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## APPEARANCES:    APPEARANCES:   1					WILLIAM M-CUIDE
Part					WILLIAM MCGUIRE
### APPEARANCES:    APPEARANCES:   Appeared on behalf of the Pelaintiff.		4		6	
1		5 PAUL DULBERG,		7	BY MR. MAST 4
SOUTH CADDON, 100   10				8	BY MR. BARCH 48
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1		Individually, and as		10	
1		McGUIRE and BILL McGUIRE )		11	EXHIBITS
13   Deposition of William Acquire,   1   14   15   15   16   16   16   16   16   16				12	
1		12 Defendants.			DEDOCITION EVHIRIT DAGE
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16 Decidified Shorthand Seporter, Registered Professional 17 Seporter and Botasy Public, on Stace 26, 2013, at 3461 18 Meet Els Street, Meeterly, Illitosis, at the approximate 19 hour of 2123 p.m. 20 21 22 NEFORTED BY: PARTA A. EXCESSOR 23 C.S.R. LICENSE WO. 684-903899 24 25 26 27 28 29 29 20 21 22 21 22 21 23 24 27 28 29 20 20 21 22 21 23 24 29 20 20 21 22 21 23 24 27 28 29 20 20 20 21 22 21 23 24 29 20 20 21 20 20 21 20 20 21 20 20 21 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 20 21 20 21 20 21 20 21 21 22 22 24 28 29 20 20 20 21 20 20 21 20 20 21 20 20 21 20 21 20 21 21 22 22 24 28 29 20 20 21 20 20 21 21 22 22 24 28 29 20 20 20 21 21 22 20 21 21 22 20 21 21 22 22 24 28 29 20 20 20 21 21 22 21 22 22 24 28 29 20 20 20 21 21 22 21 22 22 24 28 29 20 20 20 21 21 22 21 22 22 24 28 29 20 20 20 21 21 22 20 21 21 22 22 24 26 27 28 28 29 20 20 20 21 21 22 22 24 28 29 20 20 20 21 21 22 22 24 28 29 20 20 20 21 21 22 22 24 24 25 26 27 28 28 29 20 20 20 21 21 22 22 24 28 29 20 20 20 21 21 22 22 24 26 27 28 28 29 20 20 20 21 21 22 22 24 28 29 20 20 20 21 21 22 22 24 26 27 28 28 29 20 20 20 21 21 22 22 24 26 27 28 28 29 20 20 20 20 21 21 22 22 23 24 24 25 26 27 28 29 20 20 20 20 20 21 21 22 23 24 24 25 26 27 28 29 20 20 20 20 20 21 21 22 23 24 26 27 28 28 29 20 20 20 20 20 21 21 22 23 24 24 25 26 26 27 28 28 29 20 20 20 20 20 20 21 21 22 23 24 24 25 26 26 27 28 28 29 20 20 20 20 20 20 20 20 20 20 20 20 20		-			
13 Regentees and Matery Public, on March 20, 2613, at 3421 18 West Elia Street, Schenzy, 211Inois, at the approximate 18 18 19 20 21 C.IS.R. LICENSE NO. 884-903899 22 22 23 24 22 23 25 WR. HANS MAST 1 LAW OFFICES OF THOMAS J. POPOVICH 3416 W. Elm Street 4 McHenry, Illinois 60050 (815) 344-3797 5 Appeared on behalf of the Plaintiff. 6 MR. RONALD A. BARCH C. CICERO, FRANCE, BARCH & ALEXANDER, PC 6323 East Riverside Boulevard 8 Rockford, Illinois 61114 (815) 226-7700 9 Appeared on behalf of the Defendants, Carolyn and Bill McGuire. 11 MR. PERRY A. ACCARDO LAW OFFICE OF M. GERARD GREGOIRE 200 North LaSalls Street Suite 2650 11 MR. PERRY A. ACCARDO LAW OFFICE OF M. GERARD GREGOIRE 200 North LaSalls Street Suite 2650 11 Appeared on behalf of the Defendant, David Gagnon. 12 Appeared on behalf of the Defendant, David Gagnon. 13 No. 3 chain saw paperwork 46 18 19 20 No. 3 chain saw paperwork 46 18 19 20 THE REPORTER: Sir, can you raise your right 22 22 24 23 24 24 22 25 24 26 25 26 27 31 THE REPORTER: Sir, can you raise your right 25 28 WILLIAM McGUIRE, 36 The being first duly sworn, deposeth and saith as 6 follows: 29 Papeared on behalf of the Plaintiff. 40 20 Please state your name, sir. 40 20 Please state your name, sir. 40 20 Please state your name, sir. 40 20 MR. MAST: This is the discovery deposition of 11 William McGuire. 41 21 MR. PERRY A. ACCARDO 13 BY MR. MAST: 41 22 Q. Mr. McGuire, what's your address? 41 23 BY MR. MAST: 41 24 Q. Mr. McGuire, what's your address? 42 25 A. 1016 West Elder Avenue, McHenry, 11 Illinois 60051 26 A. Yes. 19 27 Q. Okay. And you live with Carolyn? 42 28 A. I am not remembering very good. '91. Since 23 29 191.				15	No. 1 chain saw photo 46
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Rockford, Illinois 61114 (815) 226-7700  Appeared on behalf of the Defendants, Carolyn AR. PERRY A. ACCARDO LAW OFFICE OF M. GERARD GREGOIRE ADDITIONAL CONTROL	'				
Appeared on behalf of the Defendants, Carolyn and Bill McGuire.  11 MR. PERRY A. ACCARDO LAW OFFICE OF M. GERARD GREGOIRE  12 200 North LaSalle Street Suite 2650  13 Chicago, Illinois 60601 (312) 558-9821  14 Appeared on behalf of the Defendant, David Gagnon.  15 Gagnon.  16 ** * * * * * * * * * * * * * * * * *	8	Rockford, Illinois 61114		9	
Appeared on behalf of the Defendants, Carolyn and Bill McGuire.  11 MR. PERRY A. ACCARDO LAW OFFICE OF M. GERARD GREGOIRE  12 200 North LaSalle Street Suite 2650  13 Chicago, Illinois 60601 (312) 558-9821  14 Appeared on behalf of the Defendant, David 15 Gagnon.  16 Yes.  19 Q. She is your wife?  20 A. Yes.  21 Q. How long have you been married?  22 A. I am not remembering very good. '91. Since 23 '91.	٥	(815) 226-7700		10	MR. MAST: This is the discovery deposition of
and Bill McGuire.  12 accordance with the applicable rules.  13 BY MR. MAST:  14 Q. Mr. McGuire, what's your address?  15 A. 1016 West Elder Avenue, McHenry,  16 Illinois 60051.  17 Q. Okay. And you live with Carolyn?  18 A. Yes.  19 Q. She is your wife?  20 A. Yes.  21 Q. How long have you been married?  22 A. I am not remembering very good. '91. Since 23 '91.	9	Appeared on behalf of the	Defendants, Carolyn	11	William McGuire, taken pursuant to notice, in
LAW OFFICE OF M. GERARD GREGOIRE  12 200 North LaSalle Street Suite 2650  13 Chicago, Illinois 60601 (312) 558-9821  14 Appeared on behalf of the Defendant, David Gagnon.  15 Gagnon.  16 Yes.  19 Q. Mr. McGuire, what's your address?  16 Illinois 60051.  17 Q. Okay. And you live with Carolyn?  18 A. Yes.  19 Q. She is your wife?  20 A. Yes.  21 Q. How long have you been married?  22 A. I am not remembering very good. '91. Since 23 '91.  23 '91.	10		•	12	accordance with the applicable rules.
LAW OFFICE OF M. GERARD GREGOIRE  12 200 North LaSalle Street Suite 2650  13 Chicago, Illinois 60601 (312) 558-9821  14 Appeared on behalf of the Defendant, David Gagnon.  15 Gagnon.  16 Illinois 60051.  17 Q. Okay. And you live with Carolyn?  18 A. Yes.  19 Q. She is your wife?  20 A. Yes.  21 Q. How long have you been married?  22 A. I am not remembering very good. '91. Since 23 '91.	11	MR. PERRY A. ACCARDO		13	BY MR. MAST:
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21 22 23 '91. 23 O Okay And you have always lived at that	15 16 17	Appeared on behalf of the	Defendant, David	19 20	<ul><li>Q. She is your wife?</li><li>A. Yes.</li></ul>
22 23 '91. 24 O Okay And you have always lived at that	15 16 17 18 19	Appeared on behalf of the	Defendant, David	19 20	<ul><li>Q. She is your wife?</li><li>A. Yes.</li></ul>
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24	15 16 17 18 19 20 21	Appeared on behalf of the	Defendant, David	19 20 21 22	<ul><li>Q. She is your wife?</li><li>A. Yes.</li><li>Q. How long have you been married?</li><li>A. I am not remembering very good. '91. Since</li></ul>
2	15 16 17 18 19 20 21 22 23	Appeared on behalf of the	Defendant, David	19 20 21 22 23	<ul><li>Q. She is your wife?</li><li>A. Yes.</li><li>Q. How long have you been married?</li><li>A. I am not remembering very good. '91. Since '91.</li></ul>

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1	address?		1	A. Yes.
2		Let's see.	2	Q. Okay. So you have some type of permanent
3		I meant during your marriage.	3	chronic back problem?
4	A.	I moved in in '89.	4	A. Yes.
5	Q.	At the Elder address?	5	Q. All right. I am sure you have used a chain
6	A.	Correct.	6	saw in your life, correct, or not?
7	Q.	Before you were married?	7	A. No.
8	A.	Yeah. Yes.	8	Q. So you never used a chain saw?
9	Q.	Okay. Do you have any prior marriages?	9	A. No.
10	A.	No.	10	Q. Okay. Although we have a chain saw here on
11	Q.	Okay. Any children?	11	the table that I am understanding you and Carolyn
12	A.	No.	12	purchased
13	Q.	Okay. Okay. And Carolyn has three children,	13	A. Correct.
14	two daug	ghters and a son, correct?	14	Q the same year as Paul's accident at your
15	A.	Yes.	15	house?
16	Q.	And the son is David Gagnon?	16	A. Yes.
17	A.	Yes.	17	Q. Okay. And I might be wrong but I am taking
18	Q.	Okay. And have you known Dave Well, let	18	this from what Carolyn said but Carolyn said that
19	me ask t	his: How long before you were married did you	19	sometime early 2011 before Paul's June 2011 accident
20	know		20	you two purchased this chain saw that's here on the
21	A.	I have known Dave since 1984.	21	desk today?
22	Q.	How did you meet Dave?	22	A. Yes.
23	A.	Through his mother.	23	Q. And it's a red bodied chain saw and it's a
24	Q.	So you have known Carolyn since '84 as well?	24	gas chain saw, correct?
		5		7
1	A.	Correct.	1	A. Yes.
2	Q.	Okay. Is that when you started kind of	2	Q. From Efco, E-F-C-O, MT, 3500. That's what I
3	dating, t	hat type of thing?	3	am reading off of it; is that right?
4	A.	Yes.	4	A. Yes.
5	Q.	Where did you meet? Through what kind of	5	Q. Yes?
6	A.	Where did I meet Carolyn?	6	A. Yes.
7	Q.	How did you meet Carolyn? I'm sorry.	7	Q. Okay. Who purchased it?
8	A.	I met Carolyn at a marina.	8	A. I did.
9	Q.	Okay. And are you retired?	9	Q. Okay. Where did you purchase it from?
10	A.	Yes.	10	A. Menards.
11	Q.	What is your work Before you retired, what	11	Q. And since you have never used the chain saw
12	were you	ı doing?	12	before and I am assuming because of your injury you
13	A.	Carpenter.	13	weren't planning on using this one, why did you
14	Q.	Okay. When did you retire?	14	purchase it?
15	A.	'06.	15	A. Well, I was wondering if we had a storm come
16	Q.	Is that because of the disability?	16	through and some trees come down I would learn how to
17	A.	Yes.	17	use it. I am a carpenter.
18		Okay. Are you What's your injury? What's	18	Q. Okay.
19		ability, back?	19	A. And I pick up things very quick but if I
20	-	Correct.	20	don't have to use it, I don't want to use it.
21		Okay. So you are not able to do heavy type	21	Q. Okay. So you got it in case?
22		that correct?	22	A. Emergency, correct.
23	A.	No.	23	Q. Okay. And you got it for your use, not
24	Λ Q.	Is that correct?	24	anybody else's?
	۵.	6	1-:	8
		_	1	<u> </u>

1	A. Yes.	1	A. You know, probably I believe it was. I
2	Q. For yours, I mean, you physically?	2	believe it was.
3	A. Personally. Personally in case we have trees	3	Q. Carolyn seemed to think the apple tree
4	come down or any of that problems.	4	cutting was sometime in May of that year.
5	Q. But for you to use, correct? Not for you to	5	A. You know, she was probably right. It was
6	have somebody else use. You got it for you to use; is	6	before the pine tree.
7	that correct?	7	Q. The evergreens or
8	A. Basically I bought it if one of the kids	8	A. Well, I call them evergreen, pine tree.
9	wanted to borrow it, I would let them borrow it.	9	Q. Same thing. Right. Before Paul's accident?
10	Q. I understand the options there, but I am	10	A. Yes.
11	asking the reason you bought it is for you to use, not	11	Q. Right. Okay. So according to you, sometime
12	somebody else to use?	12	in May 2011 when the apple tree was being cut down by
13	A. Yes.	13	Dave, Paul was also there to help and he used it to
14	Q. There is options, anybody can use it. I get	14	cut the stump?
15	that.	15	A. The stump, the tree stump.
16	A. Yes.	16	Q. Down lower?
17	Q. But you bought it for yourself to use,	17	A. Yes.
18	though, correct?	18	Q. Okay. And that's the only time So the
19	A. Yes.	19	only time you ever saw Paul use a chain saw before his
20	Q. All right. How long have you known Paul	20	accident in June 2011 was the one time at your house
21	Dulberg?	21	when he cut the stump off that apple tree?
22	A. I probably met him in the '80s because David	22	A. Yes. He got the stump lower to the ground.
23	and him were probably friends and, you know, kids come	23	Q. Is that true? What I just said, is that
24	over and come and go and that's probably when I ran	24	true? I will say it again because you interrupted me
	9		11
1	across him the first time.	1	by adding on. Let's just answer what my question is.
1 2	across him the first time.  Q. All right. Before I think Paul's chain	1 2	by adding on. Let's just answer what my question is.  Okay. My question is: The only time
2	Q. All right. Before I think Paul's chain	2	Okay. My question is: The only time
2 3	Q. All right. Before I think Paul's chain saw accident at your house was sometime June 2011; is	2	Okay. My question is: The only time you ever seen Paul use a chain saw before his accident
2 3 4	Q. All right. Before I think Paul's chain saw accident at your house was sometime June 2011; is that your understanding?	2 3 4	Okay. My question is: The only time you ever seen Paul use a chain saw before his accident at your house in June 2011 was when he cut the stump
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2 3 4 5 6	Q. All right. Before I think Paul's chain saw accident at your house was sometime June 2011; is that your understanding?  A. Yeah. Q. Okay. Did you know Paul to ever use a chain	2 3 4 5 6	Okay. My question is: The only time you ever seen Paul use a chain saw before his accident at your house in June 2011 was when he cut the stump down a little bit lower from the apple tree that was at your house in May of 2011?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. All right. Before I think Paul's chain saw accident at your house was sometime June 2011; is that your understanding?  A. Yeah. Q. Okay. Did you know Paul to ever use a chain saw before his injury at your house in 2011?  A. Yes. He was on the property and David used the chain saw. Q. Are we talking the day of his accident? A. This is prior. Q. Okay. Go ahead. A. Because you were asking if Paul I ever saw him operate a chain saw. Q. You are right. A. And he was at the house. David cut down an apple tree in the backyard and I saw Paul use the chain saw on an apple the stump, the apple stump, to try to get it closer to the ground. That's the only time I	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Okay. My question is: The only time you ever seen Paul use a chain saw before his accident at your house in June 2011 was when he cut the stump down a little bit lower from the apple tree that was at your house in May of 2011?  A. Yes. The one David Gagnon cut down and he got the stump down lower, yes.  Q. Is what I just said true?  A. Yes. Yes.  Q. All right. Because you keep adding. Just answer If you don't understand my question, I will reword it, but try to answer what I am asking instead of adding on to what my question is, all right?  A. Okay.  Q. Got me?  A. Yeah.  Q. Did you see Paul doing anything with the use of the chain saw that you thought dangerous or unsafe
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there, do you know if Paul was ever even using the honest. Okay. Why do you think he is a fibber? 1 2 2 chain saw that day? You know, it should be cut and dry. I mean, 3 3 A. No. it was an accident. 4 4 Q. Do you know? You don't know? Q. Right. All right. 5 A. I don't know if he was using the chain saw. 5 A. And that's all I know. 6 Q. That's what I am asking. Okay. Let me ask 6 Q. Is it -- So I am reading into this, you can you a couple questions and today -- Well, let me ask tell me if I am wrong, but is it because a lawsuit was 7 7 it this way: When is the last time you spoke or saw 8 8 filed; is that why? 9 Paul? 9 A. Duh. Yes. 10 Probably three weeks ago in a grocery store. 10 Q. Well, listen, I have to ask these questions, Α. 11 Did you speak to him or just see him? sir. Let me just go through this and make it easy for Q. 11 12 Α Said hi. 12 me, all right? 13 Q. Did he say hi to you? 13 A. I'm sorry. Yes. 14 Yes. 14 Q. You are making it hard. The fact that a Α. 15 Q. Was that it? 15 lawsuit was filed and you are part of that lawsuit has that made you feel that he is a fibber? 16 A. Correct. 16 17 A. Well --17 Q. Did you see him carrying anything? 18 A. No. 18 Q. Or I am trying to find out. 19 Okay. Did you see him do anything that would 19 Basically, since the lawsuit was filed and, you know, it wasn't cut and dry, I just probably don't suggest he wasn't having problems with his arm that he 20 20 21 cut in this chain saw accident at your house in 2011? 21 want nothing to do with him now, so. 22 A. I did not see him doing anything but walking 22 Q. Okay. So let me -- again, I have -- because 23 with his mother. 23 some of the words you have used, I have to ask you 24 Q. Okay. Before Paul's accident in June 2011 at 24 about it. Do you feel he is a fibber or you just 15 13 your house, were -- did you consider him a friend, don't like the fact that he filed a lawsuit against just a friend of your stepson's? How did you -- What 2 vou? A. I don't like the fact that he filed a 3 was his status with you? 3 lawsuit. 4 A. I considered him a friend of my stepson. 4 Q. Okay. So more of an acquaintance to you 5 5 Q. Okay. So fibber meaning liar, you are not then? He wasn't somebody you'd socialize with outside 6 6 calling him a liar? 7 of your son or something then? 7 A. No. No. I'm sorry. Just because he 8 A. Correct. If he wasn't around for my son, he 8 filed a lawsuit. 9 Q. All right. So let me -- Again, I got to 9 didn't come around. 10 Q. So he wasn't like your buddy or anything? 10 clear that up now. Do you believe in your mind that 11 No. No. 11 Paul is a fibber or a liar or don't you know? Α. 12 12 Q. Okay. So you were on good terms with him A. I don't know. because he was obviously on good terms with your son 13 Q. Okay. And I meant more about this lawsuit 13 before this accident occurred, right? obviously. You don't know if he is lying or fibbing 14 14 15 A. Yes. 15 about the lawsuit because you don't know what 16 Q. Did that change at all at least in your mind? 16 happened, right? Now Dave has spoken his peace so we don't even need to 17 17 A. Yes. 18 go into what Dave thinks, but in your mind has your 18 Q. Fair enough? 19 feelings about Paul changed today versus before his 19 20 injury at your house? 20 Q. Okay. So you would not characterize him as a 21 A. Yes. 21 fibber for filing the lawsuit because you don't know 22 22 Q. Okay. Good, bad, indifferent, what? if he is or not, true? 23 A. Well, I think he is a fibber. 23 True. True. Yes. 24 Q. Okay. Fair enough. You are just being 24 Before the accident occurred at your house in 14 16

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June 2011, did you believe Paul was a credible, honest 1 Q. Hold on. Let me finish the question -- so he 2 2 soul, person? can retire or make a lot of money out of this case? A. Yes. 3 Has he said that? 3 4 A. No. Dave has never told me that. Okay. Did you have any reason to believe that he would fib prior to this accident? 5 5 Q. Okay. Okay. So I just want to make one 6 A. No. other question on that just to make sure I covered 6 7 Okay. All right. Have you heard -- Well, 7 everything. let me put Dave aside for a minute. Other than 8 Is it fair to say then other than maybe 8 9 through Dave, have you heard that Paul was trying to 9 through your attorney you have never heard any make more out of this accident than was warranted 10 allegation or suggestion whether by Paul or anybody 11 other than -- I'm sorry. Let me --11 else, Dave, Paul, anybody, that Paul was trying to 12 MR. BARCH: Other than David or his attorney. 12 make more out of this case than was justified and/or 13 BY MR. MAST: 13 trying to get people to talk in favor of him in return 14 Q. Yeah. Other than through Dave or Dave's 14 for anything? Have you ever heard those things? 15 attorney or your attorney I guess, have you heard 15 A. Other than David's comments or maybe my 16 either from Paul or anybody else --16 attorney a little bit, I haven't heard nobody else say 17 A. No. 17 a word. -- something to the effect that Paul was 18 Q. Okay. Including Paul, correct? 18 trying to make more out of this claim or accident than 19 19 A. Oh, yeah. he should? 20 Q. Okay. So what did Dave tell you in that 20 21 A. I have not heard nothing, no. 21 regard? 22 Q. Okay. Have you ever heard Paul suggest since 22 Dave was saying that somehow the accident 23 his accident that he was trying to get people to say 23 happened different than when the way Paul was things to make this case worth more than it is? 24 describing it. **17** 19 A. No. Q. Okay. And that's not quite what I asked so 1 1 2 Q. Have you ever heard Paul since his accident 2 let me go back because we are going to get into that. or anybody -- Strike that. 3 Okay. 3 4 Have you ever heard Paul since his 4 Let me -- My question was framed more to 5 accident ever suggest that he may never have to work other than your attorney, have you heard from anyone again in his life or he is going to be able to be rich 6 including Paul, including Dave, anyone, that Paul was 6 7 or anything like that, those issues, since this 7 trying to get people to fabricate or lie to his favor accident? 8 in this case or to help him recover in this case? 9 9 A. No. A. No. Nobody told me that. Q. Okay. Have you heard those through Dave? 10 Q. Not Dave, not Paul, nobody, right? 10 11 A. 11 The only thing I am saying is the question 12 Q. Dave has not even told you those things that 12 you are asking me is the same question I am saying is Paul has said supposedly? 13 if it's got to pertain to the accident, David didn't 13 14 A. David has told me that he is not telling the 14 agree with the way Paul stated the accident happened. truth. 15 15 Other than that --16 16 Q. Okay. Q. And I understand there is two versions of the 17 A. That's what he told me. 17 accident. I understand that. Q. All right. So Dave told you Paul is not 18 A. Correct. 18 telling the truth about the accident. 19 Q. My question was different, though. My 19 20 A. Correct. 20 question was: Have you ever heard, other than through 21 Q. But has Dave ever told you since the accident 21 your attorney, that either Paul or Dave suggested that 22 that Paul was trying to get him to lie or get him to 22 Paul was wanting people to lie for him or to fabricate 23 say things so that they can retire? 23 anything? 24 A. Dave --24 A. Other than Dave and my attorney, no. Nobody 18 20

1	has told me anything about	1	A. Uh-huh.
2	Q. I am including Dave in that. What did Dave	2	Q. All right. So whatever the arrangement was
3	tell you about Paul wanting him to fabricate or lie?	3	between Carolyn and Dave as far as what he would get
4	Did he say that?	4	in return for doing this work, you don't know; fair
5	A. As far as Paul telling David to change the	5	enough?
6	story or fabricate?	6	A. Yes.
7	Q. Yeah. Did he do that?	7	Q. Okay. And what was Dave's experience, if you
8	A. David never mentioned it to me like that, no.	8	know, in use of a chain saw before this accident with
9	Q. Okay. So all right. So let me say the	9	Paul at your house?
10	question again then. Is it fair to say, and putting	10	A. Stuff I have heard, a project he worked on
11	your attorney's comments to you aside, okay, I am not	11	through the course of me living there and physically
12	asking you about your attorneys, but with regard to	12	seeing him prune the trees on the property with a chain
13	anybody else, you have never heard anyone suggest that	13	saw.
14	Paul was trying to get Dave to lie, fabricate about	14	Q. Okay.
15	this case, fair enough?	15	A. That's about the extent of it.
16	A. Yeah.	16	Q. With a chain saw?
17	Q. Okay. You never heard that?	17	A. Correct.
18	A. No.	18	Q. With your chain saw?
19	Q. All right. As I understand it, there are two	19	A. No. We didn't have it then.
20	evergreens in your backyard back in June 2011 that you	20	Q. Okay. With his chain saw on his property?
21	guys wanted cut down so you could put a storage shed	21	A. No. Back when David lived at the house.
22	back there, right?	22	Q. With you?
23	A. Yes.	23	A. On our property when David lived there
24	Q. Okay. And as I understand it, I don't	24	Q. Right.
	21		23
1	remember if it was you or your wife, but one of you	1	A I don't know where he got the chain saw
2	asked Dave to do that work help with that work,	2	but he had a chain saw and he done some pruning on the
3	right?	3	property and that I have seen him do.
4	A. Yeah. Knock some lower branches down.	4	Q. Okay. Okay. And how often was that? Just
5	Q. Right. Who asked him to do that?	5	the one time or was it repeatedly?
6	A. You know, I don't remember.	6	A. I would say a handful of times.
7	Q. Okay. It was either you or your wife?	7	Q. Okay. Over the course of several years?
8	A. Correct.	8	A. Yeah. Correct.
9	Q. And I think your wife said she was going to	9	Q. And that was while he was living with you?
10	pay Dave something for his gas or whatever, right?	10	A. Yeah.
11	A. Basically, she'd give him a pair of pants. I	11	Q. And that's the only time you have known him
12	don't know. They are always mothering the son, you	12	to use a chain saw other than in 2011?
13	know.	13	A. This goes back in, you know, in say in the
14	Q. Right. So what their arrangement was as far	14	mid '80s, in the '90s, you know, whenever he would go
15	as money or	15	around the yard and prune stuff up with the chain saw.
16	A. Some kind of gift.	16	Q. Did you have a chain saw at the house at that
17	Q. Listen, you are going to make this last twice	17	point?
18	as long as I'd like to get you in and out of here	18	A. Not mine. You know, he might have borrowed
19	as quick as possible but because I have to keep	19	one from a friend or he might have had one. I don't
20	repeating the question, it's going to make it	20	know.
21	difficult so I am just trying to tell you we can	21	Q. Okay. In 2011 other than the two evergreen
22	probably get out of here real quick but I am going to	22	trees he was going to take some of the branches down
23	have to keep backing up. So let me try to move	23	off of, did he do did Dave do any other work with
24	forward but let me finish my question, okay?	24	the chain saw on your property in that year?
	22		24
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1		ı	
1	A. Cut the apple tree down.	1	A. Watching TV.
2	Q. Okay. Anything else?	2	Q. Okay. Was that Do you know about what
3	A. No.	3	time Paul's accident occurred that day?
4	Q. Okay.	4	A. I don't remember.
5	A. You know, he did a little chain saw work.	5	Q. If you were watching TV when his accident
6	No. That was about it. That was about it that I	6	occurred, would that have been pretty much what you
7	remember.	7	were doing for most of the day prior to leading up to
8	Q. Okay. So the apple tree and the two	8	his accident or were you doing other things in the
9	evergreens, those are the only chain saw work he was	9	house?
10	doing at your house in 2011, correct?	10	A. I was in the house. I am trying to
11	A. That I remember. You know, I'm trying to	11	remember I might have walked around a little bit,
12	remember because I know Paul took some scrap from the	12	you know, and then I was in the house.
13	front yard from a maple tree.	13	Q. Did you ever go outside the house while Paul
14	Q. Yeah. Your wife said just to	14	and Dave were in the backyard working?
15	A. And	15	A. No.
16	Q. Go ahead.	16	Q. So would it be fair to say that day of Paul's
17	A. And I don't remember if he used the chain saw	17	accident before his injury, you don't know who was
18	to cut them pieces up a little further but I don't	18	doing what type of work, where, when or how?
19	remember that.	19	A. That's true.
20	Q. What your wife said was a tree company took	20	Q. Okay. And you never viewed at any time prior
21	that tree down.	21	to Paul's injury what they were doing back there in
22	A. Yes, they did.	22	the backyard, correct?
23	Q. Let me finish. And left some stumps or	23	A. That's correct.
24	sections and Paul and Dave cut those sections up so	24	Q. Do you know what I know that you said Dave
	25		27
1	Paul could have firewood. That's what she said.	1	was going to cut down some limbs from the two
2	A. I	2	evergreens, right?
3	Q. You don't know?	3	A. Yes.
4	A. I know Paul took the wood, the bulk of the	4	Q. And I think Carolyn then said ultimately once
5	wood.	5	the limbs were down, you were going to have the tree
6	Q. Who cut it up, you don't know?	6	company come out and cut the big base of the tree
7	A. No.	7	down, right?
8	Q. Okay. So the only time you know that Dave	8	A. Yes.
9	used a chain saw on your property in 2011 was the two	9	Q. So Dave's task was really just to take the
10			• •
	evergreens that he was cutting branches off at the	10	branches off the base of the tree, right?
11	evergreens that he was cutting branches off at the time Paul was hurt and the one apple tree?	10 11	
11 12			branches off the base of the tree, right?
	time Paul was hurt and the one apple tree?	11	branches off the base of the tree, right?  A. Yeah.
12	time Paul was hurt and the one apple tree?  A. Yes.	11 12	branches off the base of the tree, right?  A. Yeah.  Q. All the way up?
12 13	time Paul was hurt and the one apple tree?  A. Yes.  Q. Okay. I think Paul's accident was June 28,	11 12 13	branches off the base of the tree, right?  A. Yeah.  Q. All the way up?  A. No. No. It was too high.
12 13 14	time Paul was hurt and the one apple tree?  A. Yes.  Q. Okay. I think Paul's accident was June 28, 2011. Do you know that to be true or not?	11 12 13 14	branches off the base of the tree, right?  A. Yeah.  Q. All the way up?  A. No. No. It was too high.  Q. So just up to a certain level?
12 13 14 15	time Paul was hurt and the one apple tree?  A. Yes.  Q. Okay. I think Paul's accident was June 28,  2011. Do you know that to be true or not?  A. You know, it sounds but I don't know.	11 12 13 14 15	branches off the base of the tree, right?  A. Yeah.  Q. All the way up?  A. No. No. It was too high.  Q. So just up to a certain level?  A. Yes. Yes.
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12 13 14 15 16 17 18 19	time Paul was hurt and the one apple tree?  A. Yes.  Q. Okay. I think Paul's accident was June 28,  2011. Do you know that to be true or not?  A. You know, it sounds but I don't know.  Q. Do you know what day of the week it was?  A. No.  Q. Okay. You were retired so you would have not been working. Would you have been home at the time?	11 12 13 14 15 16 17 18	branches off the base of the tree, right?  A. Yeah. Q. All the way up? A. No. No. It was too high. Q. So just up to a certain level? A. Yes. Yes. Q. Okay. How high, do you know? A. You know, I want to say, I don't know, 15, 20 some feet. You know, I don't know. It was tall trees. That's all I am saying.
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12 13 14 15 16 17 18 19 20 21	time Paul was hurt and the one apple tree?  A. Yes. Q. Okay. I think Paul's accident was June 28,  2011. Do you know that to be true or not? A. You know, it sounds but I don't know. Q. Do you know what day of the week it was? A. No. Q. Okay. You were retired so you would have not been working. Would you have been home at the time? A. Yes. Q. What were you doing at the time of Paul's	11 12 13 14 15 16 17 18 19 20 21	branches off the base of the tree, right?  A. Yeah. Q. All the way up? A. No. No. It was too high. Q. So just up to a certain level? A. Yes. Yes. Q. Okay. How high, do you know? A. You know, I want to say, I don't know, 15, 20 some feet. You know, I don't know. It was tall trees. That's all I am saying. Q. And the limbs at the bottom are bigger than the limbs at the top, right?
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4	at the bettem of the trace?		was there?
1	at the bottom of the trees?	1	was there?
2	A. Oh, they had to be in the base of it had	2	A. Yes.
3	to be, I don't know, four or five feet, something like	3	Q. You didn't know he was there by seeing him?
4	that.	4	A. Yes. I seen him on the property.
5	Q. How wide around?	5	Q. All right. When he got there or during the
6	A. Oh, wide around, inch and a half in diameter.	6	course of the day?
7	Q. Okay. All right. And do you have any idea	7	A. I don't know when the exact time he arrived
8	of how many total branches needed to be cut down by	8	but I looked out in the yard and there was him and his
9	Dave?	9	dog.
10	A. No.	10	Q. Okay. And did you go outside when you saw
11	Q. Okay. Was it more than 20?	11	him there?
12	A. Oh, yeah. Probably.	12	A. Maybe I was outside or something. I don't
13	Q. There was a lot of them?	13	remember coming in and out but
14	A. Probably, yes.	14	Q. This is what I am trying to understand, you
15	Q. Do you know when he started this work in	15	said you never saw what they were doing.
16	relationship to the day of the accident?	16	A. Right.
17	A. The day before.	17	Q. Paul and Dave, so I am assuming what did the
18	Q. Okay. Do you know how many hours he worked	18	dog come inside and that's when you petted him or when
19	the day before?	19	did you pet the dog?
20	A. Maybe an hour and a half, a couple hours I	20	A. They were working behind the garage and I
21	think. I really don't remember.	21	didn't go behind the garage where they were working but
22	Q. Okay. So after working the day before, there	22	if you come up to the back the back of the house,
23	would have been branches already on the ground, right?	23	before you go around the garage, that's where I saw
24	A. Correct.	24	David, Paul and the dog. I went outside, petted the
	29		31
1	Q. And did you know Paul was coming over to help	1	dog, said hi to Paul and I went back in the house.
1 2	Q. And did you know Paul was coming over to help out?	2	dog, said hi to Paul and I went back in the house.  Q. All right. So you were only outside a minute
	,		
2	out?	2	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long.
2	out? A. No.	3	Q. All right. So you were only outside a minute or two?
2 3 4	out?  A. No. Q. Did you know who invited him over?	3	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long.
2 3 4 5	out?  A. No.  Q. Did you know who invited him over?  A. No.	2 3 4 5	<ul><li>Q. All right. So you were only outside a minute or two?</li><li>A. Yeah. Not long.</li><li>Q. Okay. And you went out there specifically to</li></ul>
2 3 4 5 6	out?  A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your	2 3 4 5 6	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long.  Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other
2 3 4 5 6 7	out?  A. No.  Q. Did you know who invited him over?  A. No.  Q. Okay. Did you even know he was on your property when	2 3 4 5 6 7	<ul> <li>Q. All right. So you were only outside a minute or two?</li> <li>A. Yeah. Not long.</li> <li>Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?</li> </ul>
2 3 4 5 6 7 8	out?  A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes.	2 3 4 5 6 7 8	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag
2 3 4 5 6 7 8	Out?  A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even	2 3 4 5 6 7 8 9	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember.
2 3 4 5 6 7 8 9	out?  A. No.  Q. Did you know who invited him over?  A. No.  Q. Okay. Did you even know he was on your property when  A. Yes.  Q. Let me finish the question. Did you even know Paul was on your property by the time he got	2 3 4 5 6 7 8 9	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were
2 3 4 5 6 7 8 9 10	Out?  A. No.  Q. Did you know who invited him over?  A. No.  Q. Okay. Did you even know he was on your property when  A. Yes.  Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt?	2 3 4 5 6 7 8 9 10	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they
2 3 4 5 6 7 8 9 10 11	out?  A. No.  Q. Did you know who invited him over?  A. No.  Q. Okay. Did you even know he was on your property when  A. Yes.  Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt?  A. Yes.	2 3 4 5 6 7 8 9 10 11	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?
2 3 4 5 6 7 8 9 10 11 12 13	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property?	2 3 4 5 6 7 8 9 10 11 12 13	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting.
2 3 4 5 6 7 8 9 10 11 12 13 14	out?  A. No.  Q. Did you know who invited him over?  A. No.  Q. Okay. Did you even know he was on your property when  A. Yes.  Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt?  A. Yes.  Q. How did you know he was on the property?  A. Because I seen him out in the yard. I petted	2 3 4 5 6 7 8 9 10 11 12 13	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property? A. Because I seen him out in the yard. I petted his dog.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that day, during the midst of their work, do you know?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property? A. Because I seen him out in the yard. I petted his dog. Q. You mean when he arrived?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that day, during the midst of their work, do you know?  A. I couldn't tell you.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property? A. Because I seen him out in the yard. I petted his dog. Q. You mean when he arrived? A. Sometime through the course when he was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that day, during the midst of their work, do you know?  A. I couldn't tell you. Q. Okay. What time was this, do you know?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property? A. Because I seen him out in the yard. I petted his dog. Q. You mean when he arrived? A. Sometime through the course when he was there.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that day, during the midst of their work, do you know?  A. I couldn't tell you. Q. Okay. What time was this, do you know? A. No. I don't remember.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property? A. Because I seen him out in the yard. I petted his dog. Q. You mean when he arrived? A. Sometime through the course when he was there. Q. Oh, because I asked you before if you ever	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that day, during the midst of their work, do you know?  A. I couldn't tell you. Q. Okay. What time was this, do you know? A. No. I don't remember. Q. Do you know how long Paul was at the property
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property? A. Because I seen him out in the yard. I petted his dog. Q. You mean when he arrived? A. Sometime through the course when he was there. Q. Oh, because I asked you before if you ever saw them work during the process of their work and you	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that day, during the midst of their work, do you know?  A. I couldn't tell you. Q. Okay. What time was this, do you know? A. No. I don't remember. Q. Do you know how long Paul was at the property already by the time you went back to pet the dog and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property? A. Because I seen him out in the yard. I petted his dog. Q. You mean when he arrived? A. Sometime through the course when he was there. Q. Oh, because I asked you before if you ever saw them work during the process of their work and you said no, so.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that day, during the midst of their work, do you know?  A. I couldn't tell you. Q. Okay. What time was this, do you know? A. No. I don't remember. Q. Do you know how long Paul was at the property already by the time you went back to pet the dog and say hi to him?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A. No. Q. Did you know who invited him over? A. No. Q. Okay. Did you even know he was on your property when A. Yes. Q. Let me finish the question. Did you even know Paul was on your property by the time he got hurt? A. Yes. Q. How did you know he was on the property? A. Because I seen him out in the yard. I petted his dog. Q. You mean when he arrived? A. Sometime through the course when he was there. Q. Oh, because I asked you before if you ever saw them work during the process of their work and you said no, so. A. I didn't see them working but I petted his	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q. All right. So you were only outside a minute or two?  A. Yeah. Not long. Q. Okay. And you went out there specifically to pet the dog and say hi to them or for some other reason?  A. You know, I might have been taking out a bag of trash. I don't remember. Q. Okay. And where you saw Paul and Dave, were they engaged in the tree work at the time or had they taken a break? What were they doing?  A. No. No. Just chitchatting. Q. Okay. So this is before they began work that day, during the midst of their work, do you know?  A. I couldn't tell you. Q. Okay. What time was this, do you know? A. No. I don't remember. Q. Do you know how long Paul was at the property already by the time you went back to pet the dog and say hi to him?  A. No.

1 down 2 A No. 3 Q or was that somewhere else? 4 A It was in It was like by the driveway and 5 the work was in the back of the towards the back of 6 the yard. They were in the by the say around the 7 back door of the back porch. 8 Q of the house. 9 A Correct. 10 Q. Why were they there in relationship to the 11 work they were doing? Do you have any idea? 11 A No. I don't know what they were doing. They 12 were standing there talking and the dog was sitting 14 there. 11 there. 12 A No. I don't know what they were doing. They 13 were standing there talking and the dog was sitting 14 there. 13 A Yesh. 14 C Q. All right. Your wife was inside? 15 A Yes. 16 A Yes. 17 Q. Did you know your wife ever to go outside 16 while they were working that day? 18 while they were working that day? 19 A She might have Go ahead. 20 Q. Did you know if your wife was ever outside 16 that day of Paul's injury before his injury? 21 A I don't know. 22 A I don't know. 23 Q. So the answer is you don't know? 24 A I don't know. 25 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 4 A Yesh. 5 Q. Okay. And that's the extent of your time outside that day up the her house prior to Paul's injury to your 16 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 11 Q. Okay. So they were already basically gone 24 A Yesh. 12 Q. Okay. So they make reprote to Paul's injury to your 16 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 15 A Yesh. 16 Q. As far as Daw and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 16 Q. As far as Daw and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 19 A I don't know. I don't know. 10 Q. Is that fair enough then? 21 A Yesh. 22 Q. Okay. What is your first knowledge or n				
3 Q. To go to the hospital? 4 A. It was in - It was like betwork was in the back of the towards the back of 5 the work was in the back of the towards the back of 5 Q. Okay. So was Paul's arm already wrapped? 6 the byard. They were in the by the say around the 5 back door of the back porch. 8 Q. Of the house. 9 A. Correct. 10 Q. Why were they there in relationship to the 11 work they were doing? Do you have any idea? 11 A. No. I don't know what they were doing. They were standing there talking and the dog was sitting 14 there. 12 A. No. I don't know what they were doing. They were standing there talking and the dog was sitting 14 there. 13 Q. All right. Your wife was inside? 14 A. Yes. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 21 that day of Paul's nighty before his injury? 18 A. See might have Go ahead. 19 Q. Did you know if your wife was ever outside 21 that day of Paul's nighty before his injury? 20 Q. Did you know if your wife was ever outside 21 that day of Paul's nighty before his injury? 21 A. I don't know. 23 Q. So the answer is you don't know? 24 A. I don't know what they were not engaged in the work at the 5 time, right? 25 A. Yes. 26 A. Right. 27 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 28 A. Yes. 29 Q. Okay. And that's the extent of your time outside the house prior to Paul's injury to your 11 knowledge? 20 Q. Did you know, fair enough? 21 A. Yes. 22 A. Yesh. 23 Q. So when any were already basically gone	1	down	1	they were getting in the vehicle to go to the to get
4 A. It was in - It was like by the driveway and 5 the work was in the back of the - It owards the back of 6 the yard. They were in the - by the say around the 7 back door of the back porch. 8 Q. Of the house. 9 A. Correct. 10 Q. Why were they there in relationship to the 11 work they were doing? Do you have any idea? 12 A. No. I don't know what they were doing. They 13 were standing there talking and the dog was sitting 14 there. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. Tes. 4 Q. But they were not engaged in the work at the 2 time, right? 2 you met up with them kind of at the rear of the house? 3 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yes. 13 Q. Okay. So you don't know who was doing what - whose tasks were what tasks or what 14 that day, when and how, fair enough? 15 A. Yes. I don't know and Paul, you don't know who 17 was doing what - whose tasks were what tasks or what 18 they were doing, fair enough? 19 A. That's I don't know. 20 Q. Okay. What is your first knowledge or notice 21 of Paul's accident then? 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. That's I don't know. 25 A. That's I don't knowledge or notice 26 of Paul's accident then? 27 A. That's I don't knowledge or notice 28 of Paul's accident then? 29 A. I don't know. 20 C. Okay. What is your first knowledge or notice 29 Q. Okay. What is your first knowledge or notice 20 Q. Okay. What is your first knowledge or notice 20 Q. Okay. What is your first knowledge or notice 20 Q. Okay. What is your first knowledge or notice 20 Q. Okay. What is your first knowledge or notice 21 A. That's I don't know. Correct. 22 Q. Ok	2	A. No.	2	patched up.
5 the work was in the back of the towards the back of 6 the yard. They were in the by the say around the 7 back door of the back porch.  8 Q. Of the house. 9 A. Correct. 10 Q. Why were they there in relationship to the 11 work they were ding? Do you have any idea? 11 Q. Okhy were they there in relationship to the 12 work they were doing? Do you have any idea? 12 A. No. I don't know what they were doing. They 13 were standing there talking and the dog was sitting 14 there. 13 were standing there talking and the dog was sitting 14 there. 14 While they were working that day? 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 16 while they were working that day? 18 A. She might have Go ahead. 20 Q. Did you know fly our wife was ever outside 12 that day of Paul's injury before his injury? 21 A. I don't know. 22 A. I don't know. 33 A. Yes. 34 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 1 time, right? 4 A. Yes. 5 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. Dudy ou pet the dog and went back inside? 4 A. Yes. 5 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 4 A. Yes. 5 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 5 A. Yes. 6 A. Right. 7 Q. Okay. All right is pury to your 11 knowledge? 11 Individual that the work at the 14 that day, when and how, fair enough? 15 A. Yes. 16 Q. As ar as Dave and Paul, you don't know who 47 was doing what whose tasks were what tasks or what 48 they were doing, fair enough? 16 Q. As ar as a Dave and Paul, you don't know who 47 was doing what whose tasks were what tasks or what 48 they were doing, fair enough? 17 A. That's I don't know. 18 Q. Okay. So they were on their way from the a vehicle was prime and then yield out the	3	Q or was that somewhere else?	3	Q. To go to the hospital?
6 the yard. They were in the — by the — say around the 7 back door of the back porch. 8 Q. Of the house. 9 A. Correct. 10 Q. Why were they there in relationship to the 11 work they were doing? Do you have any idea? 12 A. No. 1 don't know what they were doing. They 13 were standing there talking and the dog was sitting 14 there. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have.—Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't know. 23 A. Yes. 24 A. I don't know. 25 You met up with them kind of at the rear of the house? 26 A. Right. 7 Q. Diay up the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yesh. 13 Q. Okay. And that's the extent of your time 14 that day, when and how, fair enough? 15 A. Yes. 16 Q. Okay. So you don't know who was doing what — whose tasks were what tasks or what 18 they were doing, find enough? 19 A. Se far as Dave and Paul, you don't know what 19 A. Trait's — I don't know. 20 Q. Okay. So you don't know. 21 A. Yes. 22 Q. Okay. So you don't know who was doing what — whose tasks were what tasks or what 18 they were doing, find enough? 19 A. I don't know. 20 Q. Okay. What is your first knowledge or notice 21 of Paul's accident then? 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I don't know, to would the some double the power of the sole and paul you don't know who 19 A. I don't know, to what is your first knowledge or notice 20 of Paul's accident then? 21 A. That's — I don't know. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I had on the were the paul and Dave? 25 A. A. The were the paul and Dave? 26 A. Okay. What is your first knowledge or notice 27 O. Okay. What is your first knowledge or notice 28 of Paul's accident then? 29 A. That'	4	A. It was in It was like by the driveway and	4	A. Yeah.
7 back door of the back porch. 8	5	the work was in the back of the towards the back of	5	Q. Okay. So was Paul's arm already wrapped?
8 don't know but all I know is they were beelining it for 9 A. Correct. 9 A. Correct. 10 Q. Why were they there in relationship to the 11 work they were doing? Do you have any idea? 12 A. No. I don't know what they were doing. They 13 were standing there talking and the dog was sitting 14 there. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have - Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't kent pack of her. 23 Q. So the answer is you don't know? 24 A. I don't kent pack of her. 25 Q. But they were not engaged in the work at the 5 time, right? 2 A. Yes. 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 5 A. Yes. 4 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. So you don't know who was doing what 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who 17 was doing what	6	the yard. They were in the by the say around the	6	A. You know, I am trying to remember if my wife
9 the a vehicle. 10 Q. Why were doing? Do you have any idea? 12 A. No. I don't know what they were doing. They 13 were standing there talking and the dog was sitting 14 there. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have Go ahead. 20 Q. Did you know your wife ever to go outside 21 that day of Paul's injury before his injury? 22 A. I don't know. 23 Q. So the answer is you don't know? 24 A. I don't know. 35 1 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 4 A. Right. 5 Q. And you pet the dog and went back inside? 5 A. Yes. 9 Q. Okay. And that's the extent of your time 9 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So have were leaving for the 14 that day, when and how, fair enough? 15 A. Yes. 16 Q. As far as Dave and Paul, you don't know who was doing what 16 they were doing, fair enough? 17 Q. Did you know who was doing what 18 they were doing, fair enough? 19 A. I don't know. 20 Q. Is that fair enough then? 21 A. Thet's I don't know. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 25 Paul how he is feeling. He said I am a little sore and 26 Paul's accident then? 27 A. I heard some commotion and I ran outside and 28 Very land the province of paul said that? 29 Paul how he is feeling. He said I am a little sore and 29 Paul's accident then? 20 Q. Way ou know, and Dave says not too good. 20 You know, he says weren't in a very talkative mood. 20 You work on was injured? 21 A. Thest's I don't know. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 25 You know, he says weren't in a very talkative mood. 26 You know, he says weren't in a very talkative mood.	7	back door of the back porch.	7	was getting him a towel or something like that. I
10 Q. Why were they there in relationship to the 11 work they were doing? Do you have any idea? 12 A. No. I don't know what they were doing. They 13 were standing there talking and the dog was sitting 14 there. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have — Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't know. 23 A. Yes. 24 A. I don't know. 25 you met up with them kind of at the rear of the house? 26 A. Right. 27 Q. All right. So when you went outside, 28 A. Yes. 39 Q. Okay. All right. So when you went outside, 30 A. Yes. 40 Q. But they were not engaged in the work at the 51 time, right? 51 A. Yes. 52 Q. Okay. And that's the extent of your time 53 Q. Okay. And that's the extent of your time 54 Q. Okay. And that's the extent of your time 55 Q. Okay. So you don't know who was doing what that the they were noing and went back inside? 53 A. Yes. 54 Q. Okay. And that's the extent of your time 55 Q. Okay. So you don't know who was doing what that the they were noing have the dog and went back inside? 56 A. Right. 57 Q. Okay. So you don't know who was doing what that the day, when and how, fair enough? 58 A. Yes. 59 Q. Okay. And that's the extent of your time 50 outside the house prior to Paul's injury to your 51 A. Yes. I don't know. 52 A. Yes. I don't know. 53 A. Yes. 54 A. Yes. I don't know. 55 A. Yes. Jon't know. 56 A. Correct. 57 Q. Did you know who was injured? 58 A. Yes. I don't know. 59 Q. Okay. So you don't know who was doing what the day, when and how, fair enough? 59 Q. Okay. So you don't know who was doing what the ever doing, fair enough? 50 A. Yes and I believe he was already in the vehicle when he yelled out the window that. 59 Q. Okay. So they were aline and the rear of the house prior to Paul's injury to your 50 Q. Okay. So you don't know who was doing what the rear of the house prior to Paul's injury to your 51 A. Yes.	8	Q. Of the house.	8	don't know but all I know is they were beelining it for
11 work they were doing? Do you have any idea? 12 A. No. I don't know what they were doing. They is were standing there talking and the dog was sitting there. 13 dere standing there talking and the dog was sitting there. 14 there. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside thinking the work of the wind then something about oh. 18 while they were working that day? 19 A. She milght have Go ahead. 20 Q. Did you know if your wife was ever outside that day of Paul's injury before his injury? 21 A. I don't keep track of her. 22 Q. Okay. So the answer is you don't know? 23 Q. So the answer is you don't know? 24 A. I don't keep track of her. 25 Q. Okay. All right. So when you went outside, you met up with them kind of at the rear of the house? 26 A. Right. 27 Q. And you pet the dog and went back inside? 28 A. Yes. 29 Q. Okay. And that's the extent of your time outside the house prior to Paul's injury to your the house prior to Paul's injury to your the that day, when and how, fair enough? 29 A. Yesh. 30 Q. Okay. And that's the extent of your time outside the house prior to Paul's injury to your the that day, when and how, fair enough? 31 Q. Okay. All right. So where were which as work at the that day, when and how, fair enough? 32 A. Yesh. 33 D. Okay. And that's the extent of your time outside the house prior to Paul's injury to your the that day, when and how, fair enough? 31 A. Yes. 32 Q. Okay. And that's the extent of your time outside the house prior to Paul's injury to your the that day, when and how, fair enough? 33 A. Yes. 34 A. Yes. 35 A. Yes. 36 Q. Okay. And that's the extent of your time outside the house prior to Paul's injury to your the that day, when and how, fair enough? 36 A. Yes. 37 A. Yes. 38 A. Yes. 39 Q. Okay. And that's the extent of your time outside the house prior to Paul's injury to your the that day, when and how, fair enough? 39 A. Yes. 40 Q. But they were doing, fair enough? 41 A. I don't know. 42 A. Yes. 43 A. Yes. 44 A. I don't k	9	A. Correct.	9	the a vehicle.
12   A. No. I don't know what they were doing. They to there.   13 were standing there talking and the dog was sitting to there.   15   Q. All right. Your wife was inside?   16   A. Yes.   16   My dog.   17   Q. Did you know your wife ever to go outside   18   While they were working that day?   18   A. Yes. Yeah. I did hear him say from the vehicle please watch   19   Q. Okay. Paul said that?   18   A. Yes. Yeah.   19   Q. It was Paul's dog?   Q. Did you know if your wife was ever outside   18   A. Yes. Yeah.   19   Q. It was Paul's dog?   Q. Did you know if your wife was ever outside   19   Q. It was Paul's dog?   Q. Did you know if your wife was ever outside   10   Visione when he yelled out the window that.   22   Q. Okay. So they were already basically gone   23   A. Yeah.   24   Q. You didn't have a chance to talk to them,   33   35   35   35   35   35   35   3	10	Q. Why were they there in relationship to the	10	Q. Okay. So they were on their way from the
13 were standing there talking and the dog was sitting 14 there. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't kepr track of her. 23 Q. So the answer is you don't know? 24 A. I don't know. 25 Q. Okay. All right. So when you went outside, 26 you met up with them kind of at the rear of the house? 27 you met up with them kind of at the rear of the house? 28 A. Yes. 29 Q. But they were not engaged in the work at the 29 D. Shay. And that's the extent of your time 29 Q. Okay. And that's the extent of your time 20 outside the house prior to Paul's injury to your 21 knowledge? 22 A. Yeah. 33 Q. Okay. And hat's the extent of your time 34 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 35 A. Yes. 36 Q. Okay. And that's the extent of your time 36 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 39 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 40 Q. Is that fair enough? 41 A. Yes. I don't know. 42 Q. Is that fair enough? 43 A. Yes. I don't know. 44 C. Okay. So you don't know who was doing what that that day, when and how, fair enough? 45 A. Yes. I don't know. 46 Q. Okay. So you don't know who was doing what that that day, when and how, fair enough? 48 A. Yes. I don't know. 49 Q. Is that fair enough? 40 Q. Is that fair enough? 41 A. I don't know. I don't know. 40 Q. Is that fair enough? 41 A. Yesh. 41 Q. Okay. What is your first knowledge or notice 41 A. I heard some commotion and I ran outside and 41 A. I heard some commotion and I ran outside and 42 A. I heard some commotion and I ran outside and 44 A. I heard some commotion and I ran outside and	11	work they were doing? Do you have any idea?	11	house to the car?
14 there. 15 Q. All right. Your wife was inside? 16 A. Yes. 17 Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't know. 35  1 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As a Far as Dave and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 19 A. I don't know. 10 Q. Listhaf fair enough? 11 A. That's I don't know. 11 Listhaf fair enough then? 12 Q. Okay. What is your first knowledge or notice 12 of Paul's accident then? 13 Q. Okay. What is your first knowledge or notice 14 A. I heard some commotion and I ran outside and 15 Yeah. 16 May. Paul and that? 16 May. Paul said that? 17 Q. Okay. Paul said that? 18 A. Yes. Yeah. 19 Q. Okay. So they were already in the vehicle please watch my dog. 17 Q. Okay. So they were and I believe he was already in the vehicle when he yelled out the window that. 21 right? 22 A. Yeah. 23 A. Yeah. 24 A. I didn't know as already in the vehicle when he yelled out the window that. 25 Levicle when he yelled out the window that. 26 A. Yeah. 27 A. I didn't talw a chance to talk to them. 28 A. Yes. 29 Q. Okay. All right. So when you went outside, 29 A. I didn't have a chance to talk to	12	A. No. I don't know what they were doing. They	12	A. Yeah. Yeah. So I might have caught a
15 Q. All right. Your wife was inside? 16 A. Yes. Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't keep track of her. 25 Q. Okay. All right. So when you went outside, 26 you met up with them kind of at the rear of the house? 27 you met up with them kind of at the rear of the house? 28 A. Yes. 4 Q. But they were not engaged in the work at the 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who was doing what that day, when and how, fair enough? 16 A. Yes. I don't know. 17 A. Tesemed like three, four. 18 they were doing, fair enough? 19 A. I don't know. 19 Q. Okay. After he left, Paul left with Dave to the hospital, when did you speak to Paul and Dave? 21 A. That's I don't know. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. Thear's I don't know. 25 Corpus A. Yesa and I believe he was already in the 26 A. Yesh. 27 Q. Okay. So they were already basically gone 28 A. Yesh. 29 Q. Okay. All right. So when you went outside, 29 Q. Okay. All right. So when you went outside, 20 Q. Okay. All right. So when you went outside, 21 right? 22 A. I did not talk to them. 23 right? 24 A. I did not talk to them. 25 the when he yelled out the window that. 26 A. I did not talk to them. 27 c. Did you know who was injured? 28 A. Yes. 29 Q. Okay. And that's the extent of your time 30 Q. Okay. And that's the extent of your time 40 London the work a	13	were standing there talking and the dog was sitting	13	glimpse of them by the back door going to the I am
16 A. Yes. 17 Q. Did you know your wife ever to go outside 18 while they were working that day? 19 A. She might have Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't know. 25 A. Yes. 26 Q. Okay. All right. So when you went outside, 27 you met up with them kind of at the rear of the house? 28 A. Yes. 29 Q. Okay. All right. So when you went outside, 29 you met up with them kind of at the rear of the house? 30 A. Yes. 40 Q. But they were not engaged in the work at the 41 time, right? 42 A. Right. 43 A. Yes. 44 Q. But they were not engaged in the work at the 45 time, right? 46 A. Right. 47 Q. Okay. And that's the extent of your time 48 A. Yes. 49 Q. Okay. And that's the extent of your time 40 outside the house prior to Paul's injury to your 41 knowledge? 41 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 41 that day, when and how, fair enough? 42 A. Yes. 43 Q. Okay. So you don't know who that that day, when and how, fair enough? 44 that day, when and how, fair enough? 45 A. Yes. I don't know. 46 Q. As far as Dave and Paul, you don't know who that that day, when and how, fair enough? 47 A. That's I don't know. 48 A. Yes. 49 Q. Okay. After he left, Paul left with Dave to the hospital, when did you next see Paul and Dave? 40 A. When they came back from the hospital. 41 they were doing, fair enough? 42 A. That's I don't know. 43 C. Q. Okay. What is your first knowledge or notice 44 O. Okay. What is your first knowledge or notice 45 of Paul's accident then? 46 A. I leard some commotion and I ran outside and 47 You know, he says weren't in a very talkstive mood. 48 A. I leard some commotion and I ran outside and 48 A. Yes. 49 Q. Okay. And that's the extent of your time they were doing the there are and the part of the house? 50 A. Yes. 51 A. Yes. 62 A. Correct. 73 Q. Did you know who was injured? 74 A. No. 75 Q. Okay. And that's the	14	there.	14	trying to remember and then something about oh.
17 Q. Okay. Paul said that? 18 while they were working that day? 19 A. She might have Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't know. 33  1 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 19 A. I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. 22 G. Okay. Mat is your first knowledge or notice of Paul's accident then? 23 G. Paul's accident then? 24 A. I heard some commotion and I ran outside and 4 You know, he asys weren't in a very talkative mood. 34 You know, he says weren't in a very talkative mood. 36 You know, he says weren't in a very talkative mood. 37 A. Yes. I alor when who was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 38 A. Yes. I don't know. 39 Q. Okay. After he left, Paul left with Dave to 14 the hospital, when did you next see Paul and Dave? 30 A. Yesh. 31 Q. Okay. So you don't know. 32 Q. And did you speak to Paul and Dave? 33 A. Yesh. 34 Q. Okay. After he left, Paul left with Dave to 14 the year paul and Dave? 39 A. I don't know. Correct. 30 G. Paul's accident then? 31 A. Yesh. 32 A. Yesh. 33 Paul did not talk to them. 34 A. Yesh. 34 A. Yesh. 35 Did not talk to them. 36 A. Yesh. 4 A. Correct. 4 A. Orrect. 5 Did you know who was injured? 6 A. Correct. 7 Q. Did you know who was injured? 8 A. Yesh. 9 Q. Okay.	15	Q. All right. Your wife was inside?	15	Yeah. I did hear him say from the vehicle please watch
18 while they were working that day? 19 A. She might have Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't know.  33  1 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yes. 13 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who that they were doing, fair enough? 17 was doing what whose tasks were what tasks or what they were doing, fair enough? 18 A. Yes. Yeah. 19 Q. I twas Paul's dog? 20 A. Yes and I believe he was already in the vehicle when he yelled out the window that. 22 Q. Okay. So they were already basically gone 23 A. Yeah. 24 Q. You didn't have a chance to talk to them, 25 Tight? 26 A. I did not talk to them. 3 Q. So by the time they were leaving for the hospital in the car that you saw, you didn't know what happened other than there must have been some injury? 4 A. Yes. Paul.  9 Q. Did you know who was injured? 4 A. Yes. Paul. 9 Q. How did you know that? 10 Q. Did she say how he got injured. 11 Q. Did she say how he got injured. 12 A. No. 13 Q. Okay. After he left, Paul left with Dave to the hospital, when did you next see Paul and Dave? 14 A. I don't know. I don't know. 15 A. Yes. 16 Q. And did you speak to Paul and Dave? 17 A. I don't know. I don't know who was doing what they were doing, fair enough? 18 A. Yes. 19 A. That's I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. 22 Q. Okay. What is your first knowledge or notice of Paul's accident then? 24 A. Thear spaul	16	A. Yes.	16	my dog.
19 A. She might have Go ahead. 20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't know. 25 Q. Okay. So they were already basically gone 26 Q. You didn't have a chance to talk to them, 27 Jan. 28 Jan. 29 Q. You didn't have a chance to talk to them, 29 Jan. 20 Jan. 21 Q. Okay. All right. So when you went outside, 21 you met up with them kind of at the rear of the house? 22 A. I did not talk to them. 23 Jan. 24 A. I did not talk to them. 25 Jan. 26 A. Yesh. 27 Q. So by the time they were leaving for the house? 28 A. Yes. 29 Q. Okay. And you pet the dog and went back inside? 29 Q. Okay. And that's the extent of your time 29 Q. Okay. And that's the extent of your time 20 outside the house prior to Paul's injury to your 21 A. Yesh. 22 A. I did not talk to them. 23 Jan. 24 A. Correct. 25 Q. Okay. And that's the extent of your time 26 A. Yes. 27 Q. Did you know who was injured? 28 A. Yes. 29 Q. Okay. And that's the extent of your time 30 outside the house prior to Paul's injury to your 31 knowledge? 32 A. Yesh. 33 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 39 A. Yes. I don't know. 40 Q. As far as Dave and Paul, you don't know who was doing what that day, when and how, fair enough? 41 that day, when and how, fair enough? 42 A. I don't know. 43 Q. Okay. So you don't know who was doing what they were doing, fair enough? 44 A. I don't know. I don't know. 45 Q. Is that fair enough then? 46 Q. Is that fair enough then? 47 Q. Is that fair enough then? 48 A. Yesh. 49 Q. Okay. What is your first knowledge or notice and Paul's accident then? 49 Q. Okay. What is your first knowledge or notice and Paul's accident then? 40 Q. What did they say? 41 A. Well, they weren't lalking too much. I asked Paul's accident then? 42 You know, he says weren't in a very talkative mood. 43 You know, he says weren't in a very talkative mood.	17	Q. Did you know your wife ever to go outside	17	Q. Okay. Paul said that?
20 Q. Did you know if your wife was ever outside 21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't know. 25 Q. Okay. So the answer is you don't know? 26 A. Yeah. 27 Q. Okay. All right. So when you went outside, 28 you met up with them kind of at the rear of the house? 39 A. Yeah. 40 Q. But they were not engaged in the work at the 41 time, right? 42 A. Right. 43 Q. So by the time they were leaving for the 44 hospital in the car that you saw, you didn't know what 45 time, right? 46 A. Right. 47 Q. And you pet the dog and went back inside? 48 A. Yes. 49 Q. Okay. And that's the extent of your time 40 outside the house prior to Paul's injury to your 410 valuedge? 411 Q. Did she say how he got injured. 412 A. Yeah. 413 Q. Okay. So you don't know who was doing what 414 that day, when and how, fair enough? 415 A. Yes. I don't know. 416 Q. As far as Dave and Paul, you don't know who 417 was doing what whose tasks were what tasks or what 418 they were doing, fair enough? 419 A. I don't know. 420 Q. Is that fair enough then? 421 A. That's I don't know. 432 O. Okay. So you don't thow who 433 O. Okay. So you then't know if it is enough? 44 A. I don't know. 45 A. Yes and I believe he was already in the window that. 46 A. Yeah. 47 You didn't have a chance to talk to them, 48 A. Yes. 49 Q. Okay. All right. So when you went outside, 40 Q. So by the time they yere leaving for the 41 hospital in the car that you saw, you didn't know who was injured? 41 A. Ment there must have been some injury? 42 A. I did not talk to them. 41 A. I did not talk to them. 42 A. I did not talk to them. 43 Q. So by the time they were leaving for the 44 hospital in the car that you saw, you didn't know what hathey were leaving for the 45 happened other than there must have been some injury? 46 A. Correct. 47 Q. Did you know who was injured? 48 A. Yes. Paul. 49 Q. How did you know that? 40 A. My wife said Paul is injured. 41 A. No. 41 A. Went they came back from th	18	while they were working that day?	18	A. Yes. Yeah.
21 that day of Paul's injury before his injury? 22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't know. 25 A. I don't know. 26 A. I don't know. 27 Jan. 28 A. I don't know. 29 A. I don't know. 20 Chay. So they were already basically gone 29 Jan. 20 Chay. So they were already basically gone 20 Jan. 21 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 4 Land you pet they were not engaged in the work at the stime, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who 17 was doing what whose tasks were what tasks or what they were doing, fair enough? 18 they were doing, fair enough? 19 A. I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. 22 Q. Okay. So you first knowledge or notice of Paul's accident then? 23 A. Yeah. 24 Q. Okay. So they were already basically gone 25 A. Yeah. 26 Q. Okay basic to them, 27 A. I did not talk to them. 28 A. I did not talk to them. 29 A. I did not talk to them. 30 Q. So by the time they were leaving for the hospital in the car that you saw, you didn't know what happened other than there must have been some injury? 4 A. Yes. Paul. 9 Q. How did you know tho was injured? 4 A. No. 11 Q. Did you know who was injured? 12 A. No. 13 Q. Okay. After he left, Paul left with Dave to the hospital, when did you next see Paul and Dave? 14 A. Well, they weren't talking too much. I asked Q. What did they say? 15 A. Yesh. 16 Q. How many hours later? 17 A. It seemed like three, four. 18 Q. What did they say? 19 A. Yesh. 20 Q. What did they say? 21 A. Well, they weren't in a very talkative mood. 22 Paul how he is feelin	19	A. She might have Go ahead.	19	Q. It was Paul's dog?
22 A. I don't keep track of her. 23 Q. So the answer is you don't know? 24 A. I don't know. 25 Q. Okay. All right. So when you went outside, 26 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So they were already basically gone 26 Q. Did didn't have a chance to talk to them, 27 A. I did not talk to them. 3 Q. So by the time they were leaving for the hospital in the car that you saw, you didn't know what happened other than there must have been some injury? 4 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So by u don't know who was doing what that day, when and how, fair enough? 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who that was doing what whose tasks were what tasks or what they were doing, fair enough? 16 Q. As far as Dave and Paul, you don't know who they were doing, fair enough? 17 A. It seemed like three, four. 18 Q. And did you speak to Paul and Dave? 19 A. Yeah. 20 Q. What did they say? 21 A. That's I don't know. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and A. I heard some commotion and I ran outside and A. I heard some commotion and I ran outside and A. I heard some commotion and I ran outside and A. Yesh. 28 A. Yes. Paul. 29 Q. Okay. After he left, Paul left with Dave to the hospital, when did you speak to Paul and Dave? 29 A. Yeah. 20 Q. What did they say? 21 A. Well, they weren't talking too much. I asked Paul how he is feeling. He said I am a little sore and I asked David, you know, and Dave says not too good. 29 You know, he says weren't in a very talkati	20	Q. Did you know if your wife was ever outside	20	A. Yes and I believe he was already in the
Q. So the answer is you don't know?  A. I don't know.  33  1 Q. Okay. All right. So when you went outside, you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who was doing what whose tasks were what tasks or what they were doing, fair enough? 18 they were doing, fair enough? 19 A. I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. 22 Q. Okay. What is your first knowledge or notice of Paul's accident then? 24 A. I did not talk to them. 35  1 right? 2 A. I did not talk to them. 3 Q. So by the time they were leaving for the hospital in the car that you saw, you didn't know what happened other than there must have been some injury? 4 hospital in the car that you saw, you didn't know what happened other than there must have been some injury? 5 A. Correct. 7 Q. Did you know who was injured? 8 A. Yes. Paul. 9 Q. How did you know that? 10 A. My wife said Paul is injured. 11 Q. Did she say how he got injured? 12 A. No. 13 Q. Okay. After he left, Paul left with Dave to the hospital, when did you next see Paul and Dave? 14 the hospital, when did you next see Paul and Dave? 15 A. When they came back from the hospital. 16 Q. And did you speak to Paul and Dave? 17 A. It seemed like three, four. 18 Q. Okay. What is your first knowledge or notice of Paul's accident then? 20 Q. What did they say? 21 A. Well, they weren't talking too much. I asked 22 Paul how he is feeling. He said I am a little sore and 23 I asked David, you know, and Dave says not too good. 24 You know, he says weren't in a very talkative mood.	21	that day of Paul's injury before his injury?	21	vehicle when he yelled out the window that.
24 A. I don't know.  33   1	22	A. I don't keep track of her.	22	Q. Okay. So they were already basically gone
1 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 19 A. I don't know. I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. Correct. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 34 i right? 2 A. I did not talk to them. 3 Q. So by the time they were leaving for the 4 hospital in the car that you saw, you didn't know what 5 happened other than there must have been some injury? 6 A. Correct. 7 Q. Did you know who was injured? 8 A. Yes. Paul. 9 Q. How did you know that? 10 A. My wife said Paul is injured. 11 Q. Did she say how he got injured? 12 A. No. 13 Q. Okay. After he left, Paul left with Dave to 14 the hospital, when did you next see Paul and Dave? 15 A. When they came back from the hospital. 16 Q. How many hours later? 17 A. It seemed like three, four. 18 Q. And did you speak to Paul and Dave? 19 A. That's I don't know. Correct. 20 Q. What did they say? 21 A. That's I don't know. Correct. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 25 You know, he says weren't in a very talkative mood.	23	Q. So the answer is you don't know?	23	A. Yeah.
1 Q. Okay. All right. So when you went outside, 2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 19 A. I don't know. I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. Correct. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 34 i right? 2 A. I did not talk to them. 3 Q. So by the time they were leaving for the 4 hospital in the car that you saw, you didn't know what happened other than there must have been some injury? 6 A. Correct. 7 Q. Did you know who was injured? 8 A. Yes. Paul. 9 Q. How did you know that? 10 A. My wife said Paul is injured. 11 Q. Did she say how he got injured? 12 A. No. 13 Q. Okay. After he left, Paul left with Dave to 14 the hospital, when did you next see Paul and Dave? 15 A. When they came back from the hospital. 16 Q. How many hours later? 17 A. It seemed like three, four. 18 Q. And did you speak to Paul and Dave? 19 A. Yeah. 20 Q. What did they say? 21 A. That's I don't know. Correct. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 25 of Paul's accident then? 26 You know, he says weren't in a very talkative mood.	24	A. I don't know.	24	Q. You didn't have a chance to talk to them,
2 you met up with them kind of at the rear of the house? 3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 19 A. I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I did not talk to them. 3 Q. So by the time they were leaving for the 4 hospital in the car that you saw, you didn't know what 4 hospital in the car that you saw, you didn't know what 4 hospital in the car that you saw, you didn't know what 4 hospital in the car that you saw, you didn't know what 5 happened other than there must have been some injury? 6 A. Correct. 7 Q. Did you know who was injured? 8 A. Yes. Paul. 9 Q. How did you know that? 10 Did she say how he got injured? 11 Q. Did she say how he got injured? 12 A. No. 13 Q. Okay. After he left, Paul left with Dave to 14 the hospital, when did you next see Paul and Dave? 15 A. When they came back from the hospital. 16 Q. How many hours later? 17 A. It seemed like three, four. 18 Q. And did you speak to Paul and Dave? 19 A. That's I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. Correct. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 25 Paul how he is feeling. He said I am a little sore and 26 I asked David, you know, and Dave says not too good. 27 You know, he says weren't in a very talkative mood.		33		35
3 A. Yes. 4 Q. But they were not engaged in the work at the 5 time, right? 6 A. Right. 7 Q. And you pet the dog and went back inside? 8 A. Yes. 9 Q. Okay. And that's the extent of your time 10 outside the house prior to Paul's injury to your 11 knowledge? 12 A. Yeah. 13 Q. Okay. So you don't know who was doing what 14 that day, when and how, fair enough? 15 A. Yes. I don't know. 16 Q. As far as Dave and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough there 19 A. I don't know. I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. Correct. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 3 Q. So by the time they were leaving for the hospital in the car that you saw, you didn't know what happened other than there must have been some injury? 6 A. Correct. 7 Q. Did you know who was injured? 8 A. Yes. Paul. 9 Q. How did you know that? 10 A. My wife said Paul is injured. 11 Q. Did she say how he got injured? 12 A. No. 13 Q. Okay. After he left, Paul left with Dave to 14 the hospital, when did you next see Paul and Dave? 15 A. When they came back from the hospital. 16 Q. How many hours later? 17 A. It seemed like three, four. 18 Q. And did you speak to Paul and Dave? 19 A. That's I don't know. 20 Q. What did they say? 21 A. That's I don't know. Correct. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. Well, they weren't talking too much. I asked 25 Paul how he is feeling. He said I am a little sore and 1 asked David, you know, and Dave says not too good. 24 You know, he says weren't in a very talkative mood.	1	Q. Okay. All right. So when you went outside,	1	right?
4 Q. But they were not engaged in the work at the 5 time, right?  6 A. Right.  7 Q. And you pet the dog and went back inside?  8 A. Yes.  9 Q. Okay. And that's the extent of your time  10 outside the house prior to Paul's injury to your  11 knowledge?  12 A. Yeah.  13 Q. Okay. So you don't know who was doing what that day, when and how, fair enough?  14 that day, when and how, fair enough?  15 A. Yes. I don't know.  16 Q. As far as Dave and Paul, you don't know who was doing what they were doing, fair enough?  18 they were doing, fair enough?  19 A. I don't know. I don't know.  20 Q. Is that fair enough then?  21 A. That's I don't know. Correct.  22 Q. Okay. What is your first knowledge or notice of Paul's accident then?  24 A. I heard some commotion and I ran outside and fall and the page of the	2	you met up with them kind of at the rear of the house?	2	A. I did not talk to them.
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that day, when and how, fair enough?  A. Yes. I don't know.  Q. As far as Dave and Paul, you don't know who was doing what whose tasks were what tasks or what they were doing, fair enough?  A. I don't know. I don't know.  Q. Is that fair enough then?  A. That's I don't know. Correct.  Q. Okay. What is your first knowledge or notice of Paul's accident then?  A. I heard some commotion and I ran outside and sale.  14 the hospital, when did you next see Paul and Dave?  A. When they came back from the hospital.  Q. How many hours later?  A. It seemed like three, four.  B. Q. And did you speak to Paul and Dave?  A. Yeah.  Q. What did they say?  A. Well, they weren't talking too much. I asked Paul how he is feeling. He said I am a little sore and I asked David, you know, and Dave says not too good.  You know, he says weren't in a very talkative mood.				
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16 Q. As far as Dave and Paul, you don't know who 17 was doing what whose tasks were what tasks or what 18 they were doing, fair enough? 19 A. I don't know. I don't know. 20 Q. Is that fair enough then? 21 A. That's I don't know. Correct. 22 Q. Okay. What is your first knowledge or notice 23 of Paul's accident then? 24 A. I heard some commotion and I ran outside and 25 Q. How many hours later? 26 A. It seemed like three, four. 27 A. It seemed like three, four. 28 Q. And did you speak to Paul and Dave? 29 A. Yeah. 20 Q. What did they say? 21 A. Well, they weren't talking too much. I asked 22 Paul how he is feeling. He said I am a little sore and 23 I asked David, you know, and Dave says not too good. 24 You know, he says weren't in a very talkative mood. 36				
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23 of Paul's accident then?  24 A. I heard some commotion and I ran outside and  34 I asked David, you know, and Dave says not too good.  You know, he says weren't in a very talkative mood.				
A. I heard some commotion and I ran outside and 34 You know, he says weren't in a very talkative mood.				-
34 36				
	24		24	
		34		36

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1	Q. Not too good meaning Paul wasn't too good or	1	A. Dave didn't really talk.
2	what?	2	Q. Okay. How long did they stay home?
3	A. Well, Paul basically just came back and he	3	A. A minute or something. He was collecting on
4	I am trying to figure out how he got home. Maybe	4	the dog.
5	Mike	5	Q. Okay. Then what did they do?
6	Q. I am not evening asking that right now.	6	A. Let's see. Mike McArtor picked the dog up.
7	A. Okay.	7	Maybe he took Paul, too. I don't remember.
8	Q. My question is: What did Paul and Dave say	8	Q. All right.
9	when they arrived home at the hospital? You said Paul	9	A. I don't remember.
10	said I am sore. Then David	10	Q. At least what Carolyn says is that Dave and
11	A. David really wasn't talking at all.	11	Paul drove away to fill his prescription and then Dave
12	Q. Did either of them discuss how the accident	12	came back alone.
13	occurred with the chain saw?	13	A. You know, they could have. They could have.
14	A. No. No.	14	Q. So you don't know that?
15	Q. How long were they back at the house?	15	A. Right.
16	Short Were they only there for a short period of	16	Q. Okay. All right. So by the time Dave
17	time?	17	returned home, whether Paul was with him or not, you
18	A. Yes. Yes.	18	don't know?
19	Q. And did they both leave again?	19	A. I don't know.
20	A. I am trying to remember how he got home.	20	Q. Okay. Did Dave tell you now this is still
21	Q. I'm not asking how anybody got home. I am	21	the same day of the accident? Did Dave tell you how
22	asking once they arrived home with Paul and Dave, they	22	the accident occurred?
23	then left again or don't you know that?	23	A. No.
24	A. You know, I don't remember if he came back to	24	Q. Has Dave ever described for you how the
	37		39
1	our house or he came back to his house.	1	accident occurred?
2	Q. Who is "he"? Who, Paul?	2	A. Yeah.
3	A. After the emergency room.	3	Q. When? First time.
4	Q. Who?	4	A. Probably a day or so later.
5	A. Paul.	5	Q. What So a day or so after the accident,
6	Q. Who is "he"? Okay.	6	Dave had a conversation with you?
7	A. I don't remember if he came back to our house	7	A. Yeah.
8	or I don't remember if David drove him directly home to	8	Q. What did he say?
9	his house. I don't remember that. I am trying to	9	A. He says How did it go? He stuck his
10	remember that.	10	arm
11	Q. Okay. All right. So when You would not	11	Q. Who is "he"? I need names so I know who you
12	have talked at least	12	are talking about.
13	A. Wait a minute. I do remember now. He did	13	A. Hang on. Hang on. He said that Paul stuck
14	come back to our house and I asked him how you doing	14	his arm
15	and he says okay. And then	15	Q. Wait. Stop. Dave said that Paul
16	Q. Who is "he"? I don't know who you are	16	MR. BARCH: Try to use names when you are
17	talking about.	17	referring to the people. That's all he is asking.
18	A. Paul, the guy that got hurt.	18	THE WITNESS: Okay. David said that when working
19	Q. Paul said I am okay?	19	with Paul, somehow Paul did something wrong and got
20	A. I asked him how are you doing? Paul said I	20	his arm cut.
21	am okay.	21	BY MR. MAST:
22	Q. Okay. Did he say anything else?	22	Q. Did he explain what he did wrong?
23	A. No.	23	A. No. He really didn't.
24	Q. And then what did Dave say?	24	Q. Did he say that he got his arm cut on the
	38		40
		1	

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1	chain saw?	1	Q. Where you just said hi to him?
2	MR. BARCH: "He," David?	2	A. Correct.
3	MR. MAST: You got me.	3	Q. So since Paul's accident at your house with
4	THE WITNESS: David said he got his arm Paul	4	the chain saw, you have only spoken to him once and
5	got his arm cut on a chain saw.	5	that was at the supermarket when you said hi to him
6	BY MR. MAST:	6	and he said hi to you and that was it, right?
7	Q. But David didn't specify how or what he did	7	A. You know, I think he did come over. I don't
8	to get cut?	8	remember. I think he did come over and I asked him,
9	A. No. No.	9	you know, how you doing or something like that and it
10	Q. Okay. Did Dave ever specify to you at any	10	was probably a week or so after.
11	other conversations about what Paul did and why it	11	Q. Okay. Let me go back then. My question was
12	caused him to get cut by the chain saw?	12	how many times have you spoken to Paul since the
13	A. No.	13	accident. Your answer is twice, right?
14	Q. So other than that first conversation with	14	A. Probably twice.
15	Dave where he just described generally that Paul did	15	Q. Okay. The first time is one week after the
16	something wrong to get cut	16	accident where Paul came over to the house, correct?
17	A. Yeah.	17	A. Yes.
18	Q did you have any other conversations with	18	Q. And who was present?
19	Dave about how the incident occurred?	19	A. My wife.
20	A. No.	20	Q. Okay. And Paul?
21	Q. Was that the only time?	21	A. Yes.
22	A. Basically, yeah.	22	Q. Okay. And what How long was Paul there?
23	Q. Okay. Dave never got more specific than	23	A. A couple minutes with his dog.
24	that?	24	Q. And what did Paul say to you or either of
	41		43
1	A. No.	1	you?
2	Q. All right. So any time you have talked to	2	A. Well, you know, basically said I am going
3	Dave it's always been, well, Paul did something wrong	3	along. Everything is fine and, you know, my wife said
4	to get cut but he didn't specify anything more than	4	how you doing and exchanged pleasantries and that was
5	that?	5	about it.
6	A. No.	6	Q. Okay. Now, this is kind of what I'm wanting
7	Q. Is that correct?	7	to find out. Paul has obviously at least to me
8	A. Yes. He didn't want to talk about that, and	8	obviously, has had some follow-up treatment and has
9	he wasn't	9	had some difficulties with his arm because of this
10	Q. Is that correct what I just said?	10	accident. Okay. Are you aware of that or not?
11	A. Correct.	11	A. I have heard that, yes.
12	Q. Okay. Did you ever talk to Paul about how	12	Q. Okay. So when you say a week afterwards that
13	the accident occurred?	13	he said I am doing fine, are you saying that
14	A. No.	14	everything is great? He is not having
15	Q. Since the accident, have you ever talked to	15	A. Well, he seemed to be
16	Paul?	16	Q. Let me finish the question. Are you saying
17	A. Yes.	17	that he related to you that everything is great, he is
18	Q. How many times?	18	having no problems or was he just trying to exchange
19	A. Maybe I am trying to think here. That may	19	pleasantries and say yeah, everything is okay?
20	be once since the accident happened I have seen him in	20	MR. BARCH: I just object to the form of the
21	the grocery store.	21	question but go ahead if you understand it.
22	Q. Is that the one you talked about earlier	22	THE WITNESS: When the guy said he is fine, I
23	today?	23	thought he was healing well and meant I am doing fine.
24	A. Correct.	24	
1	42		44

1	BY MR. MAST:	1	earlier in the year new from Menards, correct?
2	Q. Okay. Did he describe for you what he meant	2	A. Yes.
3	by fine other than use the word	3	Q. Okay. And Exhibit 2, is that a true and
4	A. No. No. No.	4	accurate copy of the manual for that same chain saw
5	Q other than use the word fine in response	5	you purchased?
6	to your inquiry?	6	A. I believe so.
7	A. No. He didn't describe fine.	7	Q. And Exhibit 3 I believe is some additional
8	Q. Okay. Did he say I am pain free?	8	paperwork that came with it as well as the receipt on
9	A. No.	9	the top, correct?
10	Q. Did he say I am back to normal or anything in	10	A. I assume so, yes.
11	that regard?	11	Q. Well, take a look. I need you to make sure.
12	A. No.	12	Is that what that is? Just take a look through all of
13	Q. Okay. Did he ever describe for you, again	13	those documents in Exhibit 3 just to make sure those
14	Paul, how the specifics of his accident occurred?	14	were all documents that came with the purchase of the
15	A. No.	15	chain saw.
16	Q. After that couple minutes at your house, he	16	A. Yes. They came with the chain saw.
17	left and you only saw him one other time, that was at	17	Q. So all of the materials, Exhibit 2 and 3, all
18	the supermarket where you exchanged hi's and that was	18	those materials came with the purchase of the chain
19	it?	19	saw, correct?
20	A. Yes. Yes.	20	A. Yes.
21	Q. And that was the one you described earlier on	21	Q. Okay. And they are all accurate copies of
22	in this deposition when you met him at the grocery	22	those documents, correct?
23	store?	23	A. Yeah.
24	A. Yes.	24	MR. MAST: Okay. Thank you. That's all I have.
	45		47
1	Q. Okay. And you never spoken or talked to Paul	1	MR. ACCARDO: I do not have any questions.
2	other than those two times since the accident,	2	EXAMINATION
3	correct?	3	BY MR. BARCH:
4	A. Yeah.	4	Q. Just earlier when Mr. Mast was asking you
5	Q. All right. I think I am Oh, wait. I	5	about what you knew about Dave's experience with a
6	wanted to ask you since I got these photographs, I	6	chain saw, you mentioned that he did some pruning of
7	might as well get these marked. I will just mark one	7	trees. You saw him do that around your home?
8	of them because they are all the same.	8	A. Uh-huh.
9	(Whereupon, Deposition Exhibits	9	Q. Yes?
10	1, 2 and 3 were marked and	10	A. Yes.
11	dated.)	11	Q. Then you also said you heard some stuff about
12	BY MR. MAST:	12	him using chain saws?
13	Q. Okay. I just marked three exhibits. The	13	A. Yes.
14	first one is a photograph we took today of the chain	14	Q. And when you say you heard some stuff about
15	saw that's on the table in front of you, correct?	15	him using chain saws, what were you referencing?
16	A. Uh-huh.	16	A. I was referencing to him through the course
17	Q. Yes. I need you to verbalize the answer yes.	17	of the years when he was living there when I was living
18	A. Yes.	18	there when he was out helping friends and coming back
19	Q. Okay. Is that the chain saw you have talked	19	home and saying something like I did some work for
	,	00	
20	about over the course of your deposition today?	20	pruning some trees on some people's property or, you
20 21	about over the course of your deposition today? That's the chain saw that Dave was using at the time	21	know, helping a friend out.
20 21 22	about over the course of your deposition today? That's the chain saw that Dave was using at the time of Paul's accident?	21 22	know, helping a friend out.  Q. Okay. So And to the extent David may have
20 21 22 23	about over the course of your deposition today?  That's the chain saw that Dave was using at the time of Paul's accident?  A. Yes.	21 22 23	know, helping a friend out.  Q. Okay. So And to the extent David may have had some experience with a chain saw away from your
20 21 22	about over the course of your deposition today? That's the chain saw that Dave was using at the time of Paul's accident?	21 22	know, helping a friend out.  Q. Okay. So And to the extent David may have

1	is that fair?	1	IN THE CIRCUIT COURT	
2	A. True.	2	FOR THE 22ND JUDICIAL CIRCUIT  McHENRY COUNTY, ILLINOIS	
3	Q. And at any time prior to Mr. Dulberg being	4	PAUL DULBERG, )	
4	injured on June 28, 2011, did you have any reason to	5	) Plaintiff, )	
5	be concerned about the manner or method that David was	6	)	
6	using the chain saw?	0	vs. ) No. 12 LA 178 )	
7	A. No. I had no concern.	7	DAVID GAGNON, ) Individually, and as )	
8	Q. At any time that day or the day before, did	8	Agent of CAROLINE )	
9	you go out there and tell him how you wanted him to	9	McGUIRE and BILL McGUIRE ) and CAROLINE McGUIRE and)	
10	use the chain saw?	10	BILL McGUIRE, )	
11	A. No.	10	individually, ) )	
12	Q. Did you tell him how you wanted him to go	11	Defendants. )	
13	about tending to the trees, the pruning of the trees?	12	I, WILLIAM McGUIRE, being first duly sworn, on	
14	A. No.	13 14	oath say that I am the deponent in the aforesaid deposition taken on March 20, 2013; that I have read	
15	Q. Is it fair to say that you left all the	15	the foregoing transcript of my deposition, and affix	
16	cutting and the decisions on what to do and how to do	16 17	my signature to same.	
17	it up to David?	18	WILLIAM McGUIRE	
18	A. Yes.			
19	Q. And with respect to what David and Paul may	19	Subscribed and sworn to before me this day	
20	have talked about, if anything, that day, how they	20	of, 2019	
21	were going to go about using the chain saw, what they	21		
22	were going to do with respect to those trees, you	22		
23	weren't part of any of that?		Notary Public	
24	A. True. I was not part of any of it.	23 24		
-	49			51
1	MR. BARCH: That's all I have.	1	CERTIFICATE	
2	MR. ACCARDO: I don't have anything.	2		
3	MR. MAST: All right.	3		
4	MR. BARCH: We are going to We are just going	4	I, Paula Ann Erickson, Certified Professional	
5	to reserve. Carolyn is going to look at her	5	Reporter, Registered Professional Reporter and Notary	
6	transcript. I will give you a chance to read it, too,	6	Public, do hereby certify:	
7	before it's final.	7	<del>-</del>	
8	THE WITNESS: Okay.	8	That the witness in the foregoing deposition	
9	(FURTHER DEPONENT SAITH NOT.)	9	named was present at the time and place therein	
10		10	specified;	
11 12		11 12	That the said proceeding was taken before me	
13		13	as a Notary Public at the same time and place and was	
14		14	taken down in shorthand writing by me;	
15		15	taken down in shorthand writing by file,	
16		16	That this transcript is a true and accurate	
17		17	transcript of my shorthand notes so taken, to the best	
18		18	of my ability.	
19		19	•	
20		20		
21		21		
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1	I further certify that I am neither counsel for
2	nor related to or employed by any of the parties to
3	this action and that I am not a relative or employee
4	of any counsel employed by the parties hereto or
5	financially interested in the action.
6	
7	
8	Paula Ann Erickson
9	Certified Shorthand Reporter
10	Registered Professional Reporter
11	License No. 084-003899
12	Notary Public
13	
14	Dated this day
15	
16	of, 2019.
17	
18	
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