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COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

SUPERIOR COURT  
CIVIL ACTION NO.: 02-01159A

MARCIA RHODES, HAROLD RHODES, )  
INDIVIDUALLY, HAROLD RHODES, )  
ON BEHALF OF HIS MINOR CHILD )  
AND NEXT FRIEND, REBECCA RHODES, )  
Plaintiffs )  
v. )  
CARLO ZALEWSKI, DRIVER LOGISTICS, )  
PENSKE TRUCK LEASING CORP., and )  
BUILDING MATERIALS CORP. OF )  
AMERICA, d/b/a GAF MATERIALS CORP., )  
Defendants )

**DEFENDANT, DRIVER LOGISTICS' RESPONSE TO PLAINTIFF, MARCIA RHODES' SECOND REQUEST FOR PRODUCTION OF DOCUMENTS AND THINGS**

**GENERAL OBJECTION**

The defendant objects to the plaintiff's pages of instructions and definitions to the extent that they attempt to place a burden on the defendant beyond that required by the Rules of Civil Procedure. Notwithstanding nor waiving this objection, the defendant responds to these interrogatories as required by the Rules of Civil Procedure, giving words their ordinary meaning in the context of this action.

Now comes the defendant, Driver Logistics, in the above-captioned matter, and respectfully responds to the plaintiff's Request for the Production of Documents, as follows:

**REQUEST NO. 22**

Produce any and all documents provided by DL to GAF/BMCA referring or relating to services provided by DL, including but not limited to documents referencing safety, co-employment, guidelines for dispatch procedures, driver control, employee-employer relations and any other DL policies or guidelines.

**RESPONSE**

None, other than the contract between DLS and GAF/BMCA which has already been produced in response to plaintiff's first request for production of documents.

**REQUEST NO. 23**

All documents referring or relating to Carlo Zalewski's request for, and any approvals, of vacation time, personal time, sick time or holidays.

**RESPONSE**

Objection. The defendant objects to this request as it is overly broad and not properly limited in scope and time. The defendant also objects on the grounds that it seeks information irrelevant to this litigation and beyond the scope of Rule 26. Notwithstanding said objection and without waiving it, the defendant responds: Please see responsive documents attached hereto as Exhibit 1.


**REQUEST NO. 24**

All documents referring or relating to safety meetings conducted by DLS(sic) at GAF locations.

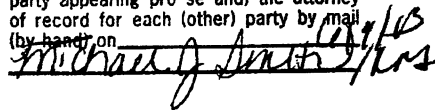
**RESPONSE**

Objection. The defendant objects to this request as it is overly broad and not properly limited in scope and time. Notwithstanding said objection and without waiving it, the defendant responds as follows: Please see responsive documents attached hereto as Exhibit 2 consisting of safety meetings in the years 2001 and 2002.

Respectfully submitted,  
CARLO ZALEWSKI and  
DRIVER LOGISTICS  
By their attorneys,

  
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I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each (other) party by mail (by hand, on \_\_\_\_\_)



DATED: 6/9/03