

IN THE STATE COURT OF DEKALB COUNTY
STATE OF GEORGIA

STATE COURT OF DEKALB COUNTY, GA.
2012 JUN 25 5:28 PM
COPY FILED
BY: DEPIITY C FRK

JURIAN WASHINGTON, Individually and as
Administrator of the Estate of
JAMES WASHINGTON, JR., deceased,

Plaintiff,

v.

DAVIS EXPRESS, INC.; DIXIELAND
LOGISTICS, INC.; DOUGHLOSS
EDWARDS; AMOS JACKSON, JR.;
SPARTA INSURANCE COMPANY; and
GREAT WEST CASUALTY CO.,

Defendants.

Civil Action File
No. _____

JURY TRIAL DEMANDED

**PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS
TO DEFENDANT DOUGHLOSS EDWARDS**

COMES NOW, Plaintiff JURIAN WASHINGTON, Individually, by and through his counsel of record, and requires Defendant DOUGHLOSS EDWARDS to answer under oath the following Requests for Admissions within 45 days from the date of service of these Requests, pursuant to O.C.G.A. § 9-11-36(a)(2), and a copy of the answers to be furnished to Plaintiff's 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 the collision between Edward's and Washington which occurred on June 25, 2010 at or around 3:50 P.M., in DeKalb County, Georgia.
3. "**You,**" "**Your,**" or "DOUGHLOSS EDWARDS" means Defendant DOUGHLOSS EDWARDS.
4. "**DAVIS EXPRESS**" means Defendant DAVIS EXPRESS, INC.

REQUESTS FOR ADMISSION

1.

Admit that DOUGHLOSS EDWARDS is a proper party to this lawsuit.

2.

Admit that DOUGHLOSS EDWARDS was properly named in this case.

3.

Admit that DOUGHLOSS EDWARDS was a professional driver on the date and time of the

Subject Incident.

4.

Admit that service was proper on DOUGHLOSS EDWARDS.

5.

Admit that venue is proper in this Court.

6.

Admit that jurisdiction is proper in this Court.

7.

Admit that DOUGHLOSS EDWARDS was an employee of DAVIS EXPRESS on June 25, 2010 at the time of the Subject Incident.

8.

Admit that DOUGHLOSS EDWARDS was an agent of DAVIS EXPRESS on June 25, 2010 at the time of the Subject Incident.

9.

Admit that DOUGHLOSS EDWARDS was acting within the scope of his employment at the time of the Subject Incident.

10.

Admit that DOUGHLOSS EDWARDS was the driver of a tractor trailer involved in the Subject Incident.

11.

Admit that in the moments leading up to the Subject Incident, DOUGHLOSS EDWARDS was driving the tractor-trailer as trained by DAVIS EXPRESS.

12.

Admit that no act of JAMES WASHINGTON, JR. caused or contributed to the Subject Incident.

13.

Admit that there was no failure to act by JAMES WASHINGTON, JR. which contributed to the Subject Incident.

14.

Admit that there was no act on the part of anyone, other than DOUGHLOSS EDWARDS, that caused the Subject Incident.

15.

Admit that DOUGHLOSS EDWARDS is fully responsible for causing the Subject Incident.

16.

Admit that DOUGHLOSS EDWARDS' actions were partially responsible for causing the Subject Incident.

17.

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.

18.

At the time of the subject incident, DOUGHLOSS EDWARDS was subject to the Federal Motor Carrier Safety Regulations.

19.

~~There were no visual obstructions preventing EDWARD'S from seeing MR. WASHINGTON'S vehicle in the 1000 feet prior to the Subject Incident.~~

20.

DOUGHLOSS EDWARDS saw MR. WASHINGTON'S vehicle at least 1000 feet before impacting it.

This 25th day of June, 2012.

FRIED ROGERS GOLDBERG LLC



JOSEPH AARON FRIED
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