

IN THE COUNTY COURT OF THE
SEVENTH JUDICIAL CIRCUIT IN
AND FOR FLAGLER COUNTY,
FLORIDA CIVIL DIVISION

CASE NO: 2022 CA 000662

RANDY PIRES,

Plaintiff,

vs.

FLAGLER COUNTY SCHOOL
DISTRICT,

Defendant.

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PLAINTIFF'S RESPONSE TO REQUEST FOR ADMISSIONS

Plaintiff, RANDY PIRES, by and through the undersigned attorney, responds to the Request for Admissions of the Defendant, FLAGLER COUNTY SCHOOL DISTRICT, served on September 5, 2023, as follows:

1. Admit that the video provided in Defendant's Amended Response to Plaintiff's Request To Produce No. 16 (hereafter "the video") is a recording of the incident alleged in your Complaint.

Admitted.

2. Admit that the beginning of the video has, "Belle Terre Pkwy / Royal Palms PK" in white letters on a black background in the top-left section of the video.

Admitted.

3. Admit that the video lists "02/26/2021" in white letters on a black background in the bottom-right section of the video.

Admitted.

4. Admit that at the beginning of the video "16:06:27" is listed in white letters on a black background in the bottom-right section of the video.

Admitted.

5. Admit that at the end of the video it lists “16:06:36” in white letters on a black background in the bottom-right section of the video.

Admitted.

6. Admit that the video is a fair and accurate depiction of the collision described in Paragraph 8 of your Complaint.

Admitted.

7. Admit that the video is a fair and accurate depiction of the event(s) at issue between yourself and the Flagler County School District employee.

Admitted.

8. Admit that the video is a fair and accurate depiction of the interactions between yourself and the Flagler County School District employee.

Admitted.

9. Admit that the collision alleged in your Complaint occurred on February 26, 2021 (hereafter “the date of the collision”).

Admitted.

10. Admit that you have never been involved in another collision with a Flagler County School District employee outside of the date of the collision alleged in your Complaint.

Denied.

11. Admit that you were driving a Honda 919 motorcycle that was at least partially some shade of yellow at the time of the collision alleged in your Complaint.

Admitted.

12. Admit that you were traveling southbound on Belle Terre Parkway at the time of the collision alleged in your Complaint.

Admitted.

13. Admit that you were operating your motor vehicle on or near Belle Terre Parkway at approximately 4:07 PM at the time of the collision alleged in your Complaint.

Denied.

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14. Admit that you are the driver of the motorcycle depicted in the video.

Admitted.

15. Admit that the collision referenced in your Complaint occurred north of the intersection of Belle Terre Parkway and Royal Palms Parkway.

Admitted.

16. Admit that, prior to the collision alleged in your Complaint, you were driving in the westernmost southbound lane of Belle Terre Parkway.

Admitted that prior to the Dodge Caravan trying to change lanes directly in front of Plaintiff causing Plaintiff to take evasive action Plaintiff was driving in the westernmost southbound lane of Belle Terre Parkway.

17. Admit that at the time of the collision alleged in your Complaint, a white Dodge Caravan was located in the center lane of southbound traffic on Belle Terre Parkway.

Admitted that the white Dodge Caravan was located in the left lane of travel that continued straight through the light, which is the center lane in the video.

18. Admit that prior to the collision alleged in your Complaint, your vehicle traveled into the lane to your left, which was the center lane of Belle Terre Parkway.

Admitted that when Plaintiff's vehicle travelled into the left lane of travel that continued straight through the light, which is the center lane in the video.

19. Admit that the video shows that when you entered the center lane you were located behind the Dodge Caravan.

Admitted that when Plaintiff entered the left lane of travel that continued straight through the light it was located behind the Dodge Caravan.

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20. Admit that upon you entering the center lane of Belle Terre Parkway, or shortly thereafter, you collided with the rear portion of a white Dodge Caravan.

Admitted that the Dodge Caravan slowed and stopped in the left lane of travel that continued straight through the light for no reason well short of the stop bar after trying to change lanes directly in front of Plaintiff causing Plaintiff to take evasive action and ultimately colliding with the rear portion of the Dodge Caravan.

21. Admit that the video shows the impact of the motorcycle you were driving with the white Dodge Caravan.

Admitted.

22. Admit that the video shows that the Dodge Caravan was located in the center lane on southbound Belle Terre Parkway prior to the collision.

Admitted that the Dodge Caravan was located in the left lane of travel that continued straight through the light, which is the middle lane at the intersection.

23. Admit that the video shows that when you entered the lane to your left the Dodge Caravan was proceeding straight in its lane.

Denied

24. Admit that the video shows that the Dodge Caravan never entered another lane during the collision.

Denied.

25. Admit that at no point during the movement of the Dodge Caravan shown in the video does the Dodge Caravan ever obstruct the westernmost lane of southbound traffic on Belle Terre Parkway.

Denied.

26. Admit that you collided with the rear portion of the Dodge Caravan.

Admitted that the Dodge Caravan slowed and stopped in the left lane of travel that continued straight through the light for no reason well short of the stop bar after trying to change lanes directly in front of Plaintiff causing Plaintiff to take evasive action and ultimately colliding with the rear portion of the Dodge Caravan.

27. Admit that at the moment of the vehicles' impact, the Dodge Caravan you collided with was entirely in the middle lane on southbound Belle Terre Parkway.

Admitted that the Dodge Caravan slowed and stopped in the left lane of travel that continued straight through the light for no reason well short of the stop bar after trying to change lanes directly in front of Plaintiff causing Plaintiff to take evasive action and ultimately colliding with the rear portion of the Dodge Caravan.

28. Admit that at the time you entered the center lane of traffic there was space in the westernmost southbound lane of Belle Terre Parkway for your vehicle to proceed forward at a reasonable speed.

Denied

29. Admit that if you had not changed lanes, this collision would not have occurred.

Denied

30. Admit that the video is a fair and accurate depiction of the collision described in Paragraph 8 of your Complaint.

Admitted.

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 18th day of September, 2023, I electronically filed the foregoing with the Clerk of the Courts by using the Florida Courts eFiling Portal. I further certify that Pursuant to Rule 2.516(b)(1) I forwarded the foregoing this same day via Email to: David M. Delaney, Esq., and Ayanna A. Hypolite, Esq., - Weiss Serota Helfman Cole + Bierman, P.L., 2631 NW 41st St., Suite B, Gainseville, FL 32606 (DDelaney@wsh-law.com, AHypolite@wsh-law.com, LCampbell@wsh-law.com, LPaz@wsh-law.com).

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/s/ Jacob Barrow

Jacob Barrow, Esquire
FBN: 1011266
Morgan & Morgan, P.A.
104 North Main Street, Suite 500
Gainesville, FL 32601
Telephone: (904) 361-7184
Facsimile: (904) 361-4482
Primary email: jbarrow@forthepeople.com
Secondary email: adrianachavez@forthepeople.com
Attorneys for Plaintiff