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October 4, 2024

VIA EMAIL

Matthew Olmstead, Esq.
Shannon Arsenault, Esq.
1191 East Newport Center Drive
Penthouse Suite H
Deerfield Beach, FL 33442

RE: Jose Garcia v. Loadpro Trucking, LLC & Bruce Hyatt

Dear Counselors:

I am writing to follow up on your clients' objections and deficiencies to Plaintiff's discovery requests in the above referenced matter, specifically with regards to Mr. Hyatt's responses to Plaintiff's First Request for Production and answers to Plaintiff's First Interrogatories in addition to Loadpro's responses to Plaintiff's First and Second Request for Production and answers to Plaintiff's First Interrogatories. Please note that while your office did request an extension to serve answers/responses to discovery, this was after the deadline to respond; accordingly, all untimely non-privileged objections have been waived. Therefore, we ask that you immediately provide complete responses to all Plaintiff's interrogatories and requests for production which currently assert non-privileged objections. Further, some of Defendants' answers/responses are incomplete. I have listed the specific interrogatories and requests below for your review.

LOADPRO's Answers to Plaintiff's 1st Interrogatories

Interrogatory No. 2(g) – Non-privileged objections waived. Please withdraw and provide a complete answer.

Interrogatory No. 3 – Incomplete answer. Please answer the following portion of this answer which was not provided: "whether the insurer has offered or provided a defense under a reservation of rights or otherwise contested or raised defenses to providing coverage for this Crash or the claims asserted in this lawsuit, and describe any other claims being asserted against the policy, from this Crash or during the same policy period, that would reduce the amount of coverage available for the claims asserted in this lawsuit or from the Crash."

Interrogatory No. 5 – Incomplete answer. Please amend to provide a complete answer to this interrogatory.

Interrogatory No. 8 – Incomplete answer. Please identify the persons/entities that loaded the cargo/products in the trailer, when was the load supposed to be delivered and any schedules/deadlines for the deliveries

Interrogatory No. 10 – Incomplete answer. The answer does not address the person or entity involved in each inquiry and their relationship to Mr. Hyatt, any communications or actions generated as a result, and the identity of any documents that relate to each inquiry.

Interrogatory No. 12 – Non-privileged objections waived. Please withdraw and provide a complete answer.

LOADPRO's Response to Plaintiff's 1st Request for Production

Request No. 1 – Plaintiff was only provided a copy of the reentitlement letter, not the actual OP-1.

Request No. 2 – Plaintiff was only provided a copy of the reentitlement letter, not the actual MCS-150.

Request No. 4 – Defendant only provided a declaration page. Please provide a certified copy of the declaration pages, policy forms, endorsements, amendments or other documents for any insurance policies of the ANY policies that were in effect that MAY provide coverage for each person, entity, truck, trailer or other transportation equipment involved in the Crash that had a coverage period on the date of the crash and whether or not you contend the policy covers or may provide coverage for the damages sought by the Complaint as requested.

LOADPRO's Response to Plaintiff's 2nd Request for Production

Request No. 4 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

Request No. 12 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

Request No. 21 – Incomplete response. This request is for inspection, repair and maintenance records for the relevant time period. Relevant time period” is defined as 365 days before the Crash through 120 days after the Crash. Instead we were provided the drivers hours of service logs for 8/16/21-8/30/21.

Request No. 22 – Incomplete response. Only thirty (30) days prior to the crash provided. Relevant time period” is defined as 365 days before the Crash through 120 days after the Crash.

Request No. 23 – This request is for driver vehicle inspection reports for the relevant time period. Relevant time period” is defined as 365 days before the Crash through 120 days after the Crash. We have only been provided with logs for 8/16/21-8/30/21 in response to this request.

Request No. 29 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss

further in an attempt to resolve without court intervention.

Request No. 31 – Plaintiff disagrees with Defendants objections to this request and would like to discuss further in an attempt to resolve without court intervention.

Request No. 32 – Incomplete response. Please provide logs for the relevant time period. Relevant time period” is defined as 365 days before the Crash through 120 days after the Crash.

Request No. 33 – Incomplete response. Only 30 days of logs provided. Defendant objected to the remainder. Plaintiff disagrees with Defendants objections and would like to discuss further in an attempt to resolve.

Request No. 34 – Incomplete response. This request is for driver vehicle inspection reports for the week of, the week before and the day the crash. Defendant provided logs for 8/16/21-8/30/21 which is not a response to this request.

Request No. 35 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

Request No. 37 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

Request No. 50 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

Request No. 52 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

Request No. 53 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

Request No. 56 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

Request No. 58 – Plaintiff disagrees with Defendants overbroad objection and would like to discuss further in an attempt to resolve without court intervention.

BRUCE HYATT's Answers to Plaintiff's 1st Interrogatories

Interrogatory No. 1 – Incomplete response. Please provide name, telephone number and address for Bruce Hyatt.

Interrogatory No. 8 – Non-privilege objections waived. Please withdraw and provide a complete answer.

Interrogatory No. 10 – Non-privilege objections waived. Please withdraw and provide a complete answer.

Interrogatory No. 11 – Incomplete answer. Please provide a complete answer to the other portions of the question.

Interrogatory No. 12 – Despite the answer provided, Defendant has not produced driver vehicle inspection reports as stated. Accordingly, please provide a complete answer to this request.

BRUCE HYATT's Response to Plaintiff's 1st Request for Production

Request No. 4 – Defendant only provided a declaration page. Please provide a certified copy of the declaration pages, policy forms, endorsements, amendments or other documents for any insurance policies of the ANY policies that were in effect that MAY provide coverage for each person, entity, truck, trailer or other transportation equipment involved in the Crash that had a coverage period on the date of the crash and whether or not you contend the policy covers or may provide coverage for the damages sought by the Complaint as requested.

Request No. 5 – Defendant only provided a declaration page. Please provide a certified copy of the declaration pages, policy forms, endorsements, amendments or other documents for any insurance policies of the ANY policies that were in effect that MAY provide coverage for each person, entity, truck, trailer or other transportation equipment involved in the Crash that had a coverage period on the date of the crash and whether or not you contend the policy covers or may provide coverage for the damages sought by the Complaint as requested.

Request No. 20 – Non-privileged objection waived. Please provide logs for the relevant time period.

Request No. 21 – Non-privileged objections waived. Please withdraw and provide a complete response.

Request No. 22 – This request was skipped. Please provide a complete response.

Request No. 35 – Non-privileged objections waived. Please withdraw and provide a complete response.

Request No. 37 – Non-privileged objections waived. Please withdraw and provide a complete response.

Request No. 39 – Non-privileged objections waived. Please withdraw and provide a complete response.

Please review all of the above at your earliest convenience. My office will be contacting you to schedule a Meet and Confer Conference in an effort to discuss and hopefully resolve these discovery issues, so as to avoid a Motion to Compel and involving the Court.

Sincerely,



Sara K. Sardina, Esq.