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

**NOTICE OF SERVICE OF INTERROGATORIES TO DEFENDANT Cynthia Fake**

COMES NOW the Plaintiff, ANDREW EAST, by and through the undersigned counsel, pursuant to Rule 1.340, Florida Rules of Civil Procedure, and hereby gives notice of propounding Interrogatories to Defendant Cynthia Fake, the attached interrogatories, to be answered within 45 days from the date of service hereof.

**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.

Preston Blair, Esquire

FBN:

Morgan & Morgan Fort Myers PLLC

703 Waterford Way, Ste. 1000

Miami, FL 33126

Telephone Phone: (901) 333-1823

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Primary email: pblair@forthepeople.com

Secondary email:

Attorneys for Plaintiff

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

## INTERROGATORIES TO DEFENDANT Cynthia Fake

Plaintiff, ANDREW EAST, by and through the undersigned counsel, propounds the attached Interrogatories, numbered one (1) through twenty-nine (29) to Defendant Cynthia Fake, to be answered, under oath, within forty-five (45) days from the date of service.

**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 |

**INTERROGATORIES TO DEFENDANT Cynthia Fake**

**PLEASE INSERT YOUR ANSWERS IN THE SPACE PROVIDED BELOW EACH INTERROGATORY. SHOULD ADDITIONAL SPACE BE NEEDED, PLEASE ATTACH AN EXTRA SHEET. "YOU" AND "YOUR" REFER TO THE DEFENDANT TO WHOM THESE INTERROGATORIES ARE DIRECTED. DEFENDANT INCLUDES ALL AGENTS, SERVANTS, OR EMPLOYEES OF THE DEFENDANT. IF ANSWERING FOR ANOTHER PERSON OR ENTITY, ANSWER WITH RESPECT TO THAT PERSON OR ENTITY, UNLESS OTHERWISE STATED.**

1. What is the name and address of the person answering these interrogatories, and, if applicable, the person's official position or relationship with the party to whom the interrogatories are directed?

2. List all former names and when you were known by those names. State all addresses where you have lived for the past ten (10) years, the dates you lived at each address, your Social Security number, and your date of birth.

3. Have you ever been convicted of a crime, other than any juvenile adjudication, which under the law under which you were convicted was punishable by death or imprisonment in excess of one (1) year, or that involved dishonesty or a false statement regardless of the punishment? If so, state as to each conviction the specific crime and the date and place of conviction.

4. Describe any and all policies of insurance which you contend cover or may cover you for the allegations set forth in Plaintiff's Complaint, detailing as to such policies the name of the insurer, the number of the policy, the effective dates of the policy, the available limits of liability, and the name and address of the custodian of the policy.

5. Describe in detail how the incident described in the Complaint happened, including all actions taken by you to prevent the incident.

6. Describe in detail each act or omission on the part of any party to this lawsuit that you contend constituted negligence that was a contributing legal cause of the incident in question.

7. State the facts upon which you rely for each affirmative defense in your Answer.

1. Do you contend any person or entity other than you is, or may be, liable in whole or part for the claims asserted against you in this lawsuit? If so, state the full name and address of each such person or entity, the legal basis for your contention, the facts or evidence upon which your contention is based, and whether or not you have notified each such person or entity of your contention.

9. Were you charged with any violation of law (including any regulations or ordinances) arising out of the incident described in the Complaint? If so, what was the nature of the charge; what plea or answer, if any, did you enter to the charge; what court or agency heard the charge; was any written report prepared by anyone regarding the charge, and, if so, what is the name and address of the person or entity who prepared the report; do you have a copy of the report; and was the testimony at any trial, hearing, or other proceeding on the charge recorded in any manner, and, if so, what is the name and address of the person who recorded the testimony.

10. List the names and addresses of all persons who are believed or known by you, your agents, or your attorneys to have any knowledge concerning any of the issues in this lawsuit; and specify the subject matter about which the witness has knowledge.

11. Have you heard or do you know about any statement or remark made by or on behalf of any party to this lawsuit, other than yourself, concerning any issue in this lawsuit? If so, state the name and address of each person who made the statement or statements, the name and address of each person who heard it, and the date, time, place, and substance of each statement.

12. State the name and address of every person known to you, your agents, or your attorneys who has knowledge about, or possession, custody, or control of, any model, plat, map, drawing, motion picture, videotape, or photograph pertaining to any fact or issue involved in this controversy; and describe as to each, what item such person has, the name and address of the person who took or prepared it, and the date it was taken or prepared.

13. Do you intend to call any expert witnesses at the trial of this case? If so, state as to each such witness the name and business address of the witness, the witness's qualifications as an expert, the subject matter upon which the witness is expected to testify, the substance of the facts and opinions to which the witness is expected to testify, and a summary of the grounds for each opinion.

14. Have you made an agreement with anyone that would limit that party's liability to anyone for any of the damages sued upon in this case? If so, state the terms of the agreement and the parties to it.

15. Please state if you have ever been a party, either plaintiff or defendant, in a lawsuit other than the present matter, and, if so, state whether you were plaintiff or defendant, the nature of the action, and the date and court in which such suit was filed.

16. Do you wear glasses, contact lenses, or hearing aids? If so, who prescribed them, when were they prescribed, when were your eyes or ears last examined, and what is the name and address of the examiner?

17. Were you suffering from physical infirmity, disability, or sickness at the time of the incident described in the Complaint? If so, what was the nature of the infirmity, disability, or sickness?

18. Did you consume any alcoholic beverages or take any drugs or medications within twelve (12) hours before the time of the incident described in the Complaint? If so, state the type and amount of alcoholic beverages, drugs, or medication which were consumed, and when and where you consumed them.

19. Did any mechanical defect in the motor vehicle in which you were riding at the time of the incident described in the Complaint contribute to the incident? If so, describe the nature of the defect and how it contributed to the incident.

20. List the name and address of all persons, corporations, or entities who were registered title owners or who had ownership interest in, or right to control, the motor vehicle that the defendant driver was driving at the time of the incident described in the Complaint; and describe both the nature of the ownership interest or right to control the vehicle, and the vehicle itself, including the make, model, year, and vehicle identification number.

21. At the time of the incident described in the Complaint, did the driver of the vehicle described in your answer to the preceding interrogatory have permission to drive the vehicle? If so, state the names and addresses of all persons who have such permission.

22. At the time of the incident described in the Complaint, was the defendant driver engaged in any mission or activity for any other person or entity, including any employer? If so, state the name and address of that person or entity and the nature of the mission or activity.

23. Was the motor vehicle that the defendant driver was driving at the time of the incident described in the Complaint damaged in the accident, and, if so, what was the cost to repair the damage?

24. At the time of this incident, please explain or identify:

* 1. What the defendant driver was doing.
  2. Where the defendant driver was going.
  3. The purpose for the defendant driver’s travel.
  4. His employer, including name, address, phone number, duration and terms of employment relationship.

1. Describe in complete detail the appearance of the Plaintiff immediately after the Plaintiff’s alleged occurrence, including any obvious injuries, the emotional state of the Plaintiff, whether the Plaintiff appeared in pain or otherwise.
2. Did you own or have a cell phone in your possession at the time of the crash described in the Complaint? If so, did you have the cell phone with you in the vehicle you were driving at the time of the crash? Please provide the name of the cell phone carrier, the owner of the cell phone, the name of the account holder, the cell phone number, and whether you have such cell phone at this time. If you have since changed service providers or you no longer own or have possession of the cell phone, when was such service canceled or terminated?
3. At the time of the crash as described in the Complaint, were you talking, texting, using GPS, using social media, using any Application, or otherwise on or utilizing your cell phone? If so, who were you talking or texting with; what address was in your GPS; what Application(s) were you using; and/or what were you utilizing your cell phone for?
4. List the names, titles, and addresses of all persons who have provided information, aid, or assistance in answering any issues addressed in these interrogatories, and give a brief summary of the information or assistance rendered by such person(s).
5. Did you post to social media any photograph, video, or comment about anything related to this motor vehicle accident or injuries related thereto? If yes, to what social media platform, profile name, date of the post, and a description of the post.

## SIGNATURE PAGE

STATE OF

COUNTY OF

Sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this day of , 2022, by .

Personally Known or Produced Identification

Type of Identification Produced

Notary Public

My Commission Expires: