

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE 22<sup>ND</sup> JUDICIAL CIRCUIT  
COUNTY OF McHENRY

PAUL DULBERG,

Plaintiff,

vs.

DAVID GAGNON, Individually, and as  
Agent of CAROLINE MCGUIRE and BILL  
MCGUIRE, and CAROLINE MCGUIRE  
and BILL MCGUIRE, Individually,

Defendants.

Case No. 12 LA 178

**ANSWER TO PLAINTIFF'S REQUEST TO PRODUCE BY  
DEFENDANTS BILL MCGUIRE AND CAROLINE MCGUIRE**

TO: Paul Dulberg  
c/o Attorney Hans A. Mast  
Law Offices of Thomas J. Popovich  
3416 West Elm Street  
McHenry, IL 60050

Defendants, BILL MCGUIRE AND CAROLYN MCGUIRE (improperly named Caroline),  
by and through their attorneys, Cicero, France, Barch & Alexander, PC, and for their Answer to  
Plaintiff's Request to Produce, state as follows:

1. All statements (oral, written, or transcribed, signed or unsigned) by parties to this action  
given to some person or entity other than their attorney or insurer.

**ANSWER:** None in Defendants' possession other than the typed statement of David  
Gagnon, which was included in Plaintiff's production response.

2. All statements (oral, written, or transcribed, signed or unsigned) from any person who:
  - a) Witnessed or claims to have witnessed the occurrence specified in the Plaintiff's  
Complaint;

- b) Was present at the scene of the occurrence;
- c) Has or claims to have knowledge of any of the facts of the occurrence specified in the Plaintiff's Complaint;
- d) Has or claims to have knowledge of the condition of the Plaintiff; or
- e) Has or claims to have knowledge of the location specified in the Plaintiff's Complaint.

**ANSWER:** (a) thru (e): See response to Request No. 1.

- 3. All photographs, slides, motion pictures, videotapes, or other photographic reproductions taken subsequent to the alleged occurrence of the Plaintiff, any physical objects involved in the occurrence, the scene of the occurrence, and/or the occurrence itself.

**ANSWER:** None, other than the photo copies that accompanied Plaintiff's production response.

- 4. All documents pertaining to the physical or mental condition of the Plaintiff prior and subsequent to the alleged occurrence including injuries sustained in other accidents

**ANSWER:** None, other than the medical records and bills and accompanied Plaintiff's production response.

- 5. Complete, unedited, and unabridged copies of any and all medical reports and documents pertaining to the Plaintiff, and purporting to diagnose, analyze and/or otherwise evaluate any and all injuries allegedly sustained by the Plaintiff in the occurrence specified in the Plaintiff's Complaint.

**ANSWER:** See response to Request No. 4.

- 6. Complete unedited, and unabridged copies of any and all police, accident or incident documents and reports, including any supplementary or reconstruction reports prepared in conjunction with the occurrence set forth in the Plaintiff's Complaint.

**ANSWER:** None in the Defendants' possession.

- 7. All documents, articles, papers and textbooks you intend to use during the trial of this cause.

**ANSWER:** Not determined yet.

8. All rules, regulations, bylaws, guidelines of any public authority, inspecting or reviewing authority or other private body, which you intend to use during the trial of this cause.

**ANSWER:** Not determined yet.

9. All reports or documents which may contain the opinions, theories, conclusions, or estimates regarding the condition of the Plaintiff existing both prior to and subsequent to the incident in question or the matters in question.

**ANSWER:** None in Defendants' possession at this time other than as reflected in the medical records that accompanied Plaintiff's production response.

10. All reports or documents which may contain the opinions, theories, conclusions, or estimates regarding the occurrence in question.

**ANSWER:** See response to Request No. 9.

11. A certified copy of all liability insurance policies and declaration pages that covered the Defendant for the acts or omissions, as alleged in the Plaintiff's Complaint including the policies of members of the Defendant's household.

**ANSWER:** Requested. Will be produced upon receipt.

12. Each and every document, record, report, writing memorandum, physical object and the like revealed or referenced in this Defendant's Answers to Supreme Court Rule 213

**ANSWER:** With the exception of Plaintiff's production response, the answering Defendants are not in possession of responsive documents at this time.

13. All maintenance or inspection schedules, records, logs, notes, charts, calendars, or other tangible evidence concerning the maintenance or inspection of the exterior of the premises described in the complaint including dates, locations, employees, and nature of such work.

**ANSWER:** No such documents exist.

14. All maintenance or inspection schedules, records, logs, notes, charts, calendars or other tangible evidence concerning the maintenance or work described in the complaint on the premises including dates, locations, employees, and nature of such work.

**ANSWER:** No such documents exist.

15. All incident reports, investigation or other tangible evidence concerning the accident alleged, witnesses etc.

ANSWER: Defendants remain in possession of the real property in question and also remain in possession of the subject chain saw and associated manual.

16. Preserve and maintain the chain saw and any other instrumentalities of the accident or scene.

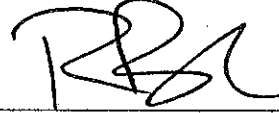
ANSWER: No response required.

17. Any written invoices, payments or writings concerning hiring, retaining for use of David Gagnon for work at the premises.

ANSWER: No such documents exist.

CAROLYN MCGUIRE and BILL MCGUIRE,  
Defendants, by their attorneys,  
CICERO, FRANCE, BARCH & ALEXANDER, P.C.,

By




RONALD A. BARCH (6209572)

Cicero, France, Barch & Alexander, P.C.  
6323 East Riverside Blvd.  
Rockford, IL 61114  
815/226-7700  
815/226-7701 (fax)

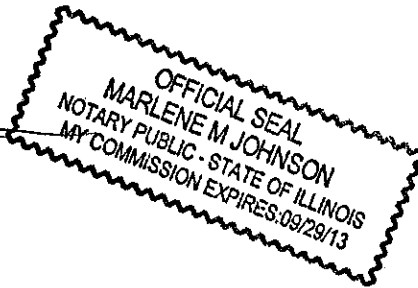
STATE OF ILLINOIS                    )  
  ) SS  
COUNTY OF WINNEBAGO            )

RONALD A. BARCH, being first duly sworn on oath, deposes and states that he is one of the attorneys for the Defendants, BILL McGUIRE and CAROLYN McGUIRE, that he has read the foregoing Answer signed by him; that the allegations as to insufficient knowledge are true to the best of his knowledge and belief.

  
\_\_\_\_\_  
RONALD A. BARCH

Subscribed and sworn to before  
me on 8/6/12.

  
\_\_\_\_\_  
Notary Public



**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing document was served upon:

Attorney Hans A. Mast  
Law Offices of Thomas J. Popovich  
3416 West Elm Street  
McHenry, IL 60050

by depositing the same in the United States Post Office Box addressed as above, postage prepaid,  
at Rockford, Illinois, at 5:00 o'clock p.m. on 8/6/12.

  
\_\_\_\_\_

Cicero, France, Barch & Alexander, P.C.  
6323 East Riverside Blvd.  
Rockford, IL 61114  
815/226-7700  
815/226-7701 (fax)