**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
IN AND FOR LEE COUNTY, FLORIDA**

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| COLLETTE EILEEN RAYMOND,   Plaintiff,  v.  WILLIAM RICHARD DAGISTINO, SIDNEY KATE STEPHENSON, AND PROGRESSIVE AMERICAN INSURANCE COMPANY, A FOREIGN PROFIT CORPORATION,   Defendants.  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/ |  |  | Case No. 2022CA008296 |

**REQUEST FOR ADMISSION NO. 1:**

That at the time of the subject accident, the vehicle you occupied was equipped with seat belts.

**RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

**REQUEST FOR ADMISSION NO. 2:**

That at the time of the subject accident, the vehicle you occupied was equipped with seat belts which were available for your use.

**RESPONSE TO REQUEST FOR ADMISSION NO. 2:**

**REQUEST FOR ADMISSION NO. 3:**

That at the time of the subject accident, the seat belts in the vehicle you occupied were operational.

**RESPONSE TO REQUEST FOR ADMISSION NO. 3:**

**REQUEST FOR ADMISSION NO. 4:**

That at the time of the subject accident, you were not wearing a seat belt.

**RESPONSE TO REQUEST FOR ADMISSION NO. 4:**

**REQUEST FOR ADMISSION NO. 5:**

That your failure to use the available and fully operational seat belt at the time of the subject accident was unreasonable.

**RESPONSE TO REQUEST FOR ADMISSION NO. 5:**

**REQUEST FOR ADMISSION NO. 6:**

Plaintiffs use of the available, functional, and operational seat belt at the time and place of the incident described in the Complaint would have prevented or lessened the injury and damage alleged by Plaintiff.

**RESPONSE TO REQUEST FOR ADMISSION NO. 6:**

**REQUEST FOR ADMISSION NO. 7:**

That your failure to use the seat belt at the time of the subject accident produced or contributed substantially to producing your injuries.

**RESPONSE TO REQUEST FOR ADMISSION NO. 7:**

**REQUEST FOR ADMISSION NO. 8:**

That all of the damages and injuries were caused by your failure to use the seat belt at the time of the accident.

**RESPONSE TO REQUEST FOR ADMISSION NO. 8:**

**REQUEST FOR ADMISSION NO. 9:**

Plaintiff received or is entitled to receive benefits from a collateral source, as defined by Florida Statute 627.7372 or Florida Statute 768.76, for medical bills alleged to have been incurred as a result of the incident described in the complaint.

**RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

**REQUEST FOR ADMISSION NO. 10:**

Plaintiff received or is entitled to receive benefits from a collateral source, as defined by Florida Statute 627.7372 or 768.76, for loss of wages or income alleged to have been sustained as a result of the incident described in the Complaint.

**RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

**REQUEST FOR ADMISSION NO. 11:**

Plaintiff received or is entitled to receive benefits under the Personal Injury Protection portion of an automobile policy for medical bills alleged to have been incurred as a result of the incident described in the Complaint.

**RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

**REQUEST FOR ADMISSION NO. 12:**

Plaintiff received or is entitled to receive benefits under the Personal Injury Protection portion of an automobile insurance policy for loss of wages or income alleged to have been sustained as a result of the incident described in the Complaint.

**RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

**REQUEST FOR ADMISSION NO. 13:**

Plaintiff received or is entitled to receive benefits under the medical payments provision of an automobile insurance policy for medical bills alleged to have been incurred as a result of the incident described in the Complaint.

**RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

**REQUEST FOR ADMISSION NO. 14:**

Plaintiff is subject to a deductible under the Personal Injury Protection portion of an automobile insurance policy.

**RESPONSE TO REQUEST FOR ADMISSION NO. 14:**

**REQUEST FOR ADMISSION NO. 15:**

Plaintiff received or is entitled to receive benefits, pursuant to a personal or group health insurance policy, for medical bills alleged to have been incurred as a result of the incident described in the Complaint.

**RESPONSE TO REQUEST FOR ADMISSION NO. 15:**

**REQUEST FOR ADMISSION NO. 16:**

Plaintiff received or is entitled to receive benefits, pursuant to a personal or group wage continuation plan or policy, for loss of wages or income alleged to have been sustained as a result of the incident described in the Complaint.

**RESPONSE TO REQUEST FOR ADMISSION NO. 16:**

**REQUEST FOR ADMISSION NO. 17:**

This action is subject to the Florida Motor Vehicle No-Fault Law, Florida Statute Sections 627.730 through 627.7405, inclusive.

**RESPONSE TO REQUEST FOR ADMISSION NO. 17:**

**REQUEST FOR ADMISSION NO. 18:**

At the time and place of the incident described in the Complaint, Defendant, , complied with the provisions and security requirements set forth in Florida Statute 627.737(1).

**RESPONSE TO REQUEST FOR ADMISSION NO. 18:**

**REQUEST FOR ADMISSION NO. 19:**

Plaintiff is an insured person under the Personal Injury Protection portion of an automobile insurance policy which was in force on the date of the incident described in the Complaint which provides payment of benefits of eighty percent (80%) of all reasonable and necessary medical expenses incurred and sixty (60%) of loss of income or earning capacity from inability to work as a result of injury sustained from the incident described in the Complaint to a maximum of Ten Thousand Dollars ($10,000.00).

**RESPONSE TO REQUEST FOR ADMISSION NO. 19:**

Dated: January 03, 2023

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|  | Morgan & Morgan  8151 Peters Road, Suite 4000  Plantation, FL 33325  (954) 318-0268  By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Attorneys for Plaintiff COLLETTE EILEEN RAYMOND |

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served upon the following via [email/U.S. Mail/fax/hand delivery] on January 03, 2023:

|  |  |
| --- | --- |
| LAWRENCE E. BROWNSTEIN KIRWAN, SPELLACY, DANNER, WATKINS, BROWNSTEIN, & ROBB P.A. 2080 W. Indiantown Road, Suite 200, Jupiter, FL 33458 pleadings@kirwanspellacy.com |  |

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|  | By:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  |