

IN THE CIRCUIT COURT OF THE
11TH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY,
FLORIDA

CASE NUMBER:

WINSLIGHT BAPTISTE,

Plaintiff,

vs.

KS&P RESTAURANTS, LLC

Defendant.

REQUEST FOR PRODUCTION TO THE DEFENDANT

Plaintiff, WINSLIGHT BAPTISTE, pursuant to the applicable Florida Rule of Civil Procedure hereby requests the defendant KS&P RESTAURANTS, LLC to produce the following items at the law office of Justin Ziegler, P.L. within 35 days:

1. Any and all statements of the plaintiff.
2. Any and all photographs, films, movies, video-tapes or other pictures of the plaintiff.
3. Any and all photographs, films, movies, video-tapes or other pictures of the accident scene and the subject restaurant.
4. Any and all reports, forms, memoranda, notes, correspondence, and any and all other documents which describe or reference any medical treatment offered to or received by the Plaintiff in reference to the subject accident.
5. Any and all written or recorded statements made by the Plaintiff in reference to the subject accident or in reference to the injuries received as a result of the subject accident.

6. Any and all insurance policies that may provide coverage to you for the facts and circumstances alleged in the complaint.

7. Any and all written or recorded statements made by any witness other than the Plaintiff in reference to the subject accident or in reference to the injuries received as a result of the subject accident.

8. Any and all notes, correspondence, e-mails, faxes, letters or other communications between the Defendant and other any individual and/or entity regarding the subject accident.

9. Any and all reports, memoranda, notes, correspondence, forms, and any and all other documents which describe, refer to or contain any statements made by the Plaintiff in reference to the subject accident or in reference to the injuries received by the Plaintiff as a result of the subject accident.

10. Any and all reports, memoranda, notes, correspondence, forms, and any and all other documents which describe, refer to or contain any statements made by individuals other than the Plaintiff in reference to the subject accident or in reference to the injuries received by the Plaintiff as a result of the subject accident.

11. The type of Velcro or adhesive(s) used to secure the subject booth prior to the subject accident. (An exemplar may be produced if the Velcro or adhesive(s) are unavailable)

12. Any and all contracts, invoices, work orders, bills, memos, correspondence, communications, e-mails or other documents pertaining to the securing of the subject booth before the subject accident.

13. Any and all contracts between the defendants and any company or person responsible for securing or cleaning the booths.

14. With regard to interrogatory No. 9, any and all documents evidencing each such change.

15. With regard to interrogatory No.10, any and all documents evidencing each such

incident.

16. Copies of any and all lawsuits filed against you for alleged personal injuries or negligence at the subject premises.

17. Any and all rules, guidelines, procedures or policies regarding maintenance of the subject booth.

18. Any and all accident reports, photographs, video tapes, audio tapes, diagrams, illustrations, reproductions, witness statements, memoranda, forms, notes, correspondence, and any and all other documents which describe, refer to or depict any accident which occurred at or near the location of the subject accident and which occurred within three years before the subject accident.

19. Any and all accident reports, photographs, video tapes, audio tapes, diagrams, illustrations, reproductions, witness statements, memoranda, forms, notes, correspondence, and any and all other documents which describe, refer to or depict any accident which has occurred at or near the location of the subject accident at anytime from the date of the subject accident through the date on which the documents in response to this Request to Produce are produced to the undersigned.

20. Any and all records, logs, diaries, calendars, work orders, invoices, and any and all other documents which describe or refer to any cleaning or maintenance to the booth in or around the area where the Plaintiff fell, and which were generated at anytime within three years before the subject accident.

21. Any and all records, logs, diaries, calendars, work orders, invoices, and any and all other documents which describe or refer to any repairs, modifications, or construction to the booth in or around the area where the Plaintiff fell, and which were generated at anytime within three years before the subject accident.

22. Any and all records, logs, diaries, calendars, work orders, invoices and any and all other documents which describe or refer to any cleaning or maintenance to the booth in or around the area

where the Plaintiff fell, and which were generated at anytime from the date of the subject accident through the date on which these documents are produced to the undersigned.

23. Any and all records, logs, diaries, calendars, work orders, invoices and any and all other documents which describe or refer to any repairs, modifications or construction to the booth in or around the area where the Plaintiff fell, and which were generated at anytime from the date of the subject accident through the date on which these documents are produced to the undersigned.

24. Any and all manuals, employee handbooks, brochures, and any and all other literature which describes or refers to rules, regulations, or policies of the Defendant in regard to cleaning, maintenance, or clean up on the premises of the Defendant which was generated by Defendant or shown to Defendant's employees at anytime prior to the accident in this case.

25. Any and all brochures, work orders, invoices, reports, warranties, literature, and any and all other documents which describe or refer to the materials used, the type of construction, or the manufacturer of the booth or surface from which the Plaintiff fell.

26. Any and all reports, documents, forms, correspondence, notes, and any and all other documents, which describe or refer to any inspections made of the booth from which the Plaintiff fell, and generated at anytime within three years before the Plaintiff fell.

27. Any and all reports, documents, forms, correspondence, notes, and any and all other documents, which describe or refer to any inspections made of the booth from which the Plaintiff fell, and generated at anytime from the date of the subject accident through the date on which these documents are produced to the undersigned.

28. Any and all correspondence, notes, forms, reports, tapes, video tapes, photographs, diagrams, and any and all other documents or items referred to-directly or indirectly-in answers to interrogatories directed to Defendant in this case (Form 2 of Fla.R.Civ.P.: General Personal Injury Negligence - Interrogatories to Defendant).

29. Any and all correspondence, notes, forms, reports, tapes, video tapes, photographs, diagrams, and any and all other documents or items which were utilized in whole or in part to prepare the answers to interrogatories directed to Defendant in this case (Form 2 of Fla.R.Civ.P.: General

Personal Injury Negligence - Interrogatories to Defendant).

30. Any and all correspondence, faxes, or other written communication sent or received from Defendant at anytime in regarding to the subject accident.

31. Any and all documents, including but not limited to invoices, work orders, purchase orders, payment records, check stubs, cancelled checks, and agreements, which relate or refer to any maintenance, repair, modification or reconstruction which occurred at anytime within the last five (5) years to the hall or area of the building where the subject accident occurred.

32. Any and all documents, including but not limited to contracts, invoices, work orders, purchase orders, payment records, check stubs, cancelled checks and agreements, which show, indicate or refer to any installation or repair at anytime within the last five (5) years of any adhesive stripping, on the booth or in the area where the subject accident occurred.

33. Any and all logs, diaries, work orders, contracts, and all other documents which show, indicate or refer to cleaning any part, above, near, below, or around the surface where the subject accident occurred, at anytime in the last 3 years.

34. Any and all memos or notices distributed to employees at anytime in the last four years regarding cleaning booths or safety during cleaning in the facilities.

35. Any and all sign-in sheets or logs which contractors of Defendant or the employees of contractors of Defendant would be required to sign or log into on the date of the accident.

36. Any and all videos and audios (whether on tape, CD, diskette, computer hard-drive, or in any other format or medium) which were generated by or for the Defendant at anytime within 3 years before the subject accident and used by the Defendant to train or to distribute information to employees on the rules, regulations, policies, or procedures to be used in the workplace.

32. Any and all documents which show, indicate or refer to any ownership or other interest in the real property on which the subject accident occurred held by any entity or individual at anytime from one year before the date of the subject accident to the date on which these documents are produced. These documents would include but are not limited to any and all (1) warranty, quit claim, mortgage or other deeds; (2) contracts for purchase and sale; (3) leases or subleases; and (4) trust agreements.

33. Any and all documents, including but not limited to invoices, work orders, purchase orders, payment records, check stubs, cancelled checks, and agreements, which relate or refer to any maintenance, repair, modification or reconstruction which occurred at anytime within the last five (5) years to the hall or area of the building where the subject accident occurred.

34. Any and all documents, including but not limited to contracts, invoices, work orders, purchase orders, payment records, check stubs, cancelled checks, and agreements, which show, indicate or refer to any fastening or securing which took place at anytime within the last five (5) years of the booth on which the subject accident occurred.

35. Any and all documents, including but not limited to contracts, invoices, work orders, purchase orders, payment records, check stubs, cancelled checks and agreements, which show, indicate or refer to any installation or repair at anytime within the last five (5) years of any adhesive stripping, on or below or around the booth seat or in the area where the subject accident occurred.

36. Any and all logs, diaries, work orders, contracts, and all other documents which show, indicate or refer to the surface where the subject accident occurred, at anytime in the last 3 years.

37. Any and all time cards, payroll records, employee rosters, and other records which show, indicate or refer to the names, addresses, and titles of employees who were in or near the area of the accident on or about the time of the subject accident.

38. Any and all policies of insurance which cover or which may cover the liability and/or damages for the subject incident. This request includes but is not limited to any and all addenda, riders, amendments, conditions thereto, as well as any and all declaration sheets or pages.

39. Any and all notices provided by the Defendant to the liability insurance company and/or the insurance agent or broker of the subject accident.

40. Any and all demands for coverage or for a defense made by the Defendant to the liability insurance company or to the insurance agent or broker of the Defendant in reference to the subject incident.

41. Any and all correspondence generated by or received from the liability insurance company or the insurance agent for the Defendant in reference to coverage or coverage dispute in

reference to the subject incident.

42. Any and all notices, forms, citations, letters, and any and all other writings received from or sent to any local, state, or federal officials, agencies, administration or department generated at anytime from five (5) years ago through the date on which these documents are produced, and which relate directly or indirectly to the cleaning, maintenance, repair or safety of the facilities of the Defendant. The agencies, administrations or departments referred to in this request include but are not limited to the OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA), and The United States Public Health Service (U.S.P.H.S.).

45. Any and all documents, lists, forms, and any and all other writings or computer generated data which show, indicate or refer to any or all of the employees of the Defendant, the home addresses of those employees, and the title of those employees who were employed by the Defendant as of the date of the subject accident.

46. Copies of all claim files maintained by you in the course of business for the subject accident.

47. Copies of any and all incident reports, internal memoranda, and/or correspondence concerning the subject accident.

48. Copies of any and all incident reports, internal memorandum and correspondence concerning similar incidents that have occurred on the Defendant's premises in the past two years.

WE HEREBY CERTIFY that a true and correct copy of the foregoing was served with the summons and complaint in this cause on each of the defendants.

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