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**FILED**  
6/3/13  
DATE: \_\_\_\_\_ TIME: \_\_\_\_\_  
By: *[Signature]*  
FEDERAL SUPREME COURT  
TRIAL DIVISION

7 **IN THE SUPREME COURT OF**  
8 **THE FEDERATED STATES OF MICRONESIA**  
9 **TRIAL DIVISION - STATE OF KOSRAE**

10 **BETSY ROSE MONGKEYA, et. al. as ) CIVIL ACTION NO. 2010-2002**  
11 **personal representatives of JODAI )**  
12 **MONGKEYA, Deceased, )**

13 **Plaintiffs,**

14 **v.**

15 **KOSRAE STATE GOVERNMENT, et. )**  
16 **al., )**

17 **Defendants. )**

**PLAINTIFF'S SECOND SET OF  
REQUEST FOR PRODUCTION  
OF DOCUMENTS**

18 PROPOUNDING PARTY: BETSY ROSE MONGKEYA

19 RESPONDING PARTY: KOSRAE STATE GOVERNMENT

20 SET NO.: TWO

21 Pursuant to Rule 26 and Rule 34 of the Civil Procedure of  
22 the FSM Supreme Court Rules plaintiff requests the Defendant,  
23 KOSRAE STATE GOVERNMENT, to respond in writing, within thirty  
24 (30) days from the receipt thereof, to the following request for  
25 production of documents, and to provide or otherwise make

1 available for inspection the requested documents within a  
2 reasonable time of the service of this request.

3 Section 1. Definitions

4  
5 In answering the request for production of documents you  
6 are required to furnish such documents as are available to the  
7 answering party, and in the possession of its attorneys and  
8 investigators for its attorneys. More particularly, the  
9 following definitions apply:

- 10
- 11 1. "Documents" shall include all writings, drawings, graphs,  
12 charts, photographs, phone-records, and other data  
13 compilations from which information can be obtained,  
14 translated, if necessary, by the respondent through detection  
15 devices into reasonable useable form, or as otherwise defined  
16 by the Code.
  - 17 2. The written response shall state, with respect to each item or  
18 category, that inspection and related activities will be  
19 permitted as requested, unless the request is objected to, in  
20 which event the reasons for objection shall be stated. If  
21 objection is made to part of an item or category, the part  
22 shall be specified.  
23

1  
2 Section 2. Duty to Amend Answers  
3

4 You are hereby reminded that, pursuant to Rule 26(e) of the  
5 FSM Rules of Civil Procedure, you are under a duty reasonably to  
6 amend your responses to the Interrogatories set forth herein if  
7 you should obtain information from which you would know that a  
8 prior response was incorrect when made, is no longer true and  
9 the circumstances are such that a failure to amend the response  
10 is in substance a knowing concealment.  
11

12 Section 3. Definitions for these productions requests  
13

- 14 1. The term "incident" includes the circumstances and events  
15 surrounding the factual allegations, incidents, and injuries  
16 as contained in the Complaint and giving rise to this action  
17 or proceeding.
- 18 2. The term "person" includes a natural person, firm,  
19 association, organization, partnership, business, trust,  
20 corporation or public entity.
- 21 3. The term "operation" includes the pre-op, surgery, and post-  
22 op of the decedent's Septal Reconstruction and Turbinate  
23 Reduction procedure on February 12, 2008.  
24  
25

REQUEST FOR PRODUCTION OF DOCUMENTS

Production Request No. 1:

Produce the ward nurses notes for all the patients in the medical and surgical wards for February 11, 12 and 13, 2008.

Production Request No. 2:

Produce the ward nurses notes for all the patients that underwent any surgical procedures on February 11, 12 and 13, 2008.

Production Request No. 3:

Produce the surgical nurses notes for all the patients that underwent any surgical procedures on February 11, 12 and 13, 2008.

Production Request No. 4:

Produce the ward nurses notes for all outpatients temporarily admitted to the medical or surgical ward because of Septal Reconstruction and Turbinate Reduction surgery on February 11, 12 and 13, 2008.

Dated: 3 June 2013

Respectfully Submitted:



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Marstella E. Jack

