

IN THE STATE COURT OF [REDACTED] COUNTY  
STATE OF GEORGIA

[REDACTED],

Plaintiff,

vs.

CIVIL ACTION FILE

NO. [REDACTED]

[REDACTED] and [REDACTED]  
[REDACTED],

Defendants.

VIDEO DEPOSITION OF

[REDACTED]

February 12, 2019

2:57 p.m.

900 Circle 75 Parkway

Suite 1400

Atlanta, Georgia

Jennifer L. Pope, RPR, CCR-2749  
Quentin Hendrix, Videographer



2741 Pangborn Road  
Decatur, Georgia 30033  
404-856-0966

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## DESCRIPTION OF EXHIBITS

For the Plaintiff:

EXHIBIT	DESCRIPTION	PAGE
1	Disposition	9
2	Police Report	16
3	Photographs	21

(Original Exhibits 1 through 3 have been attached to the original transcript.)

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APPEARANCES

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On behalf of the Plaintiff:

DARREN M. TOBIN, Esq.

[Redacted]  
[Redacted]  
[Redacted]

Atlanta, Georgia [Redacted]

404-587-8423

[Redacted]

On behalf of the Defendants:

[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]

Also Present: QUENTIN HENDRIX, Videographer

(Pursuant to O.C.G.A. 15-14-37(a) and  
(b), a written disclosure statement was submitted  
by the court reporter to all counsel present at  
the deposition and is attached hereto.)

1 MR. TOBIN: This will be the videotaped  
2 deposition of [REDACTED] taken pursuant to notice  
3 and agreement. It is being taken pursuant to the  
4 Civil Practice Act for all purposes permitted by the  
5 act and including for use at trial.

6 Let's go on the video, please.

7 THE VIDEOGRAPHER: We are now on video  
8 record. Today is February the 12th, 2019. The time  
9 is 2:58 p.m. This is the beginning of Video File  
10 No. 1.

11 Will the court reporter please swear the  
12 witness.

13 [REDACTED],  
14 having been first duly sworn, was examined and  
15 testified as follows:

16 EXAMINATION

17 BY MR. TOBIN:

18 Q. Would you please say your name for the  
19 record.

20 A. [REDACTED].

21 Q. How do you spell [REDACTED]?

22 A. [REDACTED].

23 Q. And, [REDACTED], do you know what time it is?

24 A. No; like 2:45?

25 Q. It's almost 3:00.

1           **A.    Okay.**

2           Q.    Do you know what time the deposition was  
3 supposed to start today?

4           **A.    2:30.**

5           Q.    So you're 30 minutes late?

6           **A.    Yeah.**

7           Q.    Okay.  Where do you live?

8           **A.    Athens, Georgia.**

9           Q.    Who do you live with?

10          **A.    My mom.**

11          Q.    Now, the lady next to you, she's typing  
12 everything that you say.  So when you speak, I need  
13 you, like you've been doing, verbalize your  
14 responses.

15                   All right?

16          **A.    All right.**

17          Q.    So, for example, right there -- he's  
18 videotaping you so he can see your face and your  
19 motions, but this young lady's typing what you say.  
20 So I need you to make sure you talk loud --

21          **A.    Speak louder?**

22          Q.    Yep.  Good?

23          **A.    All right.  Yeah.  I got you.**

24          Q.    Got you.  All right.  Great.

25                   So my name is Darren Tobin.  I represent

1 the plaintiff in this case.

2 Do you remember what my client looked like?

3 **A. No.**

4 Q. Do you remember if my client had any people  
5 in the minivan with her?

6 **A. No.**

7 Q. Do you remember what date the crash was?

8 **A. No.**

9 Q. Do you remember who was in the truck with  
10 you?

11 **A. Yes.**

12 Q. Who was that?

13 **A. [REDACTED], I'm not sure what his last name is.**

14 Q. Did [REDACTED] work at [REDACTED]  
15 with you?

16 **A. Yes, he did.**

17 Q. Was this the first trip you had done with  
18 [REDACTED]?

19 **A. No. I worked in the same group as him.**

20 Q. And what is it that your group did?

21 **A. Install silk fence and, you know,  
22 erosion control type of thing.**

23 Q. How many times had you gone to job sites  
24 with [REDACTED] would you say?

25 **A. Most of the time I worked there, like about**

1       **a year.**

2           Q.    Okay.  So for -- let me try to understand  
3   that answer.  Had you been employed at [REDACTED]  
4   for a year before this crash?

5           **A.    Over a year.**

6           Q.    Okay.  So you had been working at [REDACTED]  
7   [REDACTED] for over a year before the crash?

8           **A.    Yeah.**

9           Q.    And in that time that you were there, all  
10   the jobs you worked on were with [REDACTED]?

11          **A.    Most of them, yeah.**

12          Q.    Okay.  More than ten jobs?

13          **A.    More than ten jobs.**

14          Q.    More than 20 jobs?

15          **A.    More than 20 jobs.**

16          Q.    More than 30 jobs?

17          **A.    More than 30 jobs.**

18          Q.    Okay.  And you don't remember his last  
19   name?

20          **A.    Huh-uh (negative).**

21          Q.    Is that a no?

22          **A.    No.**

23          Q.    Okay.  And you don't know what date the  
24   crash was?

25          **A.    No.**

1 Q. Okay. Did you prepare for today's  
2 deposition?

3 A. Yes.

4 Q. You did?

5 A. (Nods head affirmatively.)

6 Q. Did you look at any documents?

7 A. No.

8 Q. Okay. How did you prepare for today's  
9 deposition?

10 A. I talked to him (indicating).

11 Q. You pointed to your lawyer?

12 A. Yes.

13 Q. Okay. On the date of the crash, you  
14 remember getting a ticket; right?

15 A. Yeah.

16 Q. All right. Was that a citation?

17 A. A ticket.

18 Q. All right. Do you remember what you did  
19 with that ticket?

20 A. I paid for it.

21 Q. You paid \$290; right?

22 A. Yeah.

23 Q. All right. So I'm going to mark as  
24 Plaintiff's Exhibit 1 --

25 MR. [REDACTED]: Thank you.



1 (Plaintiff's Exhibit 1 was marked.)

2 BY MR. TOBIN:

3 Q. This is a certified copy of the disposition  
4 showing that in August of 2018 you paid a fine of  
5 \$290.

6 Do you agree that's what it shows?

7 **A. Yes.**

8 Q. All right. Were you responsible for the  
9 crash?

10 **A. Yes.**

11 Q. Was my client responsible for the crash?

12 **A. No.**

13 Q. Was [REDACTED] responsible for the crash?

14 **A. No.**

15 Q. Was there any other car who was responsible  
16 for the crash?

17 **A. No.**

18 Q. Are you 100 percent responsible for the  
19 crash?

20 **A. I guess, yes.**

21 Q. Do you know what the Federal Motor Carrier  
22 Safety Regulations are?

23 **A. No.**

24 Q. Have you ever heard of the Federal Motor  
25 Carrier Safety Regulations?

1           **A.    No.**

2           Q.    Now, when you were working for [REDACTED]  
3           [REDACTED], did they go over a safety and health  
4 manual with you?

5           **A.    No.**

6           Q.    I'll ask it just so I understand.  When you  
7 worked for [REDACTED], no one ever went  
8 over a safety and health manual with you?

9           **A.    No.**

10          Q.    Okay.  What do you think of the company,  
11 [REDACTED]?

12          **A.    I don't know.  They're all right, I guess.**  
13 **You know, I feel like they're kind of racist, like**  
14 **what -- the owner's brother, well, brother-in-law.**  
15 **So, yeah, there was not a lot of communication with**  
16 **the bosses and the workers.  It was really with the**  
17 **crew leaders.**

18          Q.    Do you feel they were racist to you in --  
19 sometimes?

20          **A.    No.  I heard them say racist things,**  
21 **though, before.**

22          Q.    Do you know [REDACTED]?

23          **A.    Yes.**

24          Q.    Who is [REDACTED]?

25          **A.    I think that's the owner's son.**

1 Q. Okay. Do you know who [REDACTED] was?

2 A. That's my -- that was my crew leader.

3 Q. All right. [REDACTED], was he racist in any  
4 way?

5 A. No. That was my friend.

6 Q. Okay. Was [REDACTED] racist in some ways?

7 A. No.

8 Q. All right. [REDACTED], do you know who  
9 that was?

10 A. Yeah. That was a manager, I think. I  
11 believe.

12 Q. Did you ever chat with [REDACTED]?

13 A. Yeah. He was pretty cool.

14 Q. All right. You talked to him before the  
15 crash?

16 A. Yeah; I mean, that morning?

17 Q. No. What I mean to say -- I'm sorry.

18 At the time you were working at [REDACTED]  
19 [REDACTED], did you have conversations with [REDACTED]  
20 [REDACTED]?

21 A. Yes.

22 Q. All right. How about the day of the crash?  
23 After the crash, did you talk with [REDACTED] at  
24 any time?

25 A. I got fired by him. Yeah.

1 Q. He's the one that fired you?

2 A. Uh-huh (affirmative).

3 Q. Is that a yes?

4 A. Yes, sir.

5 Q. Okay. Why did he fire you?

6 A. For a drug test that -- I mean, they made  
7 me take a drug test. And I pissed. And they poured  
8 my piss out and made me -- they made me -- they  
9 think I was going to piss again, but I didn't  
10 because that -- they upsetted me for pouring my piss  
11 out.

12 Q. All right. So after the crash, at some  
13 point you went somewhere to take a drug test; is  
14 that right?

15 A. Uh-huh (affirmative).

16 Q. Yes?

17 A. Yes.

18 Q. And you peed into a cup?

19 A. Yes.

20 Q. All right. And then you -- someone pours  
21 your pee out of that cup?

22 A. The nurse, yeah.

23 Q. The nurse did?

24 A. Saying it wasn't enough example.

25 Q. All right. And then what happened? Did

1 someone ask you to pee again?

2 **A. Yeah.**

3 Q. Who asked you to pee again?

4 **A. The nurse.**

5 Q. And what did you do?

6 **A. I mean, I sat there for a while. Like, I**  
7 **was thinking about it and I was like, well, I don't**  
8 **-- I actually was upset, so I just left.**

9 Q. And then [REDACTED] fired you that day?

10 **A. Yeah.**

11 Q. Did he do it there at the clinic?

12 **A. No; at the shop.**

13 Q. Did he drive you from the facility to the  
14 shop?

15 **A. No. It was -- I forgot his name. I think**  
16 **his name is [REDACTED]. [REDACTED].**

17 Q. Was [REDACTED] someone who worked at [REDACTED]  
18 [REDACTED]?

19 **A. He was like the -- yeah. I think he was a**  
20 **manager.**

21 Q. And backing up, you don't know the day of  
22 the crash; right?

23 **A. I know it was in [REDACTED].**

24 Q. Okay. Do you remember what day it was?

25 **A. Huh-uh (negative).**

1 Q. No?

2 Do you remember what year it was?

3 **A. Last year, yeah.**

4 Q. You're sure of that?

5 **A. Yeah.**

6 Q. Okay. So on the day of the crash, how did  
7 you -- or where did you do your pee test?

8 **A. At a clinical place, some -- Piedmont  
9 something.**

10 Q. And how did you get there from the crash  
11 site?

12 **A. That [REDACTED] took me there.**

13 Q. [REDACTED] drove you there?

14 **A. Uh-huh (affirmative).**

15 Q. Is that a yes?

16 **A. Yes.**

17 Q. So he picked you up from the crash site?

18 **A. Yes.**

19 Q. How come you didn't drive the truck to the  
20 clinic?

21 **A. It was crashed.**

22 Q. Your truck was crashed?

23 **A. Uh-huh (affirmative).**

24 Q. Is that a yes?

25 **A. Yes.**

1 Q. It was not operable?

2 A. No.

3 Q. Okay. Because the damage was that bad?

4 A. It was pretty messed up.

5 Q. Okay. And so when you got -- or on your  
6 way there, did you talk with [REDACTED] about the crash?

7 A. No. I mean, we talked on the way to the  
8 clinic. But when he got there, he was talking to  
9 the state patrol.

10 Q. And then from the clinic, [REDACTED] drove you to  
11 where?

12 A. To the shop.

13 Q. And what's the address of the shop?

14 A. I don't know. I don't know.

15 Q. All right. And when we're talking about  
16 the shop, are we talking about [REDACTED]  
17 [REDACTED]?

18 A. Yes.

19 Q. All right. And so when you got to [REDACTED]  
20 [REDACTED], tell me what happened next.

21 A. I just went to [REDACTED]'s office and I got  
22 fired.

23 Q. And how did you feel about that?

24 A. I feel like it wasn't fair. I mean, I  
25 think the sample I gave them was enough and -- yeah.

1 Q. Did you exchange words with [REDACTED]?

2 A. I mean, he just -- I just got fired.

3 That's it. And I was like, Okay. And I left.

4 Q. At the time of the crash, do you remember  
5 what -- well, let me back up.

6 Do you remember what time the crash was?

7 A. In the morning around like 8, 9.

8 Q. I'm going to hand to you what we're going  
9 to mark as Plaintiff's Exhibit 2.

10 (Plaintiff's Exhibit 2 was marked.)

11 BY MR. TOBIN:

12 Q. This is a copy of the police report. And  
13 what I've done is: I've tabbed out in the narrative  
14 section and I've highlighted for you a few  
15 sentences.

16 Do you recognize this crash report? Have  
17 you seen this before?

18 A. Yes.

19 Q. All right. And what's the date on the top  
20 of the first page?

21 A. [REDACTED] of 2018.

22 Q. And what time did -- what time does it say  
23 next to it?

24 A. 7:40.

25 Q. Okay. So does that sound right to you, the



1 crash was about 7:40 a.m. on [REDACTED], 2018?

2 **A. Uh-huh (affirmative).**

3 Q. Is that a yes?

4 **A. Yes.**

5 Q. All right. And then on the first page, on  
6 Unit No. 1, it's got your name, [REDACTED]; right?

7 **A. Uh-huh (affirmative). Yes.**

8 Q. And you didn't remember my client's name;  
9 right?

10 **A. No.**

11 Q. Do you remember if she was a man or a  
12 woman? I've been saying she, but do you remember  
13 what that person was?

14 **A. I remember it was a she.**

15 Q. Okay. So on Unit No. 2, do you see how it  
16 says [REDACTED] and then [REDACTED]?

17 **A. Uh-huh (affirmative). Yes.**

18 Q. Okay. So that was my client. That's why  
19 we're here. Okay?

20 **A. Uh-huh (affirmative).**

21 Q. All right. So you recognize this police  
22 report?

23 **A. Yes.**

24 Q. All right. And it's the police report from  
25 the crash we're here about; right?

1           **A.    Yes.**

2           Q.    So let's turn to where I've tabbed out.

3           **A.    (Complies with request.)**

4           Q.    And let's do this.  I'm going to read a  
5 sentence that I've highlighted that is from the  
6 police officer's narrative and you tell me if you  
7 agree with it or if the police officer got it wrong.

8                   All right?  Can you see where the  
9 highlighted part is?

10          **A.    Right here; right?**

11          Q.    Yeah.  So I'll read a sentence, and you  
12 tell me if it's accurate or if you disagree with  
13 them.

14                   Vehicle No. 1 and Vehicle No. 2 and Vehicle  
15 No. 3 were traveling south on Georgia 81.  Do you  
16 agree with that?

17          **A.    Yes.**

18          Q.    Vehicle No. 2 was traveling behind Vehicle  
19 No. 3, and Vehicle No. 1 was traveling behind  
20 Vehicle No. 2.

21                   Do you agree with that?

22          **A.    Yes.**

23          Q.    Vehicle No. 3 stopped and waved to make a  
24 safe left turn onto Bentley Road.  Do you agree with  
25 that?

1           **A.    There was a left turn?**

2           Q.    I'm asking.  That's what the --

3           **A.    I don't think -- I don't think it was -- I**  
4 **think it was a right.**

5           Q.    So Vehicle No. 3 was going to make a  
6 right-hand turn?

7           **A.    Yes.**

8           Q.    Vehicle No. 2 stopped behind Vehicle No. 3.  
9 Do you agree with that?

10          **A.    Vehicle what?**

11          Q.    No. 2 stopped behind Vehicle No. 3.

12          **A.    Yes.**

13          Q.    Do you agree with that?

14          **A.    Yes.**

15          Q.    Vehicle No. 1 struck the rear of Vehicle  
16 No. 2 with the front of Vehicle No. 1.  Do you agree  
17 with that?

18          **A.    Yes.**

19          Q.    As a result of impact, Vehicle No. 2 pushed  
20 into and struck the rear of Vehicle No. 3 with the  
21 front of Vehicle No. 2.  Do you agree with that?

22          **A.    Yes.**

23          Q.    This report says that there was one crash,  
24 that my client got hit from behind and then she hit  
25 the car in front of her.  Do you agree with that?

1           **A.    Yes.**

2           Q.    We can turn that away.

3           **A.    (Complies with request.)**

4           Q.    Did you talk with my client after the  
5 crash?

6           **A.    No.**

7           Q.    Did you check to see if she was doing all  
8 right?

9           **A.    No.**

10          Q.    Did [REDACTED] go talk with my client?

11          **A.    No.**

12          Q.    Did [REDACTED] go see if she was doing all  
13 right?

14          **A.    No.**

15          Q.    Did you check to make sure everyone was  
16 safe?

17          **A.    No.**

18          Q.    Did [REDACTED] go check to see if everyone was  
19 safe?

20          **A.    No.**

21          Q.    How fast were you driving would you say  
22 when you hit my client's car?

23          **A.    I don't know.**

24          Q.    All right. I'm going to show you some  
25 photographs. And this is going to be Composite

1 Exhibit No. 3.

2 (Plaintiff's Exhibit 3 was marked.)

3 BY MR. TOBIN:

4 Q. All right. So would you flip through those  
5 photographs. Take your time, as long as you want.

6 **A. They're bad.**

7 Q. They're bad?

8 **A. Uh-huh (affirmative).**

9 Q. What do you mean, they're bad?

10 **A. It was a bad accident.**

11 Q. It was a pretty bad crash; right?

12 **A. Yeah.**

13 Q. All right. And so you recognize those  
14 photographs; right?

15 **A. Yes.**

16 Q. And what are those photographs of?

17 **A. The van I hit.**

18 Q. Yeah. Pretty crumpled; right?

19 **A. Yes.**

20 Q. Okay. And the truck that you were driving,  
21 did you ever see that truck again?

22 **A. No.**

23 Q. Before you worked at [REDACTED]  
24 [REDACTED], I think you worked at a place called  
25 Pilgrim something; is that right?

1           **A. Yes.**

2           Q. What was the name of that company?

3           **A. Pilgrim's Pride.**

4           Q. What is Pilgrim Pride?

5           **A. A poultry --**

6           Q. Poultry?

7           **A. Yeah.**

8           Q. What did you do at Pilgrim Pride poultry?

9           **A. Hang chicken.**

10          Q. You hang the chickens?

11          **A. Yeah.**

12          Q. You were the slaughterer?

13          **A. No. I mean, they're already raw.**

14          Q. Did you ever drive for Pilgrim Pride?

15          **A. Drive?**

16          Q. Yes.

17          **A. No.**

18          Q. So the first time you drove was for [REDACTED]

19          [REDACTED]?

20          **A. Yes.**

21          Q. All right. When you started at [REDACTED]  
22          [REDACTED], did they do any driving tests for you?

23          **A. No.**

24          Q. Did they ever go driving with you to see  
25          what kind of driver you were?

1           **A.    No.**

2           Q.    No?

3           **A.    (Shakes head negatively.)**

4           Q.    No one ever went out there with you?

5           **A.    No.**

6           Q.    Have you ever been arrested?

7           **A.    Yes.**

8           Q.    You have?

9           **A.    Yeah.**

10          Q.    All right.  What were you arrested for?

11          **A.    I was arrested for driving with no license,**  
12           **arrested for a battery charge, arrested for having**  
13           **some -- possession of a controlled substance, and**  
14           **weaving off the road.  And I think that's it.**

15          Q.    There could be another one, though; right?  
16           If I told you there may be another one, there could  
17           be another one?

18          **A.    Probably.**

19          Q.    Probably?

20          **A.    Yeah.**

21          Q.    Okay.  And so were those arrests before you  
22           got hired by [REDACTED]?

23          **A.    Some of them were while I was working**  
24           **there.**

25          Q.    Some of them were while you were working

1 for [REDACTED]?

2 **A. Yeah.**

3 Q. Which ones were while you were working with  
4 [REDACTED]?

5 **A. The battery charge.**

6 Q. Any drug charges?

7 **A. Just the one I told you, the controlled  
8 substance.**

9 Q. And what was that controlled substance?

10 **A. I have no idea.**

11 Q. You have no idea?

12 **A. Huh-uh (negative).**

13 Q. If you know this, how many people are  
14 employed at [REDACTED]?

15 **A. About maybe 30 people.**

16 Q. That's a pretty small company; right?

17 **A. Yeah. It's not that big.**

18 Q. Not that big.

19 How many people did what you and [REDACTED]  
20 would do? And we're going to talk about what you  
21 did in a second. But how many people did what you  
22 and [REDACTED] did, or what was your job at [REDACTED]  
23 [REDACTED]? You said it earlier, but explain it to  
24 me.

25 **A. Okay. Well, some people worked out of town**



1 in construction and some people worked in erosion  
2 control like putting in a silk fence, laying grass,  
3 hydro seeding, like stuff like that.

4 Q. And what is it that you were doing?

5 A. We did erosion control. Like, we put  
6 fence. We laid grass. We threw seed. We blew hay  
7 bales. I think that's it.

8 Q. And so when you say the word "we," who is  
9 we would do that job?

10 A. Like the group I was in.

11 Q. And who was in that group?

12 A. [REDACTED], [REDACTED], there's the name  
13 [REDACTED]. I think that was it.

14 Q. And in that group that you were in, how  
15 many people would drive a [REDACTED]  
16 truck?

17 A. Me and [REDACTED].

18 Q. Were there any other drivers for [REDACTED]

19 [REDACTED]?

20 A. Yes.

21 Q. How many other drivers were there?

22 A. Like six, ten maybe at the most.

23 Q. Between six and ten?

24 A. (Nods head affirmatively.)

25 Q. Yes?

1           **A. Yes.**

2           Q. And as far as you know -- or were you  
3 friendly with the other guys who were drivers?

4           **A. Yes; some.**

5           Q. Some?

6           **A. Yeah.**

7           Q. Did you hang out with some of them outside  
8 of work?

9           **A. Just [REDACTED].**

10          Q. All right. Did you ever see [REDACTED] or did  
11 you ever -- let me rephrase it.

12                 Did you ever see [REDACTED] go driving with  
13 any of these other drivers?

14          **A. No.**

15          Q. Did you ever see [REDACTED] go driving  
16 with any of these other drivers?

17          **A. No.**

18          Q. Did you ever see [REDACTED] go driving  
19 with any other drivers?

20          **A. No.**

21                     **And the dude that took me to the clinic was**

22                     **[REDACTED].**

23          Q. The dude that took you to the clinic was

24                     **[REDACTED]?**

25          **A. Yeah.**

1 Q. Not a [REDACTED]?

2 A. Not a [REDACTED].

3 Q. All right. And it's totally cool that you  
4 remembered that. That's all good.

5 Anything else you remember that you think  
6 you should share with me today?

7 A. No.

8 Q. Okay. Now, where were you headed on the  
9 day of the crash?

10 A. I don't remember; a job site.

11 Q. Do you remember what you were -- or let me  
12 back up.

13 Was there anything attached to your truck  
14 that day?

15 A. Yes.

16 Q. What was attached to your truck?

17 A. A blower.

18 Q. What's a blower?

19 A. Like a wheat straw blower.

20 Q. What's that? Can you describe it for me?

21 A. No, I can't. I mean, I don't -- because it  
22 was like -- it was pretty big.

23 Q. Is it something you can carry? Like I can  
24 blow my leaves. I can carry the --

25 A. No. Like, you have to sit on it. Like,

1       it's the whole trailer. Like, you have to sit on  
2       top of it and then you drive. And they throw hay  
3       bales while you're driving and stuff. You got to  
4       lift this thing up, and it blows.

5           Q.     So it's a two-man -- it sounds like a  
6       two-man job, this thing?

7           A.     (Nods head affirmatively.)

8           Q.     Yes?

9           A.     Yes.

10          Q.     All right. And so your truck, do you  
11       remember what kind of truck you were driving?

12          A.     It was a 250 Ford.

13          Q.     A 250 Ford?

14          A.     (Nods head affirmatively.)

15          Q.     Is that a Super Duty truck?

16          A.     I think so.

17          Q.     So it's a larger pickup truck?

18          A.     (Nods head affirmatively.)

19          Q.     Yes?

20          A.     Yes.

21          Q.     All right. And it was trailing this larger  
22       blower; is that right?

23          A.     Yes.

24          Q.     All right. And so where did you meet with  
25       [REDACTED] that morning?

1           **A.    At the shop, at [REDACTED].**

2           **Q.    [REDACTED] what?**

3           **A.    [REDACTED].**

4           **Q.    [REDACTED].**

5                    Is that the name of the company?

6           **A.    I think so.**

7           **Q.    And so when you met with [REDACTED] there that**  
8 morning, did you two get into a [REDACTED]  
9 [REDACTED] truck and start driving?

10           **A.    I mean, we stayed there at the shop for a**  
11 **while, like, getting ready for -- getting the stuff**  
12 **ready to take to the job. So it took a while to**  
13 **leave.**

14           **Q.    And what time did you get there that**  
15 morning?

16           **A.    7.**

17           **Q.    7:00 a.m.?**

18           **A.    Uh-huh (affirmative).**

19           **Q.    Yes?**

20           **A.    Yes.**

21           **Q.    Do you remember what you did the night**  
22 before?

23           **A.    I was home. I was at home. No, I don't**  
24 **remember. No.**

25           **Q.    And who were you living with in [REDACTED]**

1 of 2018?

2 **A. My mom.**

3 Q. Your mom?

4 **A. (Nods head affirmatively.)**

5 Q. Yes?

6 **A. Yes.**

7 Q. Just you and your mom in the house?

8 **A. And step-dad and little brother.**

9 Q. How old's your little brother?

10 **A. Eight -- nine years old.**

11 Q. Did you go out that night before?

12 **A. No. Well, I don't remember.**

13 Q. Do you remember when you first saw my  
14 client's minivan?

15 **A. Yeah. I mean, it was like a little before**  
16 **the car accident. Like, we were driving and I see**  
17 **-- I mean, I seen her diving. We were driving down**  
18 **the road for -- together for a while.**

19 Q. So she had been driving in front of you for  
20 a while?

21 **A. Like a couple of minutes.**

22 Q. Did you notice anything strange about the  
23 way she was driving?

24 **A. No.**

25 Q. She was driving normal?

1           **A.    Yeah.**

2           Q.    Now, earlier you said that neither you or  
3           [REDACTED] went to go check on my client; right?

4           **A.    Right.**

5           Q.    Did either of you go check on the driver of  
6           the car ahead of her?

7           **A.    We couldn't make it out of the car at  
8           first.**

9           Q.    You what?

10          **A.    We couldn't get out the car.**

11          Q.    You couldn't get out of what car?

12          **A.    The truck, I mean.**

13          Q.    Why couldn't you get out of your truck?

14          **A.    I mean, I was blocked because the car was  
15          in a ditch. And [REDACTED], I don't know why it took  
16          him a while to get out. I guess he was like  
17          panicking.**

18          Q.    At some point, you and [REDACTED] got out of  
19          the truck; right?

20          **A.    Yes.**

21          Q.    And so how come after you guys got out did  
22          you not go check on my client?

23          **A.    Because somebody else checked on them.**

24          Q.    Is there anything you think you could have  
25          done to have prevented the crash?

1           A.    No.  I mean, no.  I mean, I tried to hit  
2           the brakes.  And the car slid.  It was raining.  The  
3           truck slid.

4           Q.    Were there any problems that you noticed  
5           with this truck before the day of the crash?

6           A.    No.

7           Q.    On the morning of the crash, before you  
8           started the drive, did you look around the truck to  
9           see if there was anything wrong with the truck?

10          A.    Yeah.  I checked the -- I mean, I checked  
11          the oil and like the, what's it called, the  
12          antifreeze.  And the tires, I mean, they looked  
13          fine.

14                    Sometimes they made us -- I feel like they  
15          made us pull trailers that were too heavy for the  
16          truck.  I mean, I don't know if that blower was too  
17          heavy.  But there was times that the truck would  
18          move like that because of the truck being too heavy,  
19          the trailer (indicator).

20          Q.    Sorry.  You just went with your hands like  
21          in a sort of sideways.

22          A.    Yeah.

23          Q.    And so can you describe.  What, the truck  
24          would sort of weave a little bit?

25          A.    Yeah.



1 Q. Yeah?

2 A. Uh-huh (affirmative).

3 Q. Because it was too heavy when the trailer  
4 would pull?

5 A. Yeah.

6 Q. Did you ever tell anyone at [REDACTED]  
7 about that?

8 A. I mean, yeah. But then they would be like,  
9 Ah, you -- nah, it's not too heavy. You're just  
10 being a little girl about it.

11 Q. They would say that to you?

12 A. Yeah.

13 Q. And who would say that to you?

14 A. The mechanic there.

15 Q. Have you answered everything today  
16 truthfully?

17 A. Yes.

18 Q. Have you understood all of my questions?

19 A. I understood all your questions. Yes.

20 MR. TOBIN: I think we're going to stop  
21 there. That was really helpful, so thank you very  
22 much for your testimony today.

23 THE WITNESS: You're welcome.

24 MR. TOBIN: Those are all the questions I  
25 have.

1 THE WITNESS: Okay. It's cold in here.

2 EXAMINATION

3 BY MR. [REDACTED]:

4 Q. When you saw the plaintiff's car stopped in  
5 the middle of the road and you slammed on brakes,  
6 were they at a complete stop?

7 A. I think. I think the van in front of me  
8 hit the brakes too because the car in front of them  
9 like just -- well, the witness that was there, they  
10 told me that the car in the very front hit the  
11 brakes hard and that the van tried to -- it got to  
12 stop barely. And then I came along and I tried to  
13 stop, but it slid and boom when it hit the other  
14 car, too.

15 Q. All right. So the first car in the line  
16 slammed on brakes --

17 A. (Nods head affirmatively.)

18 Q. -- causing the second car in the line, the  
19 one driven by the plaintiff, to slam on brakes?

20 A. Uh-huh (affirmative).

21 Q. And then you had to slam on brakes?

22 A. I did.

23 Q. Okay. Do you know how far you slid after  
24 you slammed on brakes?

25 A. It was a good while. I think if the truck

1       **wouldn't have slid, I wouldn't have hit.**

2           Q.    Okay.  So if it wouldn't have been wet, you  
3       could have gotten stopped in time?

4           **A.   Probably.**

5           MR.    : All right.  I don't have  
6       anything else.

7                                   FURTHER EXAMINATION

8       BY MR. TOBIN:

9           Q.    All right.  So just so we're clear, a  
10       witness told you that the car hit their brakes and  
11       then my client hit their brakes; right?

12          **A.   Yeah.**

13          Q.    You didn't see that; right?

14          **A.   I didn't see that.**

15          Q.    Okay.  And then you -- I think you just  
16       said you slid for a good while; right?

17          **A.   I mean, yeah, I think.  I mean, it happened  
18       so fast, I don't know.**

19          Q.    Yeah.  I mean, it could have just been a  
20       couple of feet maybe?

21          **A.   Probably.**

22          Q.    Probably a couple of feet.

23                   And so I want to go back on something  
24       because I think this is pretty important.  In your  
25       opinion, if you weren't trailing that -- pulling

1 that trailer, do you think this would have ever have  
2 happened, this crash?

3 **A. No, it wouldn't have happened.**

4 Q. It would not have happened?

5 **A. Huh-uh (negative).**

6 Q. No?

7 **A. No.**

8 Q. Because the trailer was too heavy for you?

9 **A. I don't think the trailer was -- I mean, I**  
10 **heard the state patrol saying something about it**  
11 **being too heavy. But then it be like we got -- the**  
12 **mechanic got there. And he was like, No, like, a**  
13 **250 could pull that easily. So, I mean, I don't**  
14 **know. I mean, I don't know about that stuff.**

15 Q. Yeah. But before that day, you had felt  
16 that there were times when you guys shouldn't have  
17 been pulling that trailer; right?

18 **A. Yeah.**

19 Q. All right. And it wasn't safe to be  
20 driving sometimes; right?

21 **A. Yeah.**

22 MR. TOBIN: Those are all the questions I  
23 have. Thank you.

24 FURTHER EXAMINATION

25 BY MR. [REDACTED]:

1 Q. Just to clear one thing up, when you said  
2 sometimes you felt like the trailer was too heavy,  
3 was it this specific trailer with this blower on it?

4 **A. No.**

5 Q. So it was a different trailer with  
6 different equipment on it?

7 **A. Yes.**

8 Q. All right. Do you think the trailer you  
9 were pulling on the day of the accident was too  
10 heavy?

11 **A. I'm not sure, maybe. There is a chance.**

12 Q. But you don't know for sure?

13 **A. I'm not sure.**

14 MR. [REDACTED] Okay. All right. That's it.

15 THE WITNESS: Can I go?

16 THE VIDEOGRAPHER: That concludes the  
17 deposition. Going off video record at 3:28 p.m.

18 (Deposition concluded at 3:28 p.m.)

19 (Pursuant to Rule 30(e) of the Federal  
20 Rules of Civil Procedure and/or O.C.G.A. 9-11-30(e),  
21 signature of the witness has been waived.)

22

23

24

25