

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

THOMAS NEELY,)	
)	
Plaintiff,)	
)	
v.)	No. 3:05-CV-304
)	(Guyton)
FOX OF OAK RIDGE, INC. and)	
BENJAMIN H. CURD,)	
)	
Defendant.)	

**(SAMPLE) DECLARATION OF ETHAN FOGLE IN SUPPORT OF
PLAINTIFF, THOMAS NEELY’S MOTION FOR SUMMARY
ADJUDICATION ON THE ISSUE OF VICARIOUS LIABILITY**

1. I, Ethan Fogle am employed by Michael Inman, counsel the Plaintiff, Thomas Neely, and make the following declaration based upon my own personal knowledge.

2. Attached as Exhibit A is a true and correct copy of the Responses of Defendant, Fox of Oak Ridge, Inc. to the Plaintiff’s Request for Admission Numbers [8-13](#).

3. Attached as Exhibit B is a true and correct copy of page 7 of the Deposition of defendant, [Benjamin Curd](#).

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

s\Ethan Fogle
Law Offices of Michael C. Inman
Attorney for Plaintiff
706 S. Gay Street
Knoxville, TN 37902
(865) 546-6500

CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2006 a copy of the foregoing Declaration of Ethan Fogle in Support of Plaintiff's Motion for Summary Adjudication on the Issue of Vicarious Liability was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s\Ethan Fogle
Law Offices of Michael C. Inman,
Attorney for Plaintiff