Injury—Applications

Questionnaire: When You Are Injured By a Defective Product

One of the most important things your lawyer needs to know is when you were injured. While in many cases the day of this event is completely obvious, in some cases the answer is very subtle. If your injury cannot be linked to a specific accident on a specific date, this questionnaire will help your lawyer pin down this fact. The date of injury is extremely important. Your state has statutes that prevent you from making any recovery if too much time has passed between the date you were injured and the date you file your lawsuit. It is better to know right away if these statutes will affect your case.

As you complete this questionnaire, keep in mind that some of the questions may not apply to you. Read them carefully before you move on to the next question. Also, some of the questions are fairly technical, but do your best with them.

1. Does your legal claim arise out of a disease rather than an injury?
   ______ Yes  ______ No

2. When did you discover that you were, in fact, injured?
   ____________________________________________

3. If you suffered more than one injury, did they occur on different dates?
   ______ Yes  ______ No

4. If you answered “Yes” to Question 3, on what dates did your injuries occur?
   First injury  ___________________________
   Second injury  ___________________________
   Third injury  ___________________________

5. If you were injured in an accident involving a product or some equipment, when did you learn the identity of the manufacturer?  ____________________________________________
6. If you were injured in an accident involving a product or some equipment, when did you first learn that the product was defective, or that the manufacturer was negligent in designing or manufacturing the product?

7. If you were injured by a long-term exposure to a substance, chemical, or product, when was the last time you were exposed to it?

8. When you bought the product or equipment, did it come with any express warranties? (An express warranty is a specific promise about the product. It is not a general promise that it is “merchantable” or “fit for a particular purpose.”)

   ______ Yes    ______ No

9. If you answered “Yes” to Question 8, did the manufacturer break that promise?

   ______ Yes    ______ No

10. When you bought the product or equipment, did it come with any promise about its future performance?

    ______ Yes    ______ No

11. If you answered “Yes” to Question 10, did the product live up to that promise?

    ______ Yes    ______ No

12. Did the product or equipment have a concealed defect?

    ______ Yes    ______ No

13. When you were injured, were you:

    a. Under age 18? ______ Yes ______ No
    b. Not in your right mind? ______ Yes ______ No
    c. Severely ill? ______ Yes ______ No
    d. In jail? ______ Yes ______ No

14. If you answered “Yes” to Question 13(b) or Question 13(c), please explain the circumstances.

   ____________________________________________________________________
   ____________________________________________________________________
15. At the time you were injured did anybody else do something that contributed to causing the accident or your injury?

_______ Yes  No_______

If you answered “Yes” please explain how:  _______________________________________

______________________________________________________________________________

______________________________________________________________________________

______________________________________________________________________________