

ANAPOL WEISS

BY: DAVID S. SENOFF, ESQUIRE

RYAN D. HURD, ESQUIRE

NJ I.D. NOs. 049721992 / 022402007

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130 N. 18th Street, Suite 1600

Philadelphia, PA 19103

P: (215) 790-4581

Attorneys for Plaintiff

YVONNE YAAR-SHARKEY	:	SUPERIOR COURT OF NEW JERSEY
Individually and as Administratrix Ad	:	LAW DIVISION
Prosequendum and Administratrix of the	:	
ESTATE OF NEIL TORIAN VAN	:	<u>OCEAN COUNTY VICINAGE</u>
DE PUTTE, Deceased	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	DOCKET NO.: OCN-L-2163-16
	:	
ANDREW J. SLOTA;	:	
LACEY TOWNSHIP POLICE	:	CIVIL ACTION
DEPARTMENT;	:	
TOWNSHIP OF LACEY, a/k/a	:	
LACEY TOWNSHIP	:	
ABC CORPORATIONS A-Z and	:	
JOHN DOE #1-10 (fictitious names	:	
of persons or entities whose identities are	:	
not presently unknown)	:	
	:	
Defendants.	:	

PLAINTIFF'S INTERROGATORIES DIRECTED TO DEFENDANTS
LACEY TOWNSHIP AND LACEY TOWNSHIP POLICE DEPARTMENT

TO: Lacey Township Police Department;
Lacey Township
c/o Thomas E. Monahan, Esquire
Gilmore & Monahan
Allen Street Professional Center
Ten Allen Street
Toms River, New Jersey 08754
Tem@gm-law.net

Plaintiff, by and through her attorneys, Ryan D. Hurd, Esquire and the law firm, Anapol Weiss, hereby requests that Defendant answer the following Interrogatories within thirty (30) days from service hereof. These Interrogatories shall be deemed continuing so as to require

supplemental Answers if Defendant or anyone on their behalf obtains further information responsive thereto between the time the Answers are served and the time of trial.

DEFINITIONS

1. "Plaintiffs" or "Plaintiff" means Yvonne Yaar-Sharkey, Individually and as Administrator of the Estate of Neil Torian Van De Putte, Deceased.
2. "Defendant" or "Defendants" means Andrew J. Slota, and/or where applicable, Lacey Township Police Department and/or Lacey Township.
3. "Document" means any writing of any kind, including written, recorded or graphic matter, however produced or reproduced. It includes all matters that relate to or refer to in whole or part to the subject referred to in any Interrogatory. If a document has been prepared in several copies or if additional copies have been made and the copies are not identical (or by reason of subsequent modification by the addition of notations or other modifications, copies are no longer identical) each non-identical copy is a separate "document". The term "document" includes, but is not limited to, correspondence, personal and interoffice memoranda, notes, diaries, log books, statistics, letters, telegrams, minutes, contracts, reports, studies, check statements, receipts, returns, summaries, pamphlets, book, interoffice and intraoffice communications, notations or memoranda of conversations, bulletins, printed matter, computer printouts, teletypes, invoices, recordings, work sheets, work papers, and all drafts, alterations, modifications, changes and/or amendments of any of the foregoing.
4. "All documents" means each and every document as above defined known to you and every such document which may be located or discovered by reasonable effort.
5. The term "possession, custody, or control" includes the joint or several possession, custody or control not only by defendant, but also by each and any person acting or purporting to act in concert with or on behalf of the defendant whether as an employee, attorney, accountant or otherwise.
6. "Identify" or "Identification" when used in reference to any natural person means to state the full name of such person, if known, his present or last known address, telephone number, his present or last known position and/or business affiliation, and his business address and telephone number.
7. "Identify" or "Identification" when used in reference to a document means to state the type of document, for example, e.g. letter, memorandum, telegram, etc., its date, the number of the addressee or addressees, the number of the sender or senders, the title or heading. If the document is pre-printed, the present location of such document, and all known copies. If a document is not in defendant's possession, custody or control, state what disposition has been made of such document and all copies.

8. "Identify" or "Identification" when used in reference to a person other than a natural person means to state the nature of such person (e.g., corporation, partnership, proprietorship, etc.), full name, address, and telephone number. Identify those persons employed by such entity with whom you dealt and state the subject matter with respect to which you dealt with such person.

9. "Incident" means the collision(s) which took place on July 5, 2015, as more particularly set forth in Plaintiff's Complaint.

10. "Decedent" refers to Neil Torian Van De Putte.

11. "Accident Scene" is used herein in reference to the location of where Decedent was struck by the Defendants' motor vehicle at the intersection of Lacey Road and Deerhead Lake Drive, Forked River, New Jersey.

12. The "intersection" is used herein in reference to the intersection of Lacey Road and Deerhead Lake Drive, Forked River, New Jersey where Plaintiff's Decedent was struck by the police cruiser.

13. Policies, procedures, regulations, standing orders each refer to the policies which govern and/or are designed to guide a Lacey Township Police Officer's on-duty conduct, including during the operation of a motor vehicle, responding to emergency and non-emergency calls for service, and determining the manner in which an officer is dispatched to a call.

14. "Your motor vehicle" refers to the police cruiser which was operated by Defendant Slota and involved in the subject collision on July 5, 2015.

INSTRUCTIONS

1. These Interrogatories shall be deemed to be continuing and if between now and the time of trial any additional information comes into your custody, possession or control, you shall be under a continuing obligation to supplement your answers to these Interrogatories.

2. If any objection is asserted to any interrogatory or document withheld under claim of privilege, please state the following:

- a. Identify the information or document withheld;
- b. State the nature of the asserted privilege and the basis upon which it is claimed; and
- c. Provide a general description of the nature and subject matter of the information or the documents withheld.

INTERROGATORIES

1. Plaintiff requests the following Interrogatories be answered under oath by an officer or agent of the Defendant who is competent to testify on its behalf and who know the facts about which the inquiry is made. With respect to such person(s), please state:

- (a) His or her full name and address;
- (b) The office or position which he or she holds with the Defendant;
- (c) The date he or she was employed with the Defendant;
- (d) The identity of all persons he or she contacted to secure answers to these Interrogatories.

2. Please identify your corporate attorney who represents you in your regular corporate business.

3. Please identify the following by location at the time of the accident, their activity at the time of the accident and the facts of which they have knowledge:

- (a) Any persons known or believed by you to have been an eyewitness to the accident;
- (b) Except as set forth in (a) above, identify persons known or believed by you to have first-hand knowledge of the facts and circumstances of the accident or of the events leading up to or following same;
- (c) If any written or audio recording of a statement was obtained, produce a copy of the same.

4. At the time of the accident July 5, 2015, was Defendant Slota acting pursuant to rules, regulations, policies and procedures and/or instructions (collectively referred to as "instructions") issued by you or some other entity? If so, please state

- (a) The date and approximate time said instructions were implemented;
- (b) The date and approximate time said instructions were given to Defendant Slota;
- (c) A copy of the instructions or if they were verbal, the verbal instructions that you gave and if they were received via the telephone or in person;
- (d) The identity of the person giving such verbal instructions;
- (d) Were you given any documents at that time? If so, the identity of the person giving you the document(s) and a description or the title of each such document you received.

PRE-ACCIDENT:

- 5. Identify by name, job title and job duty each police officer and police department employee who was on duty between 12:01 a.m. and 11:59 p.m. on July 5, 2015.
- 6. Please describe in detail the nature of the job and/or for what purpose Defendant Slota was traveling on Lacey Road on the date of the accident of July 5, 2015 described in Plaintiff's complaint.

7. Identify all logs or other written records which you maintained, regardless of whether you were so required, in connection with (a) receiving and/or responding to calls for service (b) the operation of the subject motor vehicle on July 5, 2015, and attach copies of same to your Answers to Interrogatories.
8. Please describe what documents are retained in the employment and file of your employee Defendant Slota, and please produce a copy of Defendant Slota's employment file.
9. Please describe what if any documents are retained in connection to Defendant Slota's employment but are not included in Defendant Slot's employment for whatever the reason, and please produce a copy of each such record.

THE ACCIDENT:

10. Identify each of Defendants' employees who were responding to the call for service on July 5, 2015 during which Plaintiff's Decedent was struck, and describe the location of each such employee in relation/proximity to the accident scene.
11. Identify each lighting device (such as headlights, fog lights, running lights) Defendants' subject police cruiser was equipped with, regardless of whether it was activated, at the time of the accident on July 5, 2015.

12. Identify what if any auditory warning devices (such as sirens and/or horns) were activated on the subject motor vehicle just before making contact with the pedestrian Decedent.

13. Identify each auditory warning device (such as sirens and/or horns) which Defendants' subject police cruiser was equipped with, including the number of each such device(s), regardless of whether the device(s) was activated, at the time of the accident on July 5, 2015.

14. Describe each piece of technology (such as primary radio, cb radio, laptop computer, auxiliary light/siren controls), whether mounted in or on the dash board or console of the police cruiser operated by Defendant Slota on July 5, 2015.

15. Specify whether the technology identified in the previous Answer is standard or uniform in each of the police cruisers in Defendants' fleet, and identify what if any piece of technology in the subject police cruiser operated by Defendant Slota was unique to that particular cruiser.

16. State your version of the accident of July 5, 2015, described in Plaintiffs' complaint.

17. Do you disagree with any portion of the Toms River police report which was completed in connection to this accident, and if so, what specifically do you disagree with or believe should be corrected or amended.

18. Identify each other person or entity you contend is responsible for Plaintiffs' injuries and Decedent's fatality, and

- (a) identify each document that reports, records, embodies or evidences any such fact;
- (b) state the facts which the document identified in subparagraph "a" sets forth (documents may be attached in lieu of answering this interrogatory);
- (c) identify each person having knowledge of any such fact;
- (d) state the facts of which such person has knowledge.

19. Specify whether at any time after July 5, 2015 Defendant Slota's employment and or job duties with Lacey Township and/or Lacey Township Police Department were changed, modified, suspended, severed and/or terminated, and if so, indicate:

- (a) How was Defendant Slota's employment and/or job duties changed after July 5, 2015;
- (b) Who implemented the change;
- (c) What was the reason for the change in Defendant Slota's employment and/or job duties?

20. Specify whether at any time after July 5, 2015 Defendant Slota was issued a warning, reprimand and/or any discipline by you, his union and/or any other entity in connection to the accident, his conduct on July 5, 2015 and/or his operation of the subject motor vehicle on July 5, 2015. If the answer is affirmative, describe the nature of the warning, reprimand and/or discipline and who issued the same to Defendant Slota.

21. State in detail the part of parts of your vehicle damaged as a result of the July 5, 2015 accident.

22. At what time, prior to the accident, had your vehicle last been serviced or repaired and what mechanical, electrical, or bodywork was done to the vehicle when it was last serviced or repaired prior to the accident?

23. Were any of your vehicle's head lamps, lighting systems and/or emergency warning systems (i.e. lights/sirens) defective or inoperable in any way at the time of the accident or prior to the accident? If yes, state:

- (a) which light(s);
- (b) nature of such defect(s);
- (c) its specific effect on the operation of your vehicle;
- (d) when and how did the defect(s) come to your attention, giving date, hour, minute and second as accurately as possible?

POLICIES, PROCEDURES, REGULATIONS, STANDING ORDERS:

24. Identify who is responsible for teaching, training and making Defendants' police officers aware of police department policies, procedures, rules, regulations, protocol and/or standing orders.

25. Identify who is responsible for monitoring and/or supervising Defendants' police officers' adherence to police department policies, procedures, rules, regulations, protocol and/or standing orders.

26. Describe what, if any, warning and/or discipline can be issued to a Defendants' police officer for the officer's failure to follow and/or adhere to a police department policy, procedure, rule, regulation, protocol or standing order?
27. Describe the procedure for issuing warnings and/or discipline against a Lacey Township police officer for violating a police department policy, procedure, rule, regulation, protocol and/or standing order.
28. Identify and produce each policy, procedure, rule, regulation and standing order which was implemented before and in effect on July 5, 2015 regarding Lacey Township police officer conduct. For each such policy, specify when each such policy was implemented, by whom it was implemented, and attach a copy to your Answers.
29. Identify and produce each policy, procedure, rule, regulation and standing order which was implemented before and in effect on July 5, 2015 regarding Lacey Township police officers' operation of Defendants' subject police cruisers. For each such policy, specify when each such policy was implemented, by whom it was implemented, and attach a copy to your Answers.

30. Identify and produce each policy, procedure, rule, regulation and standing order which was implemented before and in effect on July 5, 2015 regarding Lacey Township police officers' duties as a supervising officer on July 5, 2015. For each such policy, specify when each such policy was implemented, by whom it was implemented, and attach a copy to your Answers.
31. Identify and produce each policy, procedure, rule, regulation and standing order which was implemented and in effect on July 5, 2015 regarding the use of emergency lights and sirens during regarding Lacey Township police officers' responses to calls for service at each level of emergency (e.g. Code 1, Code 2, Code 3). For each such policy, specify when each such policy was implemented, by whom it was implemented, and attach a copy to your Answers.
32. Identify and produce each policy, procedure, rule, regulation and standing order which was implemented and in effect on July 5, 2015 regarding the protocol for determining which on-duty officers and how many on-duty officers respond to a particular call for service at each level of emergency (e.g. Code 1, Code 2, Code 3). For each such policy, specify when each such policy was implemented, by whom it was implemented, and attach a copy to your Answers.
33. State with particularity your policies and/or procedures regarding the assignment and/or dispatching of police officers for calls for service as they existed on July 5, 2015.

34. State with particularity your policies and/or procedures regarding Defendants' police officers' use of emergency lights and sirens during calls for service as said policies and procedures existed on July 5, 2015.
35. Specify the manner in which Defendants' police officers are provided and/or made aware of the Defendants' specific policies, procedures, rules, regulations and standing orders.
36. Please describe in detail any safety training and education program that existed in the police department in the ten year period prior to the date that the accident occurred.
37. Please identify the individual employed and/or retained by Defendants who is responsible for the management of such program during that time period.
38. Please identify any outside consultants who either participated in, conducted, or designed any safety program described above.
39. Please describe or provide any documents that were provided to police officers in the course of any safety program described above.

40. Please state whether your employee, Defendant Slota, participated in the safety program described above. If Defendant Slota, did not participate in the safety program described above, please answer the same Interrogatory for any safety program which he did attend. For all such safety programs attended by Defendant Slota, please provide copies of all attendance sheets and any the results of any tests and/or exams taken.

WITNESSES / PHOTOGRAPHS / OTHER MISC:

41. Specify whether police Chief David Paprota prepared any report, statement, correspondence and/or email concerning the subject of the July 5, 2015 accident and/or Defendant Slota and/or Defendant Slota's employment on or after July 5, 2015, and if so, identify the same herein and attach a copy to your answers.
42. State whether at the time of the accident or within the week following thereto, you had any conversations with or made any statements to any parties or witnesses or did any of the parties or witnesses make any statements or have any conversations with you. If yes, state:
- (a) in detail, the contents of any such conversations or statements;
 - (b) when the conversation took place;
 - (c) where the conversation took place;
 - (d) the exact length of time after the accident the conversation took place;
 - (e) the name and address of the person(s) in whose presence the conversations or statements took place;
 - (f) whether the conversation or statement was recorded either in writing, by audio or video, and if so, attach a copy to your Answers.

43. Are you, or any representative on your behalf, in possession of any photographs of the accident area and/or of the vehicles involved in this incident which have not yet been produced, and, if so, state:

- (a) the date such photographs were taken;
- (b) the identity of the party taking them;
- (c) the object or subject for the particular sight of view which each photograph represents;
- (d) the present whereabouts of the photographs and the identity of the possessors or custodians thereof.

44. State whether you or any one on your behalf conducted an investigation of the scene of the accident, and if the answer is affirmative:

- (a) identify the person(s) who conducted said investigation, and the date and time of the investigation;
- (b) describe the nature of the investigation, and specifically indicate what was performed during the investigation (i.e. measurements, photographs; video or audio recording; laser scanning);
- (c) what if any conclusions or determinations were made during the investigation; and
- (d) attach a copy of all measurements, diagrams, drawings, field notes, recordings and/or photographs that were taken during the investigation.

45. Where the individuals who were reportedly "horsing around" at the Oyster Creek power plant who were the subject of the call for service on July 5, 2015 apprehended? If the answer is affirmative, identify said individuals and who apprehended them.
46. Describe in detail all oral or written statements, reports or investigations that you, the police or any others (other than your attorneys) have made or obtained concerning the incident, and identify any and all documents constituting, relating or referring thereto. Include in your answer any supplemental police reports.
47. With reference to any report, memorandum, letter or any other matter in writing prepared by you or anyone acting on your behalf, such as an investigator, insurance adjustor or any other person concerning any of the facts alleged or referred to in Plaintiff's complaint, give the date of each such matter in writing and as to each date given, state:
- (a) the name and address of the person or persons who prepared such writing and the name, address and identity of the employer of such person or persons;
 - (b) whether such writing was prepared by you or on your behalf;
 - (c) the number of pages of such writings;
 - (d) a general description of such matter in writing (as, for instance, two page type summary of interview between investigator X and witness Y dated February __, 2015);
 - (e) whether such writing was prepared under the supervision of or pursuant to the instruction of an attorney and, if so, the name and address of that attorney.

48. Identify each person you expect to call as an expert witness at the time of trial and, in addition, provide:

- (a) their qualifications as an expert witness,
- (b) the subject matter on which he is expected to testify;
- (c) the facts and opinions to which he is expected to testify;
- (d) a summary of the grounds for each such opinion;
- (e) whether the facts and opinions listed in the subparagraph (b) above are contained in a written report, memorandum or other transcript, and if they are, state whether you will produce same without necessity of a motion to produce;
- (f) if the opinion of any expert witness listed above is based in whole or in part on any code regulation governmental or otherwise, identify said code or regulation, specifically setting forth the section relied upon;
- (g) if the opinion of any expert witness listed above is based in whole or in part upon any scientific, engineering or industrial textbook, identify said textbook or publication by name and page number.

49. With respect to each person previously identified with respect to the preceding interrogatory, state the following:

- (a) the home and business address of each such person;
- (b) the occupational areas of specialization of each such person; and
- (c) list and identify by jurisdiction, court term and number, and party, each case where each such person was employed as an expert witness.

50. Identify each and every non-expert witness you expect to call at time of trial.

51. Identify each exhibit or document you intend to introduce into evidence.

52. Have you been a party to any lawsuit within a period of five years prior to, or in the years subsequent to, the date of this accident involving a claim for personal injuries wherein liability was based in whole or in part upon allegations similar to those set forth in Plaintiff's complaint? If so, state:

- (a) the name of the court and the identity of each party;
- (b) the court term and number of each action;
- (c) the judgment rendered in each such action;
- (d) if the answer to subparagraph (c) is in the negative, state whether or not a settlement out of court was reached.

53. Furnish the identity of each insurance policy, whether primary or excess, contracted by you, in effect, covering the cause of action set forth in the Complaint and each personal-motor vehicle insurance policy contracted by you and in effect on the date of the accident and for each state:

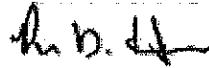
- (a) the name and address of each insurance company issuing any such policy;
- (b) the number of such policy;
- (c) the type of such policy;
- (d) the effective date and expiration date thereof;
- (e) the limits of liability afforded by such policy;

- (f) the name, address and company position of the insurer's employee who has supervisory responsibility for the disposition of plaintiff's claim;
- (g) the amount of deductible, if any;
- (h) whether or not any self-insured retention was maintained and if so, the limits of said self-insurance retention;
- (i) the amount of coverage provided by the policy for bodily injury liability for each person, for each occurrence, and in the aggregate.

54. Identify by name and address any and all individuals, other than your attorney who provided information or Answers or assisted in the preparation of Answers or in any way provided information for the Answers to these Interrogatories.

Respectfully submitted,

ANAPOL WEISS



Date: September 26, 2016

By:

Ryan D. Hurd, Esquire
ID No.: 022402007
130 N. 18th Street, Suite 1600
Philadelphia, PA 19103
Attorneys for Plaintiff

CERTIFICATION

I, _____, hereby certify that I am authorized to make the statements contained in the foregoing Interrogatories, and that the foregoing statements are true and correct to the best of my knowledge, information and belief, and that any and all documents and reports attached hereto are true and complete copies. To the extent that requested documents/photographic material are unknown to me and later become known or available, I shall serve them promptly on the propounding party. The undersigned understands that the statements contained herein are made subject to the penalties of unsworn falsification to authorities.

DATED: _____

CERTIFICATE OF SERVICE

AND NOW, this 26th Day of September, 2016, I, Ryan D. Hurd, hereby certify that I have served a true and correct copy of the foregoing document by United States Mail, postage prepaid, and via Email, addressed as follows:

Respectfully submitted,

ANAPOL WEISS



Date: September 26, 2016

By:

Ryan D. Hurd, Esquire
ID No.: 022402007
130 N. 18th Street, Suite 1600
Philadelphia, PA 19103
Attorneys for Plaintiff

ANAPOL WEISS
BY: DAVID S. SENOFF, ESQUIRE
RYAN D. HURD, ESQUIRE
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RECEIVED
SEP 28 2016

GILMORE & MONAHAN

Attorneys for Plaintiff

YVONNE YAAR-SHARKEY	:	SUPERIOR COURT OF NEW JERSEY
Individually and as Administratrix Ad	:	LAW DIVISION
Prosequendum and Administratrix of the	:	
ESTATE OF NEIL TORIAN VAN	:	<u>OCEAN COUNTY VICINAGE</u>
DE PUTTE, Deceased	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	DOCKET NO.: OCN-L-2163-16
	:	
ANDREW J. SLOTA;	:	
LACEY TOWNSHIP POLICE	:	CIVIL ACTION
DEPARTMENT;	:	
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ABC CORPORATIONS A-Z and	:	
JOHN DOE #1-10 (fictitious names	:	
of persons or entities whose identities are	:	
not presently unknown)	:	
	:	
Defendants.	:	

PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS
DIRECTED TO ALL DEFENDANTS

TO: Andrew J. Slota; Lacey Township Police Department; and
Lacey Township
c/o Thomas E. Monahan, Esquire
Gilmore & Monahan
Allen Street Professional Center
Ten Allen Street
Toms River, New Jersey 08754
Tem@gm-law.net

Plaintiff, by and through her attorneys, Ryan D. Hurd, Esquire and the law firm, Anapol Weiss, hereby requests that Defendant answer the following Requests for Production of Documents within thirty (30) days from service hereof. These Requests for Production of Documents shall be deemed continuing so as to require supplemental Responses if Defendants or anyone on their behalf obtains further information responsive thereto between the time the Answers are served and the time of trial.

INSTRUCTIONS

If you object to the production of any document on the grounds that the attorney/client privilege or any other privilege is applicable thereto, you shall, with respect to that document:

1. State its date;
2. Identify its author;
3. Identify each person who prepared or participated in the preparation of the document;
4. Identify each person who received it;
5. Identify each person for whom the document was received;
6. State the present location of the document and all copies thereof;
7. Identify each person who has ever had possession, custody, or control of the document, or a true and correct copy thereof; and
8. Provide sufficient information concerning the document and the circumstances thereof to substantiate the claim of privilege and to permit the adjudication of the propriety of that claim.

DEFINITIONS

1. "Plaintiffs" or "Plaintiff" means Yvonne Yaar-Sharkey, Individually and as Administrator of the Estate of Neil Torian Van De Putte, Deceased.
2. "Defendant" or "Defendants" means Andrew J. Slota, and/or where applicable, Lacey Township Police Department and/or Lacey Township.
3. "Document" means any writing of any kind, including written, recorded or graphic matter, however produced or reproduced. It includes all matters that relate to or refer to in whole or part to the subject referred to in any Interrogatory. If a document has been prepared in several copies or if additional copies have been made and the copies are not identical (or by reason of subsequent modification by the addition of notations or other modifications, copies are no longer identical) each non-identical copy is a separate "document". The term "document" includes, but is not limited to, correspondence, personal and interoffice memoranda, notes, diaries, log books, statistics, letters, telegrams, minutes, contracts, reports, studies, check statements, receipts, returns, summaries, pamphlets, book, interoffice and intraoffice communications, notations or memoranda of conversations, bulletins, printed matter, computer printouts, teletypes, invoices, recordings, work sheets, work papers, and all drafts, alterations, modifications, changes and/or amendments of any of the foregoing.
4. "All documents" means each and every document as above defined known to you and every such document which may be located or discovered by reasonable effort.
5. The term "possession, custody, or control" includes the joint or several possession, custody or control not only by defendant, but also by each and any person acting or purporting to act in concert with or on behalf of the defendant whether as an employee, attorney, or otherwise.
6. "Identify" or "Identification" when used in reference to any natural person means to state the full name of such person, if known, his present or last known address, telephone number, his present or last known position and/or business affiliation, and his business address and telephone number.
7. "Identify" or "Identification" when used in reference to a document means to state the type of document, for example, e.g. letter, memorandum, telegram, etc., its date, the number of the addressee or addresses, the number of the sender or senders, the title or heading. If the document is pre-printed, the present location of such document, and all known copies. If a document is not in defendant's possession, custody or control, state what disposition has been made of such document and all copies.
8. "Identify" or "Identification" when used in reference to a person other than a natural person means to state the nature of such person (e.g., corporation, partnership, proprietorship, etc.), full name, address, and telephone number. Identify those persons employed by such entity with whom you dealt and state the subject matter with respect to which you dealt with such person.

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10. "Decedent" refers to Neil Torian Van De Putte.

11. "Accident Scene" is used herein in reference to the location of where Decedent was struck by the Defendants' motor vehicle at the intersection of Lacey Road and Deerhead Lake Drive, Forked River, New Jersey.

12. The "intersection" is used herein in reference to the intersection of Lacey Road and Deerhead Lake Drive, where Plaintiff's Decedent was struck by the police cruiser.

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14. "Your motor vehicle" refers to the police cruiser which was operated by Defendant and involved in the subject collision on July 5, 2015.

DOCUMENTS REQUESTED

1. The entire contents of any investigation file or files and any other documentary material in your possession or in the possession of any insurance company, investigating agency or defense of this action, which supports or relates to the allegations set forth in Plaintiffs' Complaint (excluding references to mental impressions, conclusions or opinions representing the value or merit of the claim or defense or respecting strategy or tactics and privileged communications from and to counsel).

2. Any and all documents (including writings, drawings, graphs, charts, photographs, photo-records, and other compilations of data from which information can be obtained, translated, if necessary into reasonably useable form), or to inspect and copy, test or sample any tangible things which constitute or contain matters within the scope of Rule 4:18 and which are in the possession, custody or control of the answering Defendants herein, their agents, servants or employees or any individual, agency or company acting in any capacity in their behalf.

3. Included within the ambit of this Request as set forth in Paragraphs 1 and 2 above, are the following documents.

- (a) Any and all statements (and recordings of statements) made by witnesses to the Defendants herein or representatives of the Defendants;
- (b) Any and all statements made by parties to representatives of their attorneys or to others;
- (c) Any and all documents containing the names and home and business addresses of all individuals contacted as potential witnesses; and
- (d) Reports of any and all experts who will testify at trial.

4. All documents identified in your answers to Plaintiff's Interrogatories.

5. Any and all policies, procedures, regulations and standing orders which were implemented prior to and in effect on July 5, 2015 regarding Lacey Township police officer conduct, job duties, operation of motor vehicles (including police cruisers), use of emergency lights and/or sirens, response procedures, and dispatch procedures.

6. Any and all Defendants' directives, bulletins, written instruments, training and educational materials pertaining to day-to-day operating procedures applicable to Defendant's police officers, implemented on or before July 5, 2015 inclusive of any documents relating to the discipline policies.

7. All documents, reports, inter-office memos, correspondence and emails, concerning the subject of the July 5, 2015 accident and/or Defendant Slota and/or Defendant Slota's employment after July 5, 2015, prepared, issued and/or sent by Chief David Paprota to:

- (a) Toms River Police Department;
- (b) Ocean County Prosecutor and/or Prosecutor's Office;
- (c) New Jersey Attorney General and/or the Attorney General's Office;
- (d) Any other person or entity.

8. All documents, reports, correspondence and emails, concerning the subject of the July 5, 2015 accident and/or Defendant Slota and/or Defendant Slota's employment after July 5, 2015, prepared, issued and/or sent by Defendants:

- (a) Toms River Police Department;
- (b) Ocean County Prosecutor and/or Prosecutor's Office;
- (c) New Jersey Attorney General and/or the Attorney General's Office; and
- (d) Any other person or entity.

9. All documents, reports, correspondence and emails, concerning the subject of the July 5, 2015 accident and/or Defendant Slota and/or Defendant Slota's employment after July 5, 2015, received by Defendants from:

- (a) Toms River Police Department;
- (b) Ocean County Prosecutor and/or Prosecutor's Office;
- (c) New Jersey Attorney General and/or the Attorney General's Office; and
- (d) Any other person or entity.

10. Any and all documents in Defendant Slota's entire employment file, including any disciplinary reports.

11. Any and all documents in Chief David Paprota's entire employment file, including any disciplinary reports.

12. All dispatch and/or call logs and notes for calls for service received between 12:01 a.m. on July 5, 2015 and 6:00 a.m. on July 5, 2015.

13. Any and all documents, correspondence, emails, internal memoranda and/or inter-office memos related to any discipline or warning considered against Defendant Slota in connection to the July 5, 2015 accident.

14. Copies of Defendants' documents, internal memoranda and/or inter-office memos regarding the July 5, 2015 accident and/or Defendant Slota's operation of the subject police cruiser on July 5, 2015.

15. Any and all documents related to any discipline or warning issued in the 10 years prior to July 5, 2015 against a Lacey Township police officer in connection to his/her operation of Defendants' motor vehicle.

16. Any and all documents related to any discipline or warning issued in the 10 years prior to July 5, 2015 against a Lacey Township police officer for failure to follow a Defendants' policy, procedure, regulation, rule and/or standing order.

17. Mobile telephone records for Defendant Slota's mobile phone for the 24 hour period beginning at 6:00 p.m. July 4, 2015 and ending at 6:00 p.m. on July 5, 2015.

18. Any and all documents regarding any work injury sustained by Defendant Slota between 2012 and July 6, 2015.

19. Any and all documents regarding any grievance reported by Defendant Slota to his union and/or union representative between 2012 and the present time.

20. Any and all documents regarding the maintenance and repair history of the Defendants' vehicle involved in the subject accident.

21. All documents, logs, ledgers and notes which were in the Defendants' vehicle at the time of the July 5, 2015 accident.

22. Any and all documents and or data recovered from the data recording devices, electronic control module (ECM), GPS or other tracking devices and/or the road messaging devices (ie. QUALCOMM) on the Defendants' vehicle involved in the subject accident

23. Any employee training manuals and/or training brochures and/or employment brochures and/or employment handbooks for the following time periods:

- (a) the five (5) years preceding July 5, 2015; and
- (b) July 5, 2015 through the present.

24. Produce any and all minutes of all Defendant committees concerning safety, operations and/or police policies and procedures.

25. Any and all documents of any nature whatsoever which refer in any way to the incident described in Plaintiff's Complaint and/or the facts or circumstances leading up to and following said incident.

26. Produce a photograph of the interior of the police cruiser which depicts each piece of technology (such as primary radio, cb radio, laptop computer, auxiliary light/siren controls), whether mounted in or on the dash board or console of the police cruiser operated on July 5, 2015

27. Produce any and all documents regarding the analysis and review of the collision.

28. Produce any and all documents and/or reports regarding the analysis of Plaintiff's economic/pecuniary damages.

29. Copies of internal memoranda, inter-office memos, facsimiles, e-mail or other documents or communications regarding this accident, made by the Defendants and/or your insurance carrier(s).

30. Produce any and all documents received from or sent to safety consultants employed or retained by Defendants in the 10 years prior to July 5, 2015.

31. Produce any and all documents received from or sent to safety consultants employed or retained by Defendants in connection to this accident.

32. Produce all diagrams, pictures, sketches, recreations or other depictions of the scene and/or manner in which this accident occurred.

CERTIFICATION

I, _____, hereby certify that I am authorized to make the statements contained in the foregoing Interrogatories, and that the foregoing statements are true and correct to the best of my knowledge, information and belief, and that any and all documents and reports attached hereto are true and complete copies. To the extent that requested documents/photographic material are unknown to me and later become known or available, I shall serve them promptly on the propounding party. The undersigned understands that the statements contained herein are made subject to the penalties of unsworn falsification to authorities.

DATED: _____

CERTIFICATE OF SERVICE

AND NOW, this 26th Day of September, 2016, I, Ryan D. Hurd, hereby certify that I have served a true and correct copy of the foregoing document by United States Mail, postage prepaid, and via Email, addressed as follows:

Respectfully submitted,

ANAPOL WEISS



Date: September 26, 2016

By:

Ryan D. Hurd, Esquire
ID No.: 022402007
130 N. 18th Street, Suite 1600
Philadelphia, PA 19103
Attorneys for Plaintiffs