

FULTON COUNTY STATE COURT

STATE OF GEORGIA

JENNIFER GARRISON,

Plaintiff,

vs.

MONTAG REALTY COMPANY, LLC
d/b/a VERONA APARTMENTS, THE
REALTY FUND III, L.P. and JOHN
DOES 1-5,

Defendants.

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JURY TRIAL DEMANDED

CASE NUMBER: _____

SUMMONS

TO THE ABOVE NAMED DEFENDANT:

You are hereby summoned and required to file with the Clerk of said court and serve upon the Plaintiff's attorney, whose name and address is:

P. Charles Scholle
P. Charles Scholle, P.C.
3575 Koger Boulevard
Suite 220
Duluth, Georgia 30096
(770)717-5100

an Answer to the Complaint which is herewith served upon you, within 30 days after service of this Summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in this Complaint.

This _____ day of _____, _____.

Clerk of Superior Court

By _____
Deputy Clerk

FULTON COUNTY STATE COURT

STATE OF GEORGIA

JENNIFER GARRISON,

Plaintiff,

vs.

**MONTAG REALTY COMPANY, LLC
d/b/a VERONA APARTMENTS, THE
REALTY FUND III, L.P. and JOHN
DOES 1-5,**

Defendants.

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COMPLAINT FOR DAMAGES

COMES NOW JENNIFER GARRISON, and brings this Complaint for Damages, and shows the Court the following:

1.

Plaintiff JENNIFER GARRISON is and, at all times material to this action, was a resident of the State of Georgia.

2.

Defendant MONTAG REALTY COMPANY, LLC is a Missouri corporation subject to the jurisdiction and venue of this Court. Service may be made on said Defendant by serving its registered agent, to wit: CT Corporation System, 1201 Peachtree Street NE, Atlanta, Georgia 30361.

3.

At all times mentioned herein, Defendant MONTAG REALTY COMPANY, LLC either independently or jointly owned, operated, controlled and managed the Verona Apartments

apartment complex (hereinafter “Verona Apartments”) located at 2383 Akers Mill Road, Atlanta, Georgia 30339.

4.

On or about May 13, 2004, the Plaintiff was a lawful tenant at Verona Apartments.

5.

On May 13, 2004, the Plaintiff was locked out of her apartment on the third floor of apartment building “U” at Verona Apartments when the worn and obsolete lock on the sliding glass door engaged by itself when the Plaintiff closed said door while walking out onto her apartment’s deck.

6.

Unable to summon assistance, Plaintiff was forced to exit the deck via the egress ladder attached to the side of her apartment building.

7.

Plaintiff was injured at the base of the building while descending the ladder because the ladder failed to reach the ground.

8.

Plaintiff exercised ordinary care and diligence at all times herein and under the circumstances then existing.

9.

Defendant breached its duties owed to Plaintiff by failing to exercise ordinary care to keep the premises safe.

10.

Prior to and on May 13, 2004, Defendant was negligent in failing to properly replace, supplement or renovate the faulty sliding door latches and locks in Plaintiff's apartment.

11.

Prior to and on May 13, 2004, the egress ladders at Verona Apartments were negligently constructed, renovated, maintained, inspected and managed by Defendant.

12.

Defendant had knowledge, both actual and constructive, of the need to properly construct, renovate, maintain, manage and inspect said property but failed to exercise ordinary care.

13.

The egress ladders at Verona Apartments, as they existed on May 13, 2004, violated applicable building, fire or safety codes for the jurisdictions governing the complex.

14.

Defendant was aware that the egress ladders at Verona Apartments, as they existed on May 13, 2004, were in violation of applicable building, fire or safety codes.

15.

Defendant, Defendant's employees and/or Defendant's agents at Verona Apartments did nothing to remediate the dangerous condition of the egress ladders between the time they became aware of the danger and the time Plaintiff was injured.

16.

Defendant negligently failed to warn Plaintiff of the hazardous condition of the egress ladders and door latches at Verona Apartments.

17.

Defendant negligently failed to maintain adequate emergency escape routes for the residents of Verona Apartments, thereby creating an unreasonable risk of injury to its tenants, including Plaintiff JENNIFER GARRISON.

18.

At all times mentioned herein, Defendant controlled and managed Verona Apartments and had the legal duty to keep the premises in a state consistent with the due regard for the safety of its tenants, including Plaintiff JENNIFER GARRISON. Defendant breached said duties to Plaintiff and failed to act as similarly situated businesses in like circumstances.

19.

Defendant was negligent in failing to renovate, maintain, inspect, and manage the premises at issue, thereby creating an unreasonable risk of injury to their tenants, including Plaintiff JENNIFER GARRISON.

20.

Defendant knew of, or with the exercise of due care of the safety of its tenants, including Plaintiff JENNIFER GARRISON, should have known of, the dangerous and hazardous conditions existing at the apartment complex and the failure to properly construct, renovate, maintain, inspect and manage the premises; and that said conditions created an unreasonable risk of injury to Plaintiff.

21.

Defendant was *negligent per se*.

22.

Defendant had actual knowledge of the dangerous and hazardous conditions existing at the apartment complex due to the direct knowledge of its employees and agents.

23.

Defendant had constructive knowledge of the dangerous and hazardous conditions existing at the apartment complex through the knowledge of its employees and agents.

24.

Defendant negligently failed to maintain a policy, procedure or system of investigating, reporting and warning of the negligently maintained property.

25.

Defendant negligently represented to its tenants that the property at issue was properly maintained.

26.

Defendant's negligence was a cause in fact and a proximate cause of Plaintiff's injuries.

27.

Defendant is liable for the injuries suffered by Plaintiff.

28.

As a result of Defendant's negligence, Plaintiff is entitled to recover for the injuries sustained, pain and suffering, the costs of past and future care and treatment, lost wages and the ability to labor, and all other elements of damages as allowed under the laws of the State of Georgia, including special damages, compensatory damages, consequential damages, economic damages and punitive damages.

29.

Plaintiff is entitled to an award of punitive damages pursuant to Georgia law, without limitation or cap because the actions of Defendant and its agents and employees showed

wantonness, oppression, and an entire want of care, which would raise the presumption of conscious indifference to consequences.

30.

Because Defendant's actions evidence a species of bad faith and have caused Plaintiff undue expense, Plaintiff is entitled to recover her necessary expenses of litigation, including an award of reasonable attorney's fees and expenses required by this action. (O.C.G.A. § 13-6-11). Furthermore, Plaintiff is entitled to all expenses of litigation and attorney's fees pursuant to all other Georgia statutory and common laws.

WHEREFORE, the Plaintiff prays:

- a) That Defendant be served with summons, process and a copy of this Complaint as provided by law;
- b) That the Plaintiff be granted a trial by jury as to all triable issues in this cause;
- c) That the Plaintiff obtain judgment against the Defendant for special, general and compensatory damages as determined at trial as well as costs of litigation and expenses;
- d) That the Plaintiff be awarded punitive damages for Defendant's conduct; and
- e) For such other and further relief as this Court deems just and equitable under all circumstances alleged and contained herein.

This 30 day of December, 2011

P. Charles Scholle
Attorney for Plaintiff
Georgia Bar Number 629736

Suite 220
Duluth, Georgia 30096
(770) 717-5100

FULTON COUNTY STATE COURT

STATE OF GEORGIA

JENNIFER GARRISON,

Plaintiff,

vs.

MONTAG REALTY COMPANY, LLC
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REALTY FUND III, L.P. and JOHN
DOES 1-5,

Defendants.

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JURY TRIAL DEMANDED

CASE NUMBER: _____

**PLAINTIFF’S FIRST REQUEST FOR ADMISSIONS TO
DEFENDANT MONTAG REALTY COMPANY, LLC**

Pursuant to O.C.G.A. § 9-11-36 of the Georgia Civil Practice Act, Plaintiff requests that the Defendant respond in the time and manner required by law to the following requests for admissions.

FIRST REQUEST FOR ADMISSIONS

Answers should specifically deny the matter or set forth in detail the reasons why Defendant cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that Defendant qualify an answer or deny only a part of the matter of which an admission is requested, Defendant shall specify so much of it as is true and qualify or deny the remainder. Defendant may not give lack of information or knowledge as a reason for failure to admit or deny unless Defendant states that they have made reasonable inquiry and that the information known or readily obtainable is insufficient to enable the party to admit or deny.

Defendant is advised that if it fails to admit the truth of any matter as requested, and if Plaintiff thereafter proves the truth of the matter, Plaintiff will apply to the Court for an order requiring Defendant to pay the reasonable expenses incurred in making that proof, including reasonable attorney's fees.

1.

Please Admit that the Defendant has been correctly named as a Defendant in the present action with respect to the legal description of Defendant's name.

2.

Please Admit that the State Court of Fulton County has personal jurisdiction over Defendant.

3.

Please Admit that the State Court of Fulton County has subject matter jurisdiction over this action.

4.

Please Admit that the State Court of Fulton County is the court of proper venue in this action.

5.

Please Admit that the Defendant received process in this action, and such process and service are sufficient.

6.

Please Admit that the incident referred to in Plaintiff's Complaint did, in fact, occur on May 13, 2004 at the Verona Apartments complex.

7.

9

Please Admit that on May 13, 2004, Defendant owned the premises and real property where Plaintiff was injured at Verona Apartments.

8.

Please admit that Defendant engaged in the ownership, operation and management of Verona Apartments located at 2383 Akers Mill Road, Atlanta, Georgia 30339 on May 13, 2004.

9.

Please Admit that on May 13, 2004, Defendant was in constructive control of the egress ladders from which Plaintiff was injured at Verona Apartments.

10.

Please Admit that on May 13, 2004, Defendant was responsible for inspecting and maintaining the premises where Plaintiff was injured at Verona Apartments.

11.

Please Admit that Defendants and/or its employees or agents had the duty to exercise ordinary care in maintaining the premises at Verona Apartments prior to and on the date of May 13, 2004.

12.

Please Admit that the Defendant had actual or constructive knowledge that the egress ladders at Verona Apartments were dangerous prior to May 13, 2004.

13.

Please Admit that Defendant had actual knowledge prior to May 13, 2004 that other individuals had been physically hurt using the egress ladders at Verona Apartments.

14.

Please Admit that prior to May 13, 2004 the Defendant, its agents, and/or its employees had actual or constructive knowledge that other individuals had been physically hurt using the egress ladders at Verona Apartments.

15.

Please Admit that on May 13, 2004, Defendant, Defendant's employees and/or Defendant's agents had actual or constructive knowledge that the egress ladders at Verona Apartments violated applicable building or safety codes of the jurisdictions governing said complex.

16.

Please admit that prior to May 13, 2004, the Defendant, Defendant's employees and/or Defendant's agents had actual or constructive knowledge that the egress ladders at Verona Apartments were unfit to effectively perform their intended function, i.e. to facilitate the safe exit from each apartment unit by residents or invitees.

17.

Please admit that prior to May 13, 2004, the Defendant, Defendant's employees and/or Defendant's agents had actual or constructive knowledge that the egress ladders of Building "U" at Verona Apartments were unfit to effectively facilitate the safe exit from each apartment building by residents or invitees.

18.

Please admit that on May 13, 2004, the Defendant, Defendant's employees and/or Defendant's agents had actual or constructive knowledge that the egress ladders of Building "U" at Verona Apartments were not adequate to effectively perform their intended function, i.e. to facilitate the safe exit from each apartment building by residents or invitees.

19.

Please Admit that prior to May 13, 2004, the Defendant was aware that the egress ladders at Verona Apartments constituted a serious risk to the health and safety to its tenants.

20.

Please Admit that, prior to May 13, 2004, the Defendant did not take any action to warn its tenants of the dangerous condition posed by the egress ladders at Verona Apartments.

21.

Please Admit that prior to May 13, 2004, the Defendant did not take any action to warn its tenants that other residents or former residents had suffered injuries while utilizing the egress ladders at Verona Apartments.

22.

Please Admit that, prior to May 13, 2004, the Defendant did not take any action to warn its tenants of the dangerous condition posed by the porch door latches at Verona Apartments.

23.

Please Admit that prior to May 13, 2004, the Defendant did not take any action to warn its tenants that other residents or former residents had been locked out on their respective porches while utilizing the porch door latches at Verona Apartments.

24.

Please admit that Defendant never told Plaintiff about any dangers that existed at Verona Apartments prior to or on the date of May 13, 2004.

25.

Defendant, Defendant's employees and/or Defendant's agents did nothing to remedy the dangerous conditions posed by the faulty door latch or the egress ladders prior to May 13, 2004.

This 30 day of December, 2011

3575 Koger Boulevard
Suite 220
Duluth, Georgia 30096
(770) 717-5100

P. Charles Scholle
Attorney for Plaintiff
Georgia Bar Number 629736

FULTON COUNTY STATE COURT

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Defendants.

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JURY TRIAL DEMANDED

CASE NUMBER: _____

**PLAINTIFF'S FIRST CONTINUING INTERROGATORIES
TO DEFENDANT MONTAG REALTY COMPANY, LLC**

Pursuant to O.C.G.A. §§ 9-11-26 and 9-11-33, Plaintiff hereby requests that the Defendant respond separately in writing and under oath, to the following interrogatories within the time allowed by law to respond to these interrogatories, with a copy of the responses being served upon the undersigned counsel of record for the Plaintiff at The Law Offices of P. Charles Scholle, P.C., 3575 Koger Boulevard, Suite 220, Duluth, Georgia 30096.

DEFINITIONS AND INSTRUCTIONS

A. These interrogatories shall be deemed continuing to the extent permitted by O.C.G.A. § 9-11-26(e), so as to require Defendant to serve upon Plaintiff supplemental answers if Defendant or its attorneys obtain further information between the time the answers are served and the time of trial.

B. The following definitions shall apply to this request.

1. "Document", whether singular or plural, shall mean documents and other tangible things defined in the broadest sense permitted by the Georgia Civil Practice Act and shall include without limitation originals or, if such are not available, true copies of all memoranda, reports, evaluations, correspondence, interoffice communications or memoranda, agreements, contracts, invoices, checks, journals, ledgers, telegraphs, telexes, handwritten notes, periodicals, pamphlets, computer or business machine printouts, accountant's work papers, accountant's statements and writing, notations or records of meetings, books, papers, diaries, promissory notes, evidences of indebtedness, security agreements, loan applications, leases, documents creating or reflecting security interests, loan agreements, financing statements, deposit slips, advertising, office manuals, employee manuals, rules and regulations, reports of experts, drafts and copies of any of the foregoing, or such documents as are not an identical copy of an original or where such copy contains any commentary or notation whatsoever that does not appear on the original, tape recordings or other sound or visual production materials and any other written matter, tangible or physical objects, however produced or reproduced, upon which words or phrases are affixed and from which by appropriate transfixing such matter or tangible thing may be produced in the possession, custody or control of either Defendant or their agents, attorneys, or employees.

2. "Person" means any natural person, corporation, partnership, proprietorship, association, governmental entity, agency, group, organization or group of persons.

INTERROGATORIES

1.

(2)

State whether the Defendant was incorporated at the time of this incident or organized as an LLC and if so, state the date of incorporation or organization, the state in which Defendant is incorporated or organized, the principal place of business, the principal business activity, and the full name, present address and position of the individual answering these interrogatories on behalf of Defendant.

2.

Please identify each and every person and/or company who owned, managed or were in control of, at the time of the occurrence alleged in the Complaint, the premises referred to in the Complaint where the incident involving the Plaintiff occurred. If the ownership, control, or maintenance changed at any time since said occurrence, please identify every subsequent person or entity.

3.

Please state whether Defendant has received any complaints or notices by any individual or entity of any nature regarding safety problems involving the egress ladders or the sliding porch door latches within the previous five (5) years at Verona Apartments. If so, please state the substance, dates and people involved in any such complaints or notice.

4.

In the past five (5) years, has the apartment complex in question had any complaints or incidents of: individuals injured while attempting to utilize the egress ladders, individuals injured while attempting to exit their apartments in emergency situations, or individuals reporting or complaining about potential dangerous conditions concerning the secondary egress from their apartments? If you answer yes, for each such occurrence please state:

(a) the nature of the occurrence;

(3)

- (b) the date of the occurrence;
- (c) the individuals involved;
- (d) how you became aware of the incident;
- (e) whether any legal suit arose out of it and the outcomes of such claims, if any; and
- (f) and what your company did to remedy the situation.

5.

In the past five (5) years, has the apartment complex in question had any complaints or incidents of: individuals locked accidentally locked out because of the improper functioning of their sliding porch door latch? If you answer yes, for each such occurrence please state:

- (a) the nature of the occurrence;
- (b) the date of the occurrence;
- (c) the individuals involved;
- (d) how you became aware of the incident;
- (e) whether any legal suit arose out of it and the outcomes of such claims, if any; and
- (f) and what your company did to remedy the situation.

6.

Please state what, if any, knowledge Defendant had prior to the incident complained of regarding any injuries on the premises in question involving egress ladders within the past five (5) years.

7.

Please identify any insurance company which may be liable to satisfy all or part of a judgment which may be entered in this action or to indemnify or reimburse for payments made

(4)

to satisfy the judgment, state the policy number for each such policy and the limits of liability coverage for each policy of insurance which may be applicable to pay part or all of a judgment rendered against the Defendant.

8.

State the names and addresses of any persons, employees or witnesses at the location of the incident which gives rise to this Complaint at the time of the incident and within one hour prior to it and one hour after it.

9.

What, if anything, was done by Defendant in an attempt to remedy any problems posed by the ladders or sliding porch door latches prior to the incident referenced in Plaintiff's Complaint?

10.

Please describe how the occurrence complained of in this action happened, giving all of the events in detail and in the order in which they occurred, before, at the time of, and after the occurrence, which had any bearing on the cause or manner of the happening of this occurrence.

11.

Please state the names, addresses, telephone numbers and places of employment of all persons known to you, either from your investigation or from any investigation made on your behalf:

(5)

(a) who may have seen any part of the occurrence complained of; or who may have or claimed to have arrived at the scene of the occurrence complained of immediately or shortly after its happening;

(b) who have some knowledge regarding the facts or circumstances surrounding the happening of the incident complained of, including, but not limited to, medical witnesses and other persons having any knowledge thereof; and

(c) if any of the people listed above are employed by your company or friends or relatives of individuals who are employed by your company, please list those relationships.

12.

Please identify specifically each and every statute, ordinance, regulation, rule, code or industry standard of any kind which you, your expert or other witness will rely upon in support of any of your defenses in this lawsuit.

13.

Please state the names, residence and business addresses and business telephone numbers, of all persons whom you expect to call or may call as expert witnesses at trial. With respect to each person, state:

(a) The specific subject matter on which you expect such expert to testify;

(b) the substance of the facts, opinions and conclusions which you expect such expert to testify;

(6)

(c) the grounds for each such opinion or conclusion;

(d) whether any of such persons have prepared or provided you with a written or recorded statement, or report concerning their investigation or study, or the facts found by them, or the conclusions or opinions arrived at by them or the grounds of their opinions or conclusions. If so, state the date of each such report or statement, and the names and addresses of all persons who have a copy of such report or statement; and

(e) the name, business telephone number and business address, of each person you retained or specially employed in the anticipation of litigation or preparation for trial whom you do not expect to call as a witness at the trial of the case.

14.

As to each statement or report, written, taped or otherwise, which has been made by any person concerning the occurrence complained of, please describe each such statement or report, giving as to each such statement or report the name of the person giving such statement or report, the date of same, and the present location of such statement or report or any copy hereof.

15.

If you, your attorney, your insurance carrier or anyone acting on your or their behalf, have or know of any photographs, motion pictures, maps, drawings, diagrams, measurements, surveys or other descriptions of the buildings or buildings at the Verona Apartments complex, the scene of the incident, the area, or the persons involved made either before, after or at the time of the event in question, as to each such item, please identify or produce such documents(s) and state:

(7)

- (a) what each such item purports to show, illustrate or represent;
- (b) the date it was made or taken; and
- (c) the name and address of the person having custody of such item.

16.

Please state fully and completely the basis of each defense or denial, if any, which you allege in your Answer to Plaintiff's Complaint.

17.

Please state fully and completely the basis of each defense or denial, if any, to each of your responses to Plaintiff's Request for Admissions.

18.

Please list the names, addresses, phone numbers, job titles and job descriptions of every individual employed at Verona Apartments between March 1, 2003 and July 31, 2004. Please specifically identify any individuals whose responsibilities would include constructing, inspecting or maintaining the egress ladders at Verona Apartments.

19.

Please list the names of all employees scheduled to work at Verona Apartments on May 13, 2004.

20.

(8)

Please identify each management level employee employed by Verona Apartments during May, 2004. For each such person please state the following:

- (a) the present name, address, and phone number;
- (b) the management level of that employee;
- (c) whether these individuals are still employed at Verona Apartments;
- (d) where the person is presently employed; and
- (e) the present work address and phone number.

21.

Please describe each and every warning that you claim was provided to Plaintiff regarding any danger associated with the egress ladders or porch door latches.

22.

Please give the name, address and telephone numbers of all persons that have relevant knowledge, or information reasonably calculated to lead to the discovery of relevant or admissible evidence, concerning Plaintiff's claims and damages and your defenses.

23.

Please identify any changes that were implemented or made as a result of the incident forming the basis of Plaintiff's Complaint.

24.

(9)

Please identify all persons who have in any way investigated the claims made in this lawsuit, and whether each has made a written record of the investigation, and state the substance or result of their investigation.

25.

Please list each act of negligence, contributory negligence, or comparative negligence you contend Plaintiff, or any other person or entity, did or failed to do which in any way contributed to the subject occurrence and/or any of Plaintiff's injuries. (Note: Please supply any legal authority in support of these contentions.)

26.

Please identify with specificity all claims or criminal complaints made against or to your business, either before or after the incident that is the subject matter of this litigation, including the date, time and place of occurrence; the name, address and telephone number of all parties involved in said accident; the address of all investigating people or departments, personal injuries and property damage, if any, claimed in such incident; a short description of how the incident occurred, and whether suit was filed.

27.

State the substance of each conversation you had with Plaintiff at the time of or at any time following the occurrence giving rise to this lawsuit, or any statement that you claim was a statement made by Plaintiff or her agents.

28.

If you deny that Plaintiff suffered injuries and damages in the incident which is the subject of this Complaint, state all facts support your denial that Plaintiff was injured and suffered damages.

29.

Please identify all potential parties, individuals, entities or other person that you contend are indispensable parties or that would be liable for any judgment obtained by Plaintiff in this action.

30.

Please state the factual basis for your assertions, if any, that this Court lacks jurisdiction or venue over this Defendant, that there has been any insufficiency of process of Plaintiff's Complaint, and/or that there has been an insufficiency of service of process upon the Defendant.

31.

If Defendant had concerns about the egress ladders or door latches at Verona Apartments before May 13, 2004, please identify all written documentation reflecting such concerns, all people involved in addressing, investigating or remediating the concerns, and all actions taken to correct any problems regarding the egress ladders or door latches.

32.

How many times, in the past three (3) years, has the Defendant received notice that a tenant or guest has been locked out of his or her apartment due to the porch door latch accidentally locking behind him or her?

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS AND
NOTICE TO PRODUCE TO DEFENDANT MONTAG REALTY COMPANY, LLC**

A.

The following Request for Production of Documents and Notice to Produce is made under the provisions of O.C.G.A. §9-11-34, §9-11-30(b)(5), and §24-10-26.

B.

You are hereby notified to produce for inspection and copying at the offices of P. Charles Scholle, P.C., 3575 KOGER BOULEVARD, SUITE 220, DULUTH, GEORGIA 30096; within 45 days after the date of service of this Request for Production of Documents and Notice to Produce; and pursuant to O.C.G.A. § 9-11-30(b)(5), at the time of the taking of Defendant's deposition, and pursuant to O.C.G.A. § 24-10-26, upon any hearing and upon the trial of the above-styled case, the following documents and records which are in your possession, custody or control, the same to be used as evidence by the Plaintiff, to wit:

1.

Copies of any and all logs, incident reports, investigative memoranda, photographs, documents and charts or graphs relating to matters which are the subject of this Complaint.

2.

Copies of any and all statements, whether recorded, oral or otherwise, in your control or obtained in your behalf, of any person relating to the incident complained of in the Complaint.

3.

Copies of any and all documents that in any way mention or refer to the egress ladders at Verona Apartments or any other residential rental building that Defendant owns, or has owned, at anytime before May 13, 2004.

4.

Copies of any and all reports, inner-office memoranda or other documents relating to matters which are the subject of this Complaint which were prepared in the normal course of business.

5.

Copies of any and all photographs of the scene of the incident complained of, taken at or near the time of the incident.

6.

Copies of any and all insurance policies and related documents, including the declaration pages, which do or may afford liability insurance coverage to Defendant with regard to Plaintiff's claims against Defendant. This request includes primary insurance coverage, excess insurance coverage, or any other type of liability insurance coverage, medical-payments coverage, and documents regarding reservation of rights for the same.

7.

Copies of any and all documents, letters, photographs, or other items of tangible evidence not included in this request which prove, support or defend any element or relates to any claim or defense against Plaintiff.

8.

Copies of any and all documents evidence not included above which is relevant to any issue in this action which might lead to the production of other evidence which is admissible.

9.

Copies of any and all reports, memorandum or notes from any individual who has investigated any aspect or element of the subject incident.

10.

Copies of any and all documents that support any defense raised in your Answer, or any relevant fact to this litigation.

11.

Copies of any and all claims forms, accident reports, or other documentation evidencing prior or subsequent complaints or problems with the egress ladders or porch door latches at Verona Apartments.

12.

Copies of any and all documents relating to any injuries suffered by any individual involving entrance and egress to any apartment building at Verona Apartments for the five (5) years prior to May 13, 2004.

13.

All documents relating to plans for repairing, improving and/or replacing the egress ladders or porch door latches considered or undertaken by Defendant for the apartment complex in question for anytime prior to or after May 13, 2004.

14.

All documents relating to plans for repairing, improving and/or replacing the egress ladders or porch door latches considered, but not implemented by Defendant for the apartment complex in question for anytime prior to May 13, 2004.

15.

All documents, photographs, and drawings that depict the layout of the egress ladders in question, including documentation reflecting the layout of the area where Plaintiff was assaulted.

16.

All documents, photographs, and drawing that depict all possible escape routes, including but not limited to each apartment's egress ladders, for each apartment building at Verona Apartments.

17.

All documents evidencing, reflecting, relating to or constituting any communication between you and Plaintiff.

18.

All documents supports or relating to Plaintiff's or Defendant's contentions of negligence.

19.

All documents evidencing, reflecting, relating to or constituting an accident or incident report regarding the occurrence forming the basis of this lawsuit.

20.

The entire rental agreement/contract with Plaintiff.

21.

All documents that you receive in response to your Requests for Production of Documents to nonparties.

22.

Any and all documents identified, referenced or used to answer any of Plaintiff's Discovery in this matter.

23.

(15)

All documents, pleadings and/or exhibits filed, served or prepared in connection with any litigation involving personal injuries where Defendant have been a party and involving the apartment complex in question for the past (10) years.

24.

Any and all documentary evidence or other tangible evidence which relates, or is reasonably calculated to lead to the discovery of relevant or admissible evidence, regarding any of the Plaintiff's claims in this action or Defendant's defenses.

25.

Please produce all reports received from any experts who have investigated any issue relevant to the subject incident and relevant to this lawsuit. Also, produce all materials relied upon by each expert in formulating their opinions and conclusions.

26.

Please produce all claim forms, accident reports, or other documentation evidencing prior or subsequent complaints, problems, injuries or security issues relating to the egress ladders at Verona Apartments during the past five (5) years.

27.

For the date in question, and the two weeks before and two week after said date, please produce the work schedules for all employees (regarding the apartment complex in question) employed by Defendant.

28.

Please provide all contracts or agreements entered into between Defendant and Plaintiff.

29.

(16)

Please provide all contracts or agreements entered into between Defendant and any other individual or company regarding repairing, improving and/or replacing the egress ladders at the apartment complex in question.

30.

Please provide all notes, memoranda, minutes and other written evidence of safety meetings held by Defendant, your employees, agents or independent contractors, for the past five (5) years.

31.

All fire inspection reports from federal, state or local authorities within the past five (5) years.

32.

All correspondence, citations, notices or warnings from any government entity during the past five (5) years concerning any possible building, fire or safety code violations relating to ingress and egress from any apartment building at Verona Apartments.

33.

All records, logs, notices, letters, emails or other communication concerning people being locked out on their back porches at Verona Apartments at any time in the previous five (5) years.

THIS _____ DAY OF _____, _____.

P. Charles Scholle
Attorney for Plaintiff

Georgia Bar Number 629736

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