

IN THE COURT OF COMMON PLEAS  
CUYAHOGA COUNTY, OHIO

PREFERRED CAPITAL, INC.,	)	CASE NO.
	)	
Plaintiffs,	)	JUDGE
	)	
-vs-	)	<u>PLAINTIFFS' FIRST COMBINED</u>
	)	<u>DISCOVERY REQUESTS</u>
TONY & TINA MACHINING CO.,	)	<u>PROPOUNDED TO DEFENDANTS</u>
INC., et al.,	)	
	)	
Defendants.	)	
	)	

Now come the Plaintiffs, Preferred Capital, Inc., by and through counsel, pursuant to the Ohio Rules of Civil Procedure, and propound the following Interrogatories, Requests for Production of Documents, and Requests for Admission Directed to the Defendants, Tony & Tina Maching Co. Inc. and Robert S. Sturchio, to be answered pursuant to the Ohio Rules of Civil Procedure within twenty-eight days of service hereof.

Said Interrogatories, Requests for Production and Requests for Admissions are to be regarded as continuing in nature as to require supplementation from time to time as the need may arise.

If documents are available which adequately and completely answer each request for discovery, you are hereby requested to attach the same as an exhibit to your answers.

## DEFINITIONS

The following definitions and principles are to be observed and used when interpreting and responding to these discovery requests.

1. The term "documents" means and includes, without limitation, the original, or absent the original, a true copy of any paper containing notations or data and/or any videotape or audiotape from which intelligence can be perceived, including, but not limited to, letters, correspondence, memoranda, notes, records, phone records, work papers, books, ledgers, drawings, returns, written instruments, checks, telegrams, recordings. Along with the document please include the complete name and or names, present or last known address, the person's present or last known employment, being specific as to the name and present or last known address of the employer and the person's position with his employer.

2. The term "person" as used herein shall include natural persons, firms, partnerships, associations, corporations, and other entity.

3. The term "representative" as used herein, shall mean and include all officers, directors, agents and employees, partners, attorneys, accountants, consultants, successors, parent or subsidiary company and/or companies and assigns.

4. The term "Plaintiff" or "Defendant" means and includes all officers, directors, agents and employees, partners, attorneys, accountants, consultants, successors, parent or subsidiary company and/or companies and assigns.

5. The term "concerning" includes, without limitation, concerning, constituting, or referring to, alluding to, responding to, relating to, connected with, commenting on, and respect

to about, regarding, discussing, showing, describing, reflecting and analyzing.

6. The terms "incident," "subject area," and "subject structure" refer to the allegations and descriptions contained in the Complaint entitled Preferred Capital, Inc. v. Tony & Tina Machining Co., Inc., Court of Common Pleas, Cuyahoga County, Ohio.

7. The terms "you" and "your" refer to the Defendants, Tony & Tina Machining Co. Inc. and Robert S. Sturchio.

These Interrogatories shall be continuing in nature, and the deponent stipulates that the responses to these Interrogatories shall be updated and supplemented so as to maintain the same in a complete and accurate manner and on a reasonable basis. This shall be done in accordance with Rule 26(e) of the Ohio Rules of Civil Procedure.

**INTERROGATORIES**

1. Please state the full name(s), address(es), and occupation(s) of the person answering or contributing to the answers to these Interrogatories.

ANSWER:

2. Please state the full name(s) and address(es) of each person, including experts, having knowledge of relevant facts relating to the incident which is the basis of this lawsuit, the cause thereof, or the damages resulting therefrom.

ANSWER:

3. Please state the full name(s), address(es), and qualifications of each and every expert whom you expect to call as an expert witness at trial of this case, the subject matter concerning which the expert expects to testify, and attach a copy of any report, including factual observations and opinions, which has been prepared by any such expert.

ANSWER:

4. Please state the full name(s) and address(es) of each expert consulted whose report or work product will be relied upon in whole or in part by any expert witness whom you expect to call at the trial of this case.

ANSWER:

5. Please describe, in your own words, how the transaction occurred and state specifically and in detail what your claim or contention will be regarding any cause or contributing cause of the incident, including a statement in detail of the facts or information upon which this contention is based.

ANSWER:

6. Please describe in detail any conversations you have had with the plaintiff or plaintiff's representative following the incident in question.

ANSWER:

7. Please state whether or not you have obtained from the plaintiff, any statement, oral, written, or recorded, and state the date of obtaining any such statement from the plaintiff.

ANSWER:

8. Please state the name(s), address(es), and occupation(s) of any and all persons you claim to have personal knowledge of the events of this case.

ANSWER:

9. Please state the name(s), address(es), and telephone number(s) of any and all person who you intend on having testify at any hearing on this matter.

ANSWER:



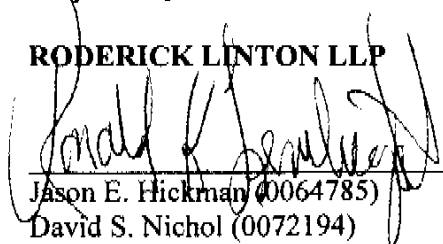
5 Produce any and all paperwork, notes, documents in the file of any expert witness who is expected to testify, or in the file of any expert witness who has written a report which is or will be relied upon in whole or in part by a testifying expert.

6 Produce any and all documents, tapes, recordings or other items that you intend to introduce or use as evidence at any hearing or trial in this matter.



Respectfully submitted,

**RODERICK LINTON LLP**



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