

EXAMPLE DISCOVERY FORMS – LEVEL1 – TRCP RULE 190.2

- Discovery Period: Ends 180 days after first initial disclosures are due.
- Oral Deposition: Maximum of 20 hours
- Interrogatories: 15 max.
- Request for Admission: 15 max.
- Request for Production: 15 max.

SAMPLE

NO. _____

_____ § In the Justice Court of _____ County, Texas

_____ § Precinct _____ Place _____

Plaintiff(s)

vs.

Defendant(s)

PLAINTIFF'S FIRST INTERROGATORIES

REQUEST FOR SUPPLEMENTATION APPLICABLE TO DEFENDANTS

These discovery Requests are continuing. In the event that any information or material comes to your attention, possession, custody or control or the attention, possession, custody or control of your associates or your attorneys subsequent to the filing of your response, which material or information is responsive to any First Interrogatory, you are required to furnish said additional information or material to Plaintiff immediately and in accordance with the Rules and in a time frame that will not adversely and unreasonably impact Plaintiff's cause of action and trial of this matter.

GENERAL REQUESTS INSTRUCTIONS APPLICABLE TO DEFENDANTS

1. If any or all documents identified or requested herein are no longer in existence or no longer in your possession, custody, or control because of destruction, loss, or any other reason, identify each and every such document and advise the reason why the document is no longer in existence or no longer in your possession, custody or control.

2. Answer the Interrogatories numbered separately and accurately in writing and under oath. You may attach a separate sheet of paper with answers to the numbered interrogatories

3. If you claim you do not understand the meaning of a term, please refer to any definition or contact Plaintiff for clarification.

4. If the answer to any interrogatory may be derived or ascertained from your business records, and the burden of deriving the answer would be substantially the same for Plaintiff and you, you may specify the records from which the answer may be obtained. However, that specification must be in sufficient detail to allow Plaintiff to locate and identify the answers as easily as you can, and must include a reasonable opportunity to access, examine, audit or inspect such records and make copies, compilations, abstracts or summaries.

INTERROGATORY NO. 1: State the names and contact details of all witnesses you intend to call to testify during the trial of this lawsuit and describe with particularity the fact and/or legal element such witness intends to establish.

ANSWER:

INTERROGATORY NO. 2: State whether any expert whom you may call as a witness has prepared a report, formal or informal, and if so, state the expert's name and contact details, date(s) of such report(s), summary of the reports contents, purpose and conclusion and to whom addressed.

ANSWER:

INTERROGATORY NO. 3: Describe what efforts Defendant have made to prevent similar parking lot theft incidents from happening as described in Plaintiff's Original Petition.

ANSWER:

INTERROGATORY NO. 4: Describe any claims, lawsuits or notices that have heretofore been brought against you or provided to you by reason of a similar type of incident (include dates, times, description of incident, location, police department incident number).

ANSWER:

INTERROGATORY NO. 5: Did Defendant have any procedures in force for protecting against the incident in question? If so, please describe what that procedure was.

ANSWER:

INTERROGATORY NO. 6: Identify the name of the legal entity and their contact details who controls the parking lot cited in Plaintiff's First Original Petition where control means the possession, directly or indirectly, of the power and accountability to direct or cause the direction of the management, policies and security of the parking lot premises, whether through ownership of equity or securities, by contract, or otherwise, for the purpose of preventing and/or substantially reducing the risk and likelihood of a theft or break-in criminal act upon a parked vehicle legally parked in the incident parking lot?

ANSWER:

INTERROGATORY NO. 7: From the time period January 1, 2018 through October 1, 2022, how many incidents of unauthorized similar vehicle theft or vehicle break-ins occurred in the parking lot cited in Plaintiff's Original Petition that Defendant knew or had reason to know about?

ANSWER:

INTERROGATORY NO. 8: What procedures and policies does Defendant have in place and follows in regard to determining the proximity, frequency, recency and similarity of vehicle theft or break-ins on Defendant's parking lot cited in Plaintiff's Original Petition?

ANSWER:

INTERROGATORY NO. 9: From the time period January 1, 2018 through October 1, 2022, how many incidents of unauthorized similar vehicle theft or vehicle break-ins occurred in the parking lot cited in Plaintiff's Original Petition were reported to Defendant by their members using the parking lot?

ANSWER:

INTERROGATORY NO. 10: Describe the security procedures, processes and/or equipment Defendant has in place for preventing or reducing the risk of unauthorized vehicle theft or vehicle break-in in the parking lot cited in Plaintiff's Original Petition?

ANSWER:

Respectfully submitted,

(Address)

(Telephone Number)

By: _____

Plaintiff, Pro Se (Print name: _____)

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true and correct copy of the above and foregoing document has been forwarded to Defendant pursuant to the Rules of Civil Procedure, on this the ____ day of _____, 20____, addressed as follows: [_____ address of Defendant }

Plaintiff, Pro Se

NO. _____

_____ § In the Justice Court of _____ County, Texas

_____ § Precinct _____ Place _____

Plaintiff(s)

vs.

_____ §

_____ §

Defendant(s)

PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS

REQUEST FOR SUPPLEMENTATION APPLICABLE TO DEFENDANTS

These discovery Requests are continuing. In the event that any information or material comes to your attention, possession, custody or control or the attention, possession, custody or control of your associates or your attorneys subsequent to the filing of your response, which material or information is responsive to any First Interrogatory, you are required to furnish said additional information or material to Plaintiff immediately and in accordance with the Rules and in a time frame that will not adversely and unreasonably impact Plaintiff's cause of action and trial of this matter.

GENERAL REQUESTS INSTRUCTIONS APPLICABLE TO DEFENDANTS

1. If any or all documents identified or requested herein are no longer in existence or no longer in your possession, custody, or control because of destruction, loss, or any other reason, identify each and

every such document and advise the reason why the document is no longer in existence or no longer in your possession, custody or control.

2. These Requests for Admissions concern the incident matter as defined above and associated lawsuit.
3. If you claim you do not understand the meaning of a term, please refer to any definition or contact Plaintiff for clarification.
4. Answer the Request for Admissions numbered separately and accurately in writing and under oath. You may attach a separate sheet of paper with answers to the numbered admission.
5. If the response to any admission may be derived or ascertained from your business records, and the burden of deriving the answer would be substantially the same for Plaintiff and you, you may specify the records from which the answer may be obtained. However, that specification must be in sufficient detail to allow Plaintiff to locate and identify the answers as easily as you can, and must include a reasonable opportunity to access, examine, audit or inspect such records and make copies, compilations, abstracts or summaries.
6. Admit or deny the following requests, non-response will be deemed admittance, a response of “vague” and/or “unintelligible” is not acceptable unless responsive explanation is offered, and any objection response that read “calls for legal conclusions” (or similar) is therefore *non sequiter* and, unless responsive explanation is offered, will be deemed admitted.
7. Please tick the applicable “Admit” or “Deny” box to indicate your admission or denial of the stated request.

REQUEST # 1 Defendant controls the parking lot in which the lawsuit incident occurred, where incident refers to that theft incident cited in Plaintiff’s Original Petition and control means the possession,

directly or indirectly, of the power and accountability to direct or cause the direction of the management, policies and security of parking lot premises, whether through ownership of equity or securities, by contract, or otherwise, for the purpose of managing, directing and/or upkeep of the premises for vehicle parking purposes and prevention and/or substantial reduction of the risk and likelihood of a theft or break-in criminal act upon a parked vehicle legally parked in the parking lot for the purpose of protecting the safety of invitees.

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST #2 Plaintiff is Defendant's invitee where invitee means Plaintiff use of the parking lot space cited in Plaintiff's Original Petition, was at the express or implied invitation of Defendant(s) and Plaintiff(s) entered thereon either as a member of the public for a purpose for which the parking lot is held open to the public or for a purpose connected with the business of Defendant that does or may result in their mutual economic benefit.

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST #3

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST # 4

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST # 5

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST # 6

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST # 7

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST # 8

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST # 9

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST # 10

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST #11

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

REQUEST #12

REQUEST #13

<input type="checkbox"/>	Admit	or	<input type="checkbox"/>	Deny
--------------------------	-------	----	--------------------------	------

Respectfully submitted,

(Address)

(Telephone Number)

By: _____

Plaintiff, Pro Se (Print name: _____)

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true and correct copy of the above and foregoing document has been forwarded to Defendant pursuant to the Rules of Civil Procedure, on this the ____ day of _____, 20____, addressed as _____ follows:
[_____ address of Defendant}

Plaintiff, Pro Se

SAMPLE

NO. _____

_____ § In the Justice Court of _____ County, Texas

_____ § Precinct _____ Place _____

Plaintiff(s)

vs.

Defendant(s)

PLAINTIFF'S FIRST REQUEST FOR PRODUCTION

REQUEST FOR SUPPLEMENTATION APPLICABLE TO DEFENDANTS

These discovery Requests are continuing. In the event that any information or material comes to your attention, possession, custody or control or the attention, possession, custody or control of your associates or your attorneys subsequent to the filing of your response, which material or information is responsive to any First Request for Production, you are required to furnish said additional information or material to Plaintiff immediately and in accordance with the Rules and in a time frame that will not adversely and unreasonably impact Plaintiff's cause of action and trial of this matter.

GENERAL REQUESTS INSTRUCTIONS APPLICABLE TO DEFENDANTS

1. If any or all documents identified or requested herein are no longer in existence or no longer in your possession, custody, or control because of destruction, loss, or any other reason, identify each and every such document and advise the reason why the document is no longer in existence or no longer in your possession, custody or control.

2. If you claim you do not understand the meaning of a term, please refer to any definition or contact Plaintiff for clarification.
3. Respond to the Request for Production numbered separately and accurately in writing and under oath. You may attach a separate sheet of paper with responses to the numbered production.
4. If the response to any production may be derived or ascertained from your business records, and the burden of deriving the answer would be substantially the same for Plaintiff and you, you may specify the records from which the answer may be obtained. However, that specification must be in sufficient detail to allow Plaintiff to locate and identify the document as easily as you can, and must include a reasonable opportunity to access, examine, audit or inspect such records and make copies, compilations, abstracts or summaries.
5. These Requests for Production concern the incident matter as defined above and associated lawsuit.
6. You are requested to attach copies of all items that are subject to this Request for Production [of Documents] to your written responses to these Requests for Production or make such items available for inspection and copying in your offices before the expiration of the time permitted by the Rules.
7. If you contend that you may partially or entirely withhold a requested document because of a rule, privilege, immunity, or other reason, or each document partially or entirely withheld, provide the following information: identify the affected document; identify each person to whom any part of the contents of the documents has been communicated; and state with particularity the factual basis on which you claim the rule, privilege, immunity or other reason.

8. When producing the Request for Production information, please identify the number of the Requests for Production associated with such production and if you have nothing to produce please so cite the relevant number of the Requests for Production and note for such number the notation: “Nothing to Produce for Request For Production Number: _____ “ [write in the relevant number]. Failure to either provide copies of request for production or cite there is nothing to produce will be deemed to be an affirmative response that no information exists that would otherwise be produced.

1. Produce any and all written or recorded statements or reports in the care, custody or control of you or any of your agents, employees or representatives obtained from any person or entity having knowledge of facts concerning the incident taken prior to the filing of this cause of action.
2. Produce all writings, drawings, graphs, charts, photographs, or other similar or comparable tangible items of any kind being used to communicate an intended message or understanding with the jury or the judge, intended to (i) be used by you as exhibits or (ii) introduced as evidence, at the trial of this cause of action.
3. Produce all correspondence between Plaintiff and you in your possession or which you have access if not in your possession, whether by letter or similar tangible written communication including electronic communication, such as by email.
4. Produce a copy of all letters or other correspondence between you and any other person or entities relating to the conduct and incident made the basis of this cause of action.
5. Produce a copy of all telephone message slips, notes, or other correspondence reflecting oral and/or telephone conversations between you and any other person or entity relating to the conduct and incident made the basis of this lawsuit.
6. Produce a copy of all expert reports which in any way relate to this cause of action and intended to be used at the trial of this lawsuit. If such report(s) are not in writing, but were given verbally, Plaintiff requests that the reports be reduced to writing and provided to Plaintiff.
7. Produce any and all government entity or industry group reports, publications, or other documents evidencing any standards, laws, regulations, or industry standards which you contend you complied with in regard to protecting Plaintiff against vehicle theft or break-in of Plaintiff’s vehicle parked in the parking lot cited in Plaintiff’s Original Petition.
8. Produce all documents or other tangible communication which form the basis of your contention that Plaintiff, is/are responsible for the injuries and/or damages claimed to have been sustained by Plaintiff associated with the incident.

9. Produce copies of any and all documents or other communication evidencing any conduct, action, and/or omission allegedly committed by Plaintiff and relevant to his claims in this cause of action.
10. Produce any and all documents or other communication you claim that mitigates or restricts your liabilities toward Plaintiff in any way, in regard to the incident made the basis of the cause of action.
11. Produce copies of all documents or written materials associated with any policy, procedure or internal controls followed by you for the protection of privacy of personal confidential information or data of any of Defendant Micro Center's customers or client's personal and confidential information in regard to Defendant Micro Center providing data recovery services.
12. Produce copies of any and all documents or written materials including the process and schedule of training, associated with any policy, procedure or internal controls followed by you in regard to you or you training employees or representatives which has the intent of training such employee or representative in best practices of providing safe parking lot premises and in particular such information is intended to have the effect of preventing or reducing the risk of vehicle theft or break-in in the parking lot cited in Plaintiff's Original Petition.

Respectfully submitted,

(Address)

(Telephone Number)

By: _____

Plaintiff, Pro Se (Print name: _____)

Address: _____

Phone: _____

Fax: _____

E-Mail: _____

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true and correct copy of the above and foregoing document has been forwarded to Defendant pursuant to the Rules of Civil Procedure, on this the ____ day of _____, 20____, addressed as follows: [_____ address of Defendant]

Plaintiff, Pro Se