

Exhibit A

Zausmer, Kaufman, August & Caldwell, P.C.
31700 Middlebelt Road, Suite 150, Farmington Hills, MI 48334-2374 • 721 N. Capitol, Suite 2, Lansing, MI 48906-5163

2. Admit that Plaintiff is not currently under any doctor's disabilities related to this accident. If your answer is anything less than a complete admission, please provide any and all documentation in support of your answer.

RESPONSE:

3. Admit that Plaintiff is currently working. If your answer is anything less than a complete admission, please provide and all documentation in support of your answer.

RESPONSE:

4. Admit that Plaintiff is able to work. If your answer is anything less than a complete admission, please provide any and all documentation in support of your answer.

RESPONSE:

Request for Production of Documents to Plaintiff

1. Copies of any and all medical records relating to injuries received as a result of the subject accident.

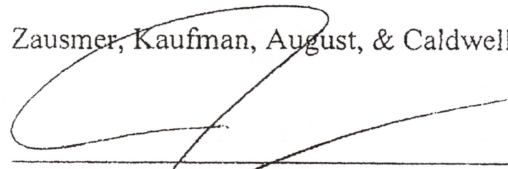
RESPONSE

2. Please produce copies of any and all photographs with regard to this accident.

RESPONSE

Defendants will pay reasonable photocopying costs for the documents produced.

Zausmer, Kaufman, August, & Caldwell, P.C.



JAMES C. WRIGHT (P67613)
Attorney for Defendant Efficient Design
31700 Middlebelt Road, Suite 150
Farmington Hills, MI 48334
(248) 851-4111

Dated: February 7, 2013

is receiving Medicare/Medicaid benefits. If so, please sign the enclosed authorization form, and submit with your Answers to these Interrogatories pursuant to MCR 2.310.

ANSWER:

5. Will you agree to supplement these answers throughout the course of discovery if any answer becomes incorrect?

ANSWER:

Zausmer, Kaufman, August & Caldwell, P.C.



JAMES C. WRIGHT (P67613)

Attorneys for Defendant Efficient Design
31700 Middlebelt Road, Suite 150
Farmington Hills, MI 48334
(248) 851-4111

Dated: February 7, 2013

Exhibit B

8. Plaintiff's Complaint is barred in whole or in part by the Doctrine of Release.
9. Plaintiff's Complaint is barred in whole or in part by the Last Clear Chance Doctrine.
10. Defendant maintains that it is entitled to reimbursement of costs and attorney fees pursuant to MCR 2.625(2) because the claims brought are frivolous within the meaning of that court rule.
11. Under the terms, conditions and provisions of the so-called No-Fault Act, MCLA 500.3101, et seq., Plaintiff may not recover against the Defendant for items of economic expense including, but not limited to, medical, hospital, drug bills, lost earnings and lost earning capacity.
12. Another person or entity is at fault, whether a party or non-party, and pursuant to MCL 600.2957 and MCR 2.112(K), fault must be allocated to them.
13. Venue is improper.
14. Sudden emergency.
15. Defendants are not an owner of the vehicle involved in the accident.
16. Defendant Culpert was not an agent of Defendant Efficient Design, Inc. and was not in the course and scope of his employment when the alleged accident occurred.
17. Further, Defendant reserves the right to file further Affirmative Defenses which may be revealed by discovery.

Zausmer, Kaufman, August & Caldwell, P.C.

/s/ James C. Wright

JAMES C. WRIGHT (P67613)
Attorneys for Defendant Efficient Design
31700 Middlebelt Road, Suite 150
Farmington Hills, MI 48334
(248) 851-4111

Dated: February 5, 3013

Exhibit C

Exhibit C

6477 Edgewood
Canton, MI 48187
June 24, 2013

Mr. James Wright
31700 Middlebelt Rd., Suite 150
Farmington Hills, MI 48334

Dear Mr. Wright,

Attached please find copies of fully executed authorizations to health care providers. Copies of certificates of mailing are attached to verify mailing on June 21, 2013.

Yours truly,

Signature
redacted

Tamara Filas

Received by: JL Scott

Date/time: 6-24-13 11:24Am

Exhibit D

Exhibit D pg. 1

REGISTER OF ACTIONS

CASE NO. 13-000652-NI

RELATED CASE INFORMATION

Related Cases

11-014149-NF (Prior Action)

PARTY INFORMATION

Defendant	CULPERT, KEVIN THOMAS	Lead Attorneys Ahmed M. Hassouna Retained (248) 764-1127(W)
Defendant	EFFICIENT DESIGN, INC.	James C. Wright Retained (248) 851-4111(W)
Plaintiff	Filas, Tamara	Pro Se
Plaintiff	FILAS, TAMARA	Daryle G. Salisbury Retained (248) 348-6820(W)

EVENTS & ORDERS OF THE COURT

OTHER EVENTS AND HEARINGS	
01/14/2013	Service Review Scheduled (Due Date: 04/15/2013) (Clerk: Tyler,F)
01/14/2013	Status Conference Scheduled (Clerk: Tyler,F)
01/14/2013	Case Filing Fee - Paid \$150.00 Fee Paid (Clerk: Tyler,F)
01/14/2013	Complaint, Filed (Clerk: Bynum,D)
02/06/2013	Answer to Complaint-with Jury Demand, Filed Proof of Service, Filed; Affirmative Defenses, Filed (Clerk: Tyler,F)
02/06/2013	Proof of Service, Filed (Clerk: Tyler,F)
02/07/2013	Request for Admissions, Filed (Clerk: Tyler,F)
02/12/2013	Appearance of Attorney, Filed (Clerk: Tyler,F)
02/19/2013	Service of Complaint, filed (Clerk: Tyler,F)
02/19/2013	Answer to Affirmative Defenses, Filed (Clerk: Tyler,F)
02/20/2013	Answer to Complaint-with Jury Demand, Filed Proof of Service, Filed; Affirmative Defenses, Filed (Clerk: Tyler,F)
02/20/2013	Witness List, Filed Proof of Service, Filed (Clerk: Tyler,F)
02/25/2013	Affirmative Defenses, Filed (Clerk: Tyler,F)
03/11/2013	Appearance of Attorney, Filed (Clerk: Tyler,F)
03/26/2013	Motion to Extend Time, Filed Fee: \$20.00 Paid; Brief, Filed; Proof of Service, Filed; Notice of Hearing, Filed (Clerk: Tyler,F)
04/03/2013	Notice of Hearing, Filed (Clerk: Tyler,F)
04/04/2013	Praeipice, Filed (Judicial Officer: Borman, Susan D.)
04/19/2013	Notice of Hearing, Filed (Clerk: Tyler,F)
04/19/2013	Motion to Compel Answers to Interrogatories, Filed Fee: \$20.00 Paid; Brief, Filed; Proof of Service, Filed; Notice of Hearing, Filed (Clerk: Tyler,F)
04/22/2013	Motion to Consolidate, Filed Fee: \$20.00 Paid; Brief, Filed; Proof of Service, Filed; Notice of Hearing, Filed (Clerk: Tyler,F)
04/24/2013	Praeipice, Filed (Judicial Officer: Borman, Susan D.)
04/24/2013	Notice of Hearing, Filed (Clerk: Tyler,F)
04/26/2013	CANCELLED Motion Hearing (9:00 AM) (Judicial Officer: Borman, Susan D.)

Exhibit D pg. 2

04/29/2013 **Scheduling Error**
 Scheduling Error
 04/12/2013 Reset by Court to 04/26/2013

04/29/2013 **Miscellaneous Motion, Filed**
 Fee: \$20.00 Paid; Brief, Filed; Proof of Service, Filed; Notice of Hearing, Filed (Clerk: Tyler,F)

04/30/2013 **Motion to Compel Action, Filed**
 Fee: \$20.00 Paid; Brief, Filed; Proof of Service, Filed; Notice of Hearing, Filed (Clerk: Tyler,F)

05/01/2013 **Praecipe, Filed** (Judicial Officer: Borman, Susan D.)

05/02/2013 **Status Conference** (9:30 AM) (Judicial Officer Borman, Susan D.)
 04/15/2013 Reset by Court to 04/19/2013
 04/19/2013 Reset by Court to 04/23/2013
 04/23/2013 Reset by Court to 05/02/2013
 Result: Held

05/02/2013 **Motion Hearing** (9:30 AM) (Judicial Officer Borman, Susan D.)
 Plaintiff - Plaintiff's Motion for Continuance
 04/12/2013 Reset by Court to 04/26/2013
 04/26/2013 Reset by Court to 05/03/2013
 05/03/2013 Reset by Court to 05/02/2013
 Result: Held

05/02/2013 **Motion Hearing** (9:30 AM) (Judicial Officer Borman, Susan D.)
 Defendant Efficient Design - Motion to Compel Discovery From Plaintiff
 05/10/2013 Reset by Court to 05/02/2013
 Result: Held

05/02/2013 **Status Conference Scheduling Order, Signed and Filed** (Judicial Officer: Borman, Susan D.)
 s/c 12-10, w/l 7-11, disc 10-13, ce 10-28, 2nd s/c 12-16 (Clerk: Smith,P)

05/02/2013 **Motion Denied, Order to Follow** (Judicial Officer: Borman, Susan D.)
 denied continuance (Clerk: Smith,P)

05/02/2013 **Motion to Compel Action Granted, Order to Follow** (Judicial Officer: Borman, Susan D.)
 (Clerk: Smith,P)

05/02/2013 **Motion to Withdraw as Attorney Granted, Order to Follow** (Judicial Officer: Borman, Susan D.)
 (Clerk: Smith,P)

05/02/2013 **Status Conference Scheduling Order, Signed and Filed**
 (Clerk: Tyler,F)

05/02/2013 **Status Conference Scheduling Order, Signed and Filed** (Judicial Officer: Borman, Susan D.)

05/03/2013 **CANCELED Motion Hearing** (9:00 AM) (Judicial Officer Borman, Susan D.)
 Dismiss Hearing or Injunction
 Dismiss Hearing or Injunction

05/03/2013 **Appearance of Attorney, Filed**
 (Clerk: Tyler,F)

05/03/2013 **Order for Miscellaneous Action, Signed and Filed**
 (Clerk: Tyler,F)

05/06/2013 **Settlement Conference Scheduled**
 (Clerk: Fowler,R)

05/06/2013 **Notice of Hearing, Filed**
 (Clerk: Tyler,F)

05/10/2013 **Notice of Hearing, Filed**
 (Clerk: Tyler,F)

06/06/2013 **Answer to Motion, Filed**
 (Clerk: Tyler,F)

06/10/2013 **Notice of Hearing, Filed**
 (Clerk: Tyler,F)

06/14/2013 **Motion to Vacate Order, Filed**
 Fee: \$20.00 PAID (Clerk: Tyler,F)

06/14/2013 **Motion to Compel Action, Filed**
 Fee: \$20.00 Paid; Brief, Filed; Proof of Service, Filed; Notice of Hearing, Filed (Clerk: Tyler,F)

06/17/2013 **Answer to Motion, Filed**
 (Clerk: Tyler,F)

06/17/2013 **Answer to Motion, Filed**
 (Clerk: Tyler,F)

06/18/2013 **Answer to Motion, Filed**
 (Clerk: Tyler,F)

06/19/2013 **Answer to Motion, Filed**
 (Clerk: Tyler,F)

06/19/2013 **Praecipe, Filed** (Judicial Officer: Borman, Susan D.)

06/19/2013 **Praecipe, Filed** (Judicial Officer: Borman, Susan D.)

06/19/2013 **Praecipe, Filed** (Judicial Officer: Borman, Susan D.)

06/19/2013 **Answer to Motion, Filed**
 (Clerk: Tyler,F)

6/24/13

<https://cmspublic.3rdcc.org/CaseDetail.aspx?CaseID=2300181>

Exhibit D pg. 3

- 06/21/2013 **Motion Hearing** (9:00 AM) (Judicial Officer Borman, Susan D.)
df Efficent design mtn to compel
Result: Held
- 06/21/2013 **Motion Hearing** (9:00 AM) (Judicial Officer Borman, Susan D.)
Defendant - Defendant's Motion to Compel Answers to Interrogatories and Production of Documents
Result: Held
- 06/21/2013 **Motion Hearing** (9:00 AM) (Judicial Officer Borman, Susan D.)
Plaintiff - MOTION TO COMPEL DEFENDANT TO RETURN INADVERTENTLY PRODUCED DISCOVERY MATERIALS
06/28/2013 Reset by Court to 06/21/2013
Result: Held
- 06/21/2013 **Motion Hearing** (9:00 AM) (Judicial Officer Borman, Susan D.)
Plaintiff - MOTION TO VACATE PROTECTIVE ORDER
06/28/2013 Reset by Court to 06/21/2013
Result: Held
- 06/21/2013 **Order for Miscellaneous Action, Signed and Filed**
(Clerk: Tyler,F)
- 06/21/2013 **Motion to Compel Action Granted, Order to Follow** (Judicial Officer: Borman, Susan D.)
(Clerk: Smith,P)
- 06/21/2013 **Motion to Compel Action Granted, Order to Follow** (Judicial Officer: Borman, Susan D.)
(Clerk: Smith,P)
- 06/21/2013 **Motion for Discovery Granted, Order to Follow** (Judicial Officer: Borman, Susan D.)
return discovery paper work (Clerk: Smith,P)
- 06/21/2013 **Motion Denied, Order to Follow** (Judicial Officer: Borman, Susan D.)
denied mtn to vacate (Clerk: Smith,P)
- 06/21/2013 **Witness List, Filed**
Proof of Service, Filed (Clerk: Tyler,F)
- 10/23/2013 **Case Evaluation - General Civil**
(Clerk: Fowler,R)
- 12/10/2013 **Settlement Conference** (9:30 AM) (Judicial Officer Borman, Susan D.)

Exhibit E

Align top of FedEx Express Shipping Label here

Exhibit E

Ship Date: 21 JUN 13
ActWgt: 1.0 LB
CAD: 103129091/INET3370

Delivery Address Bar Code



Ref # 9470-00121
Invoice #
PO #
Dept #

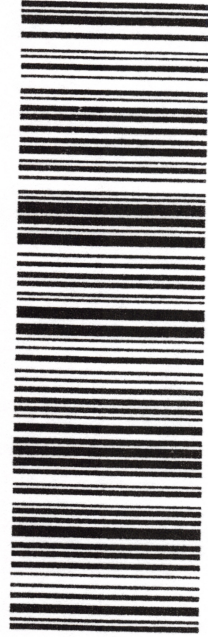
MON - 24 JUN 3:00P
STANDARD OVERNIGHT

TRK# 7960 6816 0170

0201

48187
MI-US
DTW

66 NFBA



518G10/7783AB

Origin ID: DEOA

From: (248) 851-4111
James C. Wright
ZKACT, P.C.
31700 Middlebelt Road
Suite 150
Farmington Hills, MI 48334



11311307120396

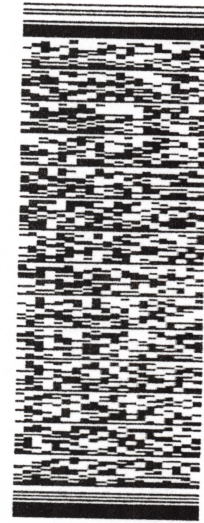
BILL SENDER

SHIP TO: (734) 751-0103

Tamara Filas

6477 Edgewood

CANTON, MI 48187



Align bottom of Peel and Stick Airbill or Pouch here.

Exhibit F

Exhibit F

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF WAYNE

TAMARA FILAS,

Plaintiff,

v.

Case No. 13-000652-NI
Honorable Susan D. Borman

KEVIN THOMAS CULPERT and
EFFICIENT DESIGN, INC.,
A Michigan Corporation,

Defendants.

TAMARA FILAS
In Pro Per
6477 Edgewood Road
Canton, MI 48187

JAMES C. WRIGHT (P67613)
Zausmer, Kaufman, August & Caldwell, P.C.
Attorneys for Defendant Efficient Design
31700 Middlebelt Road, Suite 150
Farmington Hills, MI 48334
(248) 851-4111//fax (248) 851-0100
jwright@zkac.com

AHMED M. HASSOUNA (P67995)
Law Offices of Mark E. Williams
Attorney for Defendant Culpert
340 E. Big Beaver, Suite 250
Troy, MI 48083
(248) 764-1127
Ahmed_M_Hassouna@Progressive.com

MICHAEL CHARLES O'MALLEY (P59108)
Vandever Garzia
Co-Counsel for Defendant Efficient Design
1450 W Long Lake Road, Suite 100
Troy, MI 48098
(248) 312-2940//fax (248) 267-1242
momalley@vgplaw.com

**DEFENDANT EFFICIENT DESIGN, INC.'S REQUEST FOR PRODUCTION OF
DOCUMENTS TO PLAINTIFF**

NOW COMES the Defendant, Efficient Design, Inc., by and through its attorneys,
Zausmer, Kaufman, August & Caldwell, P.C., hereby requests production of documents from
Plaintiff pursuant to MCR 2.310, to be delivered to our office within twenty-eight (28) days after
service of this request.

The following documents are requested:

Exhibit G



Accounting of Disclosures through 7/10/2012
 {Patient ID: REDACTED} as of 7/10/2012 12:37:21 PM

Name	ROI#	Patient ID	Recipient	PHI	Reason	Date/By	Status
<u>Filas, Tamara</u> DOB REDACTED	573-350441		Tamara Filas	UMHS Form: Outpatient Package, 2/17/11 to 4/1/11	Patient Requests Record	4/1/2011 Martin, Donna	Printed 04/01/2011 Pgs: 15
<u>Filas, Tamara</u> DOB REDACTED	573-340146		Tamara Filas	Emergency Room Information, Labs, UMHS Form: Outpatient Package, 01/15/2010-02/16/2011	Continuation of Care - STAT	2/16/2011 Suma, Cobinaba	Printed 02/16/2011 Pgs: 129
<u>Filas, Tamara</u> DOB REDACTED	573-358183		Tamara Filas	Office Visit Notes, 03/28/2011 - 05/04/2011	Patient Requests Record	5/4/2011 Whitman, Chantal	Printed 05/04/2011 Pgs: 8

3 found



July 11, 2012

Tamara Filas
6477 Edgewood
Canton, MI 48187

Dear Ms. Filas:

In response to your request for an Accounting of Disclosures, the only disclosures that were made, were to yourself and to your physician, Dr. Wardner. These disclosures were made on June 25 and consisted of the report of your evaluation that took place on June 20th. Attached are the related documents you signed in regards to this evaluation.

If you have any further questions, please feel free to contact me at 734-712-3533.

Sincerely,

Signature redacted

✓ Jodie Swan, RHIT
Manager, Health Information Management
Saint Joseph Mercy Health System

6477 Edgewood
Canton, MI 48187
June 29, 2012

REC'D JUL 03 2012

Henry Ford West Bloomfield Hospital
Attn: Medical Records
6777 West Maple Road
West Bloomfield, MI 48322

RE: Accounting of Disclosures for Tamara Filas, **DOB REDACTED**

Dear Health Information Services Representative,

I am requesting a copy of the Accounting of Disclosures to determine to whom my medical records have been released to date. ✓ *to ~~the~~ patient - herself*

I am also requesting a copy of the relevant authorization forms that I signed to release the records to the persons or entities listed in the Accounting of Disclosures. ✓ *attached*

The information can be faxed to 734-981-0449. Please leave a message at 734-751-0103 when it has been faxed. If there is a charge, please call me at 734-751-0103 so I can make a payment.

Yours truly,

Signature
redacted

Tamara Filas

*Jan 1, 2011 -
22 documents were
requested and released
to you -
This has been the ~~the~~ only
release of your records -
7-3-12 Rachel Prosser, RHIT*

Exhibit H



Deposition of Kevin Culpert

T Filas <e-mail redacted>

Fri, Aug 2, 2013 at 11:56 AM

To: jwright@zkact.com, momalley@vgpclaw.com, Ahmed_M_Hassouna@progressive.com

Déar Mr. Wright, Mr. Hassouna, and Mr. O'Malley,

On June 21, 2013, Judge Borman indicated that she wanted Kevin Culpert deposed to determine whether or not he was in the scope of his employment when the accident occurred. Have you deposed Mr. Culpert? If yes, did the deposition reveal that Mr. Culpert was in the scope of his employment at the time of the accident?

Thank you for your prompt reply.

Yours truly,

Tamara Filas



Deposition of Kevin Culpert

Ahmed M Hassouna <Ahmed M Hassouna@progressive.com>

Fri, Aug 2, 2013 at 12:02 PM

To: T Filas e-mail redacted "jwright@zkact.com" <jwright@zkact.com>, "momalley@vgpclaw.com" <momalley@vgpclaw.com>

Ms. Filas:

The Court dismissed your case. My client will not be deposed.

Ahmed M. Hassouna, Esq.

The Law Offices of Williams & Baranski

Salaried Employees of Progressive Casualty Insurance Company

340 East Big Beaver Road, Suite 250

Troy, MI 48083

Direct: (248) 764-1140

Cell: (586) 291-4260

Fax: (248) 457-0385

ahmed_m_hassouna@progressive.com

PLEASE NOTE OUR NEW ADDRESS AND PHONE NUMBERS ABOVE EFFECTIVE 8/20/12

CONFIDENTIALITY NOTICE:

This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. Section 2510-2521 and is legally privileged. The information contained in this email is confidential and/or privileged. This email is intended to be reviewed by only the individual or organization named above. If you are not the intended recipient, you are hereby notified that any review, dissemination or copying of this email and its attachments, if any, or the information contained herein is prohibited. If you have received this email in error, please immediately notify the sender by return email and delete this email from your system.

From: T Filas [mailto:e-mail redacted]

Sent: Friday, August 02, 2013 11:57 AM

To: jwright@zkact.com; momalley@vgpclaw.com; Ahmed M Hassouna