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BARREN CIRCUIT COURT
DIVISION () _____
JUDGE _____ **MEDIA5022**

ALAN HAPNEY

PLAINTIFF

v. **COMPLAINT AND DEMAND FOR JURY TRIAL**

YANCEY'S GASTROPUB AND BREWERY, LLC
128 South Public Square
Glasgow, KY 42141

DEFENDANT

SERVE:
Registered Agent and Property Owner
Jeffrey Jobe
128 South Public Square
Glasgow, KY 42141

* * *

Comes now the Plaintiff, Alan Hapney, and for his cause of action against Defendant, Yancey's Gastropub and Brewery, LLC, states as follows:

1. At all times relevant to this Complaint, Plaintiff Alan Hapney was a resident of Barren County, Kentucky.
2. Upon information and belief, at all times relevant to this Complaint, Defendant Yancey's Gastropub and Brewery, LLC, (hereinafter referred to as "Yancey's"), was a Kentucky limited liability company registered to do business and doing business in Barren County, Kentucky.
3. That the damages complained of herein exceed the jurisdictional requirements of this Court.
4. That the events complained of herein occurred in Barren County, Kentucky.
5. That this Court has jurisdiction over the parties and the subject matter and venue are proper in this Court.

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

6. Upon information and belief, Yancey's controlled, owned, operated, maintained, and managed the premises located at 128 S Public Square, Glasgow, KY 42141 (hereinafter "the premises").
7. Upon information and belief, Yancey's has controlled, owned, operated, maintained, and managed the premises since at least 2018.
8. Yancey's is vicariously liable for the negligence of any of its agents, employees, and/or other representatives, whether actual, implied or ostensible, under the doctrine of *respondeat superior*.
9. Yancey's must maintain any property it controlled, owned, operated, maintained, and managed so that the property is safe for its guests.
10. On or about February 26, 2022, Alan was a guest at the premises.
11. On or about February 26, 2022, Alan was a business invitee on the premises.
12. At all times, Alan was exercising ordinary and prudent care while on the premises.
13. That the design, construction, installation, condition, and/or maintenance of the premises presented a dangerous condition.
14. Due to the dangerous condition of the premises, Alan fell down the stairs.
15. Yancey's had a duty to maintain its facility in a safe manner under expected environmental conditions and use.
16. Yancey's had a duty to ensure that stairs had building-code-compliant lighting, handrails, gates, floor markings, and barriers for guest safety.
17. Yancey's had a duty to the Plaintiff to fix the known dangerous condition at the premises and make it safe for the Plaintiff and other invitees.

MEDIA5022

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

18. Yancey's had a duty to Plaintiff to exercise ordinary caution and reasonable care in the construction, installation and/or maintenance of its property, including the handrails and stairs on the premises.

MEDIA5022

19. Yancey's breached each duty above to the Plaintiff and those breaches were a substantial factor in causing the injuries suffered by Plaintiff, and as a result, he has been severely harmed.

20. Yancey's violated safety statutes during the building, operation, and maintenance of the premises.

21. The premises controlled by Yancey's violated provisions of the Kentucky Building Code and Americans with Disabilities Act (ADA) with regards to the stairs, lighting, handrails, gates, floor markings, and barriers.

22. That the actions of Defendant Yancey's violated those aforementioned safety statutes, which was a substantial factor in causing the Plaintiff to be injured.

23. The Plaintiff was a member of a protected class of individuals whose injuries are the kind the statutes were enacted to prevent.

24. As such, according to KRS 446.070, Yancey's, is negligent *per se* for its actions mentioned herein.

25. Plaintiff has been severely injured as a direct result of Defendant Yancey's breach of its duties.

WHEREFORE, Plaintiff Alan Hapney hereby demands as follows:

A. Judgment against Yancey's for compensatory damages for any lost wages; past and future medical expenses; past and future physical and mental pain and suffering and any impairment to his ability to earn money in the future.

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03/11/2025 01:21:04

PM

- B. Incidental and consequential damages;
- C. Plaintiff demands a trial by a jury of all issues triable;
- D. Interest, attorneys' fees, costs and such other relief as is just and proper.

MEDIA5022

Respectfully submitted,

DIXIE LAW GROUP, PSC

/s/ John M. Ritter

Justin B. May, Esq.
 John M. Ritter, Esq.
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 Louisville, KY 40216
 jmay@dixielawgroup.com
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 (502) 290-2397 - Telephone
 (502) 449-9774 - Fax
Counsel for Plaintiff

Presiding Judge: HON. JOHN T. ALEXANDER (643358)

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03/11/2025 01:21:04

BARREN CIRCUIT COURT
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ALAN HAPNEY

PLAINTIFF

v. PLAINTIFF'S FIRST SET OF INTERROGATORIES AND
REQUESTS FOR PRODUCTION OF DOCUMENTS TO
YANCEY'S GASTROPUB AND BREWERY, LLC

YANCEY'S GASTROPUB AND BREWERY, LLC

DEFENDANT

* * *

Plaintiff, Alan Hapney, pursuant to the Kentucky Rules of Civil Procedure, CR 33 and CR 34, submits the following Interrogatories and Requests for Production of Documents to the defendant, Yancey's Gastropub and Brewery, LLC. Defendant, Yancey's Gastropub and Brewery, LLC, is to serve its sworn answers and responses to these Interrogatories and Requests for Production of Documents within forty-five (45) days from the date they were served.

In answering these Interrogatories, Defendant, Yancey's Gastropub and Brewery, LLC, is to divulge all information and produce all tangible items within the knowledge, possession, or control of it, its attorneys or its agents, or that may be reasonably obtained by Yancey's Gastropub and Brewery, LLC, or them. The defendant is requested to supplement its responses if it ascertains or acquires any information or items that fall within the scope of these discovery requests or if events within the scope of these discovery requests occur after service of its responses.

DEFINITIONS

1. The words "you" and "your" means Defendant, Yancey's Gastropub and Brewery, LLC, and all attorneys, officers, insurers, and agents where appropriate in these discovery requests.

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

2. The "Incident" refers to Alan Hapney' fall of February 26, 2022, at Yancey's Gastropub and Brewery located in Barren County, Kentucky described in the Complaint in this action. MEDIA5022
3. The "Complaint" means the original Complaint in this action and any subsequent Amended Complaints.
4. An Interrogatory asking Defendant to "state in detail," "explain in detail," or "state specifically" seeks disclosure of each fact, circumstance, condition, and thing known to Defendant, its attorneys or agents about the subject of the Interrogatory containing the phrase, as of the date the Interrogatories were answered.

INSTRUCTIONS

1. Where appropriate in these discovery requests, the singular form of a word shall be interpreted as a plural.
2. Wherever appropriate in these discovery requests, "and" as well as "or" shall be construed either disjunctively or conjunctively, as necessary to bring under the scope these discovery requests any information which might otherwise be construed to be outside of their range.
3. When an Interrogatory requires Defendant to describe or identify any person, this means, without limitation, natural persons and individuals, sole proprietorships, general and limited partnerships, profit and nonprofit corporations, unincorporated associations, governments, agents, employees or instrumentalities of the foregoing, and all other entities, agencies or bodies.
4. When dealing with a natural person, it is intended that the answer shall identify:
 1. full name;
 2. present or last known home address and telephone number; or
 3. present or last known business address and telephone number.

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

2. When an Interrogatory requires Defendant to describe or identify any person other than a natural person, it is intended that the answer shall identify:

MEDIA5022

- 2.1. full name or title thereof;
 - 2.2. nature or type of entity;
 - 2.3. present or last known business address and telephone number.
3. In answering each Interrogatory, the answers should identify each document which supports, refers to, or evidences the subject matter of the Interrogatory or which is relied upon to form a basis of the answer given, or which in any way corroborates the answer given or the substance of the answer given. Every document to be so identified may be produced for inspection in place of such identification. **Document(s)** mean(s), without limitation, all original documents and records and non-identical versions, copies or drafts, whether in paper or electronic form (including e-mail), statements of witnesses, accounts, accounting records, acknowledgements, affidavits, agreements, analyses, applications, appointment books, articles of incorporation, assignments, audio tapes, audit reports, balance sheets, bills, by-laws, calculations, calendars, charges, charts, checks, check registers, check stubs, communications, computer printouts, contracts, conveyances, corporate minutes and minute books, correspondence, court filings, deposition transcripts, diaries, drafts, electronic mail communications, evaluations, files, financial statements, forms, income statements, indices, instructions, invoices, journals, ledgers, letters, lists, litigation files, log books, loose-leaf binders, memoranda, messages, microfiche, microfilm, minute notebooks, notes, notices, opinions, orders personnel records, pleadings, pocket calendars, profit and loss statements, receipts, records, records of meetings and conversations of any kind, reports, statements, statements of account, statements of assets and liabilities, studies, summaries, tape recordings,

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

tax returns, telephone lists, telephone logs, telexes, trial transcripts, or any other transcripts and writings of any kind or nature whatsoever.

MEDIA5022

4. If the Defendant claims a privilege concerning any information or document, or portion thereof, sought by these discovery requests:
 - 4.1. Identify each document containing the information that Defendant claims are privileged;
 - 4.2. Produce any non-privileged portions;
 - 4.3. State the facts, circumstances, and grounds that Defendant claims establish the privilege with sufficient specificity that a court may determine the validity of the claim, including the name of the sender; the name of the author;
 - 4.4. the name of each person to whom copies were sent; the date of the document; the job title of each sender, author, and recipient; a description of the nature and subject matter of the document; and specify the statute, rule, or decision that is claimed to give rise to the privilege; and
 - 4.5. Produce such information or portion of the document that is not covered by the Defendant's claim of privilege.
5. Disposition of Documents. If you have any knowledge of any document called for by these discovery requests that were at one time, but is no longer, in Defendant's possession, custody or control, or has been destroyed, disposed of, altered, or redacted in whole or in part, identify each such document and state the circumstances by which Defendant no longer has possession, custody, or control of it, and the current location of each such document.
6. Duty to supplement. These discovery requests are continuing in character and require Defendant to file supplementary responses if further or different information is obtained after

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

preparation of the initial response. In such event, you are hereby requested to include in any supplementary response the date and manner in which the further or different information became known.

MEDIA5022

7. Electronic Documents. When a document in electronic form is responsive to these discovery requests, produce each such document and such other information about the format in which the document is stored and the program that created it such that the document may be meaningfully opened, read and used.
8. Method of Compliance. Produce all documents requested for inspection and copying at Dixie Law Group, PSC, 4919 Dixie Highway, Ste. B, Louisville, KY 40216.
9. Reference to Gender, Singular, and Plural. For purposes of these discovery requests, references to persons of one gender shall also refer to persons of the other gender and non-natural persons, and singular references shall include the plural and vice versa.
10. In producing the documents requested herein, indicate the specific request in response to which each document or group is being produced.

INTERROGATORIES

INTERROGATORY 1. Please provide the full name, home address, home phone number, office phone number, and place of employment for each and every person, firm, or entity who answered or assisted in answering these interrogatories.

ANSWER:

INTERROGATORY 2. Does any primary and/or excess insurance agreement or bond exist under the terms of which the person or company issuing the same may be called upon to satisfy all or part of any judgment which may be entered in favor of the Plaintiff in this action?

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

(a) If such an insurance agreement or bond does exist, what are the limits of liability contained in terms of each such agreement?

MEDIA5022

(b) If such an insurance agreement or bond does exist, what are the legal names of each and every party to each agreement itself and to any further or subordinate agreement which in any way relates to the terms of any such agreement?

(c) What is the amount of any deductible or self-insured retention as to each such agreement?

ANSWER:

INTERROGATORY 3. If you or anyone acting on your behalf obtained statements **in any form** from any person regarding the present incident, the Plaintiff and his past medical care, including comments by the Plaintiff, state concerning each such statement:

- (a) the name and address of the person(s) to whom such statement was made;
- (b) the date the statement was made;
- (c) the form of the statement;
- (d) if the statement was written, whether it was signed; and
- (e) the names and addresses of all persons presently having custody of the statement.

ANSWER:

INTERROGATORY 4. Do you, your attorneys, your insurance carriers or anyone acting on your or their behalf have or know of any photographs, motion pictures, maps, plats, drawings, diagrams, videotapes, or other tangible or documentary evidence concerning any of the events, happenings, scene of the incident, or the condition of the stairs, guardrail, or interior walkways (or any part thereof) involved in the incident either before or after the event alleged in this action?

If so, please identify:

- (a) each tangible item's specific subject matter;

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

- (b) the date it was made or taken;
- (c) the name and address of the person making or taking it;
- (d) what each item purports to show, illustrate or represent; and
- (e) the name and address of each person having custody of such item or items.

MEDIA5022

ANSWER:

INTERROGATORY 5. State the name, address, occupational title, and present whereabouts of each person whom you expect to call as an expert witness at the trial of this case, and with respect thereto, state the following:

- (a) The subject matter on which the expert is expected to testify;
- (b) The substance of the facts and opinions to which the expert is expected to testify;
- (c) A summary of the grounds for each opinion to which the expert is expected to testify; and
- (d) Whether such an expert for this case has generated any reports or other written materials or letters.

ANSWER:

INTERROGATORY 6. Only if you allege any defense to this action based on jurisdiction, venue, issuance of process, the process itself, or service of process, as to each such defense, please state:

- (a) each and every fact upon which you rely in asserting such defense;
- (b) provide a complete description of all documents which you contend support the assertions of the said defense;
- (c) the name and address of all persons having custody and control of the documents described in (b) above; and
- (d) please provide the full and complete legal addresses of this Defendant's registered office and agent.

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

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ANSWER:

INTERROGATORY 7. If you contend that any person, firm, or entity caused or contributed to the injuries to the Plaintiff, identify by name, address, job title, and employer all such persons, firms or entities and state the reasons for your contentions.

MEDIA5022

ANSWER:

INTERROGATORY 8. Please state the name, address, home phone number, office phone number, and address of employment for each and every person, firm, or entity who:

- (a) witnessed the incident described in the Complaint;
- (b) arrived at the scene of the incident within two (2) hours after it occurred;
- (c) has or who claims to have knowledge of liability in this action;
- (d) has or who claims to know about damages in this action; and
- (e) whether they are or were at the time, employed by the defendant.

ANSWER:

INTERROGATORY 9. Explain in detail the factual basis for each and every affirmative defense contained in the Answer to Plaintiff's Complaint.

ANSWER:

INTERROGATORY 10. Please describe in detail any changes that have been made by Defendant in the physical site of the accident, or to the warnings or signs relating thereto, since the occurrence in question. Please explain why such changes were made.

ANSWER:

INTERROGATORY 11. Please identify each and every person whom you expect to call as a witness upon the trial of this matter. If such person is not identified in your preceding answers to

NOT ORIGINAL

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03/11/2025 01:21:04

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interrogatories, please provide such witnesses' name, address and telephone number and a summary of the facts upon which you expect said witness to testify at trial.

MEDIA5022

ANSWER:

INTERROGATORY 12. Please describe and state in detail how the incident described in Plaintiff's Complaint occurred, and state specifically and in detail what your claim or contention is or will be regarding any cause or contributing cause of the incident, including a statement in particular of the facts or information upon which this contention is based.

ANSWER:

INTERROGATORY 13. If you contend that Plaintiff had a status of anything other than an invitee when he fell, please explain your contention and identify all facts which support an assertion that said Plaintiff was not an invitee at the time of the incident made the basis of this suit.

ANSWER:

INTERROGATORY 14. Please give the following information with any examination, maintenance, or inspection of the area, in the year before the happening of the occurrence, where the Plaintiff fell:

- (a) the date and time of day of any examination or inspection;
- (b) the identification, including the name and address, of the person or persons making any examination or inspection;
- (c) in complete detail, what any examination or inspection consisted of;
- (d) in complete detail, what any examination or inspection revealed or showed; and
- (e) in complete detail, each and every act or activity done or undertaken by you or any agent or employee of the Defendant as a result of any condition or circumstance disclosed by any examination or inspection.

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

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ANSWER:

INTERROGATORY 15. State whether any other injuries and/or slipping incidents have occurred on any properties owned by Defendant in the past five (5) years, and, if so, please state for each:

MEDIA5022

- (a) The date, time and place of the incident;
- (b) The nature and extent of all resultant property damage and personal injury, including repair costs and medical expenses;
- (c) The amounts of any claims and settlements; and
- (d) The style, case number, court, and ultimate result of any suit filed as a result.

ANSWER:

INTERROGATORY 16. Please state what precautions, if any, were taken by the Defendant, before Plaintiff's fall, to prevent injuries to persons such as the Plaintiff while at the premises.

ANSWER:

INTERROGATORY 17. State whether you have ever attended, taken, or provide to your employees any lighting or guardrail or general maintenance education course, and, if so, please state the name, location, dates of, and content covered in each such course.

ANSWER:

INTERROGATORY 18. What does the Defendant contend to be the condition of the immediate area on the occasion in question with respect to:

- (a) lighting;
- (b) repair and maintenance of the area at issue;
- (c) visibility of the floor at issue;
- (d) condition of the walking surface at issue;

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

(e) condition of the guardrails around the area at issue;

MEDIA5022

ANSWER:

INTERROGATORY 19. Please list the title, date and publication citation (if any) of each exhibit, document, text, journal, paper, article, treatise, abstract, book, textbook, videotape, film or any other material of any nature whatsoever, which you, your attorney and/or any expert will use, introduce or rely upon at the trial of this action.

ANSWER:

INTERROGATORY 20. Please state whether any investigation or surveillance of the Plaintiff was conducted by you or on your behalf, and if so, please state the name, address, telephone number, of the person or entity who performed such investigation or surveillance, the dates of such investigation or surveillance, and whether you have any reports, photographs, or videotapes, or other depictions of the Plaintiff, or of the location of the incident causing the Plaintiff's injuries, or any of the vehicles involved in such incident.

ANSWER:

INTERROGATORY 21. If the Defendant corrected, repaired or fixed in any way the defect or condition which the Plaintiff alleges to have been the cause of the incident in question, please state what the cost of repair was, the date the repairs were done, and the name, address and telephone number of the person or firm carrying out such repair work.

ANSWER:

INTERROGATORY 22. Please state whether you intend to move for a CR 35 examination of the Plaintiff, and, if so, please indicate the name, address, and professional qualifications of any such physician, dentist, or appropriate health care professional.

ANSWER:

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

INTERROGATORY 23. Before Plaintiff's fall, please explain what notice, if any, you had of the condition which is alleged to have caused the fall made the basis of this lawsuit.

MEDIA5022

ANSWER:

INTERROGATORY 24. Please describe the condition and appearance of that area of the premises where the Plaintiff was allegedly injured at the time any agent or employee of either Defendant first examined it after the occurrence in question.

ANSWER:

INTERROGATORY 25. Please state in detail what the Defendant's policies and procedures are that their agents, employees, or representatives are to follow when they discover a condition on their business premises that could give rise to the injury.

ANSWER:

INTERROGATORY 26. If you have had any other incidents prior to the incident made the basis of this lawsuit which are substantially similar and occurred at the same or similar location where the incident made the basis of this suit occurred, please provide details of those incidents, identify any documents and photographs which reflect such incidents, and identify witnesses and parties to these other incidents. Further, please describe any claims or lawsuits that have heretofore been brought against Defendant because of an accident or injury at the same or similar location, or a similar type of accident on the Defendant's premises at some other location.

ANSWER:

INTERROGATORY 27. Is it the Defendant's usual custom and procedure to investigate incidents where someone suggests or claims that they have suffered an incident or injury on your premises? If so, please describe that custom and procedure generally, and identify how that procedure was employed as it relates to the incident made the basis of this lawsuit.

ANSWER:

MEDIA5022

INTERROGATORY 28. If there was an investigation made of the incident that forms the basis of this suit, please state whether the Defendant conducted such investigation in anticipation of litigation, and if so, state each fact of which Defendant was aware at the time of the investigation that caused it to believe that it was conducting the investigation in anticipation of litigation. Please also state the name(s) of the person(s) who conducted the investigation.

ANSWER:

INTERROGATORY 29. Please describe in detail any subsequent incidents which occurred in substantially the same way as Plaintiff's incident at the same or any other Yancey's Gastropub and Brewery, LLC, location.

ANSWER:

REQUESTS FOR PRODUCTION OF DOCUMENTS

The above-named Defendant, Yancey's Gastropub and Brewery, LLC, is hereby requested to produce the following described documents pursuant to the Kentucky Rules of Civil Procedure by producing all such requested documents to counsel for the Plaintiff on the 45th date after service hereof upon you, at 10:00 a.m. at Dixie Law Group, PSC, 4919 Dixie Highway, Ste. B, Louisville, KY 40216. In the event, the 45th day falls on a Saturday, Sunday, or legal holiday, you are requested to produce such documents on the first business day following the 45th day after service thereof, at the address referenced above, at 10:00 a.m.

1. Copies of any incident or accident reports, prepared by any person or entity, pertaining to the incident described in the Complaint.

RESPONSE:

2. Please produce all documents referred to in your Answers to Interrogatories.

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03/11/2025 01:21:04

PM

RESPONSE:

MEDIA5022

3. Any and all manuals regarding maintenance of and/or care for the facilities of Yancey's Gastropub and Brewery, LLC's 128 S Public Square, Glasgow, KY 42141 premises.

RESPONSE:

4. An index of any and all policies and procedures in force on February 26, 2022, at Yancey's Gastropub and Brewery, LLC's 128 S Public Square, Glasgow, KY 42141 premises.

RESPONSE:

5. A copy of ANY statement you filed with any insurance carrier to advise them of the incident described in the Complaint, any claim for property damage, or any other claims involved herein.

RESPONSE:

6. A copy of the current curriculum vitae, reports, and a copy of every document or tangible piece of material considered by any/all experts you intend or expect to call at the trial of this case.

RESPONSE:

7. Copies of any photos, still or motion picture, plans, maps, drawings, blueprints, sketches, diagrams, computer simulations or any other demonstrative evidence relevant to this incident, including without limitation, the plaintiff and the area of the incident.

RESPONSE:

8. Please produce a copy of any written or otherwise recorded statement taken by you or on your behalf of any person having information concerning the subject matter of this action.

RESPONSE:

9. Please produce a copy of any release or other agreement executed in consideration of any settlement occurring as a result of the incident referred to in this Complaint.

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

RESPONSE:

10. Please produce a copy of all demonstrative evidence and exhibits you and your attorney intend to introduce as evidence at trial or show the jury.

MEDIA5022

RESPONSE:

11. Copies of any and all agreements between the defendant and any firms that might be responsible for maintenance and/or cleaning or stocking helms in the area of the fall.

RESPONSE:

12. Please produce a copy of any surveillance, movies, photographs, or similar depictions or images, taken of or depicting Plaintiff(s), by or on behalf of, or provided to, the Defendant at any time, or any photographs of the scene of the incident in which Plaintiff was injured, or photographs of the plaintiff or area involved in the incident.

RESPONSE:

13. Please produce a copy of any credit report or asset search report you have obtained regarding the Plaintiff.

RESPONSE:

14. Please produce a copy of any document supporting any affirmative defenses alleged in your Answer.

RESPONSE:

15. Please produce copies of any and all reports and/or pleadings relating to prior similar occurrences and/or lawsuits filed and asked about in Interrogatory 26.

RESPONSE:

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

16. Copies of any rules, management guidelines, operating guidelines, or other similar writing or document that purports to show operating procedures for the stocking, management, care, maintenance, repair, and service of the premises that were in force on the date of the incident.

MEDIA5022

RESPONSE:

17. Copies of all documents, correspondence, and reports sent to or received from any federal, state, or local regulatory or law enforcement agency pertaining to this incident.

RESPONSE:

18. Copies of any documents or writings which you contend support any contention that this incident was the fault of the plaintiff or any other person or entity.

RESPONSE:

19. Complete copies of each and every insuring agreement, bond or reinsurance agreement, along with all declaration's pages, amendments, endorsements, and changes to the policies identified in response to the foregoing interrogatories.

RESPONSE:

20. For any physician you intend to disclose as an expert in this case, please provide the following information:

- (a) The percentage of the physician's income attributable to performing medical examinations and other litigation-related expenses, as well as the total amount of income derived by the physician from such litigation-related services, as required by *Primm v. Isaac*, 127 S.W.3d 630 (Ky. 2004).
- (b) The amount charged by the physician for his examination of the litigant, for reviewing medical records relating to the litigant, for preparation of any report pertaining to his examination, and for his testimony concerning his report and examination of the litigant, as required by *Tuttle v. Perry*, 82 S.W.3d 920 (Ky. 2002).
- (c) The number of examinations and evaluations performed by the physician on behalf of employers, insurance companies and other defendants in the previous twelve month period; the physician's charge for each such examination; and the charge for any

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

deposition given by the physician as a result of an examination as required by *Metropolitan v. Overstreet*, 103 S.W.3d 31 (Ky. 2003).

MEDIA5022

- (d) The number of examinations and evaluations performed by the physician on behalf of the attorney and/or firm requesting the examination in the previous twelve month period; the physician's charge for each such examination; and the charge for any deposition given by the physician as a result of an examination, as required by *Metropolitan v. Overstreet*, 103 S.W.3d 31 (Ky. 2003).

RESPONSE:

21. Any contracts between either Defendant and any maintenance and/or repair service in effect at the time of the Plaintiff's injury.

RESPONSE:

22. Any indemnity agreement between any party to this case and any non-party which is relevant to the accident and injuries made the basis of this suit.

RESPONSE:

23. Any joint venture agreement between the parties or between any party to this suit and any non-party regarding the ownership, operation, repair, maintenance, advertising, security or other services of or for the premises concerned herein.

RESPONSE:

24. Any rules, management guidelines, operating guidelines, or other similar writing or document that purports to show operating procedures for the management, care, maintenance, repair, and service of the premises that were in force on the date of the incident, that have not already been produced under a different request for production.

RESPONSE:

26. Any and all reports that were or will be relied upon in whole or in part by any testifying expert in this case that has not already been produced under another request for production of documents.

RESPONSE:

NOT ORIGINAL

DOCUMENT

03/11/2025 01:21:04

PM

27. Any and all work papers, notes, documents in the file of any expert witness who is expected to testify, or in the file of any expert witness who has written a report which is or will be relied upon in whole or in part by a testifying expert.

MEDIA5022

RESPONSE:

28. Any treatises or authoritative literature upon which any expert intends to rely on his or her testimony in this case.

RESPONSE:

29. Copies of reports of all similar incidents prepared by any and all employees at of the Defendant from the date of the incident up to and through the present.

RESPONSE:

30. All materials including, but not limited to, employee manuals, memoranda, and correspondence pertaining to safety rules and/or regulations to be followed by the employees to ensure tenant safety at Yancey's Gastropub and Brewery, LLC, which were in effect on and before the date of the incident. This includes any training films and/or videotapes used by Defendant concerning customer safety and/or falls.

RESPONSE:

31. A current copy of the curriculum vitae of any expert who may be called to testify at trial.

RESPONSE:

32. Any documents, reports or other written records pertaining to any investigation concerning the incident, not already produced.

RESPONSE:

33. Any and all documents and tangible things whose production has not been requested under any other item of this request which you intend to offer into evidence at the trial of this case.

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RESPONSE:

34. Any and all documents and tangible things whose production has not been requested according to any other item of this request which you do not intend to offer into evidence at the trial of this case, but which may be used as demonstrative evidence at trial.

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RESPONSE:

35. Any rules, management guidelines, operating guidelines, or other similar writing or document that purports to show operating procedures for the stocking, management, care, maintenance, repair, and service of the premises that were placed in force after the date of the incident.

RESPONSE:

36. Any documents evidencing what employees were working at Yancey's Gastropub and Brewery, LLC's 128 S Public Square, Glasgow, KY 42141 premises during the 72 hours before and after February 26, 2022.

Respectfully submitted,

/s/ John M. Ritter

Justin B. May

John M. Ritter

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Presiding Judge: HON. JOHN T. ALEXANDER (643358)

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VERIFICATION

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Comes now the Defendant Yancey's Gastropub and Brewery, LLC, and states that the information provided in its Answers to the Plaintiff's First Set of Interrogatories and Request for Production are true to the best of its knowledge and belief.

Name: _____

STATE OF _____

COUNTY OF _____

SUBSCRIBED, SWORN TO AND ACKNOWLEDGED before me by the said _____ this _____ day of _____, 20____.

NOTARY PUBLIC - State at Large

My Commission Expires: _____

Presiding Judge: HON. JOHN T. ALEXANDER (643358)

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CERTIFICATE OF SERVICE

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This is to hereby certify that a true and correct copy of the foregoing was served with the
Complaint.

/s/ John M. Ritter
John M. Ritter

Presiding Judge: HON. JOHN T. ALEXANDER (643358)

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