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SUPERIOR COURT, STATE OF WASHINGTON, COUNTY OF SPOKANE

YVETTE BENAVIDEZ, individually, and  
as Personal Representative of the Estate of  
Eloy Benavidez,  
  
Plaintiff,

**No. 22-2-01013-32**

PLAINTIFF’S FIRST REQUESTS FOR  
ADMISSION PROPOUNDED TO  
CONSTRUCTION AHEAD, INC., dba  
PAVEMENT SURFACE CONTROL

vs.

WASHINGTON STATE DEPARTMENT  
OF TRANSPORTATION, a Washington  
state agency; CENTRAL WASHINGTON  
ASPHALT, INC., a Washington  
corporation; PR SYSTEMS LLC, a  
Washington limited liability company;  
QUALITY PAVING, INC., a Washington  
corporation; CONSTRUCTION AHEAD,  
INC., dba PAVEMENT SURFACE  
CONTROL, a Washington corporation;  
SHAMROCK TRAFFIC, INC., a  
Washington corporation; NORTH STAR  
ENTERPRISES I, INC., a Washington  
corporation; DOE 1; DOE 2; DOE 3; DOE  
4; DOE 5,

Defendants.

**TO: Construction Ahead, Inc., dba Pavement Surface Control, Defendant**

These are Requests for Admission served upon you in accordance with  
Washington Superior Court Civil. Please respond to each of the following requests

1 separately and fully under oath within 30 days after the service of the request, except that  
2 a defendant may serve a response within 40 days after service of the summons and  
3 complaint upon that defendant.

4 Please deliver your complete answers to the law offices of Albrecht Law PLLC,  
5 5105 East Third Avenue, Suite 101, Spokane Valley, Washington 99212. These  
6 discovery requests impose a continuing duty upon you to furnish the information  
7 requested after providing your initial answers and responses.

8 These requests for admission are directed to the above-named party or parties and  
9 to their attorneys, and extend to all information of said party or parties, their attorney,  
10 their liability insurers, and their attorneys' and liability insurers' agents.

11 In transcribing your responses to these requests, room for them has been provided  
12 after each request. If there is insufficient room, please attach supplemental pages. If it  
13 would be more convenient for you to complete your answers and responses in the  
14 electronic version of this file, upon request the file will be provided via email.

15 If you do not admit or deny a matter, you must set forth in detail pursuant to the  
16 Civil Rules the reasons why you cannot truthfully admit or deny the matter. If objection  
17 is made to any request for admission, you must set forth in detail pursuant to the Civil  
18 Rules the reasons why you cannot truthfully admit or deny the matter. If objection is  
19 made to any request for admission, you must set forth in detail pursuant to the Civil Rules  
20 the reason and basis for the objection.

21 DATED April 4, 2022.

22  
23 ALBRECHT LAW PLLC  
24 Attorneys for Plaintiff

25  
26 By:  \_\_\_\_\_

27 Marye R. Scott, WSBA #55540  
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## DEFINITIONS

1. “You” or “your” means the party to whom these requests are directed and includes, if sent to a corporate entity or agency, your agents and employees.

2. “Incident” means the crash which occurred on or about May 5, 2019, on eastbound I-90 near Ritzville, WA, involving Eloy Benavidez who was driving his Harley-Davidson Motorcycle, license plate number 4NX742.

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**REQUESTS FOR ADMISSION:**

**INTERROGATORY NO. 1.** Please admit or deny that you were personally served with a copy of the Summons in the above captioned matter.

ANSWER: [ ] Admit  
                  [ ] Deny

EXPLANATION:

**INTERROGATORY NO. 2.** Please admit or deny that you were personally served with a copy of the Complaint in the above captioned matter.

ANSWER: [ ] Admit  
                  [ ] Deny

EXPLANATION:

**INTERROGATORY NO. 3.** Please admit or deny that your name as captioned in the Summons and Complaint is correct.

ANSWER: [ ] Admit  
                  [ ] Deny

EXPLANATION:

**INTERROGATORY NO. 4.** Please admit or deny that as of date of the Incident you were a resident of Washington.

ANSWER: [ ] Admit  
                  [ ] Deny

EXPLANATION:

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**INTERROGATORY NO. 5.** Please admit or deny that you are a proper party to this lawsuit, regardless of the merits of the Plaintiff's claims.

ANSWER: [ ] Admit  
[ ] Deny

EXPLANATION:

**INTERROGATORY NO. 6.** Please admit or deny that the Court in which the Plaintiff's Summons and Complaint were filed has subject matter jurisdiction over the Plaintiff's claims.

ANSWER: [ ] Admit  
[ ] Deny

EXPLANATION:

**INTERROGATORY NO. 7.** Please admit or deny that you are subject to personal jurisdiction in the Court in which the Plaintiff's Summons and Complaint were filed.

ANSWER: [ ] Admit  
[ ] Deny

EXPLANATION:

**INTERROGATORY NO. 8.** Please admit or deny that the venue is proper in the Court in which the Plaintiff's Summons and Complaint were filed.

ANSWER: [ ] Admit  
[ ] Deny

EXPLANATION:

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**INTERROGATORY NO. 9.** Please admit or deny that Plaintiff did not cause the Incident.

ANSWER: [ ] Admit  
[ ] Deny

EXPLANATION:

**INTERROGATORY NO. 10.** Please admit or deny that Plaintiff was driving lawfully immediately prior to the Incident.

ANSWER: [ ] Admit  
[ ] Deny

EXPLANATION:

**INTERROGATORY NO. 11.** Please admit or deny that other than those parties named in the Complaint in this case, there are no other persons or entities who caused and/or contributed to the Incident.

ANSWER: [ ] Admit  
[ ] Deny

EXPLANATION:

**INTERROGATORY NO. 12.** Please admit that this lawsuit was filed within the applicable statute of limitations.

RESPONSE: [ ] Admit  
[ ] Deny

EXPLANATION:

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**INTERROGATORY NO. 13.** Please admit that Eloy Benavidez passed

away due to injuries he sustained in the Incident.

RESPONSE: [ ] Admit  
                  [ ] Deny

EXPLANATION:

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STATE OF WASHINGTON )  
 ) ss.  
County of \_\_\_\_\_ )

\_\_\_\_\_ being first duly sworn on oath depose and say:

That s/he is the designated representative for Construction Ahead, Inc., dba Pavement Surface Control in the above-entitled action; that s/he has read the above and foregoing answers and responses, know the contents thereof and believe the same to be true.

\_\_\_\_\_  
By: \_\_\_\_\_  
Designated Representative for Construction Ahead, Inc., dba Pavement Surface Control

SIGNED AND SWORN to before me at \_\_\_\_\_,  
Washington this \_\_\_\_\_ day of \_\_\_\_\_, 2022, by \_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Print Name: \_\_\_\_\_  
Notary Public in and for the State of Washington, residing at \_\_\_\_\_  
\_\_\_\_\_  
My commission expires \_\_\_\_\_

ANSWERS AND OBJECTIONS SUBMITTED this \_\_\_\_\_ day of \_\_\_\_\_, 2022. The undersigned attorney has read the foregoing responses to these discovery requests, and certifies that they comply with CR 26(g).

By: \_\_\_\_\_  
\_\_\_\_\_, WSBA # \_\_\_\_\_  
Construction Ahead, Inc., dba Pavement Surface Control