

**GWINNETT COUNTY STATE COURT
STATE OF GEORGIA**

Patricia Salmada Prilata,
Plaintiff,

v.

**Wal-Mart Stores East, LP,
John Does, Edward Liu, and Samson Lamb,**

Defendants.

Civil Action File No.:

Not-yet-assigned

PLAINTIFF’S FIRST REQUEST FOR ADMISSIONS TO DEFENDANTS

COMES NOW, PATRICIA SALMADA PRILATA, Plaintiff in the above-styled case and, pursuant to the provisions of O.C.G.A. § 9-11-36, propounds these Requests for Admissions to WAL-MART STORES, EAST, LP. Defendant is required to answer under oath the following admissions no later than thirty (30) days from the date of service, as provided by law, and certify that a copy of same be sent to the Plaintiff’s attorney. In answering the following requests for admissions, you are requested to admit or deny the requests based upon your personal knowledge, as well as that of any agents, employees, investigators, or attorneys who may have obtained information on your behalf.

I. DEFINITIONS AND INSTRUCTIONS

In addition to Georgia’s Civil Practice Act and the Local Rules of this Court, the following definitions and instructions apply to these requests:

1. “Defendant” shall refer to Wal Mart Stores East LP.
2. “Plaintiff” shall refer to Patricia Salmada Prilata.

3. The words “or,” “and,” “all,” “any,” “each,” “one or more,” “including,” and similar words of guidance are intended merely as such, and should not be construed as words of limitation. The words “or” and “and” shall include each other whenever possible to expand, not restrict, the scope of the request.
4. Reference to the singular in any of these requests shall also include a reference to the plural, and reference to the plural also shall include a reference to the singular.
5. As to each statement, Plaintiff shall specifically admit or deny the statement. If denied, the denial must fairly meet the substance of the requested admission. If Plaintiffs qualify their answer or deny any part of the matter for which admission is requested Plaintiff admit so much of the statement as is true and qualify or deny the remainder.
6. If Plaintiffs object that a term or phrase is vague or ambiguous, Plaintiff shall respond with its understanding of the term or phrase and specifically admit or deny the statement.
7. These admissions shall be deemed continuing, and supplemental responses shall be required as set forth in O.C.G.A. § 9-11-26(e).

II. REQUEST FOR ADMISSIONS

1. Admit that Wal-Mart Stores East, LP (“Wal-Mart”) is a foreign, for-profit corporation that transacts business in Georgia and maintains its registered office in Gwinnett County at 1234 Edgewood Hwy, Edgewood, GA 30044 and subject to this court’s jurisdiction.
2. Admit that venue is proper in this case.
3. Admit that service of process is proper in this case.
4. Admit that there is no defect in the process issued in this case.
5. Admit that Edward Liu is a manager at Wal-Mart Stores located at 1234 Edgewood Hwy, Edgewood, GA 30044 (the “Premises”).

6. Admit that the premises were open and inviting customers to enter the premises for the purposes of purchasing goods on or around May 28, 2021.
7. Admit that on or around May 28, 2021, Plaintiff entered the premises as an invitee.
8. Admit that while walking down an aisle of snack foods, Plaintiff slipped in a puddle of water that had accumulated on the floor and fell to the ground.
9. Admit that the water was leaking from above the aisle.
10. Admit that there was no receptacle under the leak prior to Plaintiff's fall.
11. Admit that there was no marker or sign warning that there was a dangerous condition on the floor near the leak prior to Plaintiff's fall.
12. Admit that no photos of the area where Plaintiff fell were taken prior to her fall.
13. Admit that defendant has no store policy requiring store personnel to photograph an area whenever a leak is detected.
14. Admit that Defendant has no store policy requiring store personnel to photograph an area whenever they place a hazard or warning sign near a potentially dangerous condition.
15. Admit that Defendant has no store policy requiring store personnel to photograph an area whenever they place a receptacle under a leak to catch falling water.
16. Admit that the photograph that Ms. Wright-Little, Wal-Mart's claims agent, provided to Plaintiff on April 21, 2022, allegedly depicting the area where Plaintiff fell prior to her fall, was not dated or time-stamped.
17. Admit that there was nothing in the area to put Plaintiff on notice that water leaking from above had accumulated on the floor and created a dangerous situation.
18. Admit that Plaintiff did not contribute to her fall.
19. Admit that, as a result of this fall, Plaintiff suffered injury.

20. Admit that water had been leaking above the spot where Plaintiff fell long enough to accumulate and create a dangerous situation.
21. Admit that there was no Wal-Mart personnel on or near the aisle when Plaintiff slipped.
22. Admit that Wal-Mart personnel had not performed a recent inspection in the area where Plaintiff slipped.
23. Admit that the water had accumulated long enough to create a dangerous situation is evidence that Wal-Mart personnel had not performed a recent inspection in the area where Plaintiff fell.
24. Admit that this leak would have been discovered if the area had been inspected.
25. Admit that Wal-Mart personnel and management were aware that water had previously leaked onto the ground from above in the area where Plaintiff fell.
26. Admit that Wal-Mart has no evidence that the area where Plaintiff fell had been inspected shortly before she fell.
27. Admit that no Wal-Mart personnel had been attending or helping Plaintiff prior to her fall.
28. Admit that Plaintiff required medical treatment as a result of her fall.
29. Admit that the medical treatment rendered to Plaintiff was medically necessary due to Plaintiff's fall in Defendant's store.
30. Admit that the medical treatment rendered to Plaintiff was causally related to Plaintiff's fall at Defendant's store.
31. Admit that there is surveillance footage that shows the incident area before, during, and immediately after Plaintiff's fall.

32. Admit that Defendant is in possession of the surveillance footage that shows the incident area before, during, and immediately after Plaintiff's fall.
33. Admit that Edward Liu reviewed the surveillance footage of the incident on the incident date.
34. Admit that on **DATE**, Wal-Mart personnel informed Plaintiff that video surveillance of the area on the incident date did not exist.
35. Admit that Wal-Mart personnel immediately began to clean up the accumulated water with towels after Plaintiff fell.
36. Admit that Wal-Mart personnel placed a receptacle under the leak after Plaintiff fell.
37. Admit that Wal-Mart personnel placed a warning cone near the leak after Plaintiff fell.
38. Admit that Store Manager Edward Liu took a statement from Plaintiff moments after the incident.
39. Admit that Edward Liu drafted this incident report on an electronic tablet.
40. Admit that Plaintiff's daughter-in-law, Krelanda Devaroux, served as Plaintiff's interpreter to describe the incident to Edward Liu.
41. Admit that Edward Liu represented that the incident report he drafted only included the facts Plaintiff relayed to him via Krelanda Devaroux.
42. Admit that Edward Liu knew that Plaintiff did not speak or read English.
43. Admit that Plaintiff signed the electronic incident report created by Edward Liu while she was still at the Wal-Mart store.
44. Admit that Edward Liu did not give Plaintiff a copy of the incident report on the incident date.

45. Admit that Wal-Mart store policy mandates that a copy of an incident report be provided to the reporter upon request.

46. Admit that Plaintiff requested a copy of the incident report.