

IN THE CIRCUIT COURT FOR HOWARD COUNTY  
Civil Division

MICHAEL SMITH

Plaintiff,

v.

JANE TORTFEASOR

Defendant.

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Case No.: 13-C-13-094115

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**PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS**

**TO: ALISHA R. LANG-LUM, Defendant**

**FROM: MICHAEL R. TERRY, JR., Plaintiff**

The Plaintiff by and through his attorneys, John B. Bratt, and Miller & Zois, LLC, requests that Defendant, admit or deny the following statements of fact. If objection is made, please state the reason for the objection.

**REQUESTS FOR ADMISSION**

1. The Defendant was properly served with the summons and complaint in the above captioned case.
2. The Defendant has no basis to assert as a defense or affirmative defense to the subject accident, lack of personal jurisdiction.
3. The Defendant has no evidence of any kind that the Plaintiff caused or contributed to the occurrence by stopping short in the travel portion of the roadway.

4. The Defendant has no evidence to support the affirmative defense that the Plaintiff assumed the risk of his injuries.
5. The Defendant has no evidence to support the affirmative defense that the Plaintiff was contributorily negligent.
6. The Defendant has no evidence to support the affirmative defense that the Plaintiff's case is barred by the Statute of Limitations.
7. The Defendant has no evidence to support the affirmative defense that the Plaintiff's case fails to state a claim upon which relief can be granted.
8. On or about March 31, 2010, the Plaintiff was lawfully operating and traveling in a motor vehicle eastbound on Assateague Drive, in Howard County, Maryland.
9. At the same time and place, the Defendant was operating a motor vehicle northbound on Conwingo Avenue, attempting a left turn onto westbound Assateague Drive, in Howard County, Maryland.
10. At all times herein mentioned the Plaintiff's vehicle was operated in a reasonable and prudent manner, with due caution and regard for the motor vehicle laws of the State of Maryland.
11. The Defendant Driver failed to yield to the Plaintiff's right-of-way, failed to control her vehicle, failed to obey traffic control devices, causing Plaintiff's vehicle to collide with Defendant's vehicle.
12. The intersection was not controlled by a traffic control device.

**{SIGNATURE BLOCK}**

