

**Form A(2). Uniform Interrogatories to be Answered by Plaintiff in Product Liability Cases (Other Than Pharmaceutical and Toxic Tort Cases) Only: Superior Court**

All questions must be answered unless the court otherwise orders or unless a claim of privilege or protective order is made in accordance with R. 4:17-1(b)(3).

(Caption)

1. Describe in detail and with specificity the product involved in the incident that is the subject of this lawsuit, including the manufacturer's name, brand name, model number, serial number or other identifying decal or feature on the product.

If the product involved is a motor vehicle or any other product with component parts or systems, describe any part(s) or system(s) claimed to be defective or negligently designed, manufactured or distributed, or otherwise complained of.

2. Do you claim (a) that the product was defectively designed; (b) that the product was defectively manufactured; and/or (c) that the labelling or warnings on, attached to or accompanying the product were inadequate, misleading or insufficient? If so, set forth all facts (not legal conclusions) in support of your contention(s).

3. Do you claim that the defendant was negligent? If so, set forth all facts (not legal conclusions) in support of your contention. Do you claim that the defendant breached a warranty? If so, set forth all facts (not legal conclusions) in support of your contention. Set forth why any claims of negligence or breach of warranty are not subsumed in the product liability claim.

4. Identify all correspondence between plaintiff and the defendant or its representatives, and attach copies.

5. How did plaintiff come into possession of or contact with the product involved in the accident incident?

6. How long had the product involved in this incident been in the possession of or used by the plaintiff before the incident?

7. During the time given in response to the immediately preceding interrogatory, where was the product kept?

8. Where was the product immediately after the incident?

9. With respect to the product involved in the incident, set forth: (a) the name and address of the person presently having custody of the product; (b) the present location of the product; and (c) the last date that the product was in your possession.

10. State whether the product is currently in the same condition as immediately after the incident. If not, fully describe the changes that have occurred, who made them, the reason for such changes and the date they were made.

11. Did the product have any words or symbols on it or its packaging, or any written or pictured warnings attached to it? If so, set forth each writing and describe each symbol or picture.

12. Was an owner's manual or other literature provided with the product? If so, attach such manual or literature or, if a copy is not available, describe the manual or other literature and summarize its contents.

13. Have you ever pursued a workers' compensation claim for injuries sustained as a result of the incident that is the subject of this lawsuit? If so, set forth: (a) the title and venue of every workers' compensation proceeding to which you have been a party; (b) the date upon which each such proceeding was instituted; (c) the date on which each such proceeding was tried and settled; (d) the name and address of each doctor who examined you in connection with each such proceeding; (e) the amount of the award you received from each such proceeding; and (f) the name and address of every employer or insurance company that has actually paid you workers' compensation benefits.

14. Do you contend that the design, labeling and warnings, manufacture or distribution of the product was governed by any governmental and/or industry codes, standards, regulations or advisories? If so: (a) state the name and address of the governmental agency or department, or the industry office; and (b) specifically identify the codes, standards, regulations or advisories by title and numerical, alphabetical or other coded designation.

15. Did you sustain any property damage or other economic loss as a result of the incident that is the subject of this lawsuit? If so, specify all such damages.

16. Do you contend that the product contained a design defect? If so, set forth your contention as to how the product should have been designed in a safer, more appropriate manner.

### **CERTIFICATION**

I hereby certify that the foregoing answers to interrogatories are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

I hereby certify that the copies of the reports annexed hereto provided by either treating physicians or proposed expert witnesses are exact copies of the entire report or reports provided by them; that the existence of other reports of said doctors or experts are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.