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| ninth judicial district of florida  **CASE NO: ct-2021:001** | | |
| **ANDREW EAST,**  **Plaintiff,**  **vs.**  **DONHAV NONAME,**  **Defendant.** | **/** |  |

**Plaintiff’s REQUEST TO PRODUCE TO DEFENDANT Cynthia Fake**

COMES NOW the Plaintiff, ANDREW EAST, by and through the undersigned counsel, pursuant to the provisions of Rule 1.350, Florida Rules of Civil Procedure, requests the Defendant, Cynthia Fake, produce and permit the inspection, copying, or otherwise examining of the documents set forth below. Defendant shall produce these documents within forty-five (45) days after service of this Request for Production.

I. DEFINITIONS

1. As used throughout this Request to Produce, the following terms are defined as follows:
2. "Document" is used in the broad sense and means any tangible object or thing that contains, conveys, or records information. Production is required of the original, or any copy if the original is not available, of any book, record, minutes of meetings, reports and/or summaries of interviews, reports and/or summaries of investigations; opinions or reports of consultants; opinions of counsel; communications of any nature, including internal company communications, memoranda, telegrams, telexes, letters, notes of telephone conferences, agreements, reports or summaries of negotiations, brochures, pamphlets, advertisements, circulars, trade letters, press releases, drafts and revisions of drafts of documents, any written, printed, typed or other graphic matter of any kind or nature, drawings, photographs, paper, communication, chart, tap, disk, card, wire or other electronic or mechanical recording or transcript or any other instrument or device from which information can be perceived, in the employees or agents, or known by Plaintiff to exist, unless otherwise privileged.
3. "Document" also includes copies containing information in addition to that contained on the original (such as notations, computations, attachments, etc.), and shall include all copies of documents by whatever means made and whether or not claimed to be privileged or otherwise excludable from discovery. To the extent that a request that a request calls for the production of multiple identical documents or things, only one copy of each such identical documents or things need be produced. Two copies are not identical if one of the copies has any information, writing, printing, or other marks not present on the other of the copies.
4. If any tape, disk, card, wire, or other electronic or mechanical recording or transcript or any computer program is produced, such documents as are necessity for the decoding, putting back, printing out and/or interpretation thereof, and any other documents which are necessity to convert such information into a useful and necessity to convert such information into a useful and usable format shall also be produced, in order to make this request under Rule 1.350 meaningful and genuine.
5. "Person" means any natural person, public or private corporation (whether or not organized for profit), partnership, unincorporated association, governmental agency or body, or other legal entity.
6. "Company" means any business or governmental entity to which this request is addressed and includes all of its affiliated, subsidiaries, parents, divisions, successors in interest, and predecessors as well as all of its directors, officers, principals, partners, employees, agents, representatives, attorneys, any other persons working for or on behalf thereof, whether temporary or permanent, and any "person" in which Plaintiff has acquired an interest.
7. "Statement" means (1) any written statement made any a person and signed or otherwise adopted or approved by him; or (2) any stenographic, mechanical, electrical, or other recording, or a transcription thereof, which is a substantially verbatim recital of an oral statement made by that person and recorded contemporaneously with the making of such oral statement.
8. As may be used in these Request "and" is conjunctive (meaning, e.g., A and B); and "or" is disjunctive and inclusive (meaning, e.g., A or B, or both). No answer should be withheld, or limited, because it refers or relates to only one, or to more than one, item in a request.
9. As may be used in this Request to Produce, the terms "trademark" and "service mark" shall be considered interchangeable, and the term "mark" shall be considered to refer to any trademark, service mark, trade name, or business designation, or any other word, symbol, design, logo, title, or slogan used to identify the source of origin of products or services. References to 'products" or "goods" shall be considered to include services.

II. CLAIM OF PRIVILEGE

If any document or statement is withheld from this request under a claim of privilege, then please furnish a list which identifies each document or statement for which privilege is claimed and include the following information for each such document:

1. Description sufficient to identify.

2. The date(s).

3. The subject matter(s).

4. The sender(s) or author(s).

5. The recipient(s).

6. The persons to whom copies were furnished, together with their job titles.

7. The present depository or person having custody of the document.

8. The nature and basis of privilege or immunity claimed.

9. The paragraph(s) of this request to which each such document or statement relates or corresponds.

III. GROUPING OR NUMBERING OF ITEMS PRODUCED

Pursuant to Fla. R. Civ. P. 1.350, it is requested that the document or other items submitted in response to this Request to Produce be organized and labeled according to the individual paragraphs of the request to which they are responsive, and within each group, arranged in chronological order.

IV. PLACE, TIME, AND MANNER OF RESPONSE

A response to this Request to Produce is due within forty-five (45) days after service of this Request to Produce**,** and shall be made at the offices of Morgan & Morgan, P.A., 20 N. Orange Ave., Suite 1600, Orlando, FL 32801, or at such other place as the parties may agree. Authentic copies of document may be supplied, provided that existing originals are available for inspection, examination, and comparison.

**DEFENDANT Cynthia Fake SHALL PRODUCE THE FOLLOWING:**

1. All statements made by any occupants of the vehicles involved in the subject accident.
2. All statements made by any witnesses to the subject accident.
3. All statements made by Plaintiff pertaining to or concerning the subject matter of this cause.
4. All photographs, videos, or other depictions of the vehicles involved in the subject accident.
5. All photographs, videos, or other depictions of Plaintiff depicting injuries potentially, allegedly, or claimed to be sustained from the subject accident.
6. All photographs, videos, or other depictions of the scene of the accident.
7. Documents relating to or discussing repairs or maintenance to Defendant’s vehicle that were done six (6) months preceding, and including, the date of the accident and for the six (6) months following the date of the accident.
8. The repair bill and estimates for the repairs to any of the vehicles involved in the accident for damages.
9. Any and all policies of liability insurance in effect on the date of the subject accident, providing coverage to the Defendant herein.
10. Appraisals of all property damage sustained by Defendant's vehicle in the subject accident.
11. Appraisals of the property damage sustained by Plaintiff's vehicle in the subject accident.
12. Any and all surveillance films, photographs, or depictions taken of the Plaintiff as a result of the subject accident.
13. Any and all insurance agreements, insurance policies, or agreements of any kind or nature under which any person or company carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse any payments made to satisfy any such judgment or settlement, including but not limited to a certified copy of the declarations sheet as to each such policy.
14. Any and all computer generated documents in the possession of the Defendant or any agent, servant, and/or employee of the Defendant, which pertains or relate, in any manner or fashion, to and any past claims history of the Plaintiff.
15. Any and all checks issued by the Defendant or any agent, servant, and/or employee of the Defendant to any other person, firm, or company making a claim arising out of the same accident which is the basis of this lawsuit.
16. The entire Personal Injury Protection (“PIP”) file, including an up-to-date PIP log and Medical Payments payout sheet concerning Plaintiff.
17. A copy of the driver’s license of the driver involved in the subject accident that existed on the date of the accident, as well as the current driver’s license if different.

In support of this Request to Produce, it is shown that the documents and/or materials requested are believed to be in the possession, custody, or control of the party to whom this request is directed. The information sought by this request is relevant to the subject matter of this action and cannot otherwise be obtained without undue hardship. In the event that all or part of the documents and/or materials herein requested are not in the possession or control of the above-named Defendant addressee, then the undersigned counsel further requests the identity and location of all persons having such possession and control. This request is made in good faith and for the purposes herein expressed.

[CERTIFICATION AND SIGNATURE PAGE FOLLOWS]

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served upon said Defendant, along with the Summons and Complaint.

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|  | Preston Blair, Esquire  FBN:  Morgan & Morgan Fort Myers PLLC  703 Waterford Way, Ste. 1000  Miami, FL 33126  Telephone Phone: (901) 333-1823  Facsimile: (901) 524-1787  Primary email: pblair@forthepeople.com  Secondary email:  Attorneys for Plaintiff |