

IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, MARYLAND

, Individually, and as
Father and Next Friend of
, a Minor

Plaintiff,

Civil No.

v.

, et al.

**DEFENDANT ERIE INSURANCE EXCHANGE'S
ANSWERS TO PLAINTIFF'S INTERROGATORIES**

COMES NOW, Erie Insurance Exchange, by and through counsel,
, Esquire and , Chartered, and in answer to the
Interrogatories Plaintiff propounded upon them, states the following:

The information supplied in these Answers to Interrogatories is not based solely on the knowledge of the executing party, but includes knowledge of the party's agents, representatives and attorneys, unless privileged.

The word use and sentence structure is that of the attorney and does not purport to be the exact language of the executing party.

Answers

1. Were the Plaintiff's beneficiaries under an automobile insurance policy issued by you which provided monetary benefits to the Plaintiffs in the event they were injured in an automobile collision due to the negligence of an unidentified/uninsured motorist?

ANSWER: Yes.

2. Please identify any and all automobile insurance policies by policy number, date of issuance and extent of coverage that covered the Plaintiffs for injuries they sustained by an uninsured/underinsured driver for an automobile accident that occurred on March 4, 2007, on New Hampshire Avenue, just past its intersection with Georgia Avenue, in the State of Maryland, and attach to your answers a copy of the

policy(ies).

ANSWER: Policy Number _____, effective dates 11/5/06 - 11/5/07;

UMBI limits of 100/300.

3. Did the Plaintiff make a request of you for benefits under an automobile insurance policy that provided monetary benefits to the Plaintiffs in the event they were injured in an automobile collision caused by an uninsured/underinsured driver on March 4, 2007, on New Hampshire Avenue, just past its intersection with Georgia Avenue, in the State of Maryland?

ANSWER: The Plaintiff did make application for PIP benefits. It does not appear that the Plaintiffs made application for UM/UIM benefits prior to the filing of this suit.

4. Please state each and every reason you have for which you have failed to provide monetary benefits to the Plaintiffs for injuries they received in an automobile collision that occurred on March 4, 2007, under the uninsured/underinsured provision of the automobile policy in question.

ANSWER: PIP benefits were paid to/on behalf of the Plaintiffs. Plaintiffs have not yet proven their entitlement to benefits under the UM/UIM portion of the applicable policy.

5. If you claim that the Plaintiffs have not met all contractual prerequisites in order to make the claim through you for monetary benefits for the injuries they received in an automobile collision that occurred on March 4, 2007, please state the factual basis for this contention.

ANSWER: This Defendant does not contend that coverage is not available. However, Plaintiffs have not yet proven their entitlement to benefits under the UM/UIM portion of the policy.

6. Please state any and all reasons for denying the Plaintiffs' claim for benefits under an automobile insurance policy issued by you which provided uninsured/underinsured motorist benefits to the Plaintiffs.

ANSWER: See Answers to previous Interrogatories.

7. If you claim any of the medical bills and treatment generated and rendered to the Plaintiffs as a result of the automobile collision on March 4, 2007, were unreasonable or unnecessary, please state the factual basis for this contention.

ANSWER: OBJECTION. The Defendant is not required to claim one way or another in this regard. The Plaintiffs have the burden of proof as to all elements of their claims.

8. Please identify any and all expert witnesses you intend to call at trial, the opinions to be rendered and the factual basis for each opinion along with the compensation paid to each expert.

ANSWER: Unknown at this time. This Answer will be supplemented as discovery proceeds.

9. If you intend to offer any opinions at trial without the presence of the expert, please identify each and every report, the content and factual basis of each opinion and the amount of compensation paid to the expert for the rendered opinion.

ANSWER: Unknown at this time. This Answer will be supplemented as discovery proceeds.

10. Please list any and all persons you intend to call as witnesses at trial and the testimony you intend to elicit from each such witness.

ANSWER: Unknown at this time. This Answer will be supplemented as discovery proceeds and in accordance with the Court's Pretrial Order.

11. If you have any written or recorded statements by any person relative to the accident at bar, please indicate the date and time each statement was obtained, name and address of each person who provided the statement the contents of the same and the current custodian of same.

ANSWER: Plaintiff provided a recorded statement to a representative of Erie Insurance on 3/9/07. A copy of the transcript of that statement is attached hereto.

12. Please state each and every factual and legal defense you intend to raise in response to the Plaintiffs' claim at bar.

ANSWER: Defenses are set forth in the Answer to the Complaint. This Answer may be supplemented as discovery proceeds.

13. Please indicate how you contend that the automobile collision at bar occurred to include the speed of the vehicles involved in the collision, the direction of travel, and the status of any traffic control devices at the location of the accident.

ANSWER: This Defendant has no personal knowledge as to how the alleged incident occurred.

14. Do you agree that the identify of the driver of the vehicle that drove right of center, crossed the traffic control device and crashed head-on into the Plaintiffs' vehicle, is not identified and, therefore, was not covered by an insurance policy that would provide sufficient monetary benefits to the Plaintiffs for injuries and damages they sustained in the collision?

ANSWER: No.

15. Please indicate any and all efforts you undertook to verify whether there were any automobile insurance policies in effect that would cover the losses sustained by the Plaintiffs arising out of the automobile collision on March 4, 2007, the results of that investigation and the names and addresses of all persons who have knowledge of the investigation.

ANSWER: Progressive Insurance has indicated that it provided insurance coverage for the vehicle owned or operated by Defendant which was allegedly involved in the incident which is the subject of this action.

I DO SOLEMNLY AFFIRM AND DECLARE UNDER PENALTY OF PERJURY THAT THE CONTENTS OF THE FOREGOING DOCUMENT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.