

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

FORBES COUP	:	
	:	
Plaintiff	:	C.A. No. 49704
	:	
CONNECTICUT VALLEY ARMS, INC.	:	
	:	
and	:	
	:	
TOM SOTORIS d/b/a	:	
THE ROCKVILLE TRADING POST	:	
	:	
Defendants	:	

PLAINTIFF'S RESPONSES TO DEFENDANT
CONNECTICUT VALLEY ARMS, INC.'S
REQUEST FOR PRODUCTION OF DOCUMENTS

COMES NOW the Plaintiff, Forbes Coup, by and through his attorneys, and for responses to the Request for Production of Documents propounded by Defendant Connecticut Valley Arms, Inc., states as follows:

1. All written or recorded statements of the defendant, Connecticut Valley Arms, or of any agent, representative or employee of this party, concerning the subject matter.

RESPONSE: At the present time, none exist.

2. All photographs, videotapes, diagrams, surveys or other graphic representations of information concerning the subject matter of this action.

RESPONSE: Produced.

3. All written reports of each person you expect to call as an expert witness at trial.

RESPONSE: Produced.

4. The most recent resume or curriculum vitae of each expert whom you expect to call as an expert witness at trial.

FILED JUN 28 1990

RESPONSE: Produced.

5. All notes, diagrams, photographs or other documents prepared or reviewed in connection with their assignment in this case, by each person whom you expect to call as an expert witness at trial.

RESPONSE: Plaintiff is providing the expert report of Mr. Horsey. Previously, counsel for CVA, Inc. has inspected the physical evidence including the flask and other items at issue in this case. Counsel for both Defendants are invited, at their convenience, to inspect and reinspect these items at the law offices of Plaintiff's counsel.

6. All medical records including but not limited to, hospital, surgical or psychiatric pertaining to the subject matter of this action.

RESPONSE: Produced.

7. All medical records, surgical records, mental records, financial records, bills, invoices, writings, notes, or memoranda relating in any way to all the plaintiff's physical, mental, or medical conditions, illnesses, or disabilities, including but not limited to those doctors, nurses, practitioners, hospitals, clinics, institutions, or other health care providers, without regard to whether it is the plaintiff's contention that such physical, mental, or medical conditions, illnesses, or disabilities were caused in any way by the defendant or any agent or employee of the defendant:

(a) For a period of five (5) years before and up to the time of the occurrence alleged in the Amended Complaint up to and including the present date.

(b) For a period of time commencing on the date of the occurrence alleged in the Amended Complaint up to and including the present date.

RESPONSE: Plaintiff is providing the documents he has in his possession. Plaintiff has an outstanding request to Kaiser Permanente relating to Plaintiff's post-accident care and previous hospital stay records. If and when these documents are obtained, they will be forwarded to counsel for Defendants.

8. With regard to any medical or hospital records of the plaintiff referred to in paragraph 7 above which are in existence,

but not physically in the possession or custody of the plaintiff or the plaintiff's attorney, but are in the plaintiff's control, the defendant requests that the plaintiff execute authorizations to each doctor or hospital where records exist, to allow the defendant to obtain and examine copies of said records.

RESPONSE: See response to Request No. 7. Moreover, if counsel for Defendants believe that they can obtain these documents any faster than Plaintiff, then arrangements can be made for said authorizations.

9. All employment records relating in any way to plaintiff whether employed or self-employed, including the name and address of all employers, the records of the dates absent from work for any reason whatsoever, the records relating to the fact and duration of unemployment insurance, and applications for assistance from any governmental agency because of unemployment or ill health, and all income records for a period of five (5) years prior to the time of the alleged occurrence alleged in the Complaint up to and including the present date.

RESPONSE: No such documents are in the possession or control of Plaintiff with the exception of Plaintiff's income tax records which are being produced.

10. With regard to any employment records referred to in the preceding paragraph which are in existence, but are not physically in the possession or custody of the plaintiff or the plaintiff's attorney, but which are in the plaintiff's control, the defendant requests that the plaintiff execute authorizations to allow the defendant to examine and obtain copies of said records.

RESPONSE: Said records are presumably in the custody, care and control of Potomac Electric Power Company. Plaintiff is only aware of the dates he missed work and has so answered in his answers to interrogatories.

11. All State and Federal income tax returns, W-2 forms, and attached schedules:

(a) For a period of five (5) years before and up to the time of the occurrence alleged in the Amended Complaint;

(b) For a period of time commencing on the date of the occurrence alleged in the Amended Complaint up to and including the present date.

RESPONSE: Plaintiff is producing all of the income tax records he has in his possession.

12. Copy of all investigative reports concerning the accident.

RESPONSE: Objection, this question is vague, overly broad and includes information which is protected by the work product privilege and the attorney client privilege. However, without waiving said objection, Plaintiff has produced his expert's report which constitutes the most definitive "investigative report" known to exist in this matter.

13. All statutes, codes, and ordinances which the plaintiff claims the defendant violated in relation to the accident which occurred on December 16, 1988.

RESPONSE: Objection, this request does not properly call for the production of a document or material otherwise appropriately requested within the rules and, calls for Plaintiff to produce attorney work product, privileged materials and other information which at best could produce legal conclusions as opposed to relevant facts or information which could lead to relevant facts.

14. All documentary evidence which the plaintiff will introduce and rely on at the trial to support his claim for damages sustained to date, and to be sustained in the future. The plaintiff is hereby put on notice that the defendant will object to the admissibility of all documentary evidence in support of damages which is not produced in response to this Request.

RESPONSE: Objection, this request is vague and overly broad. However, without waiving said objection, Plaintiff is producing all documentary evidence he presently has in this case pursuant to the various requests contained herein. Plaintiff is also making available again the physical evidence in this case and, as noted above, will be producing the Kaiser Permanente medical records, if and when produced. Moreover, as Defendants have failed to produce answers to interrogatories and produce documents as requested, Plaintiff does not feel bound to limit his documentary evidence to any particular list at the present time.

15. All documents identified in your Answers to Interrogatories to any party.

RESPONSE: See responses above and below.

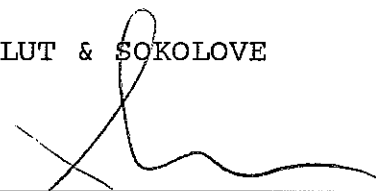
16. All reports, diaries, calendars or other documents produced by plaintiffs in connection with the occurrence.

RESPONSE: As noted above, Plaintiff is producing his expert's report. No other such documents within the request herein exist.

17. The remains of the gunpowder flask in question.

RESPONSE: Again, Plaintiff has produced for inspection the gunpowder flask in question. Counsel for Defendants are welcome at their convenience to inspect and reinspect the subject gunpowder flask at the law office of Plaintiff's counsel.

KORNBLUT & SOKOLOVE



Robert D. Sokolove
Two Wisconsin Circle
Suite 1000
Chevy Chase, Maryland 20815
(301) 652-9333

Attorney for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Responses to Defendant's Request for Production of Documents were hand-delivered this 26th day of June, 1990 to: Douglas A. Datt, Esquire, Gleason and Flynn, Chartered, 751 Rockville Pike, Suite 15A, Rockville, Maryland 20852, Attorney for Defendant, Connecticut Valley Arms, Inc. and mailed, postage prepaid to: Kevin H. Brown, Esquire, B&O Building, 2 North Charles Street, Baltimore, Maryland 21201.



Robert D. Sokolove