**IN THE UNITED STATES DISTRICT COURT**

**FOR THE DISTRICT OF COLORADO**

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

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

Plaintiff(s),

v.

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

Defendant(s).

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

**PLAINTIFF’S FIRST REQUESTS FOR ADMISSION TO DEFENDANT \_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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 Plaintiff \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ serves the following requests for admission on Defendant \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

**INSTRUCTIONS**

 Rule 36 of the Federal Rules of Civil Procedure, as well as the Court’s Scheduling Order govern the requests for admission listed below. You must answer each request, to the extent it is not objected to, separately and fully in writing. If you object to a request, you must state your objection, and the grounds for objecting, with specificity. Please be aware that a request for admission is not objectionable “solely on the ground that the request presents a genuine issue for trial.” Fed. R. Civ. P. 36(a)(5).

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

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If you claim a privilege relating to any of the information sought under the requests 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 requests 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 a request issued under Rule 36 when you know or learn that the prior response or production is in some material respect incomplete or incorrect.

**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. “**Medical Workers**” 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.

**REQUESTS FOR ADMISSION**

1. **ADMIT** that [WITNESS] told several workers (whether deputies or medical workers) that [PLAINTIFF] was having a serious medical emergency. If denied, state each and every fact on which you rely to deny this request for admission in whole or in part.
2. **ADMIT** that [PLAINTIFF] was not given [MEDICATION] or equivalent medication from the time of his/her admission to [FACILITY] until [DATE]. If you deny, in whole or in part, state every basis for any such denial and what parts you admit.
3. **ADMIT** that [PLAINTIFF’S] pulse, respiration, blood pressure, and pulse ox were not taken after [TIME] on [DATE]. If you deny, in whole or in part, state every basis for any such denial and what parts you admit.
4. **ADMIT** that [PLAINTIFF] complained of [SYMPTOMS] to [WITNESSES] on [DATE]. If you deny, in whole or in part, state every basis for any such denial and what parts you admit.
5. **ADMIT** that [PLAINTIFF] was not examined by anyone with any medical education, training, or experience from [TIME] on [DATE] to [TIME] on [DATE]. If you deny, in whole or in part, state every basis for any such denial and what parts you admit. If you deny, in whole or in part, state every basis for any such denial and what parts you admit.
6. **ADMIT** that [PLAINTIFF] was diagnosed with [INJURIES] on [DATE]. If you deny, in whole or in part, state every basis for any such denial and what parts you admit.
7. **ADMIT** that [PLAINTIFF] had not previously been diagnosed with [INJURIES] before [DATE]. If you deny, in whole or in part, state every basis for any such denial and what parts you admit.

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 REQUESTS FOR ADMISSION TO DEFENDANT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** by U.S. Mail to the following counsel of record:

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*Attorney(s) for Defendant(s)*