

Summary of Corp Rep 30(b)(6) Depo-Redacted.pdf

Citation	Summary of Testimony	Topic Summary
4:1-6:18	The deponent identifies himself as the corporate lead, secretary, and one of the owners of the company, with his wife, . He clarifies that they are co-owners but not equal partners, as his wife holds a 51% ownership stake while he holds 49%.	<ul style="list-style-type: none"> - Deponent's role and ownership in the company - Ownership distribution between the deponent and his wife
6:1-6:18	He acknowledges the organizational chart (Plaintiff's Exhibit 2) as accurate and part of the discovery provided to the plaintiff's attorney. The chart confirms the ownership status of the deponent and his wife as of March 15, 2019.	<ul style="list-style-type: none"> - Organizational chart accuracy - Discovery process and document provision
7:11-10:5	The deponent confirms the accuracy of an organizational chart as of March 15, 2019, including the positions and current employment status of various individuals. He mentions that was terminated for not showing up to work and "stealing time" by falsifying his time sheet, as evidenced by GPS data. Another individual, , resigned to work for another company with higher pay. The deponent also confirms the roles of crew leaders and foremen, as well as the employment status of other named individuals.	<ul style="list-style-type: none"> - Organizational chart accuracy - Termination for not showing up and falsifying time sheets - Resignation for better pay - Roles of crew leaders and foremen - Employment status of various individuals
10:1-12:25	The deponent confirms that no document requests have been sent to companies for records in the case. He does not recall seeing a specific document related to plaintiff's first request for admissions but acknowledges that responses might have been provided through their law firm. He also discusses the conditions under which they would produce documents received from nonparties to the plaintiff, highlighting the cost of obtaining documents and the free nature of email transmission.	<ul style="list-style-type: none"> - Document requests and responses - Production of documents from nonparties - Costs associated with obtaining documents
13:1-13:25	The deponent acknowledges the company's responsibility for a collision under the principle of respondeat superior, attributing the responsibility to their driver, . He confirms that was an employee and was driving for the company in the course and scope of his employment at the time of the collision. Additionally, he mentions that did not investigate 's driving history prior to hiring him, as he was not hired as a driver.	<ul style="list-style-type: none"> - Company's responsibility for collision - Employment status of - Hiring practices and background checks

14:22-17:25	The deponent testified that before hiring an individual, the company did not look into his driving history as he was not hired as a driver. After hiring, the insurance company conducted a background check on his driving history before he was allowed to drive. The company relies on the insurance company for such checks and has never independently run a driving history. The individual had been driving for the company for about 14-15 months before the incident. The company does not do background checks on any of its employees. The company is described as an erosion control installer and construction work service provider, explaining what erosion control involves.	<ul style="list-style-type: none"> - Hiring practices regarding driving history - Role of the insurance company in background checks - Company's policy on employee background checks - Description of the company's services and industry
18:8-19:25	The deponent explains the nature of their business, focusing on erosion control and minor construction services. He mentions the company's shift away from residential projects post-recession and outlines the process of evaluating employees for driving company trucks, including insurance approval and supervision by a crew leader.	<ul style="list-style-type: none"> - Erosion control services - Shift from residential projects - Employee evaluation for driving roles
20:1-22:23	The deponent continues detailing the process for determining if an employee can be a driver, emphasizing dependability as a key factor. The role of the crew leader and the logistics manager in assessing potential drivers is highlighted, with a specific mention of observing safe driving practices.	<ul style="list-style-type: none"> - Criteria for becoming a driver - Role of crew leader and logistics manager in evaluation - Importance of dependability and safe driving
21:17-24:5	The deponent testifies about the process of evaluating new drivers, specifically mentioning how and observed 's ability to safely operate a vehicle. This included spending time in the yard to ensure he could perform basic vehicle checks and operate the truck safely, as well as accompanying him on the road without any attachments to assess his driving skills.	<ul style="list-style-type: none"> - Driver evaluation process - Safety checks and basic vehicle operation - Observation and assessment by and
24:6-24:5	The testimony continues to detail the evaluation process, highlighting that would also participate in ride-alongs with to further assess his driving capabilities, specifically mentioning trips to a vendor or store without trailing any equipment. It is noted that would do this at least once, while might do it more than once if they felt could operate the truck safely.	<ul style="list-style-type: none"> - Ride-along assessments - Evaluation of driving without trailers - Involvement of and in the evaluation process
24:1-25:25	The deponent discusses the training and evaluation process for drivers within the company, specifically mentioning that a driver, referred to as "he", would spend at least a month driving with a supervisor before being allowed to drive solo. The deponent confirms that "he" was never demoted or removed from driving. Additionally, the deponent addresses an error in an organizational chart where a worker's name was omitted.	<ul style="list-style-type: none"> - Driver training and evaluation process - Organizational chart error

26:1-27:9	The deponent reveals unawareness of a driver's prior and during-employment arrests until the deposition. The hiring decision, according to the deponent, would depend on the nature of the arrest, specifically mentioning a scenario involving a controlled substance. The deponent also discusses the company's and insurance company's stance on hiring or continuing to employ someone with multiple arrests.	<ul style="list-style-type: none"> - Unawareness of employee's criminal history - Hiring policies regarding criminal history - Insurance company's influence on employment decisions
28:1-29:25	The deponent discusses the hypothetical hiring of an employee with a criminal record, emphasizing the importance of second chances and rehabilitation. He states that if an employee had proven they had changed, their information would be submitted to the insurance company. However, if offenses occurred during employment, the employee would likely be demoted rather than terminated.	<ul style="list-style-type: none"> - Hiring policies regarding criminal records - Importance of rehabilitation and second chances - Employment consequences for offenses committed during employment
30:1-30:23	The deponent reveals he was unaware of a specific employee's arrest during their employment period, stating that had he known, the employee would not have been allowed to drive. He also discusses the training and monitoring process for new drivers, including ride-alongs and supervision to ensure safe driving practices.	<ul style="list-style-type: none"> - Awareness of employees' legal issues - Training and monitoring of new drivers - Policies on employee conduct and driving privileges
31:12-34:4	The deponent confirms that it is standard practice for someone to accompany new drivers, including his son, to ensure they can drive safely. He also discusses his son's role in the company, the safety and health manual, and the company's practice of updating it annually.	<ul style="list-style-type: none"> - Ride-along training for new drivers - Son's role and qualifications - Safety and health manual - Annual updates of the manual
34:5-34:25	The deponent explains that the safety and health manual is a standard document for day-to-day operations and is made available to all employees. He confirms that all employees go through safety training, which is included in the manual.	<ul style="list-style-type: none"> - Accessibility of the safety and health manual - Safety training for employees - Inclusion of safety policies in the manual
34:22-37:13	The deponent confirms that all employees, including the person in question, are required to go through a safety and health manual during the hiring process and sign acknowledgment forms. If such signed documents cannot be produced, it is implied they do not exist. The HR strategies employee handbook is mentioned as part of the company's HR management, which includes payroll and setting up the safety manual. The deponent asserts that every employee goes through the safety manual before being hired and has the opportunity to take it home for further review.	<ul style="list-style-type: none"> - Safety and health manual review process - Employee acknowledgment forms - Role of HR strategies in safety manual setup - Employee access to safety manual

38:11-40:25	The deponent discusses the company's comprehensive safety and health manual, which is provided to every employee. He emphasizes the importance of safety in the company, mentioning that safety meetings are held every Monday morning and additional meetings before starting a job. He refutes a claim that an employee had never seen the document, suggesting the employee lied because he was at fault for an accident due to driver error. The deponent details a specific safety meeting held after the incident, where it was concluded the accident was caused by the employee being distracted. The employee was terminated for refusing to take a drug test after the accident, a requirement for insurance purposes.	<ul style="list-style-type: none"> - Safety and health manual provided to employees - - Weekly safety meetings - - Employee's denial of seeing the safety document - - Attribution of an accident to driver error and distraction - - Termination of employment due to refusal to take a drug test
41:1-43:6	The deponent discusses the requirement for drivers to undergo drug screening after incidents, mentioning that the driver in question refused to take one. The deponent avoids assuming whether the driver was under the influence at the time of the crash.	<ul style="list-style-type: none"> - Drug screening requirements - Driver's refusal to take a drug test - Avoidance of assumptions regarding driver's state
43:7-44:8	The deponent identifies photographs of the crash scene, including severe damage to a minivan and mentions the weights of the involved truck and straw blower. The deponent confirms the accuracy of the vehicle weights as per a manual.	<ul style="list-style-type: none"> - Identification of crash scene photographs - Vehicle weights - Severity of damage
44:9-44:25	The deponent explains the company's approach to safety, including weekly safety meetings led by specific individuals. The role of IT management and safety coordinator is discussed, emphasizing the importance of safety equipment and compliance with safety regulations.	<ul style="list-style-type: none"> - Company safety practices - Weekly safety meetings - Roles in safety management and coordination
44:1-46:25	The deponent discusses the company's safety meetings, which are attended by all staff except the office manager and estimator. He mentions that the meetings are held every Monday and that records of these meetings are kept. The deponent also talks about the company's hiring practices, including using LinkedIn, Indeed, and word of mouth, with a referral fee for employees who recommend someone who gets hired.	<ul style="list-style-type: none"> - Safety meetings and attendance - - Hiring practices and referral fees
47:1-21	The deponent reads highlighted portions of the company's safety and health manual, emphasizing rules for drivers, including the need for adequate training, proper authorization, and cautious driving. He confirms that received adequate training but agrees that was not cautious on the day of the crash.	<ul style="list-style-type: none"> - Company's safety and health manual - - Rules for drivers - - Acknowledgment of inadequate caution leading to a crash
48:10-49:13	The deponent confirms that the driver received adequate training and violated safety protocols on the day of the crash by not being cautious and not maintaining a proper distance from other vehicles. Additionally, the driver refused to take a drug test as per the company's substance abuse policy, which led to his termination treated as a positive drug test result.	<ul style="list-style-type: none"> - Driver training and safety protocol violation - - Substance abuse policy and refusal to take a drug test

49:14-50:7	The deponent testifies that at the time of the crash, the driver was operating a truck pulling a FINN straw blower, which was properly secured and the truck was in good condition and not overloaded.	<ul style="list-style-type: none"> - Condition and security of the truck and equipment at the time of the crash
50:8-51:2	The deponent denies any knowledge of the driver expressing concerns about the truck being too heavy to drive with the attached FINN straw blower. Additionally, there were no instances of being dismissive towards the driver's concerns or any racist comments within the company as per the deponent's knowledge.	<ul style="list-style-type: none"> - Driver's concerns about vehicle weight - Company culture regarding dismissiveness and racism
51:1-52:13	The deponent denies hearing racist comments at their workplace and asserts that if someone claimed to have heard such comments, they would be lying. They also discuss the purchase and subsequent total loss of a Ford F-250 truck involved in the incident, clarifying that the truck was purchased a year before the incident and was 12 years old at the time of the crash. The deponent places full responsibility for the crash on the other party and denies any surveillance on the client post-crash.	<ul style="list-style-type: none"> - Workplace environment and racism allegations - Details about the Ford F-250 truck involved in the incident - Assignment of responsibility for the crash - Surveillance allegations
52:14-53:12	The deponent confirms that a document was created after the collision to describe the incident. They are unsure if the document matches exactly with the safety and health manual but acknowledges its similarity. The deponent agrees to produce the document if it exists.	<ul style="list-style-type: none"> - Documentation of the collision - Safety and health manual reference - Agreement to produce the document
53:13-54:13	The deponent reviews requests for admissions, focusing on two specific ones: that a report or document was created post-collision and that steps were taken to prevent future similar incidents. The deponent confirms the creation of a document describing the crash and admits to taking preventive measures post-collision.	<ul style="list-style-type: none"> - Review of requests for admissions - Creation of a post-collision report - Preventive measures taken post-collision
55:1-56:25	The deponent discusses steps taken after a collision to prevent future incidents, including holding a safety meeting and increasing oversight on driver training and operation.	<ul style="list-style-type: none"> - Safety meetings post-collision - Driver training policies - Oversight and verification processes
57:1-57:20	The deponent clarifies the company's policy on treating a failure to take a drug test as a positive result for employment purposes, without making assumptions about actual drug use.	<ul style="list-style-type: none"> - Drug test policies - Employment termination criteria
57:21-57:20	The deponent denies having a brother working at the company but confirms having a brother-in-law in a maintenance role, explaining his position in the company hierarchy.	<ul style="list-style-type: none"> - Family members in the company - Company hierarchy and roles

58:1-59:25	The deponent discusses the organizational structure at their workplace, explaining that is in a supervisory role above , who is the deponent's brother-in-law. He clarifies that would only communicate with regarding equipment safety concerns. The deponent also denies ever hearing make racist comments and is unsure of 's employment before joining their current company.	<ul style="list-style-type: none"> - Workplace hierarchy - - Equipment safety procedures - Allegations of racism - - Previous employment
60:1-61:1	The deponent outlines the company's policy following a vehicle crash, emphasizing the importance of assessing the safety of all individuals involved and the environment, contacting emergency services, and documenting the incident. He notes that while it's not a written policy, checking on the occupants of other vehicles involved is considered common decency.	<ul style="list-style-type: none"> - Post-crash procedures - - Emergency response - - Documentation and assessment of incidents - - Company policies
61:21-62:25	The deponent discusses the company's informal policy regarding checking on other vehicles in an accident, mentioning it's more about common decency than an official policy. He recalls a specific accident, noting that the company did discuss this incident in a safety meeting, emphasizing the severity and the immediate aftermath where the other driver was already being attended to, thus they avoided causing further stress.	<ul style="list-style-type: none"> - Company's informal policy on post-accident protocol - Discussion of a specific accident in safety meetings - Decision-making process post-accident to avoid additional stress on the involved parties
62:1-63:25	The deponent confirms that took photographs at the crash site but did not speak with the client involved in the crash. He elaborates on 's actions post-accident, including his refusal to undergo a drug test and to sign termination papers, leading to his firing.	<ul style="list-style-type: none"> - Role of in documenting the crash site - 's refusal to communicate with the client at the crash site - 's refusal to undergo a drug test and the consequences
63:1-64:8	The deposition concludes with the attorneys thanking the deponent for his time. It is noted that the deposition ended at 11:30 a.m., and it was agreed that the witness's signature on the deposition transcript could be waived.	<ul style="list-style-type: none"> - Conclusion of the deposition - Agreement to waive the witness's signature