

IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI

ROBERT SULLIVANT, SR.

PLAINTIFF

VS.

CAUSE NO. 2021-612 (W)

ROBERT SULLIVANT, JR.

DEFENDANT

VS.

EVELYN STEVENS

THIRD PARTY DEFENDANT

PLAINTIFF'S RESPONSES TO DEFENDANT'S SECOND SET OF
INTERROGATORIES PROPOUNDED TO PLAINTIFF

COMES NOW Plaintiff, Robert Sullivan, Sr., by and through undersigned counsel of Swayze Alford Attorney At Law, and files his *Plaintiff's Responses to Defendant's Second Set of Interrogatories Propounded to Plaintiff*, and would respectfully show unto the Court as follows:

GENERAL OBJECTIONS

Plaintiff objects to Defendant's Interrogatories and Requests to the extent Defendant intends to require Plaintiff to do more than is required by the *Mississippi Rules of Civil Procedure*. Plaintiff further objects to all requests which seek information, documents or things protected by the attorney/client privilege, the work-product doctrine or other privilege or which are otherwise beyond the scope of permissible discovery. In addition, as discovery in this case is still ongoing, Plaintiff specifically reserves the right to supplement and/or modify his responses to these Interrogatories as additional documents become available and as additional information becomes known. Subject to and without waiving the foregoing objections, Plaintiff responds as follows:

INTERROGATORIES

INTERROGATORY NO. 1: In your Answer to JR's counterclaims (¶5) you deny the allegations in the paragraph beginning with "Up to this point... ". Please state specifically which

allegations in this paragraph are untrue.

RESPONSE: Plaintiff objects to Interrogatory No.1 on the grounds that the counterclaim does not contain short and plain statements described in the Mississippi Rules of Civil Procedure, refers to a paragraph that is complex, compound and ambiguous. Without waiving said objection, the Plaintiff answers as follows: The allegations of mental deficiencies, succumbed to thousands of dollars in mails cams and pernicious and destructive activity are untrue.

INTERROGATORY NO. 2: You also deny in your Answer (¶4), that 50% of the subject funds belonged solely to JR. Please explain why you believe that 100% of these funds belonged to you.

RESPONSE: Once the funds were deposited into a joint account, I withdrew them and placed them into an account solely in my name to which nobody else had ownership.

INTERROGATORY NO. 3: Please explain why you, through your counsel, chose to tell the court that you had been examined by Dr. Perkins for “testamentary capacity” at your IME, knowing that this was incorrect.

RESPONSE: This was not incorrect.

INTERROGATORY NO. 4: Please describe your personal feelings towards JR.

RESPONSE: It would suit me to never see him again.

INTERROGATORY NO. 5: Please state how many meetings Evelyn Stevens has attended with you and Mr. Alford.

RESPONSE: I am not sure.

INTERROGATORY NO. 6: Please explain the purpose of Ms. Stevens' presence at these meetings.

RESPONSE: She was my driver. She brought me to the meeting.

INTERROGATORY NO. 7: Provide any evidence that JR breached the oral contract between himself and SR, as you state in your Second Affirmative Defense.

RESPONSE: I deny that there was any such contract. Jr. has not taken over the duties and responsibilities of my care nor did he care for my wife prior to her death.

INTERROGATORY NO. 8: Provide any evidence you intend to introduce to support of your affirmative defenses.

RESPONSE: Plaintiff objects to this interrogatory as he is not required to produce any evidence that he intends to introduce. Plaintiff may call any witnesses identified in discovery to testify. Plaintiff may introduce into evidence any documents produced in discovery.

INTERROGATORY NO. 9: Provide documents and/or showing that you compensate Ms. Stevens for any services provided to you.

RESPONSE: I do not pay her for services.

INTERROGATORY NO. 10: Describe your relationship with JR from 2017 through June of 2021.

RESPONSE: We lived in a house together. We had a normal relationship.

INTERROGATORY NO. 11: Prior to July 2021, had you ever accused JR of misusing your funds?

RESPONSE: No.

INTERROGATORY NO. 12: To your knowledge and aside from the allegations in your Complaint, in his entire **adult** life, has JR ever stolen from you?

RESPONSE: No.

INTERROGATORY NO. 13: Please state any person who suggested that you create a new Will.

RESPONSE: No one suggested that I create a new will. I decided to create a new will when Jr. withdrew my money from my account.

INTERROGATORY NO. 14: Please state how much cash you have given to Evelyn Stevens since June of 2021.

RESPONSE: I have never given her cash for her own personal use. I have given her money to purchase items for me.

INTERROGATORY NO. 15: Please state any compensation that you have provided Evelyn Stevens since June of 2021.

RESPONSE: None.

INTERROGATORY NO. 16: Please state the approximate number of times you have been to the Independent Presbyterian Church in the past 10 years.

RESPONSE: I have attended some funerals and a wedding too. I do not remember any particular one.

INTERROGATORY NO. 17: Please state why you called JR on June 22, 2023.

RESPONSE: I do not recall.

INTERROGATORY NO. 18: Please state why you asked JR on June 22, to go to Walgreens and purchase a \$190 gift card for you.

RESPONSE: I received information that I had won 8 million dollars and a new car.

INTERROGATORY NO. 19: Please state why you told JR on June 22, that you had won 8 million dollars and a new car.

RESPONSE: See my response to Interrogatory No. 18.

INTERROGATORY NO. 20: Please describe how the subject funds were first deposited into a bank account.

RESPONSE: I do not recall how. It was immaterial to me. I know it was deposited into a bank account.

INTERROGATORY NO. 21: Did you call JR on June 25, 2023, and tell him that you wanted to look at houses to potentially purchase?

RESPONSE: I do not recall.

INTERROGATORY NO. 22: Were you ever interested in a house located at the address 6713 HWY 35?

RESPONSE: Plaintiff objects to this Interrogatory due to the fact that it is irrelevant and not calculated to lead to the discovery of admissible evidence. Without waiving said objection, Plaintiff answers as follows: Yes.

INTERROGATORY NO. 23: The day of touring the house at 6713 HWY 35 on June 26, 2023, did you agree that the location was acceptable?

RESPONSE: Plaintiff objects to this Interrogatory due to the fact that it is irrelevant and not calculated to lead to the discovery of admissible evidence. Without waiving said objection, Plaintiff answers as follows: Yes.

INTERROGATORY NO. 24: Why did you inform JR on July 7, 2023, that you no longer wished to move to the above address?

RESPONSE: Plaintiff objects to this Interrogatory due to the fact that it is irrelevant and not calculated to lead to the discovery of admissible evidence. Without waiving said objection, Plaintiff answers as follows: I never said that I wanted to move to the above address.

INTERROGATORY NO. 25: When Dr. Perkins examined you for testamentary capacity on the morning of May 9th, please describe the procedures Dr. Perkins performed, and where the exam took place.

RESPONSE: Plaintiff objects to this Interrogatory due to the fact that it is irrelevant and not calculated to lead to the discovery of admissible evidence. Without waiving said objection, Plaintiff answers as follows: Dr. Perkins described the evaluation at trial.

RESPECTFULLY SUBMITTED this 29 day of September 2023.

ROBERT SULLIVANT, SR., Plaintiff

BY:



SWAYZE ALFORD (MSB #8642)
KAYLA WARE (MSB #104241)

OF COUNSEL:

SWAYZE ALFORD
Attorney at Law
1221 Madison Avenue
Post Office Box 1820
Oxford, Mississippi 38655
(662) 234-2025 phone
(662) 234-2198 fax
Counsel for Robert Sullivant, Sr.

CERTIFICATE OF OBJECTION

I, Kayla Ware, do hereby certify that the objections to *Plaintiff's Responses to Defendant's Second Set of Interrogatories Propounded to Plaintiff*, are believed to be correct and are made in good faith and are not made for purposes of delay.

SO CERTIFIED, the 29 day of September, 2023.



KAYLA WARE (MSB #104241)

CERTIFICATE OF SERVICE

I, Kayla Ware, attorney for the Plaintiff, do hereby certify that I have this day forwarded, via U.S. Mail, postage prepaid and/or email, a true and correct copy of the above and foregoing discovery responses to:

Robert Sullivant, Jr.
robert@steelandbarn.com

SO CERTIFIED, this the 29 day of September, 2023.



KAYLA WARE (MSB #104241)

OF COUNSEL:

SWAYZE ALFORD

Attorney at Law

1221 Madison Avenue

Post Office Box 1820

Oxford, Mississippi 38655

(662) 234-2025 phone

(662) 234-2198 fax

Counsel for Robert Sullivant, Sr.

CERTIFICATE OF OBJECTION

I, Kayla Ware, do hereby certify that the objections to *Plaintiff's Responses to Defendant's Second Set of Interrogatories Propounded to Plaintiff*, are believed to be correct and are made in good faith and are not made for purposes of delay.

SO CERTIFIED, the 29 day of September, 2023.



KAYLA WARE (MSB #104241)

CERTIFICATE OF SERVICE

I, Kayla Ware, attorney for the Plaintiff, do hereby certify that I have this day forwarded, via U.S. Mail, postage prepaid and/or email, a true and correct copy of the above and foregoing discovery responses to:

Robert Sullivant, Jr.

robert@steelandbarn.com

SO CERTIFIED, this the 29 day of September, 2023.



KAYLA WARE (MSB #104241)

STATE OF MISSISSIPPI
COUNTY OF LAFAYETTE

Personally appeared before me, the undersigned authority in and for the county and state aforesaid, this day the within named **ROBERT SULLIVANT, SR.**, having first been duly sworn, stated on oath that the matters and facts set out in the above and foregoing *Plaintiff's Responses to Defendant's Second Set of Interrogatories Propounded to Plaintiff* are true and correct to the best of his knowledge and belief.

Witness my signature, this the 29 day of September, 2023.

Robert Sullivant Sr.
ROBERT SULLIVANT, SR.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this, the 29 day of September, 2023.



Kware
NOTARY PUBLIC

STATE OF MISSISSIPPI
COUNTY OF LAFAYETTE

Personally appeared before me, the undersigned authority in and for the county and state aforesaid, this day the within named **SHERRY WALL AS CONSERVATOR FOR ROBERT SULLIVANT, SR.**, having first been duly sworn, stated on oath that the matters and facts set out in the above and foregoing *Plaintiff's Responses to Defendant's Second Set of Interrogatories Propounded to Plaintiff* are true and correct to the best of her knowledge and belief.

Witness my signature, this the 29 day of September, 2023.

Sherry Wall

SHERRY WALL, AS CONSERVATOR
FOR ROBERT SULLIVANT, SR.

GIVEN UNDER MY HAND AND OFFICIAL SEAL this, the 29th day of September,
2023.

Paula Childress
NOTARY PUBLIC

