

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HONEY WING

Plaintiff

CIVIL ACTION NO. _____

v.

JURY TRIAL DEMANDED

SUPERSTORE PHARMACY CO.

Defendant

PLAINTIFFS' INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)

Pursuant to FED. R. CIV. P. 26(a), Plaintiffs, by and through their undersigned counsel, hereby disclose to Defendants the following information:

A. The Name and, If Known, the Address and Telephone Number of Each Individual Likely to Have Discoverable Information Relevant to Disputed Facts Alleged with Particularity in the Pleadings, Identifying the Subjects of the Information

Plaintiff believes the following individuals, in addition to the Plaintiff, may have information which bears significantly on his claims:

1. The following individuals are employees of PHARMACY SUPERSTORE, for whom contact may presumably be made via PHARMACY SUPERSTORE:

Maureen Smith: Plaintiff believes that Ms. Smith has knowledge of the events preceding Plaintiff's demotion and was directly involved in the decision to demote Plaintiff. Ms. Smith may also have knowledge of the denial of accrued vacation time to Plaintiff.

Pat McDonny: Plaintiff believes that Mr. McDonny has knowledge of the events preceding Plaintiff's demotion and was directly involved in the decision to demote Plaintiff. Mr. McDonny may also have knowledge of the denial of accrued vacation time to Plaintiff.

Dan Hay: Plaintiff believes that the subjects concerning which Ms. Hay has knowledge include scheduling for the district in which Plaintiff

worked, Defendant's awareness of Plaintiff's debilitating migraines, and Plaintiff's job performance and dedication to PHARMACY SUPERSTORE.

2. The following individuals are Plaintiff's treating physicians, who have knowledge concerning plaintiff's leave requirements, the care and treatment of plaintiff and the severity and frequency of his debilitating migraines.

Dr. J Gaff
Family Practice
176 New Middletown Road
Middletown, PA

Dr. Equine Station
Center for Headache Management
Ambulatory Care Pavilion, Suite 533
Equine Station Medical Center
Equine, PA

B. A Copy of, or a Description by Category and Location of, All Documents, Data Compilations, and Tangible Things in the Possession, Custody, or Control of the Party That Are Relevant to Disputed Facts Alleged with Particularity in the Pleadings

Documents provided to Plaintiff by Defendant, including documents regarding compensation, benefits, policies, insurance, awards, job opportunities, stock options, employee handbook, and exit interview survey.

Physician/medical bills, billing statements and other documents related to Mr. WING's medical conditions while employed by PHARMACY SUPERSTORE/pharmacy.

Earnings statements from PHARMACY SUPERSTORE.

Pay stubs from Plaintiff's current position at SUB SUPERSTORE.

Documents provided by Plaintiff to the EEOC.

W-2's and Federal Tax Returns from 1996 to 2000.

C. A Computation of Any Category of Damages Claimed by the Disclosing Party

<u>Type of Damages</u>	<u>Amount</u>
Lost wages lost bonus accrued vacation pay	\$19,295 per year est: \$2,500 per year \$4,196.25 [\$3,357 for 90 hours plus 25% penalty per WPCL]
Lost benefits: Stock option award program ESOP and 401k Employee Stock Purchase Plan Dental Insurance coverage Life insurance Disability coverage	\$3,460/ year estimate \$5,280/ year estimate \$2,000/ year estimate \$219.96 per year \$44.40 per year \$264.42 per year
Compensatory damages	To be determined by the jury
Punitive damages	To be determined by the jury
Attorneys' fees and costs	To be determined by the Court

D. The Existence of Any Insurance Agreement under Which Any Person Carrying on an Insurance Business May Be Liable to Satisfy Part or All of a Judgment Which May Be Entered in the Action or to Indemnify or Reimburse for Payments to Satisfy the Judgment

Not applicable.

As to all categories listed above, Plaintiff's investigation is continuing and he reserves the right to supplement this disclosure if he becomes aware of further relevant information.

Date: January 10, 2002

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