

IN THE STATE COURT OF FULTON COUNTY
STATE OF GEORGIA

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

Plaintiffs,

v.

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

Defendants.

CIVIL ACTION FILE

NO. 10EVo09965-J

**PLAINTIFF CHRISTOPHER W. PITTS'S SECOND 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 attorneys, and requires Defendant, WILLIE J. CHANDLER, JR., to answer under oath the following Requests for Admissions within 30 days from the date of service of these Requests, 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. **“SCHWERMAN”** means Defendant SCHWERMAN 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.

A drug test (blood, urine or otherwise) was performed on you after the Subject Incident occurred.

2.

An alcohol test (blood, urine or otherwise) was performed on you after the Subject Incident occurred.

3.

You knew at the time of the collision at issue that it was illegal to operate a commercial motor vehicle while under the influence of marijuana.

4.

You knew at the time of the collision that if you were tested for marijuana use you would likely test positive.

5.

You have a copy of your post collision drug test results in your possession.

6.

You have a copy of your post collision alcohol test results in your possession.

7.

You tested positive for drug use after the Subject Incident.

8.

You had marijuana (THC) in your system at the time of the collision at issue in this case.

9.

You tested positive for alcohol after the Subject Incident.

10.

Admit that in the twenty-four (24) hour period immediately preceding the Subject Incident, you consumed, inhaled or otherwise ingested an illegal substance.

11.

Admit that in the twenty-four (24) hour period immediately preceding the Subject Incident, you consumed, inhaled or otherwise ingested marijuana.

12.

Admit that in the twenty-four (24) hour period immediately preceding the Subject Incident, you consumed, inhaled or otherwise ingested one or more alcoholic beverages.

13.

Admit that in the twenty-four (24) hour period immediately preceding the Subject Incident, you consumed, inhaled or otherwise ingested one or more sedatives.

14.

Admit that in the twenty-four (24) hour period immediately preceding the Subject Incident, you consumed, inhaled or otherwise ingested one or more tranquilizers.

15.

Admit that in the twenty-four (24) hour period immediately preceding the Subject Incident, you consumed, inhaled or otherwise ingested one or more prescription and/or over-the-counter drug or medicine.

16.

Admit that you were evaluated by a substance abuse professional at least once during the five (5) years preceding the Subject Incident.

17.

You were under the influence of an illegal substance at the time of the Subject Incident.

18.

You were previously arrested and/or convicted of driving while under the influence.

19.

You have a substance abuse problem.

20.

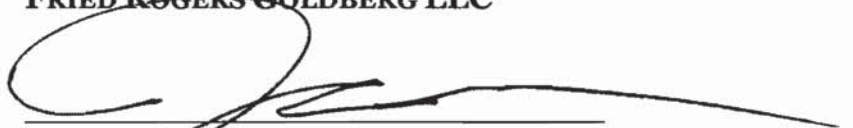
You had a substance abuse problem at the time of the collision at issue.

21.

You have had treatment for substance abuse problems.

This ___ day of March, 2011.

FRIED ROGERS GOLDBERG LLC



JOSEPH A. FRIED
GEORGIA STATE BAR NUMBER 277251
JENNIFER LEONHARDT OJEDA
GEORGIA STATE BAR NUMBER 765489

ATTORNEYS FOR PLAINTIFFS

THE LENOX BUILDING
3399 PEACHTREE ROAD, N.E.
SUITE 325
ATLANTA, GEORGIA 30326-2835
TELEPHONE: 404-591-1800
FACSIMILE: 404-591-1801
E-MAIL: JOE@FRG-LAW.COM
JEN@FRG-LAW.COM