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Plaintiff
vs.
ROOFING, INC., et al.
Defendants

IN THE
CIRCUIT COURT
FOR
BALTIMORE CITY
Case No.:

The deposition of _____ was held
on _____, commencing at 11:05 a.m.,
at the Law Offices of McNamara, Fizer & Dent, The B&O
Building, Suite 310, Two North Charles Street,
Baltimore, Maryland 21201-3725, before Sandra A. Judd,
Notary Public.

APPEARANCES:

LAURA G. ZOIS, ESQUIRE
On behalf of Plaintiff
J. GREGORY DONLIN, ESQUIRE
On behalf of Defendants

ALSO PRESENT: _____

REPORTED BY: Sandra A. Judd

STIPULATIONS

1
2 It is stipulated and agreed by and between
3 counsel for the respective parties that the reading and
4 signing of this deposition by the witness be and the
5 same are hereby waived.

6 It is further stipulated and agreed that
7 the filing of this deposition with the Clerk of Court
8 be and the same is hereby waived.

9 -----
10 Whereupon,
11
12 called as a witness, having been first duly sworn to
13 tell the truth, the whole truth, and nothing but the
14 truth, was examined and testified as follows:

EXAMINATION BY MS. ZOIS:

15 Q Good morning. My name is Laura Greeves
16 Zois, and I represent [redacted] in this case.
17 Before we get started, I want to go through the ground
18 rules of depositions with you just so we're on the same
19 page. Do you understand that the testimony you're
20 giving today is under oath?
21

1 Q What did you review?
2 A My interrogatories.

3 Q Your Answers to Interrogatories?
4 A Yes.

5 Q Is that it?
6 A Answers from James

7 Q Okay. The agent on behalf of
8 Roofing?

9 A Yes.
10 Q Did you have any hand in preparing the
11 Answers to Interrogatories?

12 A Just my own.
13 Q Okay. What is your date of birth?

14 A 11/19/____
15 Q And your Social Security Number?

16 A
17 Q And your current address?

18 A
19 21236.

20 Q How long have you lived at that address?
21 A A little less than a year.

1 A Yes.
2 Q Do you understand the testimony that you're
3 giving today has the same force and effect, just as if
4 you were testifying in front of a judge or a jury?

5 A Yes.
6 Q If at any time I ask you a question that
7 you do not understand, I want you to let me know.
8 Okay?

9 A Okay.
10 Q Otherwise, I'm going to assume you heard
11 the question, understood the question, and were
12 answering that question. All right?

13 A Okay.
14 Q Is there any reason that you can't give
15 your best deposition testimony here today?

16 A No.
17 Q Are you on any type of medication today?

18 A No.
19 Q Before your deposition, did you review any
20 documents in preparation for your deposition?

21 A Yes.

1 Q Where did you live before that?
2 A At my mother's house, : Road,
3 Kingsville, Maryland, 21087.

4 Q Is that where you were living back on the
5 date of this accident?

6 A No.
7 Q Where were you living before the address
8 with your mother?

9 A _____
10 Maryland, 21128.

11 Q Is that where you were living on the date
12 of the accident?

13 A Yes.
14 Q And the accident I'm speaking of is the
15 February 20th, 1998?

16 A I believe that's the date of the accident.

17 Q Okay. When did you begin your employment
18 with Roofing?

19 A I don't know the exact date offhand.

20 Q What year?

21 A '96 or '97.

1 O And when you first became associated with
 2 : Roofing, what capacity was it in?
 3 A I was the president of the company.
 4 Q Did you start the company yourself? Were
 5 you the owner of the company as well, or just --
 6 A Owner and I had another partner, a friend
 7 of mine.
 8 Q Who was your partner?
 9 A James
 10 O So you and he started up the business of
 11 Roofing together?
 12 A Yes.
 13 Q How long have you known James ?
 14 A Since high school, so, since I would say
 15 probably '84, '85. 1984, '85.
 16 Q And are you and he still friendly?
 17 A Yes.
 18 Q And you left Roofing in 1999?
 19 A That sounds about right. I don't know the
 20 exact date.
 21 Q And why did you leave?

1 A Two to three.
 2 Q And in 1998 around the time of the
 3 accident, how many employees did you have?
 4 A Two to three.
 5 Q And when you left the company in 1999, how
 6 many employees did you have?
 7 A About two or three.
 8 Q Were they the same two or three people from
 9 1997 or so to 1999?
 10 A Yes.
 11 Q Who were those other two or three people?
 12 A Dennis , Tom
 13 , I do believe his last name is, and the third
 14 person was a Brian , .
 15 O Give me a general description of what
 16 Roofing did.
 17 A General roofing repair. We did commercial
 18 work and residential.
 19 Q How many trucks did you have back in
 20 February of 1998?
 21 A Two.

1 A Differences among the company.
 2 Q Were you terminated or did you voluntarily
 3 leave?
 4 A No, I voluntarily left.
 5 Q Do you have an employee file with
 6 Roofing?
 7 A I don't know.
 8 Q You were the president of the company?
 9 A Yes.
 10 Q Is there a file that you keep track of your
 11 hours, your pay, your health insurance, incidents that
 12 occur on the job?
 13 A No.
 14 Q You had no such personal file?
 15 A No.
 16 Q When you and Mr. ; started the
 17 company, was it just the two of you working in the
 18 company or did you have employees?
 19 A We had employees.
 20 Q When you first started the company, about
 21 how many employees did you have?

1 Q What type of trucks were they?
 2 A 1995 Chevy K-1500 half-ton. And I don't
 3 know the year of the other truck. It was a Ford F-250,
 4 I do believe.
 5 Q Which vehicle was involved in this
 6 accident?
 7 A The 1995 Chevy.
 8 Q Do you know if Reliable Roofing still owns
 9 that vehicle?
 10 A No, they do not.
 11 Q What year was that vehicle sold, if you
 12 know?
 13 A I -- I don't know.
 14 Q Was it sold before you left?
 15 A No.
 16 Q So they still had it when you left in '99?
 17 A Yes.
 18 Q Does Roofing, during the general
 19 course of business, keep files associated with
 20 different vehicles?
 21 A No.

1 Q You don't have any --
 2 A Not at that time.
 3 Q You don't have any documents as to the
 4 maintenance of the vehicle back in February of '98?
 5 A No.
 6 Q Let me make sure I understand what you're
 7 telling me. After you acquired the vehicle and before
 8 you left in 1999, Roofing did not keep any
 9 maintenance records or documentations with respect to
 10 vehicles that it owned?
 11 A That's correct.
 12 Q Who was the owner of the vehicle that was
 13 involved in this accident? Was it Roofing,
 14 Inc., or was it you or your partner?
 15 A It was me doing business as Roofing ;
 16 Roofing.
 17 Q Do you personally have any maintenance
 18 records on that vehicle?
 19 A No.
 20 Q Did you at any time have any documentation
 21 of that vehicle?

1 A As far as what?
 2 Q Maintenance records.
 3 A I did --
 4 Q Purchase.
 5 A I did most of the work on my own as far as
 6 oil changes, anything of that nature. If it was
 7 something severe, then we'd take it to a garage to have
 8 it fixed.
 9 Q Was the auto policy on that vehicle through
 10 Roofing?
 11 A Yes.
 12 Q During the course of your ownership of that
 13 vehicle, was there ever any property damage to the
 14 vehicle?
 15 A Nicks and dings, that kind of stuff.
 16 Q Did you ever make a claim for property
 17 damage for that vehicle?
 18 A No.
 19 Q Who did you sell the vehicle to?
 20 A I don't remember the gentleman's name
 21 offhand.

1 Q Do you remember when you sold it?
 2 A No, I do not.
 3 Q Did you take it with you after you left
 4 Roofing in '99?
 5 A Yes.
 6 Q What are you doing now?
 7 A I work for Nationwide Insurance.
 8 Q What do you do for them?
 9 A Claims Adjustor.
 10 Q What department?
 11 A Liability claims.
 12 Q Attorney represented or unrepresented, or?
 13 A No, unrepresented. No B.I. No bodily
 14 injury.
 15 Q Is it all property damage?
 16 A Yes.
 17 Q When did you get your job with Nationwide?
 18 A December of last year.
 19 Q So December of 2002?
 20 A Yes.
 21 Q What were you doing from --

1 MR. DONLIN: Objection to the misstatement.
 2 I think you said December 2002.
 3 MS. ZOIS: I did.
 4 MR. DONLIN: I was December 2001, I take
 5 it.
 6 BY MS. ZOIS:
 7 Q December of 2001 you started working for
 8 Nationwide?
 9 A Yes.
 10 Q What did you do between October of '99 and
 11 December of 2001?
 12 A I worked for the Home Depot.
 13 Q In October of '99 when you made the
 14 decision to leave Roofing, can you give me a
 15 general description of why? You said differences, but
 16 --
 17 A When you work with a friend of yours, it
 18 tends to take a toll on you after a while. And I -- it
 19 came down to the point where it's either friendship or
 20 business, and I chose friendship.
 21 Q So the two of you had differences of

1 opinion as to how the business should be run?
 2 A Yes, essentially.
 3 Q And that was causing tension with your
 4 friendship?
 5 A Yes.
 6 Q How often do you see Mr. -- is it s?
 7 A s.
 8 Q How often do you see Mr. t
 9 now?
 10 A Maybe two to three times a year, maybe.
 11 Q The other two employees that you had
 12 working for you, or the other three, rather, were they
 13 also friends of yours?
 14 A Oh, yes. Well, two of the three.
 15 Q Which two?
 16 A Brian and Dennis , who at
 17 the time was my brother-in-law.
 18 Q And are those two individuals still
 19 employed, if you know, by Roofing?
 20 A I do not know that.
 21 Q How about Tom ' ?

1 usually every morning pretty early; four, five, six in
 2 the morning.
 3 Q Okay.
 4 A Left out of there and went down to Morris
 5 Ginsberg and Son, which is downtown.
 6 Q Were you alone when you left the shop?
 7 A No.
 8 Q Who was with you?
 9 A Dennis and Tom '
 10 Q So they met you at the shop before you went
 11 downtown?
 12 A Yes.
 13 Q And you went downtown to what company? I'm
 14 sorry.
 15 A Morris Ginsberg and Son. It's a roofing
 16 supply house.
 17 Q Where are they located?
 18 A Central Avenue or Bond Street; I think
 19 they're located on both.
 20 Q Near Fells Point?
 21 A Yes.

1 A I do not know that.
 2 Q Are you still friends with Dennis l <
 3 and Brian
 4 A Yeah, I don't -- I see -- I haven't seen
 5 Dennis probably in like two or -- two years probably or
 6 more.
 7 Q How about Brian?
 8 A Brian I see. I'm very good friends with
 9 him. I see him on a regular basis.
 10 Q Back on the morning of this accident, where
 11 were you coming from and where were you heading to?
 12 A Initially started out at the -- my shop, or
 13 the shop at the time.
 14 Q Which was where?
 15 A Fitch Avenue.
 16 Q Is that in the county?
 17 A Baltimore County.
 18 Q Okay.
 19 A Initially started out there.
 20 Q What time?
 21 A I don't know the exact time. We start

1 Q And where were you heading to from there?
 2 A I do believe on that day to Light Street.
 3 I do believe, but that's -- that's vague at this point.
 4 Q Somewhere over in Federal Hill?
 5 A Yes.
 6 Q How did you get from the roofing supply
 7 center? What route did you take to get to Light
 8 Street?
 9 A I don't know the exact route.
 10 Q Were you familiar with downtown Baltimore
 11 back in --
 12 A Fairly familiar, yes.
 13 Q -- February of 1998? Did you have a map
 14 with you the morning of the accident?
 15 A Yes.
 16 Q Were you using the map to find where you
 17 were going the morning of the accident?
 18 A No.
 19 Q What road did the accident take place on?
 20 A I do believe that it was Lombard Street.
 21 Q In the area where the accident took place,

1 how many lanes were there going in the same direction
 2 you were going?
 3 A It's a one-way street there. I would have
 4 to say it was probably four or five lanes.
 5 Q Do you remember which lane you were in?
 6 A Either the first or the second lane to the
 7 -- from the -- from the left, if you're going left to
 8 right.
 9 Q The lane that you were in, was that a lane
 10 that continued on straight or turned left?
 11 MR. DONLIN: Objection. At what point?
 12 MS. ZOIS: At the point where the accident
 13 took place.
 14 THE WITNESS: At the point where the
 15 accident took place, it goes straight. But I do
 16 believe the next block, in the first -- first lane and
 17 the second lane from the left, I -- if I can remember
 18 or recall, I do think you have to turn left there.
 19 BY MS. ZOIS:
 20 Q So was it your intention to continue on and
 21 take a left?

1 say five to ten miles an hour.
 2 Q What's the fastest speed you got up to in
 3 the minute before the accident?
 4 A Maybe ten miles an hour.
 5 Q Do you remember whether or not you got
 6 stuck at the light before the intersection where the
 7 accident took place?
 8 A I don't recall.
 9 Q Do you remember approximately what time the
 10 accident took place?
 11 A I don't remember the approximate time. I
 12 think it was somewhere around 8:30ish a.m.
 13 Q Do you remember how long you were at
 14 Lombard before the accident took place?
 15 A Not the exact time, no. I would say
 16 roughly ten minutes.
 17 Q Do you know how many blocks you went?
 18 A No, not offhand.
 19 Q When was the first time that you observed
 20 Ms. R , vehicle?
 21 A Well, as I said, it was stop-and-go

1 A Yes, I was going to take a left at the
 2 next --
 3 Q What was the weather like the morning of
 4 the accident?
 5 A It was cloudy, and I think it was drizzling
 6 that morning.
 7 Q Do you know what the speed limit is on
 8 Lombard?
 9 A No.
 10 Q Do you remember where you got onto Lombard?
 11 A No, I do not.
 12 Q Let's say within the minute before the
 13 accident, do you know what your speed was?
 14 A I would say --
 15 MR. DONLIN: Objection. At what point?
 16 MS. ZOIS: Within the minute before the
 17 accident.
 18 BY MS. ZOIS:
 19 Q I don't know if you stopped at any lights
 20 or --
 21 A No. It was stop-and-go traffic. I would

1 traffic. We were -- I was on that road for ten -- for
 2 say ten minutes, but I didn't really recognize her
 3 vehicle as being in front of me for all ten minutes.
 4 Q When was the first time that you recognized
 5 her vehicle being in front of you?
 6 A At -- at the time of impact.
 7 Q Did you ever see her vehicle before the
 8 impact?
 9 A She was in front of me before the impact,
 10 yes.
 11 Q But did you see her vehicle before the
 12 impact?
 13 A I saw her vehicle before the impact, yes.
 14 Q Were you following behind her vehicle
 15 before the impact?
 16 A Yes.
 17 Q How far were you following behind her
 18 before the impact?
 19 A At one point we were right behind each
 20 other in stop-and-go traffic.
 21 Q Okay. At the time of the impact, your

1 vehicle was moving, correct?
 2 A Yes.
 3 Q Can you approximate your speed?
 4 A Five to ten miles per hour.
 5 Q Describe for me, if you could, how the
 6 accident happened.
 7 A Stop-and-go traffic. The traffic suddenly
 8 stopped. I attempted to stop. The roads were damp,
 9 wet, and the vehicle slid into the rear of Mrs.
 10 R vehicle.
 11 Q All right. So Mrs. _____'s vehicle
 12 stopped in front of you, you attempted to stop and slid
 13 into the back of her car?
 14 A Yes.
 15 Q How would you describe the manner in which
 16 Ms. _____ brought her vehicle to a stop?
 17 A What do you mean?
 18 Q Normal? A normal stop? A gradual stop?
 19 A I would say for the conditions, that would
 20 be normal, yes.
 21 Q Did you see the vehicle in front of her

1 A I do not know.
 2 Q Do you know how many vehicles there were
 3 between Ms. _____ and that intersection?
 4 A No. It was a lot.
 5 Q Do you know whether or not at the point of
 6 the impact all the other vehicles in front of Ms.
 7 _____ were stopped or moving?
 8 A I don't know that.
 9 Q How far away were you behind Ms. _____'s
 10 vehicle when you observed her vehicle come to a
 11 complete stop?
 12 A I would say probably two car lengths.
 13 Q How much time passed between the time you
 14 first saw her come to a complete stop and the point of
 15 the impact?
 16 A A couple of seconds.
 17 Q And I think I asked you this already, but
 18 you estimate that your vehicle at the point of impact
 19 was traveling somewhere between five and ten miles per
 20 hour?
 21 A Yes.

1 vehicle bring its vehicle to a normal stop?
 2 A I did not see that, no.
 3 Q Did you see the vehicle in front of her
 4 vehicle at all?
 5 A After I got out of the vehicle.
 6 Q Let me make sure I understand what you're
 7 saying. Before your impact with the rear of her
 8 vehicle, you didn't really take note one way or the
 9 other of the vehicle directly in front of Ms. _____?
 10 A No.
 11 Q Did the accident happen at an intersection?
 12 A No.
 13 Q Where did the accident happen?
 14 A On Lombard Street. I don't know the
 15 hundred block.
 16 Q How far away in front of you was the next
 17 intersection?
 18 A Half a block, three quarters of a block.
 19 Q Do you know what the light was at that
 20 traffic signal? Do you know if it was red, green, or
 21 yellow?

1 Q And before the impact, when you saw her
 2 vehicle come to a complete stop, did you apply your
 3 brakes?
 4 A I applied my brakes before she came to a
 5 complete stop, yes.
 6 Q Okay. That's a -- I'll ask a different
 7 question. You applied your brakes as you saw her
 8 vehicle braking?
 9 A Exactly.
 10 Q All right. When you saw her brake lights
 11 come on, you started to apply your brakes?
 12 A Exactly.
 13 Q She's able to bring her vehicle to a
 14 complete stop?
 15 A As far as I know. I don't remember what
 16 happened with her vehicle and the car in front of her.
 17 Q Okay. As you were two car lengths away
 18 from her vehicle, that's when you began to apply your
 19 brakes? Or had you begun to apply your brakes earlier
 20 than that?
 21 A I don't know offhand.

1 Q After you applied your brakes, was your
2 vehicle able to decelerate at all? Could you feel that
3 your vehicle was decelerating?
4 A My vehicle was actually sliding.
5 Q Do you know whether or not your vehicle was
6 decelerating? I understand that your vehicle slid on
7 the wet pavement, but after you applied your brakes and
8 before the impact, did your vehicle slow down at all?
9 A Yes.
10 Q Do you know by how many miles per hour you
11 were able to slow your vehicle down before the impact?
12 A No, I don't know that.
13 Q How would you describe the impact?
14 A Minor.
15 Q What kind of bumper is on the front of that
16 truck?
17 A Chrome and steel. Steel and chrome.
18 Q Does it have a hitch on it, on the front?
19 A No. It has two hooks. It had two hooks on
20 the front, one on each; driver's side and passenger
21 side. But they don't protrude out further than the

1 bumper, I don't -- I don't believe that that does.
2 Q And that was the half-ton truck, right?
3 A Yes.
4 Q After your vehicle struck [redacted]
5 vehicle, do you know whether or not her vehicle moved
6 forward at all?
7 A I do not know that.
8 Q Do you know whether or not when your
9 vehicle came into contact with [redacted] vehicle,
10 your vehicle came to a complete stop upon impact?
11 A Yes.
12 Q After the impact, did you get out of your
13 vehicle?
14 A Yes.
15 Q How much distance was there between the
16 front of your vehicle and the rear of [redacted]
17 vehicle?
18 A I would say a couple feet.
19 Q Do you know whether or not [redacted]
20 vehicle struck the vehicle directly in front of her?
21 A As far as I know, it did, yes.

1 Q Did you talk to the driver of the vehicle
2 directly in front of [redacted]?
3 A Yes.
4 Q Do you know her name?
5 A No.
6 Q Did you get that information at the scene
7 of the accident?
8 A No, because she said she was fine and went
9 about her way. She said she didn't have any property
10 damage.
11 Q Did you look at the back of her car?
12 A Yes.
13 Q What type of car was she in?
14 A A smaller car. I don't remember the make,
15 the year or make.
16 Q Do you remember what color?
17 A It was a darker color.
18 Q Do you remember what the person looked
19 like, male or female?
20 A It was a female.
21 Q African-American or white?

1 A Yes, African-American.
2 Q Young or old?
3 A Middle aged.
4 Q And so you did not get her information at
5 the scene of the accident?
6 A No.
7 Q In the vehicle with you were two other
8 employees, that was, I guess, Tom and Dennis, right?
9 A Yes.
10 Q Where were they positioned in the vehicle?
11 A I do believe Dennis was in the middle
12 position and Tom was in the passenger position.
13 Q Did anybody say anything in the vehicle
14 just before the impact?
15 A I don't recall whether the radio was on or
16 we were talking. I don't -- I don't recall the
17 conversation.
18 Q Do you remember whether or not either one
19 of those gentlemen said something like, there's a car
20 stopped, or hit your brakes, or anything along those
21 lines? Were they aware of the impending impact, do you

1 know?

2 A I don't -- I don't recall.

3 Q Immediately after the accident, what did
4 you do?

5 A Immediately after the accident I got out of
6 the car, went to [redacted]'s car, and I asked her if
7 she was okay. She didn't really give me an answer at
8 first. She didn't want to get out of the car at first.
9 Eventually she got out of the car. I asked her a
10 couple of times if she was okay. She said she wasn't
11 sure.

12 Then I went up to the next vehicle and
13 asked the same question to the lady in the other
14 vehicle. She said she was okay. She got out of her
15 car and looked at the rear of her car. She said she
16 didn't really see any damage to her vehicle. She went
17 about her -- on her way.

18 And [redacted]h, I do believe, got on a
19 cell phone, and I think that she called the police.
20 But I'm not sure of that. The paramedics arrived.
21 They looked at the rear of [redacted]'s car and kind

1 traffic was so congested that he didn't see us and just
2 kind of went by us.

3 Q Okay. So you presume that the police were
4 on their way based on the phone call that you saw [redacted].
5 [redacted] make?

6 A Right.

7 Q Did she tell you that the police were on
8 their way?

9 A I don't recall. I don't remember. I don't
10 recall.

11 Q Have you ever seen a police report in this
12 case?

13 A Excuse me?

14 Q Have you ever seen a police report?

15 A I have not, no.

16 Q Do you remember the name of the
17 investigating police officer?

18 A No. I --

19 MR. DONLIN: Objection. He said he doesn't
20 remember whether the police arrived at the scene.

21 Q Do you know whether or not the police ever

1 of chuckled and said, you can't be injured; there's no
2 damage to the rear of your car.

3 And I don't think the police ever arrived.
4 I can't -- I don't remember. It's been so long.

5 Q Do you know whether or not the paramedics
6 ever actually went over and examined [redacted]?

7 A I don't believe so. I don't think they
8 did.

9 Q Okay. Did either of your passengers have
10 any conversations with [redacted]?

11 A No.

12 Q Did they stay in the truck?

13 A They stayed in the -- we -- while we were
14 waiting for the police, we were -- they were in the
15 truck, and then eventually I think we were standing out
16 on the sidewalk and left the cars where they were.

17 Q How did you know the police were on their
18 way?

19 A I assume -- from [redacted]h being on the
20 phone, I assumed she called the police. And actually a
21 city police officer drove by. And I think because the

1 arrived at the scene? Do you remember seeing a police
2 officer at the scene?

3 A I don't remember seeing a police officer
4 there, no.

5 Q Did you ever talk to a police officer about
6 this accident, whether at the scene or anytime
7 thereafter?

8 A No.

9 Q Never got a phone call from the police
10 department after you'd left the scene, a day later?

11 A No.

12 Q When did you leave the scene of the
13 accident?

14 A I don't know the exact time, but we were
15 there probably -- it seemed like we were waiting on the
16 curb -- on the sidewalk for a while, because it was
17 drizzling. So I'm guessing maybe an hour later.

18 Q So --

19 A It could have been more, could have been
20 less.

21 Q You think you were at the scene for about

1 an hour?
 2 A It seemed that way.
 3 Q Was [redacted] on the scene the hour that
 4 you were?
 5 A Yes, she was there at the time too, yes.
 6 Q Who left the scene first, you or [redacted]
 7 [redacted]
 8 A I don't know.
 9 Q Before you left the scene of the accident,
 10 did you get [redacted]'s information or give her your
 11 information?
 12 A We exchanged information, yes.
 13 Q Did you have a camera with you on the
 14 morning of the accident?
 15 A (No response.)
 16 Q Were you and your passenger taking pictures
 17 at the scene of the accident?
 18 A I -- I don't remember if we were or not.
 19 Sometimes I carry a camera with me, but I don't recall
 20 taking pictures.
 21 Q Why do you carry a camera with you?

1 that was involved in the accident?
 2 A Primarily, yes.
 3 Q Did you take it to and from work?
 4 A Yes.
 5 Q Did you own any other vehicles at the time
 6 of the accident?
 7 A Yes.
 8 Q While you were at the scene of the
 9 accident, you had mentioned that you were asking [redacted]
 10 [redacted] whether or not she was okay. Did she ever, in
 11 fact, respond to your question?
 12 A She did respond -- I -- I -- if I can
 13 recall correctly, but she didn't give me an answer as
 14 far as yes, a direct answer as yes or no. She said she
 15 wasn't sure.
 16 Q Were the paramedics still on the scene of
 17 the accident when you left the scene?
 18 A I don't believe so, no.
 19 Q Do you remember about how long the
 20 paramedics were at the scene of the accident?
 21 A I would say five to ten minutes.

1 A With roofing work you tend to want to take
 2 photos of the roof.
 3 Q And you were on your way to a roofing job
 4 that day?
 5 A Right.
 6 Q Was it your habit to have the camera in the
 7 vehicle when you were going out to work on a roof?
 8 A Usually I had a camera in the vehicle.
 9 Q Do you remember ever seeing pictures
 10 developed from this accident?
 11 A No.
 12 Q What kind of camera was it --
 13 A Usually carried a --
 14 Q -- that you usually carried?
 15 A Usually carried a Polaroid.
 16 Q Was it your camera? Were you charged with
 17 the responsibility of taking care of it or Mr. [redacted]
 18 or Dennis [redacted]?
 19 A No. It was a [redacted] Roofing camera that
 20 was kept in -- one in each truck.
 21 Q Did you primarily drive the half-ton truck

1 Q After the accident, what, if anything, did
 2 you see property damage-wise to the back of [redacted]
 3 [redacted] vehicle?
 4 A I didn't see a lot of damage to the rear of
 5 [redacted] vehicle.
 6 Q Did you see any?
 7 A No.
 8 Q Do you know what part of your vehicle came
 9 in contact with what part of her vehicle?
 10 A Front bumper of my vehicle to the rear
 11 bumper of her vehicle, I do believe.
 12 Q Was it a square impact?
 13 A Yes.
 14 Q Before the accident itself and after you
 15 applied your brakes, were you able to turn your wheel
 16 to the left or the right?
 17 A (No response.)
 18 Q Let me ask that a different way. Did you
 19 attempt to swerve to avoid the collision?
 20 A No.
 21 Q Why not?

1 A Rush hour traffic. Rush hour traffic,
2 there's cars definitely to the right of me, and I don't
3 remember -- really recall what lane I was in, either
4 the first or the second lane. So basically I had cars
5 to the right of me stopping basically trying to stay in
6 my own lane.

7 Q But you don't recall as we sit here today
8 whether or not there was anything to your left?

9 A I -- I don't recall.

10 Q But you do know that before the impact you
11 didn't attempt to swerve your vehicle to the left?

12 A Right, didn't -- I didn't attempt to swerve
13 it to the left or to the right.

14 Q Okay. After this accident, did you report
15 the accident to your insurance company?

16 A Yes.

17 MR. DONLIN: Objection. You can answer.

18 Q Did you give a recorded statement to your
19 insurance company about how the accident took place?

20 A I don't remember if I gave a recorded
21 statement or not. I don't think they asked for one.

1 Q Did you give them a description as to how
2 the accident took place?

3 A Yes.

4 Q Did you file a property damage claim with
5 your insurance company as a result of this accident?

6 A No.

7 Q Did you have your car or truck examined at
8 all by any repair shop or body shop after this
9 accident?

10 A No.

11 Q Have you talked to the two other passengers
12 in the vehicle since this accident about this accident?

13 A We may have had some conversation that day
14 or a couple of days thereafter, but I haven't seen
15 those two gentlemen in a couple of years. So no, not
16 after that, no.

17 Q So you haven't talked to them recently
18 about the facts of the accident?

19 A No.

20 Q Since your 18th birthday while represented
21 by counsel or waiving your right to counsel, have you

1 ever been convicted of a felony?

2 A No.

3 Q Have you ever had your driver's license
4 suspended or revoked?

5 MR. DONLIN: Objection. You can answer.

6 A No.

7 MS. ZOIS: I think that might be all I
8 have. Give me a minute just to review your Answers to
9 Interrogatories.

10 : I'm sorry?

11 MS. ZOIS: I'm going to review his Answers
12 to Interrogatories. Do you have a question?

13 :

14 MS. ZOIS: No? Okay.

15 BY MS. ZOIS:

16 Q Was there a policy at Roofing to
17 fill out some sort of accident report if one of the
18 vehicles was involved in a collision?

19 A No.

20 Q Before the date of this accident, had you
21 been involved in any other automobile accidents --

1 MR. DONLIN: Objection.

2 Q -- during the scope of your employment with
3 Roofing?

4 MR. DONLIN: Objection. I'd like to know
5 what the point of the question is. It's clearly not
6 admissible in court.

7 MS. ZOIS: Well, I don't know what his
8 answer is going to be. It could be discoverable.

9 MR. DONLIN: Okay.

10 MS. ZOIS: Your objection is noted.

11 MR. DONLIN: Yes, I'm going to object for
12 the record. And yes, you can answer.

13 THE WITNESS: What was the question again?

14 BY MS. ZOIS:

15 Q Before the date of this accident had you
16 been involved in any other accidents with e
17 Roofing vehicles?

18 A No.

19 Q Do you know whether or not your other two
20 passengers gave statements to your insurance company
21 about how the accident took place?

1 A I -- I don't know. I don't believe so.
 2 Q How soon after the accident was it before
 3 you gave the statement to the insurance company about
 4 how the accident took place?
 5 MR. DONLIN: Objection. What do you mean
 6 by statement? He said he didn't give a recorded
 7 statement or he is not sure if he did; he doesn't think
 8 so.
 9 MS. ZOIS: He did --
 10 MR. DONLIN: So what kind of statement are
 11 you talking about?
 12 MS. ZOIS: The statement that he made to
 13 the claim rep who asked him how the accident happened.
 14 MR. DONLIN: A verbal description of the
 15 accident?
 16 MS. ZOIS: Yes.
 17 THE WITNESS: And you're asking for the
 18 time frame?
 19 MS. ZOIS: Yes.
 20 THE WITNESS: I called the accident in
 21 either that day or the day after. I don't really

1 we can, you know, waive that right to right to review.
 2 THE WITNESS: I don't think so.
 3 MR. DONLIN: Okay. All right. He waives.
 4 (Deposition concluded at 11:25 a.m.)
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1 recall the date.
 2 BY MS. ZOIS:
 3 Q Did you go on to the job off Light Street?
 4 A Yes.
 5 Q Do you remember what you did the evening
 6 before the accident?
 7 A No.
 8 Q Do you remember what day of the week it
 9 was?
 10 A No.
 11 Q Do you remember what day of the week the
 12 accident was?
 13 A No.
 14 MS. ZOIS: I think that's all I have.
 15 MR. DONLIN: Okay. I don't have any
 16 questions.
 17 You have the right to review what she's
 18 taken down to make sure that she's recorded everything
 19 accurately. They generally do an excellent job of
 20 recording it. And it's up to you whether you want to
 21 review it or not. She could send it to your house or

1 State of Maryland
 2 County of Harford, to wit:
 3
 4 I, Sandra A. Judd, a Notary Public of the
 5 State of Maryland, County of Harford, do hereby certify
 6 that the within-named proceedings took place before me
 7 at the time and place herein set out.
 8 I further certify that the proceedings were
 9 recorded stenographically by me and this transcript is
 10 a true record of the proceedings.
 11 I further certify that I am not of counsel
 12 to any of the parties, nor an employee of counsel, nor
 13 related to any of the parties, nor in any way
 14 interested in the outcome of this action.
 15 As witness my hand and notarial seal this
 16 25th day of June, 2002.
 17
 18
 19 Sandra A. Judd
 20 Notary Public
 21 My Commission Expires:
 August 16, 2005