

307208

BEFORE THE
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

DEPT. OF TRANSPORTATION
DOCKETS

In the Matter of

Gregory S. Chico dba Greg
Chico's Trucking

Respondent.

Docket Number: FMCSA-2004-17183-15

2004 DEC -6 A 10:11

FIRST REQUEST FOR PRODUCTION OF DOCUMENTS

TO: GREGORY S. CHICO dba GREG CHICO'S TRUCKING

FROM: FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Pursuant to Rule 386.43 of the Rules of Practice for Motor Carrier, Broker, Freight Forwarder, and Hazardous Materials Proceedings, you are requested to produce for inspection and copying the documents identified below within 30 days of the date of the service of this request to Sue Lawless, FMCSA Eastern Service Center, 802 Cromwell Park Drive, Suite N, Glen Burnie, MD 21061

Instructions

(a) Your written response shall state, with respect to each item or category, that inspection and related activities will be permitted as requested, unless the request is refused, in which event the reasons for refusal shall be stated. If the refusal relates to part of an item or category, the part shall be specified.

(b) The documents shall be produced as they are kept in the usual course of business, or you shall organize and label them to correspond with the categories in the request.

(c) These requests encompass all items within your "possession, custody or control."

(d) These requests are continuing. If you obtain further material information, you are required to supplement your responses promptly.

(e) If you perceive any ambiguity in a request, instruction or definition, set forth the matter deemed ambiguous and the construction used in responding.

Definitions

(a) Document includes a writing, drawing, graph, chart, photograph, recording, and other data compilation from which information can be obtained, translated, if necessary, through detection devices into reasonably usable form.

(b) Person includes an individual, general or limited partnership, joint stock company, unincorporated association or society, municipal or other corporation, incorporated association, limited liability partnership, limited liability company, the State, an agency or political subdivision of the State, a court, and any other governmental entity.

Document Requests

REQUEST NO. 1.: All documents supporting your contention that Gregory S. Chico dba Greg Chico's Trucking requested the information required by 49 C.F.R. § 40.25 in accordance with that section.

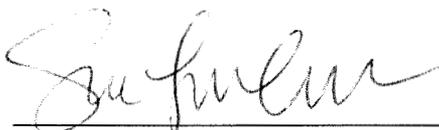
REQUEST NO. 2.: A complete copy of any employment records relating to Troy S. Blair and Andrew Lavallee including without limitation, their employment files and any disciplinary action.

REQUEST NO. 3.: A complete copy of the driver qualification files pertaining to Troy S. Blair and Andrew Lavallee.

REQUEST NO. 4.: A complete copy of any training materials provided to your employees prior to March of 2003 regarding controlled substances and alcohol testing.

REQUEST NO. 5.: A complete copy of the employment file of Georgeann McCormick.

REQUEST NO. 6.: A complete copy of the form that you currently use to request drug and alcohol testing information from prior employers.



Sue Lawless
Federal Motor Carrier Safety Administration
Eastern Service Center
802 Cromwell Park Drive, Suite N
Glen Burnie, MD 21061
(443) 703-2249

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd day of December, 2004 a copy of the forgoing First Request for Production of Documents was served by the method indicated below:

Melvin Fink
Attorney at Law
P.O. Box 217
104 Main Street
Ludlow, VT 05149
Attorney for Respondent

First Class Mail Postage Prepaid
and by Facsimile

US DOT Dockets
400 7th Street, SW
Room PL-401
Washington, DC 20590

Federal Express

The Honorable Burton S. Kolko
Administrative Law Judge
Office of Hearings, M-20
Room 5411
U.S. Department of Transportation
400 Seventh Street, S.W.
Washington, DC 20590

By Facsimile



Cynthia Campise