

IN THE CIRCUIT COURT FOR BALTIMORE CITY, MARYLAND

Ernesto Fair- Plaintiff

v

Diana Beatrix Salvador- Defendant

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CASE NO.: 05-C-00-1234

PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS

Plaintiff, Ernesto Fair, by and through his attorneys, Ronald V. Miller, Jr., and Miller & Zois, LLC, requests that Defendant, Diana Beatrix Salvador, admit or deny the following statements of law. If objection is made, please state the reason for the objection. Please specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. Also, please note that the term "[car crash](#)" refers to the motor vehicle collision which is the subject of this lawsuit and which occurred on or about March 17, 2002.

REQUESTS FOR ADMISSION

1. Admit that you were personally served with the Writ of Summons and Complaint in the above-captioned case.
2. Admit that a resident of your household was personally served with the Writ of Summons and Complaint.
3. Admit that you have no basis to assert as a defense or affirmative defense to the subject accident, lack of personal jurisdiction.
4. Admit that you were driving a 2000 Toyota with Maryland motor vehicle tags on the date of the car crash.
5. Admit that you were the registered owner of a 2000 Toyota with Maryland motor vehicle tags on the date of the car crash.
6. Admit that immediately prior to impact, the vehicle operated by Plaintiff was in the oncoming lane on the date of the car crash.
7. Admit that immediately prior to impact, you failed to negotiate a turn on the date of the car crash.
8. Admit that the front of the vehicle you were operating struck the front of the vehicle

the Plaintiff was operating on the date of the car crash.

9. Admit that Plaintiff did not contribute to the cause of the car crash.

10. Admit that the vehicle that you were driving struck the Plaintiff's vehicle head-on on the date of the car crash.

11. Admit that had you negotiated the turn at a slower speed, you would have avoided striking the Plaintiff's vehicle on the date of the car crash.

12. Admit that your actions were the sole cause of the car crash.

13. Admit that no other entity contributed to cause the car crash.

14. Admit that Plaintiff was injured as a result of the car crash.

15. Admit that Plaintiff was injured as a result of the car crash caused by you.

16. Admit that you have no evidence of any kind that Ernesto Fair may have caused or contributed to the occurrence by stopping short in the travel portion of the roadway.

17. Significant injury can occur in a high-impact motor vehicle accident.

18. The Defendant has no evidence to support the affirmative defense that the Plaintiff assumed the risk of his injuries.

19. The Defendant has no evidence to support the affirmative defense that the Plaintiff was not contributorily negligent.

20. The Defendant has no evidence to support the affirmative defense that the Plaintiff's case is barred by the Statute of Limitations.

21. The Defendant has no evidence to support the affirmative defense that the Plaintiff's case fails to state a claim upon which relief can be granted.

22. The Plaintiff did sustain injuries as a result of the accident which took place on March 17, 2002.

23. The Plaintiff did require necessary medical treatment as a result of the accident that took place on March 17, 2002.

24. You have given a signed statement in this case.

25. You consumed drugs, medicines, or alcoholic beverages within twenty-four (24) hours prior to said occurrence.

26. You were under care of a physician at the time of the occurrence.
27. You maintained insurance that covers your liability in this lawsuit.
28. The injury to Plaintiff's right knee is such that he cannot twist, squat, dance or take a long walk without pain.
29. The attached medical records Bates stamped 01 - 105 are authentic.
30. The medical treatment rendered by University of Maryland Medical Center was medically necessary and causally related to the car crash complained of in the Plaintiff's Complaint.
31. The medical bill from University of Maryland Medical Center was reasonable regarding the treatment rendered for the car crash complained of in the Plaintiff's Complaint.
32. The medical treatment rendered by Shock Trauma Associates, P.A., was medically necessary and causally related to the car crash complained of in the Plaintiff's Complaint.
33. The medical bill from Shock Trauma Associates, P.A., was reasonable regarding the treatment rendered for the car crash complained of in the Plaintiff's Complaint.
34. The medical treatment rendered by Baltimore Work Rehab, LLC, was medically necessary and causally related to the car crash complained of in the Plaintiff's Complaint.
35. The medical bill from Baltimore Work Rehab, LLC, was reasonable regarding the treatment rendered for the car crash complained of in the Plaintiff's Complaint.
36. The medical treatment rendered by Multi-Specialty Healthcare was medically necessary and causally related to the car crash complained of in the Plaintiff's Complaint.
37. The medical bill from Multi-Specialty Healthcare was reasonable regarding the treatment rendered for the car crash complained of in the Plaintiff's Complaint.
38. The medical treatment rendered by Multi-Specialty Physical Therapy was medically necessary and causally related to the car crash complained of in the Plaintiff's Complaint.
39. The medical bill from Multi-Specialty Physical Therapy was reasonable regarding the treatment rendered for the car crash complained of in the Plaintiff's Complaint.
40. The medical treatment rendered by Harford County Ambulatory Surgical Center was medically necessary and causally related to the car crash complained of in the Plaintiff's Complaint.
41. The medical bill from Harford County Ambulatory Surgical Center was reasonable

regarding the treatment rendered for the car crash complained of in the Plaintiff's Complaint.

42. The medical treatment rendered by Susquehanna Orthopaedics Associates was medically necessary and causally related to the car crash complained of in the Plaintiff's Complaint.

43. The medical bill from Susquehanna Orthopaedics Associates was reasonable regarding the treatment rendered for the car crash complained of in the Plaintiff's Complaint.

44. The purchase of the moist heating pad from Liberty Orthopedic and Supply Company was medically necessary and causally related to the car crash complained of in the Plaintiff's Complaint.

45. The bill for the moist heating pad from Liberty Orthopedic and Supply Company was reasonable regarding the treatment rendered for the car crash complained of in the Plaintiff's Complaint.

46. Your insurance company offered only \$50,000 to settle this lawsuit.

47. Plaintiff continues to have pain, weakness, loss of function and loss of endurance as a result of his right leg injury.

48. Plaintiff continues to have pain, weakness, loss of function and loss of endurance in his right leg injury as a result of the accident.

49. Plaintiff suffered an injury to his right leg.

50. Plaintiff suffered an injury to his right leg from the car crash.

51. Plaintiff suffered an injury to his right leg as a result of the car crash caused by your negligence.

MILLER & ZOIS, LLC

Ronald V. Miller, Jr.
Empire Towers, Suite 615
7310 Ritchie Highway
[Glen Burnie](#), Maryland 21061
(410)553-6000
(410)760-8922 (Fax)
Attorney for the Plaintiff

Certificate of Service

I hereby certify that a copy of the foregoing First Request for Admissions was sent via U.S. Mail, first-class, postage prepaid, this 5th day of February, 2004, to:

Diana Beatrix Salvador
604 Menteth Point Drive
Millersville, MD 21108