

IN THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA

cc COPY

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

Plaintiff,

v.

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

Defendants.

Civil Action File  
No. \_\_\_\_\_

JURY TRIAL DEMANDED

STATE COURT OF  
DEKALB COUNTY, GA.

2012 JUN 25 PM 5:28

FILED

BY: DEPIITY CLERK

**PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS TO  
DEFENDANT DIXIELAND LOGISTICS, INC.**

COMES NOW, Plaintiff JURIAN WASHINGTON, Individually and as the Administrator of the Estate of JAMES WASHINGTON, JR., by and through his counsel of record, and requires Defendant DIXIELAND LOGISTICS, INC., to answer under oath the following Requests for Admissions within 45 days from the date of service of these Requests, as provided by law, 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 Jackson and DeKalb County Police Officer Westmoreland which occurred on June 25, 2010 at or around 4:08 P.M., in DeKalb County, Georgia.
3. "**You,**" "**Your,**" or "**DIXIELAND**" means Defendant DIXIELAND LOGISTICS, INC.
4. "**AMOS JACKSON**" means Defendant AMOS JACKSON, JR.

#### **REQUESTS FOR ADMISSION**

1.

Admit that the DOT number for DIXIELAND is 163826.

2.

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Admit that the MC ICC number for DIXIELAND is 141339.

3.

Admit that JAMES WASHINGTON, JR. is a member of the public.

4.

Admit that DIXIELAND was involved in intrastate transport at the time of the Subject Incident.

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5.

Admit that DIXIELAND was involved in interstate transport at the time of the Subject Incident.

6.

Admit that DIXIELAND is a motor carrier as defined by the Federal motor Carrier Safety Regulations.

7.

Admit that DIXIELAND was a motor carrier as defined by the Federal motor Carrier Safety Regulations at the time of the Subject Incident.

8.

Admit that on June 25, 2010, DIXIELAND was the owner of a tractor involved in the Subject Incident.

9.

Admit that on June 25, 2010, DIXIELAND was the owner of a trailer involved in the Subject Incident.

10.

Admit that the tractor-trailer, VIN 1XKAD48X39J227051, was involved in the Subject Incident.

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11.

Admit that on June 25, 2010, AMOS JACKSON was an agent of DIXIELAND.

12.

Admit that on June 25, 2010, AMOS JACKSON was an employee of DIXIELAND.

13.

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Admit that at the time of the Subject Incident, AMOS JACKSON was acting within the course and scope of his employment or agency with DIXIELAND.

14.

Admit that on June 25, 2010, AMOS JACKSON was operating the tractor-trailer owned by DIXIELAND.

15.

Admit that on June 25, 2010, AMOS JACKSON was operating the tractor-trailer with the permission of DIXIELAND.

16.

Admit that on June 25, 2010, AMOS JACKSON was operating the tractor-trailer with the knowledge of DIXIELAND.

17.

Admit that on June 25, 2010, AMOS JACKSON was operating the tractor-trailer as trained by DIXIELAND.

18.

Admit that on June 25, 2010, AMOS JACKSON was not operating the tractor-trailer as trained by DIXIELAND.

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19.

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

20.

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

21.

Admit that AMOS JACKSON is fully responsible for causing the Subject Incident.

22.

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

23.

Admit that DIXIELAND is properly named in the Complaint.

24.

Admit that venue is proper in this Court.

25.

Admit that jurisdiction is proper in this Court.

26.

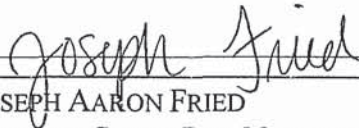
Admit that service was proper upon DIXIELAND.

27.

Admit that the person answering these questions has authority from DIXIELAND to do so.

This 25<sup>th</sup> day of June, 2012.

**FRIED ROGERS GOLDBERG LLC**



JOSEPH AARON FRIED  
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*ATTORNEYS FOR PLAINTIFF*