

**IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT INDEPENDENCE**

JACKSON E. WARE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: _____
	)	
JOHN J. MASSEN,	)	
<b>Serve at:</b>	)	
7909 7909 Hedges	)	
Kansas City, MO 64133	)	
	)	
Defendant.	)	

**PLAINTIFF'S FIRST INTERROGATORIES  
TO DEFENDANT JOHN MASSEN**

COMES NOW, the plaintiff, pursuant to Mo. R. Civ. P. 57.01, and propounds the following interrogatories on the defendant, to be answered separately and fully in writing, under oath, as required by law within thirty (30) days after receipt. These interrogatories are continuing in nature and the answers shall be supplemented by the defendant at any time in the future as the facts and information discovered hereafter shall have been ascertained. Said supplemental answers shall be served upon counsel for the plaintiff reasonably after such discovery is made.

**INSTRUCTIONS AND DEFINITIONS**

In lieu of identifying particular documents, when such identification is requested, said documents may, at the defendant's option, be attached to the answers to those interrogatories.

Response to one interrogatory or part of an interrogatory may be incorporated by reference in response to other interrogatories or parts of interrogatories if the clarity of the response will not be compromised.

In the following interrogatories, if the defendant refuses or fails to answer fully any interrogatory, electing instead to rely on the provisions of Mo. R. Civ. P. 57.01 (c), for each such

interrogatory, please identify with particularity from which records the answer may be derived or ascertained and the volume, in numbers of documents, of the records responsive to said interrogatory. Also, please set forth a description of the burden on the defendant in deriving or ascertaining the answer and state why this burden will be substantially the same for the plaintiff who is unfamiliar with the records and organization thereof. Furthermore, for each of the Mo. R. Civ. P. 57.01 (c) responses, please produce each and every index, catalog or other record which lists any records which the defendant is offering to produce under Mo. R. Civ. P. 57.01 (c).

#### DEFINITIONS

In these interrogatories, the following definitions shall apply:

A. “Document(s)” shall mean the original, all copies and drafts of any written, printed, recorded or graphic matter or sound reproductions, however produced or reproduced, of any kind, including and without limiting the generality of the foregoing: all correspondence, memoranda, interoffice memoranda, interoffice directives, telephone conference memoranda, records, reports, minutes, pamphlets, notes, letters, photographs, cards, films, lists, telegrams, messages (including reports, notes and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, research articles, treatises, handbooks, schedules, data and compilations, printouts, manuals, communications, tables, graphs, charts, books, accounts, brochures, vouchers, bills, statements, journals, ledgers, checks, invoices, agreements, orders, film strips, magnetic or other recorded tapes, and any other instruments and documents in writing which the defendant has or has access to, or which are in the possession, custody or control of the defendant. Designated documents are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated documents.

B. “Person” shall mean any individual, operation, partnership, joint venture, group, association, body politic, governmental agency or unit, or any organization.

C. “Defendant” shall mean John Massen.

**INTERROGATORIES**

**NAME**

1. State your full name, date of birth and place of birth:

Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Place of Birth: \_\_\_\_\_

Operator's/Chauffeur's License Number: \_\_\_\_\_

Issuing State: \_\_\_\_\_

**RESIDENCE**

2. State your present residence address and the period during which you have resided at said address:

Present Address: \_\_\_\_\_

From \_\_\_\_\_ to the present date.

**MARRIAGE**

3. Are you married at the present time? ( ) Yes ( ) No

If "Yes", state:

(a) Your spouse's first name and maiden name: \_\_\_\_\_

\_\_\_\_\_

**CRIMES OR IMPRISONMENT**

4. Have you ever pleaded guilty to or been convicted of a felony or misdemeanor?  
(This does not include municipal court convictions) ( ) Yes ( ) No

If your answer is "Yes", state:

(a) The nature of the offense: \_\_\_\_\_

\_\_\_\_\_

(b) The date and court: \_\_\_\_\_

AGENCY

5. Were you at the time of the occurrence or occurrences forming the basis of this suit performing any job, task or undertaking for any person, firm or corporation other than yourself? ( ) Yes ( ) No

If your answer is “Yes”, state:

- (a) The name and address of the person, firm or corporation for whom you were performing some job, task, or undertaking:

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- (b) The nature of the job, task, or undertaking you were performing for such person, firm or corporation:

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- (c) Whether or not you were at such time employed by or on the payroll of such person, firm or corporation:

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- (d) Whether or not you were receiving any compensation from such other person, firm or corporation for the performance of the said job, task or undertaking:

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DATE AND TIME

6. State the date and time of occurrence of the incident mentioned in plaintiff's petition:

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PLACE

7. State the exact location of the occurrence mentioned in plaintiff's petition, giving the name of the street or streets, road, alley or highway on which it occurred or the distances from other identifiable landmarks or points of reference:

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DISABILITY

8. Were you suffering from any physical disability or impairment at the time of the occurrence mentioned in plaintiff's petition? ( ) Yes ( ) No

If your answer is "Yes", explain:

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STATEMENTS

9. Attach a copy of any recital or statement that you have from this party plaintiff, if an individual, whether it be in writing, reduced to writing, steno type, recorded or otherwise. In the case of a court reporter's transcript, plaintiff must advance fifty percent (50%) of the cost of the same.

Do you have a statement: ( ) Yes ( ) No

Attached: ( ) Yes ( ) No

10. Please state what, if anything, plaintiff said to you or any other persons in your presence about the occurrence mentioned in plaintiff's petition concerning how the occurrence happened and what injuries plaintiff suffered:

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WITNESSES

11. State the name and present or last known addresses and employment of all persons known to you or reported to you, your agents, attorneys, or other acting on your behalf.

(a) To have witnessed the occurrence mentioned in the pleadings:

Name	Address and Employment
_____	_____
_____	_____

(b) To have been present at the scene of the occurrence within thirty (30) minutes thereafter:

Name	Address and Employment
_____	_____
_____	_____

(c) If any of the above witnesses are an acquaintance or relative, please indicate:

\_\_\_\_\_  
\_\_\_\_\_

PHOTOGRAPHS

12. State whether any photographs were made at the scene of the occurrence, or of any vehicles involved by anyone other than you, your attorney or agent in anticipation or preparation for litigation. ( ) Yes ( ) No

If your answer is "Yes", give the following:

Date Taken	Name of Photographer	Address of Photographer
_____	_____	_____
_____	_____	_____
_____	_____	_____

ALCOHOL OR DRUGS

13. Did you consume any alcoholic beverage of any type, or any sedative, tranquilizer or other drug, medicine or pill during the twelve (12) hours immediately preceding the occurrence referred to in the Petition? ( ) Yes ( ) No

INSURANCE

14. Do you have any insurance agreements which will indemnify you, in whole, or in part, against any judgment plaintiff may obtain in the instant action?  
( ) Yes ( ) No

If your answer is "Yes", state:

- (a) The name and address of the company or companies issuing such insurance agreements:

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- (b) The policy number: \_\_\_\_\_

- (c) The limits of Personal Injury, Property Damage and Medical Payments Coverage on the date of the occurrence mentioned in plaintiff's petition:

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- (d) Attach a copy of the Declaration Page or Certificate of Coverage of such policy of insurance to your answer to these interrogatories.





CERTIFICATES OF MAILING

The original and two (2) copies of the foregoing interrogatories were mailed to:

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This \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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Attorney for Plaintiff

Original copy of the completed interrogatories mailed to the Department of Civil Records of the Circuit Court of Jackson County, Missouri and plaintiff's copy mailed to:

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This \_\_\_\_\_ day of \_\_\_\_\_, 2002.

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Attorney for Defendant

HENNING & BOUGH, P.C.

By \_\_\_\_\_

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