

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA**

AF HOLDINGS, LLC	:	
	:	
Plaintiff,	:	
	:	Civil Action No.
v.	:	2:12-cv-00262-WCO
	:	
RAJESH PATEL,	:	
	:	
Defendant.	:	

**DEFENDANT’S REVISED FIRST REQUEST FOR ADMISSIONS**

Pursuant to Fed. R. Civ. 36, Defendant hereby requests that Plaintiff respond to the following Requests for Admissions:

**INSTRUCTIONS**

Respond to the following statements with either “admitted” or “denied” or a qualified statement, but only if a qualified statement is essential to providing an accurate response to an otherwise imperfect request for admission. See generally Tequila Centinela, S.A. de C.V. v. Bacardi & Co. Ltd., 247, F.R.D. 198, 203 (D.D.C. 2008) (compound questions require a compound response). However, do not qualify an answer based on the “information and belief” of Plaintiff. See generally Interland, Inc. v. Bunting, 2005 WL 2414990 \* 11 (N.D. Ga. 2005). A reasonable investigation must be conducted before responding. See generally M & T Mortg. Corp. v. Miller, 2008 WL 4163141 (E.D. N.Y. 2008) (party’s failure to

inspect records in possession of third parties but to which the party had access resulted in requests being deemed admitted). This duty includes but is not limited to consulting any documents or other information within Plaintiff's custody or control. See generally Bouchard v. U.S., 241 F.R.D. 72, 76-77 (D. Me. 2007); Concerned Citizens of Belle Haven v. Belle Haven Club, 223 F.R.D. 39, 44 (D. Conn. 2004) (inquiry may, in limited circumstances, extend to non-parties). The duty also includes inquiring of an expert. See generally Drutis v. Rand McNally & Co., 236 F.R.D. 325, 331 (E.D. Ky. 2006). If a lack of knowledge is claimed, specifically state such under oath and specify the steps taken in attempting to response. See generally Rule 36(a) advisory committee's note (1970) & 37(c)(2), House v. Giant of Maryland LLC, 232 F.R.D. 257, 262 (E.D. Va. 2005), and Interland at \*10. If a request is supposedly "vague or ambiguous," it is advisable to confer with Defendant's counsel prior to responding. See generally TK Power, Inc. v. Textron, Inc., 2006 WL 733494 \* 6 (N.D. Cal. 2006).

### **REQUESTS**

1. Admit that the attached e-mail and any attachments thereto attached as Exhibit 001 are authentic.
2. Admit that the attached e-mail and any attachments thereto attached as Exhibit 002 are authentic.

3. Admit that the attached e-mail and any attachments thereto attached as Exhibit 003 are authentic.

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100. Admit that the attached e-mail and any attachments thereto attached as Exhibit 100 are authentic.

This 30 day of July, 2013:

2483 Shoals Ter.  
Decatur, GA 30034  
404-579-9668  
No Fax Number  
[bchintel1@gmail.com](mailto:bchintel1@gmail.com)

**BLAIR CHINTELLA**

A handwritten signature in black ink, appearing to read "Blair Chintella", written over a horizontal line.

Georgia Bar No. 510109  
Attorney for Defendant