**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF COLORADO**

**Civil Action No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Plaintiff(s),

v.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

Defendant(s).

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PLAINTIFF’S FIRST INTERROGATORIES TO DEFENDANT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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 Plaintiff \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ serves the following interrogatories on Defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**INSTRUCTIONS**

 Rule 33 of the Federal Rules of Civil Procedure, as well as the Court’s Scheduling Order govern the interrogatories listed below. You must answer each interrogatory, to the extent it is not objected to, separately and fully in writing. After completing your responses, you must sign them and serve them within the response period. If you object to an interrogatory, you must state your objection, and the grounds for objecting, with specificity. Please be aware that an “interrogatory is not objectionable merely because it asks for an opinion or contention that relates to fact or the application of law to fact.” Fed. R. Civ. P. 33(a)(2).

You, Defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, are required to provide answers and objections, if any, to these interrogatories to Plaintiff within thirty (30) calendar days after the date of service of these requests (herein, the “response period”) at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Please set forth, verbatim, the text of each of the following requests before your written response.

If you claim a privilege relating to any of the information sought under the interrogatories below, specify in detail the nature or bases of the privilege, and prepare and serve a privilege log that complies with Fed. R. Civ. P. 26(b)(5)(A) and includes: (a) the date the document was prepared; (b) the author of the document; (c) the person to whom the document was sent and all persons receiving copies; and (d) the general subject covered in the document.

As with all discovery requests, you are required to furnish all responsive information to these interrogatories which is available to you. This includes, but is not necessarily limited to, any information in the possession of your representatives, agents, contractors, attorneys, or investigators. Rule 26(e) of the Federal Rules of Civil Procedure imposes a continuing duty to supplement your response to an interrogatory issued under Rule 33 when you know or learn that the prior response or production is in some material respect incomplete or incorrect.

If your response to any interrogatory is to see documents that are produced, identify the documents responsive to the request by Bates number.

**DEFINITIONS**

1. “**Document**” means a writing(s), recording(s), or photograph(s) as those terms are defined under Fed. R. Evid. 1001(a), (b), and (c), and, consistent with the scope set forth under Fed. R. Civ. P. 34(a)(1)(A), includes the original or copy of handwriting, typewriting, printing, drawings, graphs, charts, photographs, sound recordings, images, communications, or other data or data compilations, or combinations of them, set down in any form and stored in any medium from which information can be obtained.
2. “**Communication**” means any oral, verbal, typed, electronically transmitted or hand written communication and includes, without limitation, any face to face, telephone, or video conference conversations; facsimile; letter; telegram; memoranda; voicemail; voice message; electronic mail; text message; Tweet; Facebook message or post; LinkedIn message or post; and any other method or means of exchanging information between individuals.
3. “**Electronically stored information**” means any document, communication, or any other data or information present or stored on or in any computer, internal or external hard drive, jump drive, diskette, compact disc, server, database, or any other device capable of storing electronic files or information.
4. “**Incident**” includes the circumstances and events surrounding the alleged accident, injury, discrimination or other occurrence giving rise to this action or proceeding.
5. “**Person**” or “**Persons**” and “**Individual**” or “**Individuals**” includes any human being, whether living or deceased, and includes a business, corporation, partnership, joint venture, limited partnership, governmental entity, public entity, or political subdivision.
6. “**Identify**” means:

 a. With respect to a human being means to state their full name, last known address, telephone number and relationship to you.

 b. With respect to a business, corporation, partnership, joint venture, limited partnership, governmental entity, public entity, or political subdivision, means to state its complete name, last known address, and telephone number.

 c. With respect to a document, means to state the nature or character of the document (i.e., letter, memorandum, agreement, etc.); the date(s) it was prepared, signed, sent and received; the contents of the document; and the identity of the person(s) who created and/or signed the document.

 d. With respect to a communication, requires a response providing the date on which the communication occurred, the identity of each person who was present during or participated in the communication, and the subject or subjects discussed.

1. “**or**” is inclusive, and has the meaning of “and/or.”
2. “**Defendant**,” “**you**,” and “**your**” each and collectively refer to Defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_, (and any agent, employee, official, director, manager, supervisor or other person operating under the direction or control of the Defendant, including, without limitation, any attorneys, insurance companies, or insurance adjusters).
3. “**Health Care Staff**” includes, as applicable, Health Service Administrator/Site Supervisor, Director of Nursing, Responsible Physician/Provider, Responsible Health Authority, Medical Director/Physicians, NP/PA Mid-level/Physician Extenders, Psychiatrists, Certified Mid-Wife, Dentist, Dental Technician/Assistant, Registered Nurses, Licensed Practical Nurses, Medical Assistants, Mental Health Professionals, and any other person working in a health care capacity.

**INTERROGATORIES**

1. Identify each person who you believe has knowledge about the Plaintiff’s claims in or your defenses in this case. For each person identified, summarize the knowledge you believe each has.
2. Identify the schedule of health care staff in the [FACILITY] in [YEAR]. Your answer should include the number of Registered Nurses, LPNs, CNAs, EMTs, providers, mid-levels, NPs, PAs, and on call staff, on each shift and the location of assignments for each shift.
3. For the period of time from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, identify all communications you had with Plaintiff, or with any other individual(s), about Plaintiff’s medical care and condition at any time in [FACILITY]. Your answer should include conversations between Health Care Staff, jail workers that are not Health Care Staff, inmate/detainees about Plaintiff, and any on-call or in facility providers.
4. Identify all persons who provided health care services in the [FACILITY] in [YEAR]. Your answer should include any third party contractors for temporary or pool nurses to cover shifts.
5. Identify every person who had any responsibility for instituting policies, protocols, or procedures concerning medical care, evaluation, or treatment of individuals detained or confined at the [FACILITY] in [YEAR].
6. Identify all policies, protocols, standards, guidelines, procedures, practices or the like applying to the provision of medical care to inmates who are sick and admitted to the medical unit in the [FACILITY] from [YEAR] through the present.
7. Identify all policies, protocols, standards, guidelines, procedures, practices or the like applying to sending a detainee to the hospital or other outpatient medical facility for diagnostic tests or medical care or treatment.
8. Identify and describe in detail any reviews, investigations, disciplinary actions or proceedings that you have conducted or imposed on any employee related to their conduct with respect to [PLAINTIFF] during [his/her] [PERIOD OF INCARCERATION] incarceration at [FACILITY].
9. Identify and describe any reviews, analysis, audits, assessments or the like of health care provided to inmates at [FACILITY] in the last five years and continuing through trial, whether internal or external.
10. For the period of time from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to the present, identify any instances in which [FACILITY]was not accredited, or was under probation, by ACA or NCCHC.
11. For the period of time from \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to the present, identify all individuals who provided health care for inmates and detainees at [FACILITY]. For each individual or entity listed, please provide the date they began such health care services and the date they terminated their services, and identify whether the termination, if any, was voluntary or involuntary.
12. Describe any previous complaints against you for negligence or deliberate indifference. For each instance you list, please identity the party who made the complaint, the date of the complaint, the nature of the complaint (i.e., a lawsuit, demand letter, notice of claims, complaints to the Board of Nursing or Board of Medical Examiners, etc.), the nature of the injury, if any, and the outcome of the complaint.
13. Identify the policy or procedure that governs your decision, when you receive a call about an inmate at the [FACILITY], to (a) go personally evaluate the inmate and/or (b) send the inmate offsite for further testing or emergency room, including any paperwork you fill out in response to such an Order.
14. Identify the policies, procedures, and protocols that apply to responding to an immediate medical emergency with respect to a detainee or inmate at [FACILITY]. Please include in your answer policies, procedures, and protocols, if any, identifying the responsibilities that deputies and nurses have in the case of such an emergency; where emergency medical equipment is stored how it is maintained, and who is responsible for retrieving such equipment in the event of emergency; and what training is provided to employees and/or contract workers in responding to immediate medical emergencies.

DATED this \_\_\_\_\_\_\_day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_.

Respectfully submitted,

 *Plaintiff, proceeding pro se*

**CERTIFICATE OF SERVICE**

 I hereby certify that on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , 20\_\_\_, I served a true and correct copy of the foregoing **PLAINTIFF’S FIRST INTERROGATORIES TO DEFENDANT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** by U.S. Mail to the following counsel of record:

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*Attorney(s) for Defendant(s)*