**IN THE SUPERIOR COURT OF GEORGIA COUNTY**

**STATE OF GEORGIA**

JANE DOE and )

JOHN DOE, Individually )

and as Natural Parents, Guardians, and ) CIVIL ACTION FILE NUMBER

Next Friends of MINOR DOE, )

a Minor, ) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 )

 Plaintiffs, )

 )

v. ) **JURY TRIAL DEMANDED**

 )

HOSPITAL )

and DOCTOR, )

 )

 Defendants. )

 )

**PLAINTIFFS’ FIRST CONTINUING INTERROGATORIES TO**

**DEFENDANT HOSPITAL**

COMES NOW the Plaintiff in the above-styled civil action, and hereby serves Plaintiffs’ First Continuing Interrogatories to Defendant Hospital as follows:

**DEFINITIONS**

 A. “Documents” is an all-inclusive term referring to any written, recorded, graphic or pictorial matter, however produced or reproduced. The term “documents” includes, without limitation, correspondence, interoffice communications, minutes, reports, memoranda, notes, schedules, drawings, pictures, x-rays, scans, tables, graphs, charts, books of account, ledgers, invoices, receipts, purchase orders, contracts, bills, checks, drafts, recordings; information stored in any form, including electronic, and optical; and all other such documents, tangible or retrievable, of any kind. “Documents” includes any addenda, changes, additions or deletions made to any documents, and all drafts or preliminary versions of documents.

 B. “Tangible items” includes all items of any physical substance other than “documents”.

 C. With respect to documents, “identify” means: (1) describe the document and its substance, and do so sufficiently to allow for description in a subpoena or a request to produce; (2) state the date(s) of preparation, any title, and the preparer(s); (3) identify the custodian sufficiently to allow for production of the document by subpoena or a request to produce.

 D. With respect to an individual, “identify” means to state: (1) his/her full name; (2) present residence address or last known residence address; (3) his/her present or last employer and address of such employer; and (4) his/her home and business telephone numbers.

 E. With respect to a firm, organization, trust, partnership, corporation or other entity (except an individual), “identify” means: (1) state the name of the entity; (2) state the type of entity (whether a corporation, partnership, etc.); (3) state the address of its principal place of business and any business address in Georgia; and (4) identify its chief executive officer.

 F. With respect to oral communications, “identify” means to: (1) state the identity of the person(s) participating in each such oral communication; (2) state the substance of such oral communication made by each person identified; (3) state the date and location of such oral communication.

 G. “You” includes all persons acting on your behalf, including all employees, officers, agents, servants, attorneys, investigators, contractors, experts, technicians, and other persons acting on your behalf. “You” also includes all subsidiaries, parents or affiliated companies.

 H. “Hospital” refers to the facility located at Address, Georgia 30000.

**INSTRUCTIONS**

 Pursuant to O.C.G.A.§ 9-11-26, you are under a duty seasonably to amend a prior response if you obtain information upon the basis of which you know that response was incorrect when made, or you know that the response, though was correct when made, is no longer true. Additionally, you are under a duty to supplement your responses to the interrogatories with respect to the identity and location of persons having knowledge of discoverable matters and the identity of persons expected to be called as expert witnesses, as well as the subject matter on which they are expected to be called to testify as expert witnesses, and the substance of their testimony and the factual basis for their testimony, as soon as such information becomes available.

 Privilege: If information is withheld based on an objection that the information is privileged or subject to protection as trial preparation material, describe the nature of the document, tangible item, communication, or information in a fashion sufficient to allow Plaintiffs to assess the objection.

 Objections: If objections other than privilege are asserted, the statement of a general objection is not sufficient. You are required to specify why asserted objection applies to the requested information or materials (e.g. “the interrogatory seeks information that is not reasonably calculated to lead to the discovery of admissible evidence because . . .”). See Munn v. Munn, 116 Ga. App. 297, 299 (1967).

 Information to be Provided: In answering these interrogatories, you must furnish information that is available to “you”. Provide information whether it is in your possession or not, and whether you can vouch for its accuracy, and whether or not it constitutes hearsay. With regard to information you provide that you do not know is accurate, indicate that fact as part of your response to the interrogatory.

**INTERROGATORIES**

1.

 Please identify the names and occupations of all persons who were involved in responding to these Interrogatories.

2.

 State the name, home address, business address, and job title of all witnesses known to you who:

 (a) Saw or claimed they saw all or any part of the incident complained of in this action.

 (b) Worked at Hospital and who have knowledge of any relevant facts or information regarding the subject care, treatment and conditions of Minor Doe.

 (c) Have knowledge of any relevant information, facts, or circumstances involved in this case whose names have not been given in subparagraph (a) or (b) above.

3.

 During Minor Doe’s April 3 – 4, 2018 admission to Hospital, do you know of any photographs, motion pictures, videotapes, surveys, charts, plats, drawings, medical records, billing invoices, etc. which were made or obtained (at any time) of Minor Doe or any other person, place or thing relevant to any issue in this case? If so, then, please identify and describe such items, state the name and address of the person who has custody and/or control of the same, when such items were made, and identify the person or persons who made or took them.

4.

 Pursuant to the Georgia Rules of Civil Procedure, please attach to your responses to these Interrogatories copies of any such photographs, motion pictures, videotapes, surveys, charts, plats, drawings, medical records, billing invoices, etc. which you have identified in the previous Interrogatory or which are available to you or in your care, custody or control.

5.

 State the name, address and telephone number of all persons whom you expect to call or may call as an expert witness at trial. With respect to each such person, please state:

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

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

 (c) A summary of the factual grounds for each such opinion or conclusion;

 (d) Whether any such person has prepared or provided you with a written or recorded statement or report concerning their investigation, and if so, the name and address of all persons who have a copy of each such report or statement;

 (e) What material and/or medical records such expert has reviewed in forming his/her opinions;

 (f) Whether such expert relies on any medical literature in forming his or her opinions and, if so, a complete citation to the medical text, article, literature, and/or on-line citation, etc. where such information may be obtained;

(g) The qualifications of the witness, including a list of all publications authored by the witness within the preceding ten years;

(h) The expert’s fee schedule, including the compensation to be paid for the expert’s review and testimony; and

(i) A listing of any other cases in which the expert witness has offered opinion testimony at trial or depositions within the preceding ten years.

 **You are requested to produce a copy of any document that relates to your response to this Interrogatory.**

6.

 (a) Please identify and give the name, home address, business address, telephone number, occupation and job title of each nurse, physicians’ assistant, physician, resident or other person, who participated in the care, observation, monitoring and treatment of Minor Doe during her April 3 – 4, 2018 admission at Hospital, and provide a brief description of their participation in that regard on a date and hour breakdown of participation. **A simple reference to Minor Doe’s medical record is an insufficient response, as you have superior knowledge to that of the Plaintiffs as to who these individuals are and can more readily and accurately identify each person’s handwriting and signature within the medical records, portions of which are illegible**.

 (b) For each person identified above, specifically state whether or not such person was or was not employed by you on April 3 – 4, 2018.

 (c) For each person identified as an employee of yours in 5 (a) or (b) above, identify the persons who are no longer employed by you, and give their last known address and phone number.

7.

 Have you had any claim made against you or presented to you for any matter arising out of Defendant Doctor’s care and treatment of any patient prior to April 3, 2018? If the response is in the affirmative, for each such claim, state the following: The date and place it was made; the basis of the claim, a description of the type and extent of the injury or damages claimed; the outcome of each such claim; whether a lawsuit was filed, and, if so, the name of the Plaintiff’s attorney, the court in which it was filed, and its disposition. **You are requested to produce a copy of any document that relates to your response to this Interrogatory.**

8.

 List and describe in detail what standing orders or hospital policies, or protocols applied to or were required to be known by Defendant Doctor during his involvement in Minor Doe’s medical care. **Produce a copy of any such order(s), policy(ies) or protocol(s) (including the Defendant Hospital’s entire PACU policy on all subjects in effect on April 20, 2016).**

9.

 If you contend that any other person or persons besides Defendant Doctor caused or contributed to Minor Doe’s injuries at issue in this lawsuit, please identify each such person or persons and summarize the relevant facts upon which you base your response to this Interrogatory.

10.

 What are the names, addresses, home telephone numbers, places of employment, job titles or capacities and present whereabouts of all persons who have given written (or verbal reduced to writing) statements covering the facts and circumstances in the incident which is the subject matter of this litigation, listing for each such statement the date of same and by whom statement was given?

11.

 Do you contend that any act or failure to act by Minor Doe or her parents contributed to her injuries at issue in this lawsuit? Please state “yes” or “no”. If your response is in any way in the affirmative, please identify each such act or omission and how each such act or omission caused or contributed to Minor Doe’s subject injuries, including the identity of all facts, acts, events or people with knowledge which support your claim.

12.

 Do you contend that Minor Doe had any physical condition, abnormal anatomy, illness, or past medical history that caused or in any way contributed to her injuries at issue in this lawsuit? If your answer is in the affirmative, please describe the facts that you contend support your position and identify the physical condition, abnormal anatomy, illness, or past medical history that cause or contributed to the subject injuries.

13.

 If you contend that Minor Doe or anyone on her behalf has made any oral, written or documented admissions against interest, please describe fully and completely each such admission. **You are requested to produce a copy of any document that relates to your response to this Interrogatory.**

14.

 Please identify any physicians or health care providers who provided care and treatment to Minor Doe whom you expect to call or may call as a witness at trial to provide testimony concerning the quality, adequacy or standard of care rendered by Defendant Doctor to Minor Doe and/or any issues involving causation and provide the same information on these witnesses as requested above in Interrogatory No. 5.

15.

Please state the names of any persons or legal entities whom you contend are necessary parties to this action, but whom Plaintiffs have not named.

16.

 If you contend that your medical records or the records contain any misinformation, inaccuracies, errors and/or omissions of any kind, please describe each in detail and identify who is responsible for the error, inaccuracy or omission.

17.

 Have you revoked, otherwise discontinued, or restricted Defendant Doctor’s privileges to provide medical care at Hospital at any time? If your answer is in the affirmative, identify the specific action(s) you undertook with regard to his privileges and provide a summary of why you undertook the action.

18.

 Explain whether any medical care (or lack thereof) that Defendant Doctor provided to Minor Doe was relevant to your decision to revoke, otherwise discontinue, or restrict Defendant Doctor’s privileges to provide medical care at Hospital.

This \_\_\_\_\_ day of \_\_\_\_\_\_, 2020.