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 9 Services, Inc., Margaret Saltsgiver and
 10 Larry Townsley

11 **IN THE UNITED STATES DISTRICT COURT**
 12 **DISTRICT OF ARIZONA**

13 John E. Wheeler #49345,
 14
 15 Plaintiff,
 16
 17 v.
 18 Mohave County Board of Supervisors, Mohave
 19 County Arizona; et al.,
 20
 21 Defendants.

22 No. 3:06-cv-02019-JWS-JRI
 23 **DEFENDANT PRISON HEALTH**
 24 **SERVICES, INC.'S AMENDED**
 25 **SUPPLEMENTAL RESPONSES**
 26 **TO PLAINTIFF'S**
INTERROGATORIES

27 COMES NOW Prison Health Services, Inc., Margaret Saltersgiver and Larry
 28 Townsley, defendants in the above-styled action and pursuant to Court Order files this their
 29 Supplemental Responses to Plaintiff's First Request for Interrogatories as follows:

30 7. Identify and describe each and every defendant named in Count Eight of the
 31 Complaint, including John Doe defendants, give the names, addresses and phone number of
 32 each person.

33 **RESPONSE:** (6) PHS employees who denied Plaintiff's requests for shoes and pain
 34 medication for orthopedic injuries;

35 **RESPONSE:** This defendant objects to interrogatory 7(6) on the grounds that the
 36 interrogatory, as drafted, argues and assumes facts which did not occur. Subject to and

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1 without waiving said objection, Margaret Saltsgiver was involved in plaintiff's request for
2 shoes. At the time plaintiff sought medication (Vicodin and Soma) for orthopedic injuries,
3 he did not have a prescription for either medication or any outside verification that he was
4 currently on those medications to allow the administration of those medications.
5

6 (7) PHS employee who denied Plaintiff's request to be examined by Orthopedic Specialist;

7 **RESPONSE:** This defendant objects to interrogatory 7 (7) on the grounds that the
8 interrogatory, as drafted, argues and assumes facts which did not occur. Subject to and
9 without waiving said objection, there is no evidence in the medical records reflecting a
10 denial of any request for examination by an Orthopedic Specialist.
11

12 (8) PHS employee charged with the duty of record keeping of Plaintiff's medical records;

13 **RESPONSE:** PHS staff involved in Plaintiff's medical care.

14 (9) PHS employee who examined Plaintiff for broken tooth;

15 **RESPONSE:** Linda Jablonksi
16

17 (10) PHS employee who failed to provide dental work after being prescribed by PHS
18 employee as described in Count Eight, paragraph F;

19 **RESPONSE:** This defendant objects to interrogatory 7(10) on the grounds that the
20 interrogatory, as drafted, argues and assumes facts which did not occur. Subject to and
21 without waiving said objection, Linda Jablonski saw plaintiff on March 16, 2006 placed
22 plaintiff on Motrin for dental pain and made a referral to see the dentist. It appears that
23 Plaintiff was transferred to another detention facility before plaintiff's appointment with the
24 dentist. Plaintiff refused to pick up his pain medication (Motrin) on March 19, 20, 21, 23,
25

1 28 and 29, 2006. At that point the prescription for Motrin was discontinued because
2 plaintiff continually refused to pick up the medication.

3
4 (11) PHS employees' who failed to timely treat Plaintiff's skin infection as referred
5 to in Count Eight, paragraphs G, H, and I;

6 **RESPONSE:** This defendant objects to interrogatory 7(11) on the grounds that the
7 interrogatory, as drafted, argues and assumes facts which did not occur. On January 27,
8 2006 plaintiff refused to come to sick call. On February 2, 2006 went to sick call and was
9 treated for a skin infection. Plaintiff was placed on an antibiotic for the infection but was
10 caught "cheeking" his medication on February 4, 2006. The antibiotic was discontinued
11 because plaintiff was cheeking the medication.
12

13 (12) PHS employees' charged with the duty of Pill Call on 2-10 shift April 5, 2006
14 through April 7, 2006;

15
16 **RESPONSE:** Plaintiff had no medication orders in place for the dates referenced.
17 Therefore plaintiff's request for the identity of employees charged with the duty of Pill Call
18 on those dates is not reasonably calculated to lead to the further discovery of admissible
19 evidence.

20 (13) PHS employees' who denied Plaintiff prescribed pain medication as referred to
21 in Count Eight paragraphs N & P;

22
23 **RESPONSE:** This defendant objects to interrogatory 7(13) on the grounds that the
24 interrogatory, as drafted, argues and assumes facts which did not occur. Plaintiff was only
25 denied medication after he was caught cheeking the medication. At the time he was caught
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1 checking the medication, plaintiff spit the medication at the officer. Suzanne Bigay made
2 the entry regarding plaintiff checking his medication on February 4, 2006. Even after
3 plaintiff was caught checking his medication it was offered to him again on February 5 and
4 6, 2006 but plaintiff did not pick up his medication at the scheduled medication pass so the
5 medication was discontinued. In addition, Motrin was discontinued after he refused to pick
6 up the medication from the nurses during the scheduled medication passes as set forth
7 above. Suzanne Bigay, Linda Jablonski and Robert Schriener made entries in the medical
8 record that plaintiff refused this medication.
9

10
11 (14) PHS employees' responsible for the policy of not providing sick call request to
12 inmates held in holding cells;

13 **RESPONSE:** This defendant objects to interrogatory 7(14) on the grounds that the
14 interrogatory, as drafted, argues and assumes facts which did not occur. There is no policy
15 which calls for the denial of sick call requests to an inmate held in a holding cell
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17 (15) PHS employee who denied Plaintiff's requests for sick call as referred to in
18 Count Eight paragraphs M & N;

19 **RESPONSE:** This defendant objects to interrogatory 7(15) on the grounds that the
20 interrogatory, as drafted, argues and assumes facts which did not occur. There is no policy
21 which calls for the denial of sick call requests to an inmate held in a holding cell. Further,
22 if an inmate wants to fill out a sick call request in a holding cell, the correctional officers
23 present will provide a pencil or take the inmate to medical if immediate medical attention is
24 required.
25

1 (16) PHS employee Larry, L.M.F.T.

2 **RESPONSE:** See response to 3 (subpart A).

3
4 (17) PHS employee responsible for staffing of qualified medical personnel at the
5 jail.

6 **RESPONSE:** Defendant PHS will respond to this interrogatory by supplemental
7 response.

8 8. With regard to each occasion on which PHS or any of their agents or
9 employees saw the plaintiff during his confinement at the Mohave County Jail, state:

- 10
11 A. The dates and circumstances which [sic] plaintiff was seen;
12 B. The method of referral and date referred for examination or treatment;
13 C. Any history taken;
14 D. The precise physical examination taken or performed and a detailed
15 listing of all findings upon this physical examination, the person's
16 identity who conducted the examination and the dates conducted;
17 E. Any other diagnostic aids employed;
18 F. Any other diagnosis or diagnostic impressions which were reached;
19 G. Any modalities of treatment selected;
20 H. Any treatment or medication prescribed;
21 I. Any conversations with the plaintiff.

22
23
24 **RESPONSE:** This defendant objects to interrogatory number 8 and each and every
25 subpart there on the grounds that the interrogatory is unduly burdensome and harassing. The

1 defendant further objects to the said interrogatory and subparts on the grounds that it is
2 overly broad. This defendant directs the plaintiff to the medical records reflecting his
3 treatment which have already been produced and contain the information requested by
4 plaintiff.
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6 9. Count Eight alleges deliberate indifference to plaintiff's serious medical
7 needs. In regards to each such allegation state:

8 A. Is it your contention that the delays and or denials of medical care or
9 prescribed treatment was caused in whole or in part by the fault of
10 some person or persons other than yourself, your agents or employees,
11 whether named as a defendant or not, or that some such other person or
12 persons may have or share for the legal responsibilities for the injuries
13 set forth in the plaintiff's complaint? If so, state:
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- 15 1. The name and address of each such person or entity;
- 16 2. Each act or omission by which you contend such person
17 is at fault for the plaintiff's injuries;
- 18 3. The relationship of each party or entity to you or to any
19 other party in this action.
20

21 B. If you claim that the alleged occurrences resulted from the
22 plaintiff's own lack of care, set forth as fully and specifically as
23 you can what acts, conduct or omissions constituted such lack of
24 care.
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1 **RESPONSE:** This defendant denies that there was any delay or denial of medical
2 care to plaintiff by any agent or employee of this defendant. Further, this defendant does not
3 contend that any other person or party was at fault in providing care or for any delay or
4 denial of care to plaintiff.
5

6 10. The plaintiff alleges that while under your care, he sustained the injuries and
7 disabilities which are the subject matter of Count Eight. In relation to such injuries and
8 disabilities, indicate your opinion of the cause of those injuries or disabilities.
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10 **RESPONSE:** This defendant objects to interrogatory number ten on the grounds that
11 it seeks the mental impressions and opinions and conclusions of of this defendant's counsel.
12 Subject to and without waiving said objections, this defendant denies that it is subject to
13 liability in this matter or that any of its employees were negligent with respect to care
14 rendered to plaintiff.
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16 11. Does PHS have, or ever had a contract to provide Health Care Services at:
17 Wyandotte County, Johnson County or Sedgwick County Detention Centers in the State of
18 Kansas, or the Kansas Department of Corrections? If so, does PHS have any medical
19 records of the plaintiff's incarceration at those locations?
20

21 **RESPONSE:** This defendant objects to interrogatory number 11 on the grounds that
22 it is not reasonably calculated to lead to the further discovery of admissible evidence. This
23 defendant further objects to the said request on the grounds that it requests information
24 regarding matters wholly irrelevant to the instant action.
25

26 12. Has PHS ever been named as a defendant in any civil suit filed in the United

1 States District Court for the District of Kansas in which the plaintiff was John Wheeler?

2 If so, state:

- 3
- 4 A. The docket number and case heading;
- 5 B. The identity of all defendants;
- 6 C. A summary of allegations against you;
- 7 D. The outcome of the case, including any terms of settlement.

8 **RESPONSE:** This defendant objects to interrogatory number 12 on the grounds that
9 it is not reasonably calculated to lead to the further discovery of admissible evidence. This
10 defendant further objects to the said request on the grounds that, to the extent the “John
11 Wheeler” is the plaintiff in this action, then plaintiff was personally involved in any such
12 matter and has personal knowledge of the information requested. To the extent the “John
13 Wheeler” referred to in the interrogatory is not the plaintiff in this action, then plaintiff’s
14 requests information wholly irrelevant to the instant action.
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17 13. Is it your contention that any of the physical or mental conditions which are
18 the subject matter of Count Eight were not serious medical needs? If so, state the precise
19 reason why, in your opinion, you contend the conditions were not serious medical needs.
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21 **RESPONSE:** This defendant objects to interrogatory number 13 on the grounds the
22 term “serious medical needs” is vague and ambiguous in the context of this interrogatory.
23 To the extend the term “serious medical needs” means emergency medical condition, then
24 this defendant contends that the physical or mental conditions referred to in Count Eight
25 were not serious medical needs as they were conditions which required emergent medical
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1 treatment as defined by PHS policy.

2 14. Does PHS have any specific procedure for identifying and treating emergency
3 medical conditions/ If so, state:
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- 5 A. The title and section number where such procedure is published;
6 B. The exact definition of emergency medical condition;
7 C. The exact procedures required to be taken by PHS, their agents or
8 employees when an inmate exhibits the signs, symptoms or injuries considered
9 an emergency medical condition, what actions are required to be taken.
10

11 **RESPONSE:** Yes;

- 12 A. Prison Health Services Policies and Procedures, Emergency Services,
13 Reference NCCHC: J-E-08;
14 B. Emergency is defined as any medical, dental or mental health issue that
15 cannot be deferred until the next sick call;
16 C. See exhibit A attached hereto.
17

18 15. Does PHS have any specific procedures for providing access to specialist care
19 that a particular inmate condition may require? If so, state:

- 20 A. The title and section number where such procedure is published;
21 B. The exact procedure or actions required to be taken when an inmates
22 condition requires access to specialist care.
23

24 **RESPONSE:** Yes;

- 25 A. Prison Health Services Policies and Procedures, Hospitals and
26

Specialty Care, Reference NCCHC: J-D-05

B. See Exhibit B attached hereto.

16. For each day the plaintiff was confined at the Mohave County Jail state:

A. How many inmates were scheduled for medical screening;

B. How many inmates were scheduled for Fourteen day medical assessment;

C. How many inmates were scheduled for sick call indicating whether each person scheduled was:

1. For physicians care;

2. Dental care;

3. Nurses sick call;

4. Other, please specify what the inmate was schedule for.

RESPONSE: This defendant objects to interrogatory number 16 on the grounds that it is unduly burdensome and harassing and is not reasonably calculated to lead to the further discovery of admissible evidence.

17. Does PHS have records of sick calls the plaintiff was scheduled? If so, state:

A. The dates plaintiff was scheduled for sick call;

B. The reasons sick call was scheduled, what medical condition(s);

C. Was the scheduled sick call derived from a sick call request submitted by the plaintiff, or a referral from PHS staff, and the dates such request or referral was made, and the reason for referral;

- 1 D. State the dates and reasons each sick call request were submitted by the
2 plaintiff, whether or not the request was scheduled for an appointment;
3
4 E. If any sick call requests submitted by the plaintiff were not scheduled
5 for sick call state:
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7 1. The reasons why sick call was not scheduled;
8
9 2. The identity of the PHS employee who made the decision not the
10 schedule plaintiff for sick call;
11
12 F. If any sick call was refused by the plaintiff give the dates of such
13 refusal and the identity of the person who the refusal was given by the
14 plaintiff.

15 **RESPONSE:** This defendant objects to interrogatory number 17 on the grounds that
16 it is unduly burdensome and harassing. Subject to and without waiving said objection,
17 evidence of plaintiff's sick call requests are contained in the medical records reflecting
18 plaintiff's treatment which have already been provided to plaintiff. Responses to subparts
19 A, B, C, and D and E are contained on the face of the medical records.

20 18. Does PHS have a prescription log or chart showing plaintiff's descriptions,
21 dates administered and identity of PHS employee who administered the medication? If so,
22 state:

- 23 A. The dates medication prescribed for tooth pain was administered;
24
25 B. The identity of the PHS employee who administered pain medication to
26 the plaintiff during pill call on the dates April 5-10, 2006;

1 C. If prescription logs or charts do not indicate which PHS employee
2 administered pain medication on the dates April 5-10, 2006 during p.m.
3 pill call, state the identity of the PHS employee who administered the
4 medication on those dates during p.m. pill call, giving the dates
5 worked.
6

7 **RESPONSE:** This defendant objects to interrogatory number 18 on the grounds that
8 it is unduly burdensome and harassing. Subject to and without waiving said objection,
9 prescription logs are contained in the medical records reflecting plaintiff's treatment which
10 have already been provided to plaintiff. To the extent information responsive to the subparts
11 is available, it is contained on the face of the medical records.
12

13 19. Is it your contention that the delays or denial of healthcare which are the
14 subject matter of Count Eight did not amount to deliberate indifference to serious medical
15 needs? If so, state the precise reason(s) why you contend that such delays or denials of
16 medical care did not amount to deliberate indifference to plaintiff's serious medical needs,
17 for each such delay or denial of medical care.
18

19 **RESPONSE:** This defendant objects to interrogatory number 19 on the grounds it
20 assumes that there was any delay or denial of healthcare which this defendant denies. This
21 defendant further objects to interrogatory 19 on the grounds that it seeks the mental
22 impressions, opinions and conclusions of this defendant's counsel. Subject to and without
23 waiving said objections, it is this defendant's contention that the treatment provided to this
24 defendant was appropriate and did not constitute deliberate indifference. The medical
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1 records reflect a treatment response to each medical complaint made by plaintiff.

2 20. Does PHS have any specific procedure for sick call? If so, state:

3 A. The title and section number where such procedure is published;

4 B. State the precise procedure for inmates to request medical care, whether
5 the inmate is held in booking holding cells, general population,
6 segregation;

7 C. State the precise duties and actions required to be taken by staff
8 members when an inmate requests sick call;

9 D. When an inmate is scheduled for sick call state the precise manner in
10 which the inmate is informed that he has been scheduled and the time
11 to report to medical for sick call;

12 E. If an inmate refuses sick call state the precise requirements required to
13 be taken by PHS employees to document such refusal.
14

15 **RESPONSE:** Yes;

16 A. Prison Health Services Policies and Procedures; Nonemergency Health
17 Care Requests & Services, Reference: NCCHC: JE-07;

18 B. See exhibit C attached hereto;

19 C. See response to 20 B, above;

20 D. See response to 20 B, above;

21 E. See exhibit D attached hereto.

22 21. Attach a complete copy of any written records or documents that you have
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1 regarding the plaintiff, along with a typed transcription of any handwritten records or
2 documents.

3
4 **RESPONSE:** This defendant objects to interrogatory number 21 on the grounds it is
5 a request for production of documents. This defendant further objects to the said
6 interrogatory to the extent it seeks information beyond the scope of permissible discovery
7 and seeks to impose requirements on this defendant other than or greater than the
8 requirements set forth by the Federal Rules of Civil Procedure. Subject to and without
9 waiving said objections, plaintiff's medical records have already been produced.
10

11 22. Does PHS have any specific procedure regarding the care and treatment of
12 communicable diseases? If so, state:

- 13 A. The title and section number where such procedure is published;
14 B. The exact definition of communicable disease(s);
15 C. The precise actions required to be taken by PHS, their agents and
16 employees when an inmate exhibits the signs and or symptoms of a
17 communicable disease.
18

19 **RESPONSE:** This defendant objects to interrogatory number 22 on the grounds that
20 it seeks information regarding matters not relevant to plaintiff's Complaint. No allegation
21 was made in plaintiff's Complaint regarding communicable diseases.
22

23 23. As to any affirmative defense you allege, state the factual basis of and describe
24 each such affirmative defense, including the names of any witnesses who will testify in
25 support thereof, the evidence which will be offered at trial concerning any such alleged
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1 affirmative defense, and the description of any exhibit s which will be offered to establish
2 each such affirmative defense.

3
4 **RESPONSE:** This defendant objects to interrogatory number 23 on the grounds it
5 seeks information protected by the work product doctrine. Subject to and without waiving
6 said objection, this defendant states as follows:

7
8 **AFFIRMATIVE DEFENSES**

9
10 27. The Plaintiff is not entitled to any relief under 42 USC § 1983 and 28 USC
11 §1343

12 The facts alleged by plaintiff do not state a claim under 42 USC § 1983 and 28 USC
13 §1343.

14 28. This Defendant denies that Plaintiff has been denied any right protected by the
15 United States Constitution or any portion of the United States Code.

16 The facts alleged by plaintiff do not establish the denial of any right protected by the
17 United States Constitution or any portion of the United States Code.

18 29. Pursuant to Rule 12 (b) (6) of the Federal Rules of Civil Procedure, the Third
19 Amended Complaint fails to state a claim upon which relief can be granted against this
20 Defendant.

21
22 The facts alleged by plaintiff in his third amended Complaint do not state any claim
23 against this defendant, PHS cannot be held liable for respondeat superior.

24 30. This Defendant denies that Plaintiff has suffered any cognizable injuries or
25 damages as a result of any acts or omissions on the part of this Defendant.

1 32. This Defendant avers that Plaintiff has failed to exhaust his administrative
2 remedies as required by 42 USC § 1997 (e).

3
4 Plaintiff failed to follow the administrative grievance procedure in place at the
5 Mohave County Jail.

6 34. This Defendant pleads the affirmative defenses of contributory negligent and
7 assumption of the risk.

8 Plaintiff was noncompliant in treatment of his medical conditions.

9
10 35. This Defendant pleads the affirmative defense that Plaintiff has failed to
11 mitigate his own damages.

12 Plaintiff was noncompliant in treatment of his medical conditions.

13 36. The Prison Litigation Reform Act Amendment to 42 USC § 1997 (e)(c)
14 mandates the dismissal of Plaintiff's claims herein as this action is frivolous, malicious, fails
15 to state a claim upon which relief can be granted.
16

17 39. Plaintiff has failed to comply with A.R.S. § 12-2603 and accordingly Count
18 Ten of Plaintiff's Third Amended Complaint should be dismissed.

19 24. List specifically and in detail each and every exhibit you propose to use or
20 may use at trial in this matter.
21

22 **RESPONSE:** This defendant objects to interrogatory number 24 on the grounds is
23 seeks information protected from discovery by the work product doctrine.

24 25. List the names, and addresses of all persons who:

25 A. Were present at the events in question;

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- B. Claimed to have information concerning the events in question;
- C. Were reported to have information concerning the events in question;
- D. Have knowledge of any pre-existing medical problems or medical treatment received by plaintiff prior to the events in question;
- E. have knowledge of the medical problems or medical treatment received by plaintiff from the events in question to the present time.

RESPONSE:

- A. See medical records reflecting plaintiff's care which have already been produced;
- B. See response to 25 A, above;
- C. Unknown to this defendant;
- D. See response to 25 A, above;
- E. Unknown to this defendant;
- F. None.

26. With regard to whether any defendant, agent or employee ever indicated or suggested to anyone that John Wheeler was an unsatisfactory patient, or made any critical representations concerning John Wheeler, state the following with respect to each such representation:

- A. A general description of the representation;
- B. The date and place where it was made;
- C. The name and address to each person to whom the representation was

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made.

RESPONSE: Any critical representation made regarding plaintiff is contained in the medical record reflecting plaintiff's treatment which has already been produced to plaintiff.

27. Are you aware of any medical records, reports or letters from healthcare providers, or other written or recorded information or photographs concerning the medical, mental or physical condition of the plaintiff prior to the incident in question? If so, state:

- A. The nature and subject of each item;
- B. The date each item was prepared;
- C. The name and last known address of the person or persons preparing such item;
- D. The name and last known address of the person who presently has custody or control of each item;
- E. Whether you are in custody or possession of copies of each or any item.

RESPONSE: Information responsive to interrogatory number 28 is contained in the medical records reflecting treatment of plaintiff which have already been produced to plaintiff.

28. Are you aware of any person you may call as a witness at trial of this action or who may or claims to have any information concerning the incidents in question, or claims to have information concerning the physical condition of the plaintiff? If so, state:

- A. The name and last known address of each such person;
- B. The occupation and employer of each such person;

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C. The subject or substance of information each person claims to have.

RESPONSE: This defendant objects to interrogatory number 28 on the grounds it seeks information protected from discovery by the work product doctrine. Subject to and without waiving said objection, see response to interrogatory number 25.

29. Is it your contention that the plaintiff's injuries were caused in whole or in part by the fault of some person or persons other than yourself, whether named as a defendant in this action or not, or that some such other person or persons may have or share in the legal responsibility for the injuries set forth in plaintiff's Complaint? If so, state:

- A. The name and address of each such person or entity;
- B. Each act or omission by which you contend such person is at fault for causing the plaintiff's injuries;
- C. The relationship of each person or entity, if any, to you or any other party in this action.

RESPONSE: See response to interrogatory number 9.

30. Please state whether PHS has been sued for medical malpractice or Deliberate indifference to medical care within the past 10 years? If so, state:

- A. The name of the plaintiff;
- B. The name of any and all other defendants;
- C. The case number and court where filed;
- D. Whether a verdict was found in favor of the plaintiff;
- E. Summarize the allegations against you and the outcome of the case,

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including any terms of settlement.

RESPONSE: This defendant objects to interrogatory number 30 on the grounds that it is overly broad, unduly burdensome and harassing. This defendant further objects to the said interrogatory on the grounds it seeks matters which are wholly irrelevant to the instant action and is not reasonably calculated to lead to the further discovery of admissible evidence.

31. Have your full rights and privileges to provide health care been suspended, revoked or terminated in any state? If so, state:

A. The reason why such rights or privileges were suspended, revoked or terminated;

B. The name of the state where such rights or privileges were suspended, revoked or terminated.

RESPONSE: This defendant is not a natural person and interrogatory number 31 has no application to it.

32. At the time of trial, do you intend to use or refer to any medical textbook, periodical or other medical publication during direct examination of your witness? If so, provided the citation for any text or periodical you intend to use.

RESPONSE: This defendant objects to interrogatory number 32 on the grounds that it seeks the work product of this defendant as well as the mental impressions, opinions and legal conclusions of its lawyers. Subject to and without waiving said objections, this defendant will identify any medical textbook, periodical or medical publication it may use in

1 the pretrial order for this matter.

2 33. Are you aware of the existence of any oral, written or recorded statement, or
3 admission made or claimed to have been made by any party or witness? If so, state:
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- 5 A. The name of the person making the statement or admission;
- 6 B. The date of the statement or admission;
- 7 C. The name, employer, occupation, and last known address of the person
8 or persons taking or hearing the statement or admission;
- 9 D. The name and last known address of the person now in possession of a
10 written or recorded statement.
11

12 **RESPONSE:** This defendant objects to interrogatory number 33 on the grounds it
13 seeks information which is protected from discovery by the attorney client privilege and
14 work product doctrine. Subject to and without waiving said objections, this defendant is not
15 in possession of any non-privileged statements responsive to plaintiff's request.
16

17 34. State whether any meetings or hearings were held by any agents, employees,
18 or defendants at which John Wheeler or any of the occurrences complained of in this case
19 were discussed? If so, state:

- 20 A. The date and place where it was held;
- 21 B. The name of each person present;
- 22 C. Whether any written memoranda or minutes were made of the meeting;
- 23 D. Please list any written or documentary item submitted to the committee
24 or organization;
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E. As to each item set forth in D above, state whether you contend the item is privileged;

RESPONSE: Beyond discussions by lawyers for this defendant, which are protected from discovery by the attorney client privilege, is defendant is not aware of any meetings or hearings referenced by interrogatory number 334.

35. Do you know any person who is skilled in any particular field or science whom you may call as a witness at the trial of this action and who has expressed an opinion on any issue in this action?

RESPONSE: This defendant has not yet selected an expert witness whom it expects to testify at the trial of this case.

36. With respect to every lay witness whom you intend to or may call to testify, please state:

- A. The name, address, and occupation and employer of each such person;
- B. What information or facts such person has provided or communicated to you;
- C. What knowledge or information do you believe the witness has with respect to the matters which are at issue in this action;
- D. The subject about which such person will or may testify;
- E. The substance of the testimony of each witness.

RESPONSE: This defendant objects to interrogatory number 36 on the grounds that it seeks information protected from discovery by the work product doctrine and attorney

1 client privilege. Subject to and without waiving said objections, see response to
2 interrogatory 25.

3
4 37. Do you contend that any entries in the plaintiff's medical records are incorrect
5 or inaccurate?

6 **RESPONSE:** No.

7
8 38. Has PHS entered into any agreement or covenant with any other person or
9 entity in any way compromising, settling, and or limiting the liability or potential liability
10 for any party to the claims arising out of the occurrences alleged in the plaintiff's complaint?

11 **RESPONSE:** No.

12
13 39. Give the name and present address of any person carrying on any insurance
14 business who might be liable to satisfy part or all of a judgment which may be entered in
15 favor of the plaintiff, or to indemnify or reimburse for payments made to satisfy the
16 Judgment.

17 **RESPONSE:** This defendant is not aware of any such person.

18
19 40. Does PHS employ any specific procedure when an inmate exhibits the signs
20 and symptoms of skin infection? If so, state:

- 21 A. The title and section number where such procedure is published;
22 B. State the precise actions required to be taken by any PHS agent or
23 employee when the inmate exhibits the signs and symptoms of a skin
24 infection.


25 **RESPONSE:** Yes;

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- A. Prison Health Services Policies and Procedures, Infection Control Program; Reference: NCCHC: J-B-01;
- B. See Exhibit E attached hereto.

RESPECTFULLY SUBMITTED this 5 day of August, 2008.

RENAUD COOK DRURY MESAROS, PA

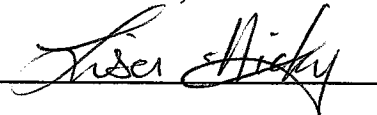
By: 
 J. Scott Conlon
 Phelps Dodge Tower
 One North Central, Suite 900
 Phoenix, AZ 85004-4417
 Attorneys for Defendants Prison Health Services, Inc., Margaret Saltgiver and Larry Townsley

ORIGINAL of the foregoing mailed/~~delivered~~/
~~faxed~~ this 6th day of August, 2008, to:

John Wheeler, #49345
 ASPC Safford Tonto
 896 South Cook Road
 Safford, AZ 85546

COPY of the foregoing mailed/~~delivered~~/
~~faxed~~ this 6th day of August, 2008, to:

Richard Alan Stewart, Esq.
Iafrate & Associates
 649 North 2nd Avenue
 Phoenix, AZ 85003
 Attorneys for Defendant Board of Mohave County Supervisors, Tom Sheahan, Bruce Brown, and Detention Officer Trotter



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8 Attorneys for Defendants Prison Health
9 Services, Inc., Margaret Saltsgiver and
10 Larry Townsley

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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

John E. Wheeler #49345,

Plaintiff,

v.

Mohave County Board of Supervisors, Mohave
County Arizona; et al.,

Defendants.

No. 3:06-cv-02019-JWS-JRI

**DEFENDANT PRISON HEALTH
SERVICES, INC.'S RESPONSES
TO PLAINTIFF'S REQUEST FOR
INTERROGATORIES**

COMES NOW Prison Health Services, Inc., a defendant in the above-styled action and files this its responses to Plaintiff's First Request for Interrogatories as follows:

1. Is Prison Health Services, Inc., hereinafter referred to as PHS, a corporation formed under the laws of any state? If so, state:

- A. In what state is PHS incorporated, and how many persons are employed by PHS;
- B. In what state does PHS have its principal place of business; and
- C. What is the corporate address and phone number.

RESPONSE:

1. Yes;

A. PHS is incorporated in Delaware. This Defendant objects to the remaining question set forth in interrogatory number 1.A. on the grounds that

1 it is not reasonably calculated to lead to the further discovery of admissible
2 evidence.

3 B. Tennessee.

4 C. 105 Westpark Drive, Suite 200, Brentwood, TN 37027; 888 729 0069.

5 2. Does PHS have a contract to perform health services at the Mohave County
6 Jail in Kingman, Arizona? If so, describe in detail the terms of the contract.

7 **RESPONSE:** Yes, see response to request to produce number 4.

8 3. Does PHS employ a medical staff at the Mohave County Jail? If so, state:

9 A. The names, addresses and phone numbers of each staff member;

10 B. The dates and hours they were present at the jail;

11 C. The qualifications, training, education and experience of each staff
12 member; and

13 D. The position each staff member was employed at the jail.

14 **RESPONSE:** This defendant objects to interrogatory number 3 on the grounds that
15 it is overly broad, overly broad in scope as to time, unduly burdensome and is not reasonably
16 calculated to lead to the further discovery of admissible evidence. Subject to and without
17 waiving said objections, this defendant states that it does employ medical personnel at the
18 Mohave County Jail.

19 A. Margaret Saltgiver, 415 Pine Street, Kingman Arizona 86401; this
20 defendant objects to providing Ms. Saltgiver's telephone number. Ms.
21 Saltgiver is represented by the undersigned counsel and may be contacted
22 through the undersigned;

23 Larry Townsley, . 415 Pine Street, Kingman Arizona 86401; this defendant
24 objects to providing Mr. Townsley's telephone number. Mr. Townsley is
25 represented by the undersigned counsel and may be contacted through the
26 undersigned

1 4. Does PHS have a health care services manual? If so, state (procedures
2 manual):

3 A. The official title of any such manual; and

4 B. A detailed list of the table of contents.

5 **RESPONSE:** Yes, see PHS response to document request number 2.

6 5. Describe in detail all aspects of your professional medical relationship with
7 the plaintiff, indicating the date of commencement, the nature and extent of your medical
8 relationship prior to the alleged occurrence, and the date and circumstances of the
9 termination of your professional medical relationship.

10 **RESPONSE:** This defendant is a corporate entity and did not have any professional
11 medical relationship with plaintiff.

12 6. Identify and describe the appearance of each and every person who was
13 present in the vicinity (sic) of the alleged occurrences, giving the name, address and
14 occupation of each such person and stating your relationship to each.

15 **RESPONSE:** This defendant objects to interrogatory number 6 on the grounds that
16 it is vague and ambiguous, is unduly burdensome and oppressive and is not reasonably
17 calculated to lead to the further discovery of admissible evidence.

18 7. Identify and describe each and every defendant named in Count Eight of the
19 Complaint, including John Doe defendants, giving the names, addresses and phone number
20 of each person.

21 Interrogatory No. 7 request the identities of all defendants who are named, and whose
22 complete identities are unknown, including:

- 23 (1) PHS managing agent at the Mohave County Jail, Kingman, Arizona;
24 (2) PHS employee who conducted medical screening on January 15, 2006;
25 (3) PHS employee who conducted 14 day medical on January 26, 2006;
26 (4) PHS employee Margari, RN;

1 (5) PHS employee who examined plaintiff for orthopedic injuries;

2 **RESPONSE:**

3 (1) Margaret Saltsgiver;

4 (2) LJ, LPN (LJ's identity to be provided by supplemental response);

5 (3) Larry Townsley;

6 (4) Margaret Saltsgiver;

7 (5) Margaret Saltsgiver;

8 Prison Health Services, Inc., objects to answering any interrogatory beyond
9 Interrogatory 7, paragraph on the grounds that plaintiff's discovery requests exceed 25 in
10 number, including all discrete subparts pursuant to Rule 33 of the Rules of Civil Procedure

11 RESPECTFULLY SUBMITTED this 30th day of April, 2008.

12 RENAUD COOK DRURY MESAROS, PA

13
14 By: 

15 J. Scott Conlon

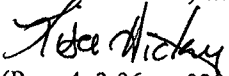
16 Phelps Dodge Tower
17 One North Central, Suite 900
18 Phoenix, AZ 85004-4417
19 Attorneys for Defendants Prison Health
20 Services, Inc., Margaret Saltsgiver and
21 Larry Townsley

22 ORIGINAL of the foregoing mailed
23 this 30th day of April, 2008, to:

24 John Wheeler, #49345
25 ASPC Safford Tonto
26 896 South Cook Road
Safford, AZ 85546

27 COPY of the foregoing mailed
28 this 30th day of April, 2008, to:

29 Richard Alan Stewart, Esq.
30 *Iafrate & Associates*
31 649 North 2nd Avenue
32 Phoenix, AZ 85003
33 Attorneys for Defendant Board of Mohave County Supervisors, Tom Sheahan,
34 Bruce Brown, and Detention Officer Trotter

35 
36 (Page 4, 3:06-cv-02019-JWS-JRS) 3306-0001

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Attorneys for Defendants Prison Health
5 Services, Inc., Margaret Saltsgiver and
Larry Townsley

6
7 **IN THE UNITED STATES DISTRICT COURT**
8 **DISTRICT OF ARIZONA**

9 John E. Wheeler #49345,

10 Plaintiff,

11 v.

12 Mohave County Board of Supervisors, Mohave
County Arizona; et al.,

13 Defendants.

No. 3:06-cv-02019-JWS-JRI

**DEFENDANTS PRISON HEALTH
SERVICES, INC., MARGARET
SALTSGIVER AND LARRY
TOWNSLEY'S RESPONSES TO
PLAINTIFF'S REQUESTS TO
ADMIT**

14 Defendants Prison Health Services, Margaret Saltsgiver and Larry Townsley's
15 Responses to Plaintiff's Requests to Admit.

16 **To Prison Health Services:**

17 1. Admit that upon admission to the Mohave County Jail, that the Plaintiff
18 suffered Permanent Orthopedic Injury's, knee reconstruction.

19 **RESPONSE:** After reasonable inquiry the information known or readily known to
20 this defendant is insufficient to enable it to admit or deny request to admit number 1.

21 2. Admit that upon Plaintiff's Admission to the Mohave County Jail, that
22 Plaintiff suffered Osteoarthritis.

23 **RESPONSE:** After reasonable inquiry the information known or readily known to
24 this defendant is insufficient to enable it to admit or deny request to admit number 2.

1 3. Admit that upon Plaintiff's admission into the Mohave County Jail, that the
2 Plaintiff Suffered a Recent Pelvis Fracture Injury.

3 **RESPONSE:** This defendant admits there are medical records reflecting that
4 plaintiff suffered a Pelvis Injury in June of 2005.

5 4. Admit that upon Plaintiff's Admission into the Mohave County Jail, he
6 suffered a serious dental condition, Broken Teeth.

7 **RESPONSE:** This defendant admits that upon his January 2006 admission to the
8 Mohave County Jail, he had a broken molar. After reasonable inquiry, the information
9 known or readily known to this defendant regarding plaintiff's allegation that his broken
10 molar constituted a serious dental condition is insufficient to enable it to admit or deny the
11 remaining allegations set forth in request to admit number 4.

12 5. Admit that to prevent knee damage, the National Institute of Arthritis and
13 Musculoskeletal and Skin Diseases, Recommends wearing shoes that fit properly to help
14 maintain balance and leg alignment.

15 **RESPONSE:** This defendant objects to request to admit number 5 on the grounds
16 that the request is not the proper subject for a request to admit to this defendant.

17 6. Admit that Knee Problems can be caused by flat or over-pronated feet.

18 **RESPONSE:** This defendant objects to request to admit number 6 on the grounds
19 that the request is not the proper subject for a request to admit to this defendant.

20 7. Admit that on 3-16-06, Plaintiff was referred for Dentist[sic] for a serious
21 dental condition.

22 **RESPONSE:** Denied as stated. This defendant admits that on March 16, 2006,
23 plaintiff complained of "Broken Teeth" and "pain all over mouth," that his Oral Hygiene
24 was "poor" and that he had cavities. This defendant further admits that on April 1, 2006 he
25 was placed on the dental list to see the dentist.

1 8. Admit that Plaintiff was not provided dental care after referral on March 16,
2 2006.

3 **RESPONSE:** Denied.

4 9. Admit that Plaintiff was not provided access to specialized orthopedic care.

5 **RESPONSE:** Denied. Plaintiff was seen by a physician for orthopedic issues while
6 incarcerated at Mohave County Prison. It unknown to this defendant whether plaintiff
7 received other orthopedic care after his transfer from Mohave County Jail. Plaintiff was
8 transferred from the Mohave County Jail on or after May 16, 2006.

9 10. Admit that Prison Health Services Policy Requires a Medical Refusal form to
10 be signed by any Inmate who refuses medical care.

11 **RESPONSE:** It is admitted that if an inmate refuses treatment or medication, and if
12 the inmate refuses to sign a release, the patient's refusal is documented in the medical
13 record.

14 **To: Margaret Saltsgiver**

15 1. Admit that you denied Plaintiff's request for shoes to prevent and alleviate
16 orthopedic pain and injury.

17 **RESPONSE:** Denied. Plaintiff requested "special orthopedic" shoes from his
18 property locker. Plaintiff's shoes were not orthotic shoes, had no special orthopedic
19 properties, and were banned by facility policy.

20 2. Admit that plaintiff suffered a skin infection and was referred to sick call on
21 1-27-06.

22 **RESPONSE:** Denied as stated. Plaintiff's medical records reflect a referral to
23 nursing sick call on January 27, 2006 but that entry does not mention a skin infection.

24 3. Admit that Plaintiff's skin infection was not treated until 2-2-06.

25 **RESPONSE:** Denied.

1 4. Admit that Prison Health Services does not place Inmates displaying the signs
2 or symptoms of a staph infection in medical isolation.

3 **RESPONSE:** Denied as stated.

4 5. Admit that there was not an on-sight nurse at the Mohave County Jail on the
5 date 4-5-06, (24) hours daily.

6 **RESPONSE:** Denied.

7 6. Admit that Due to Systemic Problems in record keeping that the plaintiff was
8 delayed treatment for a serious skin infection for at least 6 days on 1-27-06.

9 **RESPONSE:** Denied.

10 7. Admit that due to systemic problems in staff of qualified dental personnel, that
11 the plaintiff was denied dental treatment of serious dental care needs, after being referred for
12 dental care on 3-16-06.

13 **RESPONSE:** Denied.

14 8. Admit that Prison Health Services Policy provides that an Inmate without an
15 I.D. cannot receive medical care, i.e. (prescriptions, sick call request)

16 **RESPONSE:** Denied.

17 9. Admit that Inmates who are held in holding cells at the Jail are not provided
18 sick call request forms upon request.

19 **RESPONSE:** Denied.

20 10. Admit that Margaret Saltsgiver is the Managing Agent for Prison Health
21 Services at the Mohave County Jail.

22 **RESPONSE:** It is admitted that Ms. Saltsgiver is the Managing Agent, as of the
23 time of this response, at the Mohave County Jail.

24 **To: Larry Townsley**

25 1. Admit that at all times relevant to this Complaint that you were employed by
26 Prison Health Services to provide psychological services to inmates at the Mohave County

1 Jail.

2 **RESPONSE:** It is admitted that this defendant was employed by PHS as a licenced
3 mental health professional.

4 2. Admit that you screen all sick call requests submitted by inmates at the jail
5 requesting psychological or psychiatric care.

6 **RESPONSE:** Admitted

7 3. Admit that plaintiff submitted a sick call request because he had severe
8 depression. (undated).

9 **RESPONSE:** After reasonable inquiry the information known or readily known to
10 this defendant is insufficient to enable it to admit or deny request to admit number 3. It is
11 admitted that the medical record contains an undated sick call request in which plaintiff
12 states he has severe depression.

13 4. Admit that plaintiff submitted a sick call request on 4-1-06 because he had
14 severe stress and anxiety.

15 **RESPONSE:** After reasonable inquiry the information known or readily known to
16 this defendant is insufficient to enable it to admit or deny request to admit number 4. It is
17 admitted that plaintiff submitted a sick call request on April 1, 2006 and stated he had severe
18 stress and anxiety.

19 5. Admit that you did not refer the plaintiff for psychiatric care following his
20 requests for psychiatric care.

21 **RESPONSE:** After reasonable inquiry the information known or readily known to
22 this defendant is insufficient to enable it to admit or deny request to admit number 5.

23 6. Admit that you did not inquire into essential facts that were necessary to make
24 any professional judgment concerning plaintiff's psychiatric condition.

25 **RESPONSE:** Denied.

26 7. Admit that you did not conduct an examination of the plaintiff following his

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4 E-mail: sconlon@rcdmlaw.com
Attorneys for Defendants Prison Health
5 Services, Inc., Margaret Saltsgiver and
Larry Townsley
6

7 **IN THE UNITED STATES DISTRICT COURT**
8 **DISTRICT OF ARIZONA**

9 John E. Wheeler #49345,

10 Plaintiff,

11 v.

12 Mohave County Board of Supervisors, Mohave
County Arizona; et al.,

13 Defendants.
14

No. 3:06-cv-02019-JWS-JRI

**DEFENDANTS MARGARET
SALTSGIVER, RN'S (incorrectly
identified as Margari) AND
LARRY TOWNSLEY'S (identified
as Larry LMFT) RESPONSES TO
REQUEST FOR DOCUMENTS**

15 COME NOW, Margaret Saltsgiver, RN (incorrectly identified as Margari, RN) and
16 Larry Townsley, LMFT (identified as Larry, LMFT) defendants in the above-styled action,
17 and file this their response to plaintiff's request for documents as follows:
18

19 1. Attach a typed transcript of any conversations that you had with Plaintiff.

20 **RESPONSE:** These defendants are not in possession of any documents responsive
21 to request number 1.

22 2. Attach your curriculum vitae.

23 **RESPONSE:** Responsive documents are attached hereto.
24
25

1 3. Produce any and all written records or documents that you have regarding the
2 Plaintiff.

3 **RESPONSE:** See PHS's response to request to produce, request number 1.A.

4
5 4. Produce any and all documents containing exhibits, identified in
6 Interrogatories 13 and 14.

7 **RESPONSE:** These defendants object to request number 4 on the grounds it refers
8 to interrogatories propounded by plaintiff in excess of the limit allowed by Rule 33 of the
9 Federal Rules of Civil Procedure. These defendants objected to the said discovery and no
10 documents were identified. These defendants further object to request number 4 on the
11 grounds that it seeks information protected from discovery by the work product doctrine.
12 These defendants will identify all documents intended for use at trial at the time a pretrial
13 order for this case is prepared by the parties.
14

15
16 RESPECTFULLY SUBMITTED this 30th day of April, 2008.

17 RENAUD COOK DRURY MESAROS, PA

18
19 By: 

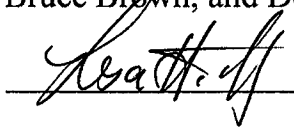
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24 Attorneys for Defendants Prison Health
25 Services, Inc., Margaret Saltgiver and
26 Larry Townsley

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11 649 North 2nd Avenue
12 Phoenix, AZ 85003
13 Attorneys for Defendant Board of Mohave County Supervisors, Tom Sheahan,
14 Bruce Brown, and Detention Officer Trotter

15 

Margaret Saltsgiver R.N.

Education:

**Western Iowa Community College
Associate Degree in Nursing, Graduated August 1984
State Boards Passed August 1984
Certified Neurological Nursing Sept, 1984
Certified O.R. Nurse December 1988**

Work Experience:

**1984 - 1986 Marian Health Center- 2 years Neurological Step Down Unit
1986-1988 Phoenix Baptist Hospital- staff Nurse Orthopedics, Medical Surgical, and
OR
1988-1989 Boswell Hospital - OR Circulator
1989-1996 Olsten Kimberly Quality Care, RN Case Manager, Quality Assurance
1996-1999 Quality Life Styles Home Health, RN case Manager
2000-2004 Prison Health Services Correctional Staff Nurse
2004-Current- Health Service Administrator Prison Health Services Mohave
County Jail**

Larry S. Townsley

Education:

December 1985

B.A. Hardin-Simmons University, Abilene, Texas.
Major: Bible. Minor: Psychology

Alpha Chi Member, National Honor Society, Texas Rho Chapter

Magna Cum Laude graduate. Cumulative GPA 3.75

May 1993

Masters of Arts in Marriage and Family Therapy, Hardin-Simmons University

Internship completed at the Family Psychology Center, Abilene, Texas under
AAMFT Supervision

January 1998

Certified Marriage and Family Therapist, Arizona Board of Behavioral Health
Examiners, License # 0442

Experience

January 1998
- Present

Marriage and Family Therapist, Catholic Social Service of Mohave
Kingman, Arizona 86401.

Providing individual, marital, and family therapy and enrichment services.

July 1994
- March 1998

Therapist/Owner, Marriage and Family Therapy
Kingman, Arizona 86401.

Provided individual, marital, and family therapy and enrichment services.

January 1992
- July 1994

Clinical Psychologist, Master's Level, Abilene State School
Abilene, Texas 79602.

Behavior Therapy Program Director. Designed and implemented behavioral
programming to assist in the reduction of maladaptive behaviors.

October 1990
- December 1991

Mental Health Specialist, Colorado River Indian Tribes
Parker, Arizona 85344.

Conducted psychological testing and evaluations. Provided individual, marital, and
group counseling. Child Protective Team member.

August 1988
September 1990

Residential Social Worker, Missouri Baptist Children's Home
Bridgeton, Missouri 63044.

Facilitated care and contact for the children in residential care with their families
and community agencies. Coordinated and implemented residential program
plan.

Personal Information

Date of Birth: March 15, 1963
Married with 5 children

Height: 6' 4"
Weight: 176

References upon request

1 J. Scott Conlon, #011829
2 RENAUD COOK DRURY MESAROS, PA
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10 Larry Townsley

11
12 **IN THE UNITED STATES DISTRICT COURT**
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14 John E. Wheeler #49345,

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16 v.

17 Mohave County Board of Supervisors, Mohave
18 County Arizona; et al.,

19 Defendants.

No. 3:06-cv-02019-JWS-JRI

**DEFENDANTS MARGARET
SALTSGIVER, RN'S (incorrectly
identified as Margari) AND
LARRY TOWNSLEY'S (identified
as Larry LMFT) RESPONSES TO
REQUEST FOR
INTERROGATORIES**

20 COME NOW Margaret Saltsgiver, RN (incorrectly identified as Margari, RN) and
21 Larry Townsley, LMFT (identified as Larry, LMFT), defendants in the above-styled action
22 and files this their response to Plaintiff's request for interrogatories as follows:

23 **General Objection**

24 Defendants Margaret Saltsgiver, RN and Larry Townsley object to Plaintiff's
25 Request for Interrogatories on the grounds that "all other John Doe Defendants of Count
26 Eight" have not been identified.

1. State your full name, address, phone number, employer and position held, and
length of your employment, or date of hire with PHS.

1 **RESPONSE:** Margaret Saltsgiver, RN, 415 Pine Street, Kingman, Arizona; this
2 defendant objects to providing Ms. Saltsgiver's phone number. She is represented by the
3 undersigned counsel and may be contacted through the undersigned. Date of hire by PHS:
4 04/10/2000.
5

6 Larry Townsley, LMFT, 415 Pine Street, Kingman, Arizona; this defendant objects
7 to providing Mr. Townsley's phone number. He is represented by the undersigned counsel
8 and may be contacted through the undersigned. Length of employment: 07/27/1999.
9

- 10 2. Identify and describe each and every person, giving names and address who:
- 11 A. Were present at the events in question;
 - 12 B. Claimed to have knowledge concerning the events in question;
 - 13 C. Were reported to have information concerning the events in question;
 - 14 D. Have knowledge of any pre-existing medical problems or medical
15 treatment received by Plaintiff prior to the events in question;
 - 16 E. Have knowledge of the medical problems or medical treatment
17 received by Plaintiff from the events in question to the present time;
 - 18 F. Participated in any investigation concerning the incidents in question of
19 any part or witness thereto;
20
21

22 **RESPONSE:** These defendants object to interrogatory number 2 and each and every
23 subpart on the grounds that it is vague and ambiguous as to the "events in question" or the
24 "incidents in question." These defendants further object to the said interrogatory on the
25 grounds that it is unduly burdensome and harassing and is not reasonably calculated to lead
26

1 to the further discovery of admissible evidence. Subject to and without waiving said
2 objections, these defendants respond as follows:

3
4 A. These defendants do not remember the identity of any other persons
5 who might have been present during any individual interaction between these
6 defendants and plaintiff;

7 B. With respect to medical treatment provided to plaintiff, the identity of
8 any person or persons who might know or claim to know information
9 regarding that treatment are set forth in the medical records and administrative
10 records reflecting plaintiff's treatment at the Mohave County Jail which have
11 previously been provided to plaintiff;

12 C. With respect to medical treatment provided to plaintiff, beyond the
13 identity of those persons set forth in the medical and administrative records
14 regarding plaintiff, these defendants have no knowledge of any other persons;

15 D. Other than the identity of individuals set forth in medical records
16 reflecting plaintiff's treatment at times before the incarceration at issue in this
17 case, these defendants do not know the identity of any persons, other than
18 themselves, who might have knowledge of plaintiff's pre-existing medical
19 conditions or treatment;

20 E. These defendants do not know the identity of any persons with
21 knowledge of treatment received by plaintiff or his condition after his transfer
22 from the Mohave County Jail from the incarceration at issue in this case;

1 F. Other than counsel for PHS, Inc., these defendants are not aware of the
2 identity of any persons who might have conducted an investigation regarding
3 plaintiff's treatment during the incarceration at issue in this case.
4

5 3. Describe in detail all aspects of your medical relationship with the Plaintiff,
6 indicating the date of commencement, the nature and extent of your medical relationship
7 prior to the alleged occurrence, and the date and circumstances of the termination of your
8 professional medical relationship.
9

10 **RESPONSE:** These defendants object to interrogatory number 3 on the grounds that
11 the meaning of medical relationship is unclear to these defendants. These defendants further
12 object to the said interrogatory on the grounds that it is not clear what the alleged occurrence
13 is or when that occurred. Subject to and without waiving said objections, Nurse Saltgiver
14 responded to inquiries from plaintiff for a diet change and to have obtain his street shoes
15 from his property locker. Nurse Saltgiver first communicated with plaintiff regarding the
16 shoe issue on or about March 3, 2006. Nurse Saltgiver signed a Medical Information
17 Transfer Form for plaintiff on or about May 16, 2006. Larry Townsley, LMFT conducted a
18 mental health assessment of plaintiff. Mr. Townsley performed an assessment of plaintiff
19 within 14 days of his arrival at the Mohave County Jail during the incarceration at issue in
20 this case. Mr. Townsley responded to a sick call request from plaintiff (undated) and
21 requested more information from plaintiff but did not receive a follow up response from
22 plaintiff.
23
24

25 4. In reference to the condition that forms the basis of the Complaint, set forth:
26

- 1 A. The date(s) and circumstances under which you saw the Plaintiff;
- 2 B. Any and all medical history given to you;
- 3 C. The examinations conducted of the Plaintiff;
- 4 D. Your findings on each examination;
- 5 E. Your prognosis and diagnoses following each examination;
- 6 F. Any treatment or medication prescribed;
- 7 G. Any other diagnostic aids employed;
- 8 H. any other diagnoses or diagnostic impressions which were reached; and
- 9 I. Any conversations with the Plaintiff.

10
11
12 **RESPONSE:** For defendant Margaret Saltsgiver, RN,

- 13 A. See medical and administrative records reflecting plaintiff's
- 14 incarceration which are attached to PHS response to requests for production of
- 15 documents;
- 16 B. No medical history was given by plaintiff to this defendant;
- 17 C. This defendant did not conduct a physical examination of plaintiff
- 18 during the incarceration at issue in this case;
- 19 D. See response to 4.C., above;
- 20 E. This defendant is a nurse, not a doctor, and did not make a diagnosis or
- 21 prognosis of any condition of the plaintiff
- 22 F. This defendant is a nurse, not a doctor, and did not prescribe any
- 23 medication or treatment for plaintiff;
- 24
- 25

- 1 G. See response to 4.C., above;
- 2 H. See response to 4.E., above;
- 3
- 4 I. This defendant does not remember any specific conversations or
- 5 communication with plaintiff beyond what is contained in the medical and
- 6 administrative records reflecting plaintiff's incarceration at issue in this case:

7 For defendant Larry Townsley:

- 8 A. See medical and administrative records reflecting plaintiff's
- 9 incarceration which are attached to PHS response to requests for production of
- 10 documents;
- 11
- 12 B. See Townsley response to 4.A., above;
- 13
- 14 C. This defendant did not conduct a physical examination of plaintiff
- 15 during the incarceration at issue in this case;
- 16
- 17 D. See Townsley response to 4.C., above;
- 18
- 19 E. This defendant did not make a diagnosis or prognosis of any condition
- 20 of the plaintiff, this defendant did conduct a mental health assessment of the
- 21 plaintiff at the outset of the incarceration which is at issue in this case;
- 22
- 23 F. This defendant is not a doctor and did not prescribe any medication or
- 24 treatment for plaintiff;
- 25
- 26 G. See Townsley response to 4.C., above;
- H. See Townsley reponse to 4.E., above;

1 I. This defendant does not remember any specific conversations or
2 communication with plaintiff beyond what is contained in the medical and
3 administrative records reflecting plaintiff's incarceration at issue in this case.
4

5 5. Is it your contention that the injuries which form the basis of the Plaintiff's
6 Complaint were caused in whole or in part by the fault of some person or persons other than
7 yourself, whether named as a defendant or not, or that some such other person or persons
8 may have or share in the legal responsibility for the injuries set forth in the Plaintiff's
9 Complaint? If so, state:
10

11 A. The name and addresses of each such person or entity;

12 B. Each act or omission by which you contend such person is at fault for
13 the Plaintiff's injuries;

14 C. The relation of each party or entity to you or to any other part in this
15 action; and
16

17 D. If you claim that the alleged occurrences resulted from the Plaintiff's
18 own lack of due care, set forth as fully and specifically as you can what acts,
19 conduct or omissions constituted such lack of due care.
20


21 **RESPONSE:** These defendants contend that no fault on their part caused any injury
22 or damage to plaintiff. These defendants do not contend, at this time, that the fault of any
23 other party caused any injury or damage to plaintiff.

24 6. These Defendants object to Plaintiff's Interrogatories 6 through 14 on the
25 grounds that the number of interrogatories propounded by Plaintiff, beyond the last
26

1 interrogatory answered above exceed 25, including subparts, as set forth in Rule 33 of the
2 Federal Rules of Civil Procedure.

3
4 RESPECTFULLY SUBMITTED this 30th day of April, 2008.

5 RENAUD COOK DRURY MESAROS, PA

6
7 By: 
8 J. Scott Conlon

9 Phelps Dodge Tower
10 One North Central, Suite 900
11 Phoenix, AZ 85004-4417
12 Attorneys for Defendants Prison Health
13 Services, Inc., Margaret Saltsgiver and
14 Larry Townsley

15 ORIGINAL of the foregoing mailed
16 this 30th day of April, 2008, to:

17 John Wheeler, #49345
18 ASPC Safford Tonto
19 896 South Cook Road
20 Safford, AZ 85546

21 COPY of the foregoing mailed
22 this 30th day of April, 2008, to:

23 Richard Alan Stewart, Esq.
24 *Iafrate & Associates*
25 649 North 2nd Avenue
26 Phoenix, AZ 85003
27 Attorneys for Defendant Board of Mohave County Supervisors, Tom Sheahan,
28 Bruce Brown, and Detention Officer Trotter

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