

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 SAIA MOTOR FREIGHT LINE, LLC**

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, minors, by and through her counsel of record, and requires Defendant SAIA MOTOR FREIGHT LINE, LLC 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 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 **"SAIA"** means Defendant SAIA MOTOR FREIGHT LINE, LLC.
4. **"JOHN PITTS"** means Defendant JOHN PITTS.

#### **REQUESTS FOR ADMISSION**

1.

Admit that the DOT number for SAIA is 29124.

2.

Admit that the MC ICC number for SAIA is 87511.

3.

Admit that JUAN YOURNET is a member of the public.

4.

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

5.

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

6.

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

7.

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

8.

Admit that on August 20, 2012, SAIA was the owner of a tractor involved in the Subject Incident.

9.

Admit that on August 20, 2012, SAIA was the owner of a trailer involved in the Subject Incident.

10.

Admit that the tractor-trailer, VIN 3HSDJSJR5DN179048, was involved in the Subject Incident.

11.

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

12.

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

13.

Admit that at the time of the Subject Incident, JOHN PITTS was acting within the course and scope of his employment or agency with SAIA.

14.

Admit that on August 20, 2012, JOHN PITTS was operating the tractor-trailer owned by SAIA.

15.

Admit that on August 20, 2012, JOHN PITTS was operating the tractor-trailer with the permission of SAIA.

16.

Admit that on August 20, 2012, JOHN PITTS was operating the tractor-trailer with the knowledge of SAIA.

17.

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

18.

Admit that on August 20, 2012, JOHN PITTS was not operating the tractor-trailer as trained by SAIA.

19.

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

20.

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

21.

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

22.

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

23.

Admit that SAIA 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 SAIA.

27.

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

**[SIGNATURES CONTINUED ON THE FOLLOWING PAGE]**

Dated: December 19, 2012.

**FRIED ROGERS GOLDBERG LLC**



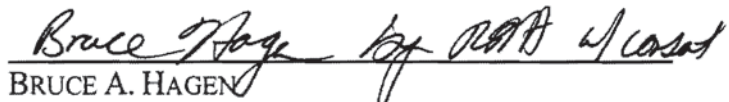
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