CAUSE NO. D-1-GN-22-003234

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| YESHIMEBET KEBEDE ALI,  Plaintiff,    vs.  CHRISTINE MICHELLE JACKSON,  Defendant. | §  §  §  §  §  §  §  §  §  § | IN THE DISTRICT COURT OF        TRAVIS COUNTY, TEXAS    455TH JUDICIAL DISTRICT |

**PLAINTIFF YESHIMEBET KEBEDE ALI’S**

**INITIAL DISCLOSURES**

TO: Defendant, Christine Michelle Jackson, by and through her attorney of record, Michael Benavides, The Law Office of Chrysti Bryant, 2313 Lockhill Selma, #266, San Antonio, Texas 78230.

COMES NOW, Plaintiff, Yeshimebet Kebede Ali, by and through her counsel, and files these Disclosures Pursuant to Rule 194.2 of the TEXAS RULES OF CIVIL PROCEDURE.

Respectfully Submitted,

HABTEMARIAM LAW FIRM, PLLC.

/s/ Neftalem Habtemariam

**Neftalem Habtemariam**

Texas Bar No. 24111396

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12225 Greenville Ave, Ste. 252

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Phone: (206) 624-1820

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ATTORNEY FOR PLAINTIFF

**CERTIFICATE OF SERVICE**

This is to certify that on October 24, 2022, in accordance with Rule 21(a), TEXAS RULES OF CIVIL PROCEDURE, a true and correct copy of the foregoing document was forwarded to all counsel of record as follows:

|  |  |  |
| --- | --- | --- |
| Michael Benavides  The Law Office of Chrysti Bryant  2313 Lockhill Selma, #266  San Antonio, Texas 78230 | Attorney for Defendant, Christine Michelle Jackson  **VIA ESERVE/EFILE AND/OR EMAIL:** mbenavides2@kemper.com |  |

**PLAINTIFF’S INITIAL DISCLOSURES**

1. **The correct name of the parties to the lawsuit;**

**RESPONSE**: Plaintiff responds:

PLAINTIFF: YESHIMEBET KEBEDE

DEFENDANT: CHRISTINE MICHELLE JACKSON

1. The name, address, and telephone number of any potential party;

**RESPONSE**: None known to Plaintiff at this time.

1. **The legal theories and, in general, the factual bases of responding party’s claims or defenses (the responding party need not marshal all evidence that may be offered at trial);**

**RESPONSE**:

On August 23, 2020, Plaintiff was traveling on I-35 on a middle lane near downtown Austin, Texas. Plaintiff slowed down for traffic. Defendant Jackson was traveling directly behind Plaintiff. Defendant was driving too fast for conditions. Defendant Jackson failed to stop and collided with the rear end of Plaintiff’s vehicle.

Defendant owed Plaintiff a duty to exercise ordinary care under the circumstances. Defendant created grave danger by failing to maintain a proper following distance, failing to control her speed and vehicle, failing to maintain her vehicle in a safe operating condition, and failing to exercise ordinary care to protect Plaintiff from harm. Consequently, Defendant’s failure to use ordinary care proximately caused Plaintiff’s injuries and damages.

On the occasion in question, Defendant violated the duty owed to Plaintiff to exercise due care in one or more of the following ways:

1. Failing to maintain a proper following distance, TEX. TRANSP. CODE § 545.062;
2. Failure to control a speed; TEX. TRANSP. CODE § 545.351;
3. Failure to maintain a proper lookout;
4. Failure to maintain her vehicle in safe driving condition;
5. Failure to drive the motor vehicle in an attentive manner;
6. Failure to maintain proper control of her vehicle;
7. Failure to maintain an adequate distance between Defendant’s vehicle and the vehicle driven by Plaintiff;
8. Failure to take proper evasive action to avoid the collision;
9. Failure to apply brakes to her vehicle in a timely manner to avoid the collision;
10. Failure to exercise due and reasonable care to other travelers on the road;
11. Failure to follow the rules of the road; and
12. Any and all other acts or omissions that may be presented at the time of trial.

Each of these acts and omissions, singularly or in combination with others, constituted negligence which proximately caused the collision and Plaintiff’s injuries and damages.

1. **A computation of each category of damages claimed by the responding party-who must also make available for inspection and copying the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered;**

**RESPONSE**:

Plaintiff has incurred medical expenses for treatment of the injuries sustained in the motor vehicle collision caused by Defendant.  The total incurred medical expenses are as follows:

|  |  |
| --- | --- |
| Lone Star Circle of Care | $326.72 |
| Ascension Seton | $26,078.25 |
| ARA Diagnostic Imaging | $1,910.00 |
| Texas Physical Therapy Specialists | $950.00 |
| **TOTAL:** | **$29,264.97** |

Plaintiff has incurred mileage expenses for treatment of the injuries sustained in her motor vehicle collision caused by Defendant. The total incurred mileage expenses for medical treatment transportation is as follows:

|  |  |  |
| --- | --- | --- |
| Lone Star Circle of Care | 12 visits x 6.2 RT = 74.4 miles x .535 | $39.81 |
| Ascension Seton | 2 visits x 7 RT = 14 miles x .535 | $7.49 |
| Texas Physical Therapy Specialists | 20 visits x 12.8 RT = 256 miles x .535 | $136.96 |
| **TOTAL:** |  | **$184.26** |

Plaintiff has sustained wage loss because of injuries sustained in her motor vehicle collision caused by Defendant. Plaintiff does not have possession of her employment records at this time.

1. **The name, address, and telephone number of persons having knowledge of relevant facts, and a brief statement of each identified person’s connection with the case;**

**RESPONSE**: Plaintiff responds:

1. YESHIMEBET KEBEDE

By and through her attorney of record,

Neftalem Habtemariam, 12225 Greenville Ave Ste. 252, Dallas, TX 75243

Tel. 206-624-1820

**Plaintiff**

1. CHRISTINE MICHELLE JACKSON

By and through her attorney of record,

Michael H. Benavides

Law Office of Chrysti Bryant

2313 Lockhill Selma, No. 266

San Antonio, Texas 78230

(972) 892-4550

**Defendant**

Both plaintiff and defendant were involved in the accident in question and/or may have knowledge about liability and damages.

1. Fantahun Shibeshi

2828 Stone Creek PL, Round Rock, TX

Tel. 512-736-6158

Mr. Shibeshi Plaintiff’s husband. He may have knowledge regarding Plaintiff’s injuries, medical treatment, wage loss and loss of earning capacity.

1. Dr. Tamika Latta, M.D.

TAMHSC Family Seton Circle

3950 North A.W. Grimes, Ste. 301, Round Rock, TX 78665

Tel. 877-800-5722

Dr. Tamika Latta, MD is Plaintiff’s treating physicians. She has knowledge of Plaintiff’s medical history, injuries, causation, examinations, treatments, associated diagnosis and prognosis, lost wages and loss of earning capacity.

1. Dr. Michael P. Zimmerman, M.D

201 Seton Parkway, Round Rock,

TX 78665-8000, Tel. 512-324-4170

Dr. Michael Zimmerman, MD is Plaintiff’s treating physicians. He has knowledge of Plaintiff’s medical history, injuries, causation, examinations, treatments, associated diagnosis and prognosis lost wages and loss of earning capacity.

1. Awston Albiso, P.T.

1700 E Palm Valley Blvd, Ste. 395

Round Rock, TX 78664-4677, Tel. 512-354-4068

Awston Albiso, PT is Plaintiff’s treating physical therapist. Awston Albiso, PT has knowledge of Plaintiff’s medical history, injuries, causation, examinations, treatments, associated diagnosis and prognosis lost wages and loss of earning capacity.

1. **A copy-or a description by category and location-of all documents, electronically stored information, and tangible things that the responding party has in its possession, custody, or control, and may use to support its claims or defenses, unless the use would be solely for impeachment;**

**RESPONSE**: Plaintiff responds:

Plaintiff is in possession of the following records:

1. Medical and Billing Records from Lone Star Circle of Care Medical

Dr. Tamika Latta, M.D.

TAMHSC Family Seton Circle

3950 North A.W. Grimes, Ste. 301, Round Rock, TX 78665

1. Medical and Billing Records from Ascension Seton

Dr. Michael P. Zimmerman, M.D

201 Seton Parkway, Round Rock,

TX 78665-8000, Tel. 512-324-4170

1. Medical and Billing Records from Texas Physical Therapy Specialists Awston Albiso, P.T.

1700 E Palm Valley Blvd, Ste. 395

Round Rock, TX 78664-4677, Tel. 512-354-4068

1. Work Excuse Authorization by Dr. Tamika Latta, MD dated November 13, 2021

Plaintiff’s employment records including pay information which may be kept in the normal course of business by Plaintiff’s employer to the extent that the records would be necessary to calculate and ascertain Plaintiff’s lost wages and loss of earning capacity. Plaintiff does not have possession of, nor have she obtained these records at this time and examination of such records or items would be through the custodian of records.

1. Any indemnity and insuring agreements described in Rule 192.3(f);

**Plaintiff has liability insurance policy coverage with Allstate. The policy number is 836848724. Plaintiff does not carry personal Injury protection or Uninsured/Underinsured motorists coverage. See attached copy of PIP and UIM rejection.**

1. Any settlement agreements described in Rule 192.3(g);

**RESPONSE:** Not applicable.

1. Any witness statements described in Rule 192.3(h);

**RESPONSE:** None other than the statements contained in Plaintiff’s medical and employment records.

1. **In a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills that are reasonably related to the injuries or damages asserted or, in lieu thereof, an authorization permitting the disclosure of such medical records and bills;**

**RESPONSE:** See attached an authorization permitting the disclosure of Plaintiff’s medical and billing records. Plaintiff has previously also given all her medical and billing records to the Defendant.

1. **In a suit alleging physical or mental injury and damages from the occurrence that is the subject of the case, all medical records and bills obtained by the responding party by virtue of an authorization furnished by the requesting party;**

**RESPONSE:** See attached an authorization permitting the disclosure of Plaintiff’s medical and billing records. Plaintiff has previously also given all her medical and billing records to the Defendant.

1. **The name, address, and telephone number of any person who may be designated as a responsible third party;**

**RESPONSE:** None known to Plaintiff.

**DATED** this 24th day of October 2022.

Respectfully Submitted,

HABTEMARIAM LAW FIRM, PLLC.

/s/ Neftalem Habtemariam

**Neftalem Habtemariam**

Texas Bar No. 24111396

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