

1 A: Yes.

2 Q: And despite that you weren't able to avoid
3 hitting the back of his car?

4 MR. FORD: Objection; argumentative.

5 THE COURT: Sustain on that basis.

6 Q: Were you able -- was there anything you
7 could do to avoid hitting Mr. Ervin's vehicle?

8 A: No.

9 Q: Did you have time to avoid the collision?

10 A: No.

11 Q: I don't have any more questions, Your
12 Honor.

13 THE COURT: Cross.

14 MR. FORD: No questions at this time.

15 MR. STEPHENSON: Your Honor, briefly.

16 CROSS EXAMINATION

17 BY MR. STEPHENSON:

18 Q: Ms. Young, do you -- are you -- do you wear
19 glasses?

20 A: No.

21 Q: Do you have good vision?

22 A: Yes.

23 Q: Do you have any problem with your
24 peripheral vision?

25 A: No.

1 Q: Did you remember you did that test down at
2 the MVA where you put your head up at the thing and they
3 checked your eyesight?

4 A: Yes.

5 Q: You passed?

6 A: Yes.

7 Q: Okay.

8 You're going 35 to 40 before Mr. Ervin comes in
9 your lane, correct?

10 A: Yes.

11 Q: Okay.

12 You did jam on your brakes prior to the
13 collision, correct?

14 A: Yes.

15 Q: As soon as you saw him coming in your lane
16 you hit the brakes?

17 A: Yes.

18 Q: So the brakes actually were engaged on your
19 vehicle prior to the collision?

20 A: Yes.

21 Q: But your vehicle still collided with his
22 vehicle nonetheless, correct?

23 A: Yes. Yes.

24 Q: So his vehicle must have been going at a
25 speed less than the 35 to 40 that you were traveling

1 before you applied the brakes?

2 MR. BRATT: Objection.

3 THE COURT: Overrule. Can you answer that?

4 A: I don't know how fast he was going.

5 Q: Could you describe the severity of the
6 impact between your vehicles?

7 A: It was moderate. My daughter had a
8 seatbelt melk -- mark on her chest from going forward so.

9 Q: I'm gonna show you this Defendant's Exhibit
10 Number 2 -- Plaintiff's rather; Plaintiff's Exhibit
11 Number 2.

12 Your testimony here today was that you didn't
13 see the -- Honda, Mr. Ervin's vehicle, at any time prior
14 to the time he came into your lane, correct?

15 A: No.

16 Q: Okay.

17 This first part of Plaintiff's Exhibit Number
18 2, he's got your Dodge which is the "D" directly behind
19 Mr. Ervin's Honda with the "H". Is that consistent with
20 your recollection?

21 A: No.

22 Q: Is -- is any of this diagram consistent of
23 your recollection as to how the accident occurred?

24 A: No, I would have seen the truck if it was
25 right beside me.

1 Q: You would have seen the truck if it was
2 right beside you.

3 I don't have any further questions.

4 THE COURT: Any other questions?

5 RE-DIRECT EXAMINATION

6 BY MR. BRATT:

7 Q: Ms. Young, at some point Mr. Ervin's
8 vehicle was right beside you as well wasn't it?

9 A: Beside me, no; not that I recall.

10 Q: It would have been in the lane to your
11 right, correct?

12 A: Ahead of me.

13 Q: But it was within a reasonable distance to
14 your vehicle, wasn't it?

15 A: Yes.

16 Q: And you never saw that vehicle before the
17 collision did you?

18 A: No.

19 Q: Nothing else, Your Honor.

20 MR. FORD: Nothing.

21 THE COURT: Thank you, ma'am. You may step
22 down.

23 A: Thank you.

24 MR. BRATT: That'll be the Plaintiff's case,
25 Your Honor.