UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

WESTERN DIVISION

KEVIN GRAY : CASE NO.: 1-16-CV-999

 Plaintiff, : JUDGE SUSAN J. DLOTT

 v. :

JASEN HATFIELD, et al :

 Defendants. :

**PLAINTIFF’S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS PROPOUNDED UPON DEFENDANT JASEN HATFIELD**

Now comes Plaintiff, by and through counsel, and hereby propounds and serves upon Defendant Jasen Hatfield the following written Interrogatories and Request for Production of Documents.

The written Interrogatories are to be answered by Defendant to the extent of all information which is in his possession or control or within the possession or control of any of his employees, members, officers, agents, attorneys, investigators, or other representative, under oath, within thirty (30) days of service hereof and in accordance with Rule 33 of the Federal Rules of Civil Procedure.

The Request for Production of Documents shall be complied with in accordance with Rule 34 of the Federal Rules of Civil Procedure, and said production is to be made within thirty (30) days from the date of service hereof at the office of Konrad Kircher, Esq. and Ryan J. McGraw, Esq., Trial Attorneys for Plaintiff, at 12 East Warren Street, Lebanon, Ohio 45036.

**INSTRUCTIONS FOR ANSWERING INTERROGATORIES**

1. When an Interrogatory asks that you identify documents, it shall be deemed a sufficient answer where appropriate and possible to furnish true and legible copies thereof, together with your Answers to these Interrogatories.

2. If you claim any form of privilege, whether based on statute or otherwise, as a ground for not answering an Interrogatory or any part thereof, identify the document by date, creator and recipient, and set forth in complete detail each and every fact upon which the privilege is based, including sufficient facts for the Court to make a full determination whether the claim of privilege is valid.

3. Where an Interrogatory calls for the description of a document as to which you would claim privilege, whether based on statute or otherwise, as a ground for non-production, you shall set forth with respect to the document, in addition to any other information requested, its (a) date, (b) author, (c) addressee, if any, (d) title, (e) type of tangible thing, (for example, letter, memorandum, telegram, chart, report, recording disk), (f) subject matter (without revealing the information as to which privilege is claimed), and (g) with sufficient specificity to permit the Court to make a full determination as to whether the claim of privilege is valid, and each and every fact or basis on which you claim such privilege.

4. Where an Interrogatory requests that you “identify all documents,” you should state with specificity the date, author, description, addressee, if any, nature, custodian, and location of the documents referred to by the Interrogatory, as well as the substance of the document.

5. Where an Interrogatory asks that you “identify all persons,” state the (a) name (b) the present or last known business and residence address, if any, and (c) telephone numbers, occupation and title, if any, of every person whose identity is sought by the Interrogatory.

6. For the purposes of these Interrogatories, “person” shall include in its meaning a partnership, joint venture, corporation, association, trust or any other kind of entity, as well as a natural person.

7. The Interrogatories and document request shall be deemed continuing so as to require supplemental answers from time to time up to the date of trial in accordance with Rule 26 of the Ohio Rules of Civil Procedure.

8. All documents produced, either in response to a specific document request or in connection with a response to a particular Interrogatory, shall be identified individually as to (a) the identity of a person who possessed the document, (b) the date the document was originally prepared, issued or drafted, and (c) the identity of the person or persons who prepared, issued or drafted the document. If any such document was, but is no longer in your possession or control or in existence, state whether it is:

A. Missing or lost;

B. Has been destroyed;

C. Has been otherwise disposed of;

and in each instance, explain the circumstances surrounding an authorization to dispose thereof and state the approximate date of disposition.

9. As used herein, “documents” include any written, recorded or graphic matter however produced or reproduced, including but not limited to correspondence, telegraphs, telexes, advertisements, editorials, other written communications, contracts, invoices, receipts, notices, agreements, notes, memoranda, analyses, projections, designs, drawings, sketches, work papers, diaries, and calendars.

10. As used herein, “communications” shall mean all modes of communication including oral, telephonic, electronic, and written.

11. As used herein, “recording” shall include including electronic, audio, and/or visual recordings.

12. As used herein, “You,” “Your,” and/or “Hatfield” shall collectively mean Defendant Jasen Hatfield and any of his agents, representatives, or attorneys.

13. As used herein, “Jones” shall mean Defendant Richard K. Jones, and any of his employees, officers, agents, representatives, or attorneys.

14. As used herein, “Brockman” shall mean Defendant Mike Brockman, and any of his agents, representatives, or attorneys.

15. As used herein, “Plaintiff” shall mean Plaintiff Kevin Gray.

**INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS**

1. Identify all persons who participated in responding to these Interrogatories and Document Requests.

**ANSWER:**

1. Identify all persons with discoverable knowledge regarding any matter alleged in the Complaint and/or Your Answer.

**ANSWER:**

1. Identify all persons whom You intend to call as lay witnesses in this case along with the anticipated subject matter of their testimony, their last known addresses, and their last known telephone numbers.

**ANSWER:**

1. Identify all persons whom You have retained as expert witnesses in this case along with the subject matter of their opinions.

**ANSWER:**

1. Produce any and all expert reports You have received concerning this case.

**RESPONSE:**

1. Produce all documents You intend to introduce as exhibits or affidavits at the trial, a hearing, or in a deposition concerning this case.

**RESPONSE:**

1. Produce any written, oral, or tape-recorded statements, sworn or unsworn, You have made concerning Plaintiff and/or the allegations in the Complaint.

**RESPONSE:**

1. Explain the chain of custody for Brockman’s dashboard camera video following Plaintiff’s arrest on or about December 12, 2014.

**ANSWER:**

1. Produce any and all documents concerning the chain of custody for Brockman’s dashboard camera video following Plaintiff’s arrest on or about December 12, 2014.

**RESPONSE:**

1. Produce any and all policies and/or procedures manuals of the Butler County Sheriff’s Office concerning the retention and preservation of evidence.

**RESPONSE:**

1. Produce any and all policies and/or procedures manuals of the Butler County Sheriff’s Office concerning the use of dashboard camera video.

**RESPONSE:**

1. Produce any and all policies and/or procedures manuals of the Butler County Sheriff’s Office concerning the retention and preservation of dashboard camera video.

**RESPONSE:**

1. Explain why six minutes of dashboard camera video is missing from Brockman’s dashboard camera depicting the traffic stop and detention of Plaintiff on or about December 12, 2014.

**ANSWER:**

1. Identify when You knew of the existence of the dashboard camera video depicting the traffic stop and detention of Plaintiff on or about December 12, 2014.

**ANSWER:**

1. Explain why the dashboard camera video depicting the traffic stop and detention of Plaintiff on or about December 12, 2014 was not provided to Plaintiff until the morning his criminal trial began in or around February of 2016.

**ANSWER:**

1. Produce the complete transcript of any deposition testimony given by any party or witness in *Jasen Hatfield v. Michael T. Gmoser*, Southern District of Ohio Case No. 1:16-cv-00579.

**RESPONSE:**

 Respectfully submitted,

 /s/ Ryan J. McGraw

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 Ryan J. McGraw (0089436)

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 *Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served on Daniel Downey (ddowney@fishelhass.com) and Melanie Williamson (mwilliamson@fishelhass.com), Attorneys for Defendant, this 5th day of July, 2017 via electronic mail.

 /s/ Ryan J. McGraw

 Ryan J. McGraw (0089436)