

IN THE COMMON PLEAS COURT OF WOOD COUNTY, OHIO

LYNN M. OLSEN
613 Valley Street
Sault Sainte Marie, MI 49783

Plaintiff,

v.

**RYDER INTEGRATED LOGISTICS,
INC.**
C/O Corporate Creations Network, Inc.,
Statutory Agent
119 E. Court Street
Cincinnati, OH 45202

and

ROBBIE M. RANDOLPH
3926 Cornell Street
Dearborn Heights, MI 48125

Defendants.

) Case No.:
)
) Judge
)
) **COMPLAINT WITH JURY DEMAND**
) **ENDORSED HEREON AND**
) **INTERROGATORIES, REQUESTS**
) **FOR PRODUCTION OF**
) **DOCUMENTS AND REQUESTS**
) **FOR ADMISSIONS ATTACHED**
)
) Michael Jay Leizerman (0063945)
) Rena M. Leizerman (0087151)
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)
) Attorneys for Plaintiff

PRELIMINARY STATEMENT AND JURISDICTION

1. This is a clear liability collision in which Defendant's tractor trailer failed to stop for traffic and rear ended Plaintiff, causing Plaintiff's vehicle to strike other vehicles and roll over in the median on I-475 in

Wood County. Plaintiff sustained multiple injuries, including but not limited to her brain, head, neck, shoulder, back, hands, feet, abdomen and pelvis.

2. Plaintiff, Lynn Olsen, is a citizen of the State of Michigan. Defendant Ryder Integrated Logistics, Inc. is a corporation organized and existing under the laws of the State of Florida. Defendant Robbie Randolph is a citizen of the State of Michigan.

FIRST CAUSE OF ACTION

Negligence of Truck Driver

3. On or about April 3, 2012, Plaintiff Lynn Olsen was stopped in traffic on northbound I-475 in Perrysburg, Ohio. Defendant Robbie Randolph was driving a tractor trailer northbound on I-475 and failed to observe the stopped traffic. He struck two other vehicles and then struck Plaintiff's vehicle, causing her to strike a fourth vehicle and roll over into the median.
4. Defendant Robbie Randolph had a duty to obey all traffic laws, keep a proper lookout, to yield to Plaintiff and to operate his truck in a safe and reasonable manner.
5. Defendant Robbie Randolph failed in the above-mentioned duties and was therefore negligent.
6. Defendant Robbie Randolph's negligence was the direct and proximate cause of Plaintiff Lynn Olsen's injuries.

7. As a direct and proximate result of Defendant Robbie Randolph's negligence, Plaintiff Lynn Olsen has suffered permanent and substantial injuries and has lost past and future wages; her earning capacity has been diminished.
8. As a direct and proximate result of Defendant Robbie Randolph's negligence, Plaintiff Lynn Olsen incurred medical bills for the treatment of her injuries directly resulting from this collision.
9. As a direct and proximate result of Defendant Robbie Randolph's negligence, Plaintiff Lynn Olsen experienced physical and mental pain and suffering and lost the ability to perform usual activities, resulting in a diminished quality of life.

SECOND CAUSE OF ACTION
Statutory Violations of Truck Driver

10. Plaintiff incorporates by reference all of the above causes of action as though fully restated herein.
11. Defendant Robbie Randolph violated state and federal statutes and regulations, including but not limited to Ohio Rev. Code 4511.21A and 49 C.F.R. §§ 350-399.
12. Defendant Robbie Randolph's statutory violations directly and proximately caused Plaintiff's damages and injuries.
13. Defendant Robbie Randolph is negligent *per se* based on these statutory and regulatory violations.

THIRD CAUSE OF ACTION

Claim for Punitive Damages against Truck Driver

14. Plaintiff incorporates by reference all of the above causes of action as though fully restated herein.
15. Defendant Robbie Randolph's actions demonstrate a conscious disregard for the rights and safety of Plaintiff Lynn Olsen and the rest of the motoring public. Plaintiff demands punitive damages against Defendant Robbie Randolph.

FOURTH CAUSE OF ACTION

Vicarious Liability of Ryder Integrated Logistics, Inc.

16. Plaintiff incorporates by reference all of the above causes of action as though fully restated herein.
17. Defendant Robbie Randolph was the employee, agent, servant, or independent contractor for Ryder Integrated Logistics, Inc. and was acting in the course and scope that relationship at the time of this collision.
18. Accordingly, Ryder Integrated Logistics, Inc. is vicariously liable for the acts of Defendant Robbie Randolph for the causes of action above.

FIFTH CAUSE OF ACTION

Strict Liability of Ryder Integrated Logistics, Inc.

19. Plaintiff incorporates by reference all of the above causes of action as though fully restated herein.
20. Without regard to employment relationship, Ryder Integrated Logistics, Inc. is the registered owner of the USDOT number 165420

displayed on the truck involved in this collision and is therefore responsible for the acts of the driver of that vehicle.

SIXTH CAUSE OF ACTION

Negligence of Ryder Integrated Logistics, Inc.

21. Plaintiff incorporates by reference all of the above causes of action as though fully restated herein.
22. Defendant Ryder Integrated Logistics, Inc. had a duty to act reasonably in hiring and retaining Robbie Randolph and to promulgate and enforce rules and regulations to ensure its drivers and vehicles were reasonably safe.
23. Defendant Ryder Integrated Logistics, Inc. failed in the above-mentioned duties and was therefore negligent.
24. Defendant Ryder Integrated Logistics, Inc.'s negligence was the direct and proximate cause of Lynn Olsen's damages and injuries.

SEVENTH CAUSE OF ACTION

Statutory Violations of Ryder Integrated Logistics, Inc.

25. Plaintiff incorporates by reference all of the above causes of action as though fully restated herein.
26. Defendant Ryder Integrated Logistics, Inc. violated and encouraged Defendant Robbie Randolph to violate state and federal statutes and regulations, including but not limited to Ohio Rev. Code 4511.21A and 49 C.F.R. §§ 350-399.

27. Defendant Ryder Integrated Logistics, Inc.'s statutory violations directly and proximately caused Plaintiff's damages and injuries.
28. Defendant Ryder Integrated Logistics, Inc. is negligent *per se* based on these statutory and regulatory violations.

EIGHTH CAUSE OF ACTION

Claim for Punitive Damages against Ryder Integrated Logistics, Inc.

29. Plaintiff incorporates by reference all of the above causes of action as though fully restated herein.
30. Defendant Ryder Integrated Logistics, Inc.'s actions demonstrate a conscious disregard for the rights and safety of Plaintiff Lynn Olsen and the rest of the motoring public. Plaintiff demands punitive damages against Defendant Ryder Integrated Logistics, Inc.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount in excess of twenty-five thousand dollars (\$25,000.00) for all causes of action above; plus punitive damages against the truck driver and truck company; and other relief as justice requires or as this Court or the trier of fact sees fit under principles of law and equity; plus interest and costs.

Respectfully submitted,

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—

Rena M. Leizerman
Attorney for Plaintiff

JURY DEMAND

Plaintiff demands a jury for all triable issues.

^
—
Rena M. Leizerman
Attorney for Plaintiff

TO DEFENDANT RYDER INTEGRATED LOGISTICS, INC.:

The following Interrogatories, Requests for Production of Documents and Request for Admissions are submitted herewith to you to be answered under oath, in writing within twenty-eight (28) days after the date of service thereon upon you, in accordance with the Ohio Court Rules.

INSTRUCTIONS FOR RESPONDING

1. All information and documents are to be divulged which are in your possession, custody or control or within the possession, custody or control of your attorneys, investigators, agents, employees or other representatives of you or your attorneys.
2. You are reminded that all Answers must be made separately and fully, and that an incomplete or an evasive Answer is a failure to answer.
3. After the Answer to each of the following interrogatories, identify separately and in a manner suitable for use as a description in a subpoena, all sources of information (whether documentary, human, or otherwise) and all records maintained by Defendant or any other person of organization on which the Defendant relies in answering the interrogatories or which pertain or relate to the information called for by the interrogatories.
4. You are hereby instructed in accordance with the Ohio Rules of Civil Procedure to reasonably supplement your responses to these Interrogatories and Request for Production of Documents if and as they may change during the course of the proceedings of this litigation.
5. The following Request for Production of Documents shall be made at the office of counsel for Plaintiff. Such production may be attached to Defendant's Answers to Interrogatories in lieu of producing at said offices.

INTERROGATORIES

INTERROGATORY NO. 1: Please identify by name and title each and every person who has answered or helped answer these Interrogatories.

ANSWER:

INTERROGATORY NO. 2. Please state the full and correct name of the Defendant business entity and all parent companies, subsidiaries, related business entities, and related logistics companies. Also, list the name of all other corporations in which any shareholder of Ryder Integrated Logistics, Inc. holds a 5% or greater ownership interest.

ANSWER:

INTERROGATORY NO. 3: Please state the name and address of the owner(s) of the truck and trailer that were involved in the crash described in Plaintiff's Complaint.

ANSWER:

INTERROGATORY NO. 4: Please state the full name, address, date of birth, employer and social security number of the driver of the truck involved in the motor vehicle collision with Plaintiff on April 3, 2012.

ANSWER:

INTERROGATORY NO. 5: Please state whether the driver of the truck involved in the motor vehicle collision with Plaintiff on April 3, 2012 was employed by Ryder Integrated Logistics, Inc. on the date of the collision. If so, describe his position and when he began working for Ryder Integrated Logistics, Inc. If this person was not an employee of Ryder Integrated Logistics, Inc., state the nature of the business relationship between Robbie Randolph and Ryder Integrated Logistics, Inc.

ANSWER:

INTERROGATORY NO. 6: If Robbie Randolph was not acting with the course and scope of his employment at the time of the collision, please state each and every fact upon which you rely to base this claim and the name, address, and employer of each and every person who has knowledge of such information.

ANSWER:

INTERROGATORY NO. 7: Immediately following the crash of April 3, 2012, please identify the person at Ryder Integrated Logistics, Inc. who was first notified and whether there's a written record of the collision.

ANSWER:

INTERROGATORY NO. 8: Please state the name, address, and employer of each and every person known to you or your representatives who claims to have any knowledge of the circumstances surrounding the crash in question.

ANSWER:

INTERROGATORY NO. 9: Has, or anyone acting on its behalf, ever taken or received any statement, either orally or in writing, from any person, relating to this collision? If so, please state the name of the person who gave the statement, who took the statement, its date, its substance, and whether counsel may obtain a copy of any such statement.

ANSWER:

INTERROGATORY NO. 10: At the time of the crash:

- a. List the name of any motor vehicle insurance, excess insurance, "umbrella" coverage, general liability insurance and/or other insurance which arguably provides coverage for Ryder Integrated Logistics, Inc. and for the owner of the truck.
- b. Liability coverage limit of each type of insurance identified.
- c. The amount of any liability deductible and/or self-insured retention which requires payment from the Defendant.

ANSWER:

INTERROGATORY NO. 11: List the name, address and telephone number of each person likely to have discoverable information about the claims and defenses in this case, even if you do not intend on calling that person as a witness.

ANSWER:

INTERROGATORY NO. 12: Identify any non-party who you claim is or may be liable to the claimant in any part or in whole for the damages claimed but who has not been joined in the action as a party and the facts upon which you base this assertion.

ANSWER:

INTERROGATORY NO. 13: Did Robbie Randolph complete an application for employment and/or any other pre-employment paperwork prior to employment by Ryder Integrated Logistics, Inc.?

ANSWER:

INTERROGATORY NO. 14: Please state what maintenance had been performed on the truck involved in the collision for the 24 months prior to the collision. For each such maintenance, please state the nature of the maintenance performed.

ANSWER:

INTERROGATORY NO. 15: Describe the load when the truck left that day, its number of stops, where it stopped, and the load at the time of the crash.

ANSWER:

INTERROGATORY NO. 16: Is there a bill of lading or any other document describing in detail the entire cargo loaded in the truck prior to the crash? If so, please list the custodian of each such documents, the title of each, the preparer and employer of each.

ANSWER:

INTERROGATORY NO. 17: If the truck was leased or rented, did Ryder Integrated Logistics, Inc. make an inspection of the truck at the inception of the lease or contract?

ANSWER:

INTERROGATORY NO. 18: Identify the USDOT number displayed on the truck and its registered owner on the date of the crash.

ANSWER:

INTERROGATORY NO. 19: Please state the name, address, telephone number, and title of the individual(s) at Ryder Integrated Logistics, Inc., if any, who could verify whether Robbie Randolph was in compliance with applicable federal and state safety regulations at the time of the motor vehicle collision with Plaintiff?

ANSWER:

INTERROGATORY NO. 20: Please state all training that Ryder Integrated Logistics, Inc. provides or requires for its drivers/trucks. State specifically the training received by Robbie Randolph.

ANSWER:

INTERROGATORY NO. 21: At the time of the crash, was the truck equipped with a satellite communication device or e-mail capability, including a Qualcomm system such as SensorTRACS, TrailerTRACS, ViaWeb, JTRACS, ProOmniOne, OmniExpress, FleetAdvisor, QTRACS fleet management system, TruckMAIL, GlobalTRACS, or a GPS product manufactured by any other company?

ANSWER:

INTERROGATORY NO. 22: List the engine manufacturer of the truck (i.e. Detroit Diesel, Cummins, Caterpillar) and the year it was made.

ANSWER:

INTERROGATORY NO. 23: If the answer to Request for Admission No. 7 is anything but an unqualified admission, state the factual basis for your affirmative defense of “insufficiency of process” and/or “failure of service of process”.

ANSWER:

INTERROGATORY NO. 24: Does Robbie Randolph still work as an employee or contractor for Ryder Integrated Logistics, Inc.? If not, when was his last day?

ANSWER:

INTERROGATORY NO. 25: Have you, your agent, your attorneys, insurance company or anyone on your behalf requested and/or received any information from any computer information source or center concerning the Plaintiff in this suit? If so, please state the name, address and job title of the person in possession or control of this information, the date the information was ordered, the name, address and job title of the person so ordering the information, and the name of the information source or center used.

ANSWER:

INTERROGATORY NO. 26: State whether there has been a surveillance of Plaintiff's activities from the date of the crash referred to in Plaintiff's Complaint to the present, and if so, state:

- a. The names and addresses of the persons conducting said surveillance and the date or dates said surveillance was conducted;
- b. Whether Defendant is in possession of surveillance reports, and if so, the names and addresses of those persons in possession of said reports; and
- c. Whether Defendant is in possession of surveillance photographs, slides or motion pictures depicting Plaintiff's activities. If so, the names and addresses of those persons in possession of said reports.

ANSWER:

INTERROGATORY NO. 27: List and describe any and all items you intend to offer as exhibits at trial, and explain how each item supports your case. In the alternative, attach copies of all such exhibits to your answers.

ANSWER:

INTERROGATORY NO. 28: Identify and describe any and all demonstrative evidence you intend to use at trial, and describe how it supports your case. In the alternative, attach copies of all such evidence to your answers.

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1: Please produce any and all accident and/or incident reports and investigations prepared by Defendant as a result of the crash other than the police report.

RESPONSE:

REQUEST FOR PRODUCTION NO. 2: Please produce any accident register or record maintained to include the motor vehicle collision with Plaintiff.

RESPONSE:

REQUEST FOR PRODUCTION NO. 3: If ISO certified, please produce all ISO Certification documents.

RESPONSE:

REQUEST FOR PRODUCTION NO. 4: Please produce all documents prepared concerning all inspections performed on the truck involved in this accident.

RESPONSE:

REQUEST FOR PRODUCTION NO. 5: Please produce all leases and contracts that were in effect for the truck and/or the trailer on the day of the accident.

RESPONSE:

REQUEST FOR PRODUCTION NO. 6: Please produce the entire personnel file of Robbie Randolph.

RESPONSE:

REQUEST FOR PRODUCTION NO. 7: Please produce the entire qualification file of Robbie Randolph, including those parts maintained pursuant to 49 C.F.R. 391.51 and preserved pursuant to 49 C.F.R. 379 (including Appendix A, Note A).

RESPONSE:

REQUEST FOR PRODUCTION NO. 8: Please produce the entire drug and alcohol file of Robbie Randolph including but not limited to pre-employment, post-accident, random, reasonable suspicion, and return to duty drug and alcohol testing results maintained pursuant to 49 C.F.R. 382.401, preserved pursuant to 49 C.F.R. 379 (including Appendix A, Note A) and released pursuant to 49 C.F.R. 40.323.

RESPONSE:

REQUEST FOR PRODUCTION NO. 9: Please produce the entire driver investigation history file or its equivalent for Robbie Randolph maintained pursuant to 49 C.F.R. 391.53 and preserved pursuant to 49 C.F.R. 379 (including Appendix A, Note A).

RESPONSE:

REQUEST FOR PRODUCTION NO. 10: Please produce any other file kept concerning Robbie Randolph.

RESPONSE:

REQUEST FOR PRODUCTION NO. 11: Please produce any and all payroll and benefit records, including independent contractor settlement records, if applicable, for Robbie Randolph for two years prior to the collision to one year after the collision.

RESPONSE:

REQUEST FOR PRODUCTION NO. 12: Please produce all cancelled checks of any kind paid to Robbie Randolph for twelve months prior and six months after the collision.

RESPONSE:

REQUEST FOR PRODUCTION NO. 13: Please produce any and all cellular and telephone records and bills of Robbie Randolph for the day of the motor vehicle collision with Plaintiff and seven days prior.

RESPONSE:

REQUEST FOR PRODUCTION NO. 14: Please produce any and all credit card bills and receipts for Robbie Randolph the month of the motor vehicle collision with Plaintiff.

RESPONSE:

REQUEST FOR PRODUCTION NO. 15: Please produce copies of any and all fuel tax reports of Robbie Randolph for the year of this collision.

RESPONSE:

REQUEST FOR PRODUCTION NO. 16: Please produce any and all state safety audits for Robbie Randolph for the year of this collision and three years prior.

RESPONSE:

REQUEST FOR PRODUCTION NO. 17: Please produce any and all federal accident reports filed for Robbie Randolph the year of this collision and three years prior.

RESPONSE:

REQUEST FOR PRODUCTION NO. 18: Please produce any and all DOT inspection reports filed for Robbie Randolph for the year of this collision and three years prior.

RESPONSE:

REQUEST FOR PRODUCTION NO. 19: Please produce any and all long form DOT physicals for Robbie Randolph.

RESPONSE:

REQUEST FOR PRODUCTION NO. 20: Please produce any and all DOT and state inspections of the truck involved in the crash for the year of the collision and one year prior.

RESPONSE:

REQUEST FOR PRODUCTION NO. 21: Please produce any photographs taken of the truck operated by Robbie Randolph at the scene of the collision or any time after.

RESPONSE:

REQUEST FOR PRODUCTION NO. 22: Please produce copies of any documentation evidencing the completion or non-completion of training programs and driver orientation programs by Robbie Randolph for Ryder Integrated Logistics, Inc.

RESPONSE:

REQUEST FOR PRODUCTION NO. 23: Please produce copies of any and all satellite communications and e-mail for the day of the collision involving Plaintiff and seven days prior, as well as all recorded ECM (electronic control module), EDR (event data recorder), and/or SDM (sensing & diagnostic module) chronological data with reference to all data available, including but not limited to:

- a. trip distance;
- b. total vehicle driving time;
- c. load factor;
- d. vehicle speed limit;
- e. maximum vehicle speed recorded;
- f. number of hard brake incidents;
- g. current engine speed (rpm);
- h. maximum and minimum cruise speed limits;
- i. total vehicle driving distance;
- j. fuel consumption (gal./hr.);
- k. idle time;
- l. engine governed speed;
- m. maximum engine speed recorded;
- n. current throttle position;
- o. brake switch status (on/off);
- p. odometer;
- q. trip driving time;
- r. overall fuel economy (MPG);
- s. average driving speed;
- t. number of engine overspeeds;
- u. number of engine overspeeds;

- v. current vehicle speed (MPH);
- w. clutch switch status (on/off);
- x. clock;
- y. jake brake status

RESPONSE:

REQUEST FOR PRODUCTION NO. 24: Please produce all insurance policies and all endorsements (including MCS-90) including liability, general liability, excess, umbrella, and all other insurance policies that will cover or arguably cover damages claimed in the collision involving Plaintiff.

RESPONSE:

REQUEST FOR PRODUCTION NO. 25: Please produce a copy of documents evidencing the completion or non-completion of any safe driving programs by Robbie Randolph.

RESPONSE:

REQUEST FOR PRODUCTION NO. 26: Please produce a copy of the driver manual, company handbook, or their equivalent issued to Robbie Randolph.

RESPONSE:

REQUEST FOR PRODUCTION NO. 27: Please produce a copy of the company safety rules or its equivalent issued to Robbie Randolph

RESPONSE:

REQUEST FOR PRODUCTION NO. 28: Please produce the Permanent Unit File or its equivalent pursuant to 49 C.F.R. 396.3 including but not limited to records relating to the inspections, repairs, maintenance, and costs for the truck and/or the trailer involved in the motor vehicle collision with Plaintiff.

RESPONSE:

REQUEST FOR PRODUCTION NO. 29: Please produce printouts of all data of any communication system (e-mail or other electronic communications) for the day of the collision and the week prior.

RESPONSE:

REQUEST FOR PRODUCTION NO. 30: Please produce the complete unemployment file of Robbie Randolph, if applicable.

RESPONSE:

REQUEST FOR PRODUCTION NO. 31: Please produce all correspondence between Ryder Integrated Logistics, Inc. and its insurance company relative to the collision described in Plaintiffs' Complaint.

RESPONSE:

REQUEST FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: Admit or deny that on April 3, 2012, Robbie Randolph failed to drive his commercial motor vehicle in a safe manner by striking Plaintiff's vehicle.

ANSWER:

REQUEST FOR ADMISSION NO. 2: Admit or deny that Robbie Randolph was acting in the scope and course of his employment with Ryder Integrated Logistics, Inc. on April 3, 2012 when the collision with Plaintiff occurred.

ANSWER:

REQUEST FOR ADMISSION NO. 3: Admit or deny that Robbie Randolph was negligent in the collision involving Plaintiff on April 3, 2012.

ANSWER:

REQUEST FOR ADMISSION NO. 4: Admit or deny that Plaintiff was not negligent in the April 3, 2012 collision.

ANSWER:

REQUEST FOR ADMISSION NO. 5: Admit or deny that Robbie Randolph's negligence proximately caused some injury to Plaintiff.

ANSWER:

REQUEST FOR ADMISSION NO. 6: Admit or deny that Robbie Randolph's negligence solely and proximately caused Plaintiff's injuries.

ANSWER:

REQUEST FOR ADMISSION NO. 7: Admit or deny that Ryder Integrated Logistics, Inc. was served a copy of the Complaint in this case.

ANSWER:

Respectfully submitted,

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—
Rena M. Leizerman
Attorney for Plaintiff

TO DEFENDANT ROBBIE RANDOLPH:

The following Interrogatories, Requests for Production of Documents and Request for Admissions are submitted herewith to you to be answered under oath, in writing within twenty-eight (28) days after the date of service thereon upon you, in accordance with the Ohio Court Rules.

INSTRUCTIONS FOR RESPONDING

1. All information and documents are to be divulged which are in your possession, custody or control or within the possession, custody or control of your attorneys, investigators, agents, employees or other representatives of you or your attorneys.
2. You are reminded that all Answers must be made separately and fully, and that an incomplete or an evasive Answer is a failure to answer.
3. After the Answer to each of the following interrogatories, identify separately and in a manner suitable for use as a description in a subpoena, all sources of information (whether documentary, human, or otherwise) and all records maintained by Defendant or any other person of organization on which the Defendant relies in answering the interrogatories or which pertain or relate to the information called for by the interrogatories.
4. You are hereby instructed in accordance with the Ohio Rules of Civil Procedure to reasonably supplement your responses to these Interrogatories and Request for Production of Documents if and as they may change during the course of the proceedings of this litigation.
5. The following Request for Production of Documents shall be made at the office of counsel for Plaintiff. Such production may be attached to Defendant's Answers to Interrogatories in lieu of producing at said offices.

INTERROGATORIES

INTERROGATORY NO. 1: Where were you coming from and where were you going at the time of the collision as alleged in the Complaint?

ANSWER:

INTERROGATORY NO. 2: State your purpose in driving the commercial motor vehicle involved in the collision with Plaintiff on April 3, 2012.

ANSWER:

INTERROGATORY NO. 3: Describe the exact route that you followed from the point where your trip commenced to the point where the collision occurred.

ANSWER:

INTERROGATORY NO. 4: Please state in detail how the collision occurred. If there is more than one version, state separately and identify its source.

ANSWER:

INTERROGATORY NO. 5: State the full name and address of each person who witnessed or claims to have witnessed the collision.

ANSWER:

INTERROGATORY NO. 6: State the full name and address of each person who was present or claims to have been present at the scene or immediately before, at the time of, or immediately after the collision.

ANSWER:

INTERROGATORY NO. 7: Did you give a statement(s), oral or written, to anyone concerning the crash as alleged in suit? If so, state the name and address of each person taking such statement(s).

ANSWER:

INTERROGATORY NO. 8: State the condition of the roads and the weather at the time of the motor vehicle collision as alleged in suit.

ANSWER:

INTERROGATORY NO. 9: Other than the crash at issue, please list all other incidents involving alleged personal injury in which you have been involved.

ANSWER:

INTERROGATORY NO. 10: Please state with whom you were employed/under lease agreement within the last six months prior to the motor vehicle collision with Plaintiff. Please state the place of your employment/lease, supervisors, type of work, and the length of time you were employed/leased at each place of employment.

ANSWER:

INTERROGATORY NO. 11: Identify as to the name and address of each person you expect to call as an expert witness at trial and state the subject matter in which each expert witness is expected to testify.

ANSWER:

INTERROGATORY NO. 12: List the name, address and telephone number of each person likely to have discoverable information about the claims and defenses in this case, even if you do not intend on calling that person as a witness.

ANSWER:

INTERROGATORY NO. 13: Has any person likely to have discoverable information about the claims and defenses in this case given a written or recorded statement to you or your agent. If so, please state the name and address of each person and the name and address of the person who has the present custody or control of each such statement.

ANSWER:

INTERROGATORY NO. 14: List and describe any and all items you intend to offer as exhibits at trial, and explain how each item supports your case. In the alternative, attach copies of all such exhibits to your answers.

ANSWER:

INTERROGATORY NO. 15: Identify and describe any and all demonstrative evidence you intend to use at trial, and describe how it supports your case. In the alternative, attach copies of all such evidence to your answers.

ANSWER:

INTERROGATORY NO. 16: Have you, your agent, your attorneys, insurance company or anyone on your behalf requested and/or received any information from any computer information source or center concerning the Plaintiff in this suit? If so, please state the name, address and job title of the person in possession or control of this information, the date the information was ordered, the name, address and job title of the person so ordering the information, and the name of the information source or center used.

ANSWER:

INTERROGATORY NO. 17: State whether there has been a surveillance of Plaintiff's activities from the date of the crash referred to in Plaintiff's Complaint to the present, and if so, state:

- a. The names and addresses of the persons conducting said surveillance and the date or dates said surveillance was conducted;
- b. Whether Defendant is in possession of surveillance reports, and if so, the names and addresses of those persons in possession of said reports; and
- c. Whether Defendant is in possession of surveillance photographs, slides or motion pictures depicting Plaintiff's activities. If so, the names and addresses of those persons in possession of said reports.

ANSWER:

INTERROGATORY NO. 18: If the answer to Request for Admission No. 7 is anything but an unqualified admission, state the factual basis for your affirmative defense of “insufficiency of process” and/or “failure of service of process”.

ANSWER:

INTERROGATORY NO. 19: Please state whether you completed a driver’s collision report form or its equivalent at any time for your employer/lessor detailing the crash of April 3, 2012.

ANSWER:

INTERROGATORY NO. 20: Please state whether you were operating or attempting to operate a cellular phone or other communication device at the time of or in the minutes before the collision with Plaintiff.

ANSWER:

INTERROGATORY NO. 21: Please state whether you performed a safety inspection of the truck involved in the collision with Plaintiff at any time on or before February 29, 2012, and if so, state:

- a. Date and time of the latest inspection prior to the April 3, 2012 crash;
- b. Where the inspection took place;
- c. Name of party who conducted the inspection;
- d. Result of the safety inspection; and
- e. Whether anyone at Ryder Integrated Logistics, Inc. was notified of the result of the inspection, and if so, who and when?

ANSWER:

REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 1: Please produce any and all collision and/or incident reports and investigations prepared by Defendant as a result of the crash other than the police report.

RESPONSE:

REQUEST FOR PRODUCTION NO. 2: Produce copies of any and all insurance policies for the truck and trailer involved in the collision with Plaintiff.

RESPONSE:

REQUEST FOR PRODUCTION NO. 3: Please produce copies of all photographs, slides, motion pictures, video tapes, surveillance reports or other information relevant to surveillance of Plaintiff's activities from the date of the collision involving Plaintiff to the present.

RESPONSE:

REQUEST FOR PRODUCTION NO. 4: Produce any logs kept, official or unofficial, for the month of the collision with Plaintiff and six months prior.

RESPONSE:

REQUEST FOR PRODUCTION NO. 5: Please produce all records relating to the repairs, maintenance, and costs for the truck involved in the collision with Plaintiff.

RESPONSE:

REQUEST FOR PRODUCTION NO. 6: Please produce a copy of your cellular phone records for the day of the collision and the seven days prior; and for the day of collision only, e-mail, Facebook and other social media electronic communications.

RESPONSE:

REQUEST FOR PRODUCTION NO. 7: Please produce all correspondence between Robbie Randolph and any insurance company relative to the collision described in Plaintiff's Complaint.

RESPONSE:

REQUEST FOR PRODUCTION NO. 8: Please sign and return the attached Authorization for Release of Cellphone Records.

RESPONSE:

REQUEST FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: Admit or deny that on April 3, 2012, you were operating a commercial motor vehicle.

ANSWER:

REQUEST FOR ADMISSION NO. 2: Admit or deny that you were acting in the scope and course of your employment/lease agreement with Ryder Integrated Logistics, Inc. on April 3, 2012 when the collision with Plaintiff occurred.

ANSWER:

REQUEST FOR ADMISSION NO. 3: Admit or deny that you were negligent in the collision of April 3, 2012.

ANSWER:

REQUEST FOR ADMISSION NO. 4: Admit or deny that Plaintiff Lynn Olsen was not contributorily negligent in the April 3, 2012 collision.

ANSWER:

REQUEST FOR ADMISSION NO. 5: Admit or deny that your negligence solely and proximately caused some injury to Plaintiff Lynn Olsen.

ANSWER:

REQUEST FOR ADMISSION NO. 6: Admit or deny that your negligence solely and proximately caused the injuries alleged in Plaintiff's Complaint.

ANSWER:

REQUEST FOR ADMISSION NO. 7: Admit or deny that you were served a copy of the Complaint in the above-captioned case.

ANSWER:

Respectfully submitted,

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Rena M. Leizerman
Attorney for Plaintiff