

IN THE STATE COURT OF DEKALB COUNTY  
STATE OF GEORGIA

PATRICK C. DESMOND AND MARY )  
C. DESMOND, INDIVIDUALLY, AND )  
MARY C. DESMOND, AS )  
ADMINISTRATRIX OF THE ESTATE )  
OF PATRICK W. DESMOND, )

Civil Action No. 10A 28641-2

Plaintiffs, )

v. )

NARCONON OF GEORGIA, INC. )  
DELGADO DEVELOPMENT, INC., )  
SOVEREIGN PLACE, LLC, SOVEREIGN )  
PLACE APARTMENT MANAGEMENT, )  
INC., LISA CAROLINA ROBBINS, M.D. )  
THE ROBBINS GROUP, INC., and )  
NARCONON INTERNATIONAL, )

Defendants. )

**PLAINTIFFS' FIRST INTERROGATORIES TO  
DEFENDANT NARCONON OF GEORGIA, INC.**

Plaintiffs request, pursuant to O.C.G.A. § 9-11-33, that Defendant NARCONON OF GEORGIA, INC. answer under oath the following interrogatories, the answers to be served upon Plaintiffs' attorney of record, Jeffrey R. Harris, Harris Penn & Lowry, LLP, 817 West Peachtree St., Suite 1105, Atlanta, Georgia, 30308, within forty-five (45) days from the date said interrogatories are served upon Defendant.

**DEFINITIONS**

Unless a contrary meaning appears in context, the following definitions apply:

(a) "You," "your," and "Defendant" mean Defendant Narconon of Georgia, Inc., or any person or persons acting on its behalf, including, but not limited to, agents, attorneys, advisors, investigators, representatives and other persons acting on its behalf.

(b) "Document" shall mean each writing, thing, transcript, or record of any type or description that is or has been in your possession, control, or custody, or of which you have knowledge.

(c) "Communication" includes any statement or utterance, whether written or oral, made by one person to another, or in the presence of another, and any document (as defined above) delivered or sent from one person to another.

(d) "Identify" when used with respect to a document or documents, shall mean, with respect to each document, the date, a description sufficient for identification, the subject matter and content, the specific location of the document and the name and address of the person having custody of the document.

"Identify" when used with respect to a person or persons, shall mean the name, age, business and residence addresses and telephone numbers, the employer and place of employment of all such persons.

(e) Unless the context indicates otherwise, "person" shall mean the plural as well as the singular and shall include any natural person (alive or deceased), any firm, corporation, proprietorship, joint venture, trust or estate, business association, partnership, or other form of legal entity.

(f) The terms "relating to" and "relate to" mean directly or indirectly mentioning, describing, pertaining to, being connected with, or reflecting upon the subject matter of the specific request.

(g) When appropriate, the singular shall encompass the plural, and vice versa.

### **INSTRUCTIONS**

The following Instructions apply to all Interrogatories:

- (a) Each interrogatory is to be answered separately and specifically.
- (b) Plaintiff hereby requests, pursuant to O.C.G.A. § 9-11-26, that after answering these interrogatories, you supplement or correct any responses later learned to be incomplete or incorrect immediately upon learning that a prior response was incomplete or incorrect.
- (c) All information requested herein is to be set forth if it is in the possession or control of, or is available or accessible to, you or any of your agents, consultants, counsel, investigators, representatives or any other person or persons acting for you or on your behalf.
- (d) If you cannot answer certain of the following interrogatories in full after exercising due diligence to secure the information to do so, answer to the extent possible and explain your inability to provide a complete answer. State whatever information or knowledge you have about the unanswered portion of any interrogatory.
- (e) If any information called for by an interrogatory is withheld on the basis of a claim of privilege, set forth the nature of the claimed privilege and the nature of the information with respect to which it is claimed.
- (f) Whenever an interrogatory requests the identification of a document, the answer shall state the name, address, position, and organization of the author and each recipient of the document, the custodian of the document, the date of the document, and a brief description of the subject matter of the document.
- (g) Whenever an interrogatory requests the identity of a person, state his or her full name, present or last known address, telephone number, and position of employment at the time in question.
- (h) Whenever an interrogatory requests the identity of an entity, state its name, address, telephone number, and the type of business in which the entity engages.

(i) Whenever an interrogatory seeks a description of an act, transaction, occurrence, dealing or instance, state the date when it occurred, the place where it occurred, the identity of each persons participating therein, the person on whose behalf each such person participated or purported to participate, the nature and substance of all conversation or oral communication occurring during, or in connection with the act, transaction, occurrence, dealing or instance, and identify all documents referring thereto or reflecting the act, transaction, occurrence, dealing or instance.

(j) Whenever an interrogatory asks for a date, state the exact day, month and year, if ascertainable, or, if not, the best approximation thereof.

### **INTERROGATORIES**

1.

Have you taken, or are you aware of, or have you obtained, any statement, be it oral or in writing, from any person purporting to have knowledge of any aspect of the subject incident or any issue in this matter? Please state "yes" or "no." If your answer is in any way in the affirmative, identify the name of the person who gave the statement and the name, address, and telephone number of anyone who has possession, custody, or control of such statement, transcript, or summary of such statement.

2.

Identify any photographs, motion pictures, videotapes, or any other type of demonstrative or graphic evidence concerning Patrick W. Desmond's actions or whereabouts on June 10, 2008, and June 11, 2008. As to each item, please state the nature of such item; how many of such items exist (for example, 15 photographs); the name, address and employer of the person

making/supplying such item; and the identity of the person who presently possesses each such item.

3.

Please describe the specific date you first learned of the subject incident in any way, how you first came to be aware the subject incident had occurred, who first provided you with any information about the subject incident, and what information you were provided at that time.

4.

State the following information concerning any and all liability insurance, including excess or umbrella coverage or coverage by any other description, which does or may afford insurance coverage to these defendants for the claims made in this lawsuit:

- a) Name of each insurance company issuing policy;
- b) Applicable liability limits concerning each policy;
- c) Names of all persons and/or companies insured under each policy;
- d) Names of the person(s) paying premiums with respect to each policy;
- e) Policy number of each policy;
- f) Types of insurance coverage carried;
- g) Whether or not the defense of this action has been tendered to any such insurer;
- h) Whether defense has been accepted by each such insurer to whom defense has been tendered;
- i) Whether these defendants have made any claims under said policy or policies as a result of the occurrence herein;
- j) The nature, extent, and amount of any such claim or claims with said insurer(s);


- k) Whether those claims have been paid by said insurer(s) and the amount of said payment(s); and
- l) Your insurer's response or reaction with respect to the request that it defend this lawsuit and pay any damages assessed, pursuant to the policy provisions.

5.

Please identify any person that these defendants expect to call as a testifying expert witness, whether live, by affidavit, or by deposition, in connection with any trial, hearing, or motion, as well as any other evidentiary hearing in this action. For each such expert, please identify the subject matter of which the person is expected to testify, a summary of the grounds for such opinions, and the identity of all documents and professional references upon which such person may base his or her testimony and opinions.

This the 11<sup>th</sup> day of May, 2010.

HARRIS PENN & LOWRY, LLP



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REBECCA FRANKLIN  
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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

This is to certify that I have this day submitted **PLAINTIFFS' FIRST INTERROGATORIES TO DEFENDANT NARCONON OF GEORGIA, INC.** to a representative of Dial Services, to serve them along with a Summons and Complaint.

This the 14<sup>v</sup> day of May, 2010.

HARRIS PENN & LOWRY, LLP

  
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JEDD. MANTON  
Ga. Bar No. 868587  
JEFFREY R. HARRIS  
Ga. Bar No: 330315

FILED IN THIS OFFICE  
THIS 19 DAY OF May 2010  
17 May  
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Clark, State Court, DeKalb County