TRUCKING CO.; TANKSTAR USA, INC.;
WILLIE J. CHANDLER, JR.; and
CONTINENTAL CASUALTY COMPANY,

Defendants.

CIVIL ACTION FILE

NO. 10EV009965-J

**PLAINTIFF CHRISTOPHER W. PITTS'S FIRST REQUEST FOR
ADMISSIONS TO DEFENDANT WILLIE J. CHANDLER, JR.**

COMES NOW Plaintiff CHRISTOPHER W. PITTS ("Plaintiff" or "MR. PITTS") in the above-styled action, by and through his attorney, and requires Defendant WILLIE J. CHANDLER, JR. to answer under oath the following Requests for Admissions within 45 days from the date of service of these Requests with Plaintiffs' Summons and Complaint, as provided by law, and a copy of the answers to be furnished to Plaintiffs' attorneys.

NOTE A: In reply to these Requests for Admission, your answer should specifically admit or deny the request, or set forth in detail the reasons why the request cannot be truthfully admitted or denied. Any denial shall fail to meet the substance of the requested admission, and when good faith requires that you qualify your answer or deny only a part of the matter of which an admission is requested, you shall specify so much of it as is true and qualify or deny the remainder. O.C.G.A. § 9-11-36(a)(2).

NOTE B: As the answering party, you may not give lack of information or knowledge as a reason for failure to admit or deny unless reasonable effort has been made

and the information known or readily obtainable and available to the Defendant is sufficient to enable the Defendant to admit or deny the matter. O.C.G.A. § 9-11-36(a)(2).

NOTE C: If the Defendant considers that a matter requested presents a genuine issue for trial, this alone does not constitute grounds for an objection. Mixed questions of law and fact, opinions, and genuineness of documents are all legitimate subjects of Requests for Admission. O.C.G.A. § 9-11-36(a)(1)(2).

DEFINITIONS

As used herein, the terms listed below are defined as follows:

1. “**Person**” means any natural person, corporation, partnership, proprietorship, association, organization, group of persons, or any governmental body or subdivision thereof.

2. “**Subject Incident**” means events made the basis of the Complaint, including but not limited to the incident at issue on May 29, 2008, in Douglas County, Georgia.

3. “**You,**” “**Your,**” or “**CHANDLER**” means Defendant WILLIE J. CHANDLER, JR.

4. “**BULK LOGISTICS**” means Defendant BULK LOGISTICS, INC.

5. “**SCHWERMEN**” means Defendant SCHWERMEN TRUCKING CO.

6. “**TANKSTAR**” means Defendant TANKSTAR USA, INC.

7. “**CONTINENTAL CASUALTY**” means Defendant CONTINENTAL CASUALTY COMPANY.

8. With regard to any term used herein that is deemed by the responding party as being ambiguous or vague, a term shall be construed in its broadest sense to encompass all reasonable definitions of that term.

REQUESTS FOR ADMISSION

1.

Admit that CHANDLER is a proper party to this lawsuit.

2.

Admit that the CHANDLER was properly named in this case.

3.

Admit that the CHANDLER was a professional driver on the date and time of the Subject Incident.

4.

Admit that service was proper on CHANDLER.

5.

Admit that venue is proper in this Court.

6.

Admit that jurisdiction is proper in this Court.

7.

Admit that CHANDLER was an employee of BULK LOGISTICS on May 29, 2008.

8.

Admit that CHANDLER was an agent of BULK LOGISTICS on May 29, 2008.

9.

Admit that CHANDLER was an employee of SCHWERMANN on May 29, 2008.

10.

Admit that CHANDLER was an agent of SCHWERMANN on May 29, 2008.

11.

Admit that CHANDLER was an employee of TANKSTAR on May 29, 2008.

12.

Admit that CHANDLER was an agent of TANKSTAR on May 29, 2008.

13.

Admit that CHANDLER was acting in the scope of his employment at the time of the Subject Incident.

14.

Admit that on May 29, 2008, CHANDLER was the driver of a tractor trailer involved in the Subject Incident.

15.

Admit that on May 29, 2008, CHANDLER was driving the tractor-trailer as trained by BULK LOGISTICS.

16.

Admit that on May 29, 2008, CHANDLER was driving the tractor-trailer as trained by SCHWERMANN.

17.

Admit that on May 29, 2008, CHANDLER was driving the tractor-trailer as trained by TANKSTAR.

18.

Admit that no act of MR. PITTS contributed to the Subject Incident.

19.

Admit that there was no failure to act by MR. PITTS which contributed to the Subject Incident.

20.

Admit that there was no act on the part of anyone, other than CHANDLER, that

contributed to the Subject Incident.

21.

Admit that there was no failure to act on the part of anyone, other than CHANDLER, that contributed to the Subject Incident.

22.

Admit that CHANDLER is fully liable for the Subject Incident.

23.

Admit that CHANDLER was a contributing cause of the Subject Incident.

24.

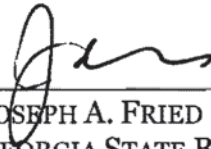
Admit that CHANDLER knew it was foggy prior to the Subject Incident.

25.

Admit that other than those parties named in the complaint in this case, there are no other persons or entities that caused and/or contributed to the Subject Incident in any way.

This 18th day of October, 2010.

FRIED ROGERS GOLDBERG LLC



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