

IN THE SUPERIOR COURT OF CLAYTON COUNTY
STATE OF GEORGIA

QUAZITIA AISHA MARSHALL AS
ADMINISTRATOR OF THE ESTATE OF
JUAN ANTONIO YOURNET, DECEASED,
AND AS NATURAL MOTHER AND
LEGAL GUARDIAN OF TEAONNIE
JAHNIRAH QUANAE YOURNET AND
TY'JUAN ANTONIO YOURNET,
MINORS.

Plaintiffs,

v.

JOHN P. PITTS, SAIA MOTOR FREIGHT
LINE, LLC. and ZURICH AMERICAN
INSURANCE COMPANY

Defendants.

Civil Action File No.

JURY TRIAL DEMANDED

PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS
TO DEFENDANT JOHN PITTS

COMES NOW, Plaintiff QUAZITIA MARSHALL, as Administrator of the Estate of Juan Antonio Yournet and as the Natural Mother and Legal Guardian of Teaonnie Jahnirah Quanae Yournet and Ty'Juan Antonio Yournet, by and through her counsel of record, and requires Defendant JOHN PITTS 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 JOHN PITTS, driver for SAIA MOTOR FREIGHT LINE, LLC and JUAN YOURNET which occurred on August 20, 2012 at or around 4:58 A.M., in Clayton County, Georgia.
3. "**You**," "**Your**," or "**JOHN PITTS**" means Defendant JOHN PITTS.
4. "**SAIA**" means Defendant SAIA MOTOR FREIGHT LINE, LLC.

REQUESTS FOR ADMISSION

1.

Admit that JOHN PITTS is a proper party to this lawsuit.

2.

Admit that JOHN PITTS was properly named in this case.

3.

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

4.

Admit that service was proper on JOHN PITTS.

5.

Admit that venue is proper in this Court as to you.

6.

Admit that jurisdiction is proper in this Court as to you.

7.

Admit that JOHN PITTS was an employee of SAIA on August 20, 2012.

8.

Admit that JOHN PITTS was an agent of SAIA on August 20, 2012.

9.

Admit that JOHN PITTS was acting within the scope of his employment at the time of the Subject Incident.

10.

Admit that on August 20, 2012, JOHN PITTS was the driver of a tractor trailer involved in the Subject Incident.

11.

Admit that on August 20, 2012, JOHN PITTS was driving the tractor-trailer as trained by SAIA.

12.

Admit that no act of JUAN YOURNET contributed to the Subject Incident.

13.

Admit that there was no failure to act by JUAN YOURNET which contributed to the Subject Incident.

14.

Admit that there was no act on the part of anyone, other than JOHN PITTS that contributed to the Subject Incident as specifically stated above.

15.

Admit that JOHN PITTS is fully responsible for the Subject Incident.

16.

Admit that the negligence of JOHN PITTS was a contributing cause of 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, JOHN PITTS was subject to the Federal Motor Carrier Safety Regulations.

19.

There were no visual obstructions preventing JOHN PITTS from seeing JUAN YOURNET'S vehicle in the 500 feet prior to the Subject Incident.

20.

JOHN PITTS saw JUAN YOURNET'S vehicle at least 1000 feet before impacting it.

Dated: December 19, 2012.

FRIED ROGERS GOLDBERG LLC

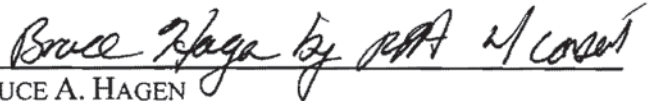


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