

In The Matter Of:
~Taylor v. Howse, et al.~

Shane Grimshaw
02/07/2017

Pope Reporting & Video, LLC
404-856-0966
www.popereporting.com



IN THE STATE COURT OF FAYETTE COUNTY
STATE OF GEORGIA

Plaintiff,
vs.
FILE NO. 2015SV-0270
and NATIONWIDE
AFFINITY INSURANCE COMPANY
OF AMERICA,
Defendants.

VIDEOTAPED DEPOSITION OF

Tuesday, February 7, 2017

1:36 p.m.

2970 Clairmont Road
Suite 600
Atlanta, Georgia

Kate Cochran, RPR, CCR-2722

TABLE OF CONTENTS

EXAMINATION PAGE

Examination by Mr. Butler 5

PLAINTIFF'S EXHIBIT	DESCRIPTION	PAGE
Exhibit A	Notice of Deposition	4
Exhibit B	Capital Investigations Invoice	5
Exhibit C	Thumb Drive of Video Footage	17
Exhibit D	Series of Screenshots	18
Exhibit E	Report	31
Exhibit F, G	Professional Licenses	45
Exhibit H	Photograph of Camera	52

(Original Exhibits A through H have been attached to the original transcript.)

APPEARANCES OF COUNSEL

On behalf of the Plaintiff:

JAMES E. BUTLER, III, Esq.
Butler Tobin
1932 North Druid Hills Road NE
Suite 250
Atlanta, Georgia 30319
404-578-8423
Jeb@butlertobin.com

On behalf of the Uninsured Motorist Carrier:

MARK E. SCOTT, Esq.
Law Office of Natalie M. Smith
2970 Clairmont Road, NE
Suite 600
Atlanta, Georgia 30329
404-720-7691
Mark.scott@nationwide.com

On behalf of the Defendant:

CAITLIN DORNE MATTLER, Esq.
Crim & Bassler
100 Galleria Parkway
Suite 1510
Atlanta, Georgia 30339-3122
770-956-1813
Cmattler@cmlawfirm.com

Videographer:

Quentin Hendrix

(Reporter disclosure made pursuant to Article 10.B of the Rules and Regulations of the Board of Court Reporting of the Judicial Council of Georgia.)

(Plaintiff's Exhibit A was marked for identification.)

MR. BUTLER: This will be the deposition of [REDACTED] taken pursuant to notice and agreement in the case of [REDACTED] against [REDACTED] and Nationwide.

I've marked as Plaintiff's Exhibit A a copy of the notice of deposition. And with that, we can go on the video. Oh, excuse me, the deposition will be taken pursuant to the Civil Practice Act for all purposes permitted by the act and use at trial. Now we're ready.

THE VIDEOGRAPHER: We're now on video record. Today is February the 7th, 2017. Time is 1:34 p.m. Beginning of Tape No. 1.

MR. BUTLER: Good afternoon, Mr. [REDACTED]

MR. [REDACTED] Good afternoon.

MR. BUTLER: I'm Jeb Butler, as you know. We just met before the depo started. State your name for the record.

First let the court reporter swear you in.

1 [REDACTED]
 2 having been first duly sworn, was examined and
 3 testified as follows:
 4 EXAMINATION
 5 BY MR. BUTLER:
 6 A. My name is [REDACTED]
 7 Q. And you work, I think, for Capital
 8 Investigations?
 9 A. That is correct, sir.
 10 (Plaintiff's Exhibit B was marked for
 11 identification.)
 12 Q. (By Mr. Butler) All right. I've brought
 13 with me here a copy of what I understand to be
 14 Capital Investigation's invoice in this case to the
 15 Law Office of Natalie Smith. Does that appear to be
 16 correct?
 17 A. Honestly, sir, I can't tell you if that is
 18 correct or not. I don't normally deal with the
 19 finances of our company.
 20 Q. Okay.
 21 A. So --
 22 MR. BUTLER: Mr. Scott, does this appear
 23 to be the invoice that you produced?
 24 MR. SCOTT: Yes.
 25 MR. BUTLER: Any reason to think it's

1 inaccurate, inauthentic, or anything like that?
 2 MR. SCOTT: No.
 3 Q. (By Mr. Butler) All right. I wanted to
 4 go through the time that you spent on the case. I
 5 think it's probably reflected in your own records as
 6 well as this invoice.
 7 Adding up the -- the numbers and hours on
 8 Plaintiff's Exhibit B here, the invoice, it looks
 9 like your total time in conducting surveillance was
 10 31 and a half hours. Does that look right?
 11 A. That is --
 12 Q. Strike that. Your total time actually
 13 conducting surveillance, excluding the driving, is
 14 27 and a half hours?
 15 I've got a calculator if you need it.
 16 A. That is incorrect.
 17 Q. Incorrect?
 18 A. Yes.
 19 Q. All right. How many hours?
 20 A. 19.5. My -- other than my driving time.
 21 I did not conduct the surveillance on June 18th.
 22 Q. Oh, who did?
 23 A. Another investigator that works for our
 24 company.
 25 Q. Okay. What is that investigator's name?

1 A. Believe it or not, I don't know his last
 2 name. His first name is [REDACTED] -- oh, wait.
 3 [REDACTED]
 4 Q. Now, would [REDACTED] have made a video, like
 5 you did?
 6 A. Each investigation does what they do, sir.
 7 I don't know if he obtained video that day or not.
 8 Normally, most investigators do obtain video.
 9 Q. Okay. Why did [REDACTED] do the -- why did
 10 [REDACTED] do the surveillance on June 18?
 11 A. I assume because he was assigned it. I
 12 was not.
 13 Q. Do you have any idea why he was
 14 assigned --
 15 A. No.
 16 Q. -- to it and you were not?
 17 A. No.
 18 Q. Do you know what he did in terms of
 19 conducting surveillance?
 20 A. No.
 21 Q. Have you talked to him about it?
 22 A. No.
 23 Q. Have you talked with anybody about it?
 24 A. No.
 25 Q. Okay. Seen any reports or anything

1 authored by Mr. [REDACTED]
 2 A. Yes.
 3 Q. All right. What did you see?
 4 A. On June 18th he conducted surveillance and
 5 did not observe Mr. [REDACTED] at any time.
 6 Q. All right.
 7 A. According to the reports that I reviewed.
 8 Q. What report was that that you reviewed?
 9 A. This.
 10 Q. Is it in your investigation report?
 11 A. Yes, sir, it is. It's the final day of
 12 this report.
 13 Q. Okay. Well, let me redo my questions that
 14 got us started down this path.
 15 Do you understand the total surveillance
 16 conducted by Capital Investigations here, excluding
 17 driving time, to be 27 and a half hours?
 18 A. Yes, I do.
 19 Q. And then the total driving time, looks
 20 like it's four hours: three for you and then one
 21 for Mr. [REDACTED]
 22 A. That is the billable time that we billed.
 23 The actual driving time is sometimes greater or less
 24 than that. But that is the amount of time that we
 25 charged them for.

1 Q. Okay. At any rate, the total time for
2 which Capital Investigations charged the Law Office
3 of Natalie Smith was 31 and a half hours; is that
4 right?
5 A. Correct, correct.
6 Q. I've done some more math. And I'm
7 presenting you with a calculator, should you want to
8 use it.
9 A. Thank you.
10 Q. Based on 31 and a half hours and the final
11 charge being \$2,295, I calculate an hourly rate of
12 \$72.85. Tell me if that's right, please.
13 A. That appears correct, sir.
14 Q. All right. What were you asked to do in
15 this case?
16 A. Observe and document Mr. [REDACTED]
17 activities on June 13th, 14th, and 15th.
18 Q. Who asked you to do that?
19 A. [REDACTED] with Capital Investigations.
20 Q. Allow me to fix my microphone.
21 A. No problem.
22 Q. What sort of activities were you looking
23 for?
24 A. Any and all activity concerning
25 Mr. [REDACTED]

1 Q. Was there anything in particular you were
2 interested in or things that you were not interested
3 in?
4 A. No.
5 Q. I notice that there were some things you
6 video recorded and some you did not. How did you
7 decide what to video record and what not?
8 A. Generally the -- the times that I record
9 video is whenever the subject is in view and it is
10 not going to take away from the covert nature of our
11 investigation. If me filming is going to cause
12 someone to observe me filming, then I do not film.
13 Q. In other words, if you film it, it might
14 mean someone notices you, you don't film?
15 A. Correct.
16 Q. I noticed, for instance, you didn't film
17 Mr. [REDACTED] going to Wells Fargo. Do I remember that
18 right?
19 A. Yeah. I had lost -- I believe I had some
20 trouble getting into view of him while he was at
21 Wells Fargo.
22 Q. All right. What in particular were you
23 hoping to find in your surveillance of Mr. [REDACTED]
24 A. I don't generally hope to find anything
25 with any surveillance I conduct. All I do is

1 observe activity and document it, sir.
2 Q. What instructions did you get when you
3 started this project?
4 A. I was asked to observe all activities
5 concerning Mr. [REDACTED] document them on video and
6 write a report.
7 Q. Well, did you get, like, his home address
8 to start with?
9 A. Yes, I did.
10 Q. What other information did you get to
11 start with?
12 A. A general brief description of the
13 gentleman. That was it.
14 Q. Where did that description come from?
15 A. I'm not sure. It was -- it was emailed to
16 me from my company. Where they obtained that
17 information, I'm not sure.
18 Q. Who was it who actually asked you to
19 conduct the surveillance?
20 A. [REDACTED]
21 Q. Did he provide you with the information
22 that you started with?
23 A. Our administrative assistant that works in
24 the office did, yes.
25 Q. And what is her name?

1 A. At the time, it was Amanda [REDACTED]
2 She's no longer employed at this time --
3 Q. Okay.
4 A. -- there with Capital Investigations.
5 Q. Did you have any written instructions as
6 to what you were to do?
7 A. No.
8 Q. As a result of your investigation, did you
9 reach any conclusions about Mr. [REDACTED] and any
10 injuries he may have sustained?
11 A. No.
12 Q. Do you have any opinions as to whether
13 Mr. [REDACTED] really hurt or whether he's faking?
14 A. No.
15 Q. What kind of work does Capital
16 Investigations normally do?
17 A. We're a private detective agency, and we
18 do all kinds of different things. I mean, we work
19 for a lot of different attorneys. Obtain records
20 and conduct interviews and -- gosh, it's a
21 smattering of things. Locating people, background
22 investigations on perspective employees. Just a lot
23 of different things, sir.
24 Q. What -- are you retained mostly by --
25 strike that.

Page 13

1 Is Capital Investigations hired mostly by
2 lawyers?

3 **A. I could not answer that question. I'm not**
4 **that in tune with the dealings of our company.**

5 Q. Of the work that you -- how long have you
6 been at Capital Investigations?

7 **A. Since 2009.**

8 Q. Of the work that you've done for Capital
9 Investigations, how much of it, as a rough
10 percentage, involve conducting surveillance, like
11 you did in this case?

12 **A. In the past, it was much greater. Until**
13 **recently, it's -- in the last couple years, the**
14 **surveillance portion of my job has slowed down. If**
15 **I had to give a rough percentage, 40 to 50 percent**
16 **of my work.**

17 Q. Have you done work for this office before?

18 **A. Yes.**

19 Q. And by this office, I mean the law firm of
20 Natalie Smith, where we're sitting today.

21 **A. Yes, sir.**

22 Q. You understand that Mr. Scott seated to
23 your right works for the Law Office of Natalie
24 Smith?

25 **A. Yes, I do.**

Page 14

1 Q. How many times have you done work for this
2 law office?

3 **A. That I'm aware of -- because I usually**
4 **don't know who our clients are that I'm working for.**
5 **I get a job assignment, it doesn't have who the**
6 **clients are on it.**

7 **But I've been in this office to deliver**
8 **paperwork a dozen times or something or so.**

9 Q. All right. Have you worked with Mr. Scott
10 before?

11 **A. No.**

12 Q. Have you ever worked on behalf of someone
13 who was hurt in a car wreck or injured in some other
14 way?

15 **A. Me personally, no, not to my recollection.**

16 Q. When you are working for lawyers, what
17 percentage of the time are they lawyers representing
18 a defendant?

19 **A. I don't know, sir, honestly.**

20 Q. All right. Well, what percentage of the
21 time are you working for insurance companies?

22 **A. That, I don't know either. I'm not very,**
23 **like I said, in tune with a lot of the client**
24 **billing, administrative portion of our company. I**
25 **tend to stay in the field a lot and just take**

Page 15

1 **assignments and complete them.**

2 Q. Well, when you're working on a personal
3 injury case, I imagine you know that.

4 **A. No. I'm not even told what kind of case**
5 **it is. It's either basically an injury-type case,**
6 **or it's not stated how the injury occurred. It's**
7 **just -- because the type of surveillance work I do,**
8 **I just observe what people do. There's no plan to**
9 **obtain anything. There's no -- it's just go**
10 **observe, document -- and document.**

11 Q. You used the phrase injury-type cases that
12 can go -- on the dozen or so times that you worked
13 with this office, the Law Office of Natalie Smith,
14 had those all been injury-type cases?

15 **A. No. I don't know, honestly. I couldn't**
16 **tell you.**

17 Q. How many times have you testified before,
18 whether in deposition or at trial?

19 **A. Probably 4 or 5.**

20 Q. Tell me about those 4 or 5 -- well, have
21 those all been depositions, or were some of them at
22 trial?

23 **A. I believe one was in trial, and the others**
24 **were depositions, I believe.**

25 Q. Were any of the other depositions in cases

Page 16

1 involving this law office?

2 **A. No.**

3 Q. How about the trial?

4 **A. No.**

5 Q. What was the trial about?

6 **A. It was a domestic matter, I believe,**
7 **concerning divorce or child custody matters.**

8 Q. All right. Your other 3 to 4 depositions,
9 what were they about?

10 **A. They were injury related.**

11 Q. Who took your deposition? Do you
12 remember?

13 **A. No, sir. It's been a long time.**

14 Q. All right. In a minute -- well, yeah,
15 I'll state this on the record. I'm going to set all
16 this gear up to my left. And I will play for you
17 the video that I think you took in this case.

18 **A. Uh-huh.**

19 Q. And I'll ask you at the end of it whether
20 it's a true and accurate copy of the video.

21 **A. Okay.**

22 Q. And I'll also hand you a stack of
23 screenshots that are from the video. And I'll ask
24 you if they appear to be true and accurate still
25 shots from the video.

Page 17

1 **A. Okay.**
 2 MR. BUTLER: Let's go off video. I guess
 3 we can stay on steno while I set it up.
 4 THE VIDEOGRAPHER: Going off video.
 5 MR. BUTLER: Try to set that up so both
 6 y'all can see it. I don't know how the angle is
 7 going to work.
 8 Let's go back on video.
 9 THE VIDEOGRAPHER: We're back on video
 10 record.
 11 (Plaintiff's Exhibit C was marked for
 12 identification.)
 13 Q. (By Mr. Butler) All right. Mr. [REDACTED]
 14 I'm going to show you a video, which I've put on a
 15 thumb drive and marked as Exhibit C, given copies to
 16 the court reporter and Mr. Scott. I'm playing it
 17 from the hard drive of my computer because I only
 18 have one USB port. Just the way we have to do it.
 19 There's a screen in front of you that
 20 defendants' counsel can see that's going to show the
 21 exact same thing. What I'll do is play the video,
 22 which looks like it's just a hair under eight
 23 minutes long. I'll play it straight through so
 24 that, if necessary, we can splice it into the video
 25 of this deposition. And then, when it's over, I'll

Page 18

1 ask you, as I said, whether it's the right video,
 2 authentic, and all that stuff. I'll also ask you
 3 whether the collection of screenshots marked there
 4 as Plaintiff's Exhibit D appear to be true and
 5 accurate screenshots from the video.
 6 **A. Okay.**
 7 Q. All that make sense?
 8 **A. Yes, it does.**
 9 Q. All right. Here it goes. Starting the
 10 video now.
 11 (Plays video.)
 12 Q. All right. That concludes the video. Is
 13 the video that we just watched which is marked as
 14 Plaintiff's Exhibit C a true and accurate copy of
 15 the video that you took in this case?
 16 **A. Yes, sir.**
 17 (Plaintiff's Exhibit D was marked for
 18 identification.)
 19 Q. (By Mr. Butler) Look through that
 20 collection of screenshots there, Plaintiff's
 21 Exhibit D. You will notice that screenshots have
 22 labeled at the bottom right as Screenshot 1 through
 23 Screenshot 43. Let me know if those appear to be
 24 true and accurate screenshots from the video that we
 25 just watched and is marked as Plaintiff's Exhibit C.

Page 19

1 **A. Would you have a problem with replaying**
 2 **the video so that I can compare these with each time**
 3 **shot that I actually took?**
 4 Q. No, I do not.
 5 **A. Thank you.**
 6 Q. All right. I'm restarting it now. If you
 7 want to pause it, let me know. If you want to pause
 8 it a bunch, I'll just pass you the computer.
 9 **A. Okay.**
 10 (Plays video.)
 11 **A. Sir, could you please restate the question**
 12 **again.**
 13 Q. I think so. Do the screenshots or still
 14 shots contained in Plaintiff's Exhibit D accurately
 15 show scenes from the video that you took that's
 16 marked as Plaintiff's Exhibit C?
 17 **A. Yes, they do.**
 18 Q. Okay. When you were taking video shots
 19 while you were evidently in a moving car, how did
 20 you do that?
 21 **A. Watch traffic and just wide open the lens**
 22 **and just whatever it captures, it captures.**
 23 Q. What kind of camera do you use?
 24 **A. I use a Canon. If you need an exact model**
 25 **number, I can reach in my bag here and pull it out**

Page 20

1 **and look at the model.**
 2 Q. Do you have the camera?
 3 **A. Yes, I do.**
 4 Q. Yes, please pull it out.
 5 **A. It is a Canon HF G20.**
 6 Q. Okay. Let me take a picture of it. We'll
 7 mark this as an exhibit here eventually.
 8 MR. BUTLER: All right. During a break,
 9 remind me; I'll email that around.
 10 Q. (By Mr. Butler) So while you drive, you
 11 hold up that camera?
 12 **A. Yeah, with my hand (indicating).**
 13 Q. All right. And looking now -- we'll go
 14 through some of these screenshots and ask you
 15 questions about them. We will not go through every
 16 one.
 17 The first one here is labeled Screenshot 1
 18 at the bottom right. It's hard to see on the
 19 screenshot, but this is Mr. [REDACTED] house; right?
 20 **A. I -- yes.**
 21 Q. And then why do you arrive when it's dark
 22 outside?
 23 **A. I arrive generally before people would**
 24 **typically leave for work. So that in case they do**
 25 **go to work, I will be able to, you know, follow them**

Page 21

1 throughout the day as they go to work, to document
 2 their activity.
 3 Q. Okay. The second screenshot here, that
 4 also shows Mr. [REDACTED] house; right?
 5 A. No.
 6 Q. No?
 7 A. No.
 8 Q. What does it show?
 9 A. These shots that show this residence --
 10 and there's other shots on the video as well -- they
 11 are merely just shots to show that I am in the
 12 location at that time of day. And this -- this was
 13 actually taken from Birch Street as it intersects
 14 with Sycamore.
 15 Q. All right. Whose house is it we're
 16 looking at there?
 17 A. I don't know whose house that is, sir.
 18 That just documents that I'm in the vicinity,
 19 waiting for activity from the subject.
 20 Q. By the subject, you mean [REDACTED]
 21 A. Yes.
 22 Q. Where is Mr. [REDACTED] house relative to
 23 the angle we're looking at in Screenshot 2 here?
 24 A. If you go to the stop sign in front of the
 25 camera and hang a right and go down -- I'm not

Page 22

1 exactly sure how many yards. But it is on the left
 2 before the -- there's the right-hand turn on his
 3 road.
 4 Q. Why did you park here in the spot shown in
 5 Screenshot 2 as opposed to in front of Mr. [REDACTED]
 6 house?
 7 A. Because this is a covert investigation,
 8 and in order for Mr. [REDACTED] to probably not observe
 9 me trying to observe him, I park out of view and
 10 wait for him to go into the public and observe him
 11 there.
 12 Q. Okay. You parked -- in other words, you
 13 parked here so he wouldn't see you?
 14 A. Correct.
 15 Q. All right. Let's go to the next
 16 screenshot here. Screenshot 3 in Plaintiff's
 17 Exhibit D shows you following, looks like, an Audi.
 18 A. Yes, sir.
 19 Q. Who's in that car?
 20 A. At the -- I don't know who it is, but it
 21 was a female at the time.
 22 Q. Why did you follow it?
 23 A. Because the vehicle was seen at
 24 Mr. [REDACTED] residence, I believe, and was -- I
 25 followed the vehicle to make sure he wasn't in it.

Page 23

1 Q. All right. Did you ever find out who was
 2 in it?
 3 A. No.
 4 Q. Do you know who lives at that house with
 5 Mr. [REDACTED]
 6 A. No.
 7 Q. Well, I should strike that.
 8 Do you know who lives at that address with
 9 Mr. [REDACTED]
 10 A. No, I do not.
 11 Q. Screenshot 4. There's a few like this.
 12 And I won't ask you every time. But this appears to
 13 be you taking a shot of Mr. [REDACTED] house as you
 14 drive past it.
 15 A. Correct.
 16 Q. All right. No. 5 looks like you're
 17 following Mr. [REDACTED] is that right?
 18 A. Yes.
 19 Q. I promise we're not going through every
 20 one. It's just the first few.
 21 A. Okay.
 22 Q. 6, Screenshot 6 in Plaintiff's Exhibit D
 23 shows a Chick-fil-A; is that right?
 24 A. Yes, it is.
 25 Q. Why is that important?

Page 24

1 A. As I stated, I document all activity which
 2 is part of our subject's day. Therefore, if he goes
 3 into a business or any location, I typically try to
 4 document that on video that he went there.
 5 Q. Do you know of any reason that it's
 6 important that he went to Chick-fil-A?
 7 A. No.
 8 Q. Do you know of any reason -- well, strike
 9 that.
 10 Seven shows Mr. [REDACTED] house again, I
 11 think.
 12 A. Yes.
 13 Q. All right. The next few screenshots show
 14 you parked in the same location we discussed
 15 earlier?
 16 A. Correct.
 17 Q. Let's look at Screenshot 17 in Plaintiff's
 18 Exhibit D.
 19 A. Okay.
 20 Q. What's going on here?
 21 A. Do you mind if I refer to my report?
 22 Q. No.
 23 A. Okay.
 24 Q. Do you have a copy?
 25 A. Yes, I do. Okay. There was a Ford Focus

Page 25

1 that I observed parked at Mr. [REDACTED] residence,
2 and it was observed departing. I briefly followed
3 the vehicle and determined that a female was the
4 only occupant in the vehicle.

5 Q. Is the Ford Focus the white car here?

6 A. The Ford Focus is actually out of view
7 mostly in this screenshot. It's actually, I
8 believe, turning right here.

9 Q. All right. I see to the right of that
10 pickup --

11 A. Yeah.

12 Q. -- truck it looks like there might be a
13 taillight.

14 A. Tail.

15 Q. That's the Ford Focus?

16 A. I believe so, yes.

17 Q. Okay. Let's look at Screenshot No. 19 --

18 A. Yes.

19 Q. -- from Plaintiff's Exhibit D. This
20 shows, looks like an old lady -- strike that.

21 Screenshot 19 in Plaintiff's Exhibit D
22 appears to show an older lady walking on the street
23 with a walker; is that right?

24 A. Yes, sir.

25 Q. Did you explain to her what you were doing

Page 26

1 there parked on the screen?

2 A. No, sir. She did not know I was there.

3 Q. Did she look at you?

4 A. I don't believe so, no.

5 Q. At this point you had been parked in that
6 same spot for about six hours that day and several
7 hours the day before; right?

8 A. Correct.

9 Q. Okay. Let's look at Screenshot 21 in
10 Plaintiff's Exhibit D. Tell me what's going on
11 here, please.

12 A. The Ford Focus appears to be leaving
13 Mr. [REDACTED] neighborhood.

14 Q. You're following the Ford Focus here?

15 A. Yes, sir.

16 Q. Why?

17 A. To make sure that Mr. [REDACTED] is not in the
18 vehicle.

19 Q. All right. Screenshot 24 is another one
20 that's hard to see, but I take it that's
21 Mr. [REDACTED] house; is that right?

22 A. Yes, I believe so. Yes.

23 Q. Let's look at Screenshot 25 from
24 Plaintiff's Exhibit D, which appears to show a man
25 walking what I think is a dog; is that right?

Page 27

1 A. I can't tell if he's actually walking a
2 dog or not, sir. I can state that he's walking.

3 Q. Okay. Well, the video will show whether
4 he was walking a dog, presumably.

5 A. Okay. Yeah.

6 Q. Did you explain to this man what you were
7 doing parked on the screen?

8 A. You know, I can't remember if I had a
9 conversation with him or not.

10 Q. Did you have a conversation with anyone
11 who lived around there?

12 A. Not that I recall.

13 Q. Did this guy look at you as he passed?

14 A. Not that I remember, no.

15 Q. If he had looked at you, would you have
16 explained what you were doing?

17 A. No.

18 Q. What would you have done if he knocked on
19 your window and said, what are you doing?

20 A. Well, sir, if you're concerned about my
21 whereabouts in your neighborhood, you might want to
22 call the police.

23 Q. So if someone had asked what you were
24 doing, you would have told that person to call the
25 police?

Page 28

1 A. Correct.

2 Q. Would you have explained to that person
3 that you were conducting surveillance on one of
4 their neighbors?

5 A. No.

6 Q. All right. Let's go to Screenshot 32.

7 A. Okay.

8 Q. Tell me what's going on here.

9 A. I believe Mr. [REDACTED] exited his vehicle
10 and looks to be looking at a cellular phone,
11 possibly.

12 Q. Okay. He's at this point -- well, the
13 next screenshot shows he's walking into -- looks
14 like a gym.

15 A. A fitness center of some type, possibly.

16 Q. Do you know what he did inside the gym?

17 A. No, sir, I don't.

18 Q. Do you know that he's told the defense
19 that he goes -- went to a gym at some time?

20 A. No.

21 Q. Any idea what Mr. [REDACTED] has said with
22 regard to his activities at a gym one way or the
23 other?

24 A. No.

25 Q. I think you said you don't know what he

Page 29

1 did inside the gym.
 2 **A. No, I did not -- no, I do not know what he**
 3 **did inside.**
 4 Q. You're good at keeping a clean record.
 5 All right. Screenshot 34 shows Mr. [REDACTED]
 6 leaving the gym, I think.
 7 **A. Correct.**
 8 Q. Screenshot 35 in Plaintiff's Exhibit D
 9 shows Mr. [REDACTED] walking into a DICK'S Sporting
 10 Goods; is that right?
 11 **A. Yes, sir.**
 12 Q. He's got his hand on his back, it looks
 13 like, or tucked in his pants.
 14 **A. Yes, he does.**
 15 Q. Any idea why?
 16 **A. Appears to me he may be holding his pants**
 17 **up.**
 18 Q. Okay. Other than the thought that he
 19 might be holding his pants up, any idea why he's got
 20 his hand in that position?
 21 **A. No, sir.**
 22 Q. All right. Screenshot 36 shows Mr. [REDACTED]
 23 leaving the DICK'S Sporting Goods?
 24 **A. Yes, sir.**
 25 Q. And he's dragging some sort of object that

Page 30

1 appears to be something he bought?
 2 **A. Yes.**
 3 Q. Well, he's dragging something. We don't
 4 know what it is, I guess.
 5 **A. Correct.**
 6 Q. Do you have any idea what it is that he's
 7 dragging?
 8 **A. No, sir.**
 9 Q. Any idea how much it weighed?
 10 **A. No, sir.**
 11 Q. The next screenshot, 37, shows Mr. [REDACTED]
 12 loading the object we just discussed into his car;
 13 is that right?
 14 **A. Yes, sir.**
 15 Q. Did you go in the store and ask anyone
 16 what that item was?
 17 **A. No.**
 18 Q. Did you go in the store and look around at
 19 inventory to see if you can figure out what the item
 20 was?
 21 **A. No, sir.**
 22 Q. No idea what the item is --
 23 **A. Correct.**
 24 Q. -- or was?
 25 **A. Correct.**

Page 31

1 Q. All right. Screenshot 43 is the last in
 2 this series and comes from the end of the video; is
 3 that right?
 4 **A. Yes, sir.**
 5 Q. Do you know whether there exists any video
 6 taken on June 18, 2016, when [REDACTED]
 7 conducted surveillance?
 8 **A. No, sir, I do not.**
 9 **(Plaintiff's Exhibit E was marked for**
 10 **identification.)**
 11 Q. (By Mr. Butler) All right. I want to ask
 12 you a few questions about your report. You're
 13 welcome to look at whatever copy -- well, look at --
 14 check this, please. I'll show you what I've marked
 15 as Plaintiff's Exhibit E, which I'll represent to
 16 you is -- well, I think is a copy of your report.
 17 Look at it, please, and tell me whether Plaintiff's
 18 Exhibit E is a copy of your report in this case.
 19 **A. Yes, it is, sir.**
 20 Q. All right. Earlier I think -- if I
 21 remember right, I think you said that [REDACTED]
 22 [REDACTED] appeared in this report. And I'm not saying
 23 you're wrong. But I skimmed it, and I didn't see
 24 it. Can you tell me where that is?
 25 **A. No, sir, he is not listed in this report.**

Page 32

1 **He was listed on this invoice. The date that he**
 2 **worked was in this invoice.**
 3 Q. I see. So he's in Plaintiff's Exhibit B
 4 invoice, not in Plaintiff's Exhibit E, the report?
 5 **A. Correct.**
 6 Q. Where is he listed on Exhibit B?
 7 **A. He's not actually listed, but the day that**
 8 **he worked is listed on -- June 18th, that is the day**
 9 **that he worked. I did not work that day.**
 10 Q. What report did you see that had
 11 Mr. [REDACTED] name in it?
 12 **A. I didn't see a report. I spoke with**
 13 **our -- our office yesterday about that. And they**
 14 **stated that he was responsible for the surveillance**
 15 **that was conducted on the 18th.**
 16 Q. What report did he generate?
 17 **A. I don't know. I haven't seen it.**
 18 MR. SCOTT: Nor have we. Nor have we.
 19 Q. (By Mr. Butler) All right. I think you
 20 said it was your understanding that Mr. [REDACTED] did
 21 not make contact with or see Mr. [REDACTED]
 22 **A. He didn't. Yeah, he didn't see**
 23 **Mr. [REDACTED] Because it was discussed yesterday when**
 24 **I was on the phone with the office, that nothing was**
 25 **observed.**

Page 33

1 Q. All right. Who at the office did you
2 speak with?
3 A. [REDACTED]
4 Q. Okay. I noticed on the first page of
5 Plaintiff's Exhibit E, the report, it says "final
6 report." Was there a preliminary or any other
7 version of this report?
8 A. No -- there's a report which is the
9 timeline report, which is what I submit. And our
10 administrative people compile all this and consider
11 this the -- the report at the end, this
12 investigative summary coupled with the investigative
13 timeline.
14 Q. I see. So I take it, then, that the
15 investigative timeline, which begins with the third
16 page of Plaintiff's Exhibit E, is something that you
17 put together?
18 A. Correct.
19 Q. And then the administrative staff at your
20 office put together the first two pages?
21 A. Correct.
22 Q. All right. There are a few questions in
23 here I wanted to ask you about.
24 There's a reference on the second page of
25 the report that refers to Mr. [REDACTED] going to

Page 34

1 McDonald's. Do you know of any reason why that is
2 important?
3 A. No, sir.
4 Q. There's some talk in here about a hotel
5 parking lot. My understanding from reading your
6 report is that Mr. [REDACTED] just cut through the
7 parking lot but didn't stop?
8 A. Actually, I'm not sure what happened with
9 Mr. [REDACTED] I followed him to this parking lot, and
10 I lost him. You know, he -- I tried to -- I thought
11 he was possibly going there to conduct business, and
12 therefore I went to a nearby parking lot, trying to
13 see if I could find a view to observe him. I
14 couldn't find a view to observe him. I went back to
15 the parking lot. His truck was no longer there.
16 Surveillance was concluded for the day.
17 Q. In looking at the bottom entry on the
18 third page of your report, I think it indicates that
19 about 30 seconds after Mr. [REDACTED] entered the hotel
20 parking lot, you went into the hotel parking lot and
21 couldn't find his truck, leading you to conclude he
22 had probably left?
23 A. Correct.
24 Q. Okay. Looking at the entry for 7:49 a.m.
25 on the third page of your report, this tells us that

Page 35

1 there's a time not on video that you followed the
2 Ford Focus; is that right?
3 A. That is what it says, sir, yes.
4 Q. All right. You followed that Ford Focus
5 at least a few times. Here it is again on the
6 fourth page of your report, at 11:23; is that right?
7 A. Yes.
8 Q. One thing I was thinking about before I
9 came here is that, if this case goes to trial, I may
10 need to serve you with a trial subpoena, and I don't
11 really know where to do that. I am supposed to
12 serve it, I think, at your house. You would
13 probably prefer me not to do that, if I had to
14 guess.
15 I can avoid doing that if -- well, if
16 Mr. Scott will accept service for you of a trial
17 subpoena and then let you know and everybody can
18 agree to that, we can do it that way?
19 MR. SCOTT: Is that agreeable to you?
20 THE WITNESS: That's agreeable, sir.
21 MR. BUTLER: Good with, Caitlin?
22 MS. MATTLER: Agreeable.
23 MR. BUTLER: No objection. That will save
24 us that entire thing.
25 Q. (By Mr. Butler) Who did you report to in

Page 36

1 the course of your surveillance of Mr. [REDACTED]
2 A. [REDACTED]
3 Q. Did you ever report to anyone else?
4 A. No.
5 Q. To whom did [REDACTED] report?
6 A. I don't know.
7 Q. Did you report to Mr. [REDACTED] like at
8 the end of every day or just when you were finished
9 with three days or throughout the day?
10 A. Throughout the day and generally at the
11 end of the day.
12 Q. How many times throughout the day?
13 A. There's no specific number. As needed.
14 Q. Ballpark of 2? 5? 12?
15 A. I don't remember how many times I
16 contacted him during the course of the surveillance.
17 Q. What kind of things would have made you
18 contact him?
19 A. Just to update him with what's going on
20 with the case and tell him, you know, how my day is
21 going.
22 Q. Do you have any memory of how many times
23 you contacted him throughout the course of the
24 investigation?
25 A. No, sir.

Page 37

1 Q. All right. And what was the format of
2 your report? In other words, did you call on the
3 phone? Did you send an email? Did you send a text?
4 Some combination thereof?

5 **A. Some combination thereof. Generally my
6 reports are done via email.**

7 Q. All right. Do you use a company email?

8 **A. Do I send my report to a company email?
9 Is that what you're asking?**

10 Q. From a company email?

11 **A. No, sir.**

12 Q. Do you use your personal account?

13 **A. Yes, I do.**

14 Q. All right. What is the account that you
15 use?

16 **A. It's my personal email account. You want
17 the exact address?**

18 Q. Yes.

19 MR. SCOTT: Objection.

20 Q. (By Mr. Butler) All right. Mark can
21 object. He doesn't represent you, so he can't
22 instruct you not to answer. I presume that's not
23 what he's doing.

24 I'll save you this. I don't think I need
25 it.

Page 38

1 All right. To who -- do you send them to
2 a personal account or to a company account?

3 **A. To a company account.**

4 Q. And that's [REDACTED] I take it?

5 **A. No.**

6 Q. Oh.

7 **A. It is [REDACTED]**

8 Q. [REDACTED]?

9 **A. Yeah.**

10 Q. Who monitors that account?

11 **A. [REDACTED] and the administrative staff
12 in our office.**

13 Q. All right. Will you produce copies of
14 those emails?

15 **A. I cannot because I don't have access to
16 that account.**

17 MR. BUTLER: Okay. Mr. Scott, will you
18 produce copies of those emails?

19 MR. SCOTT: I have to take that under
20 advisement. I doubt it.

21 MR. BUTLER: Okay. On what basis would
22 you refuse? In case more foundation --

23 MR. SCOTT: -- not actually lead to the
24 discovery of admissible evidence.

25 MR. BUTLER: All right. I ask in case

Page 39

1 additional foundation needs to be laid. Now, it
2 certainly is calculated to lead to the discovery of
3 admissible evidence. As you know, as it may say
4 what was observed during this time where someone was
5 trying to observe matters relevant to damages, in
6 fact at Nationwide's request and on Nationwide's
7 payroll. So it certainly matters.

8 Is there any other reason for your
9 objection?

10 MR. SCOTT: I'll reserve.

11 MR. BUTLER: Okay. If you think of
12 another basis, I'd ask you to tell me now so that,
13 if necessary, while Mr. [REDACTED] is here, we can lay
14 the appropriate foundation.

15 Q. (By Mr. Butler) Now, in your
16 communication with Mr. [REDACTED] there was some
17 emails, apparently. And ever any phones calls with
18 him?

19 **A. Be specific as to when you're speaking of.**

20 Q. Well, I know that you checked in some
21 unknown number of times during the investigation of
22 Mr. [REDACTED] We know that some of them were by
23 email. Were all those check-ins by email, or were
24 some --

25 **A. No. If you're referring to check-ins,**

Page 40

1 **those are done by phone. My reports are submitted
2 via email.**

3 Q. Okay.

4 **A. There's no other day-to-day casework
5 typically that gets sent via email.**

6 Q. Is that the same thing you said a minute
7 ago?

8 **A. As far as I recollect, yes.**

9 Q. Okay. Well, the transcript will tell us.

10 Let's see. So some of your communications
11 were with -- via email -- strike that.

12 Some of the communications with your
13 office were via email to that [REDACTED]
14 address and some were by phone. Any other way that
15 you communicated with your office about this
16 investigation other than speaking with someone in
17 person when you were at the office?

18 **A. No.**

19 Q. All right. Why did the surveillance on
20 Mr. [REDACTED] stop?

21 **A. I don't know the reason for that, sir.**

22 Q. Who decided to end the surveillance?

23 **A. I was told to no longer continue working
24 on it by [REDACTED] I was no longer assigned
25 any more work concerning this case.**

Page 41

1 Q. All right. Did he tell you to stop upon
2 email, or by phone, or how?
3 A. I don't recollect.
4 Q. Okay. When you're following someone, what
5 kind of steps do you take in order to not be
6 noticed?
7 A. I guess don't be obvious.
8 Q. Try to stay a certain distance back? You
9 try to merge with the traffic?
10 A. Each -- each case presents different
11 obstacles. And so, I mean, the tactics I use in my
12 line of work are -- they're just all kind of
13 different ones. I couldn't specifically speak as to
14 what you're -- what you're asking.
15 Q. Well, you said there are many different
16 types of tactics?
17 A. Uh-huh.
18 Q. What types of tactics did you use to avoid
19 detection in this case?
20 A. Not following too closely. Not parking
21 directly in front of Mr. [REDACTED] house.
22 Q. When you -- for instance, when you
23 observed Mr. [REDACTED] at DICK'S Sporting Goods, what
24 did you do to avoid being noticed?
25 A. I parked in the same parking lot he was

Page 42

1 in. The parking lot had rows of bushes and
2 separated sections of the parking lot. And I parked
3 in one section, and there was a row of bushes
4 separating us from where he parked.
5 Q. Okay. So you're on the other side of a
6 row of bushes, basically?
7 A. Correct.
8 Q. Did you get out of your car and, like,
9 hold up the camera, or were you sitting in your car?
10 A. I stayed in my car the whole time.
11 Q. What about when Mr. [REDACTED] went to the
12 gym? What kind of steps -- what kind of tactics did
13 you use to avoid being noticed?
14 A. I didn't park right next to him.
15 Q. Did you park in the same parking lot? I
16 don't remember the footage of it.
17 A. Yes, I did.
18 Q. What kind of car do you drive when you're
19 doing this work?
20 A. I drive a silver Hyundai Elantra.
21 Q. I want to ask a little bit about your
22 background as an investigator. How far did you go
23 in school?
24 A. I completed the 11th grade.
25 Q. Here in Georgia or elsewhere?

Page 43

1 A. Here in Georgia, but I -- I did obtain a
2 GED later on, so...
3 Q. Did you grow up in the Atlanta area or --
4 A. Yeah.
5 Q. In Lawrenceville or where?
6 A. Yeah, kind of. Pretty much Gwinnett
7 County.
8 Q. Okay. When did you start doing private
9 investigation work?
10 A. 2004.
11 Q. And that was with [REDACTED] & Associates?
12 A. Yes, sir.
13 Q. How long was [REDACTED] & Associates open?
14 A. I started working there in 2004, and I
15 believe that it stopped in two thousand -- I can't
16 remember the exact year.
17 Q. Approximate is fine.
18 A. 2006 it probably ceased.
19 Q. Okay. I take it that you were the
20 [REDACTED] in [REDACTED] & associates?
21 A. Actually, my father was.
22 Q. I see. Were you the associates?
23 A. Yes.
24 Q. How many people worked at [REDACTED] &
25 Associates while you were there?

Page 44

1 A. It was a fairly inactive company, sir. It
2 was a -- it was a dream that never took off.
3 Q. Was there anyone there other than you and
4 your dad?
5 A. No.
6 Q. All right. And what did you do after you
7 stopped at [REDACTED] & Associates?
8 A. I went to work for Capital Investigations.
9 Q. And that was in when?
10 A. 2009.
11 Q. So what about -- what did you do between
12 '06 and '09?
13 A. I had a few random jobs, just different
14 jobs, working in restaurants and things like that.
15 Q. Why did you decide to get back into
16 personal investigations?
17 A. It was just something that I'd always had
18 an interest in, and my father kind of got me into
19 it.
20 Q. All right. In the personal investigation
21 field, have you ever worked for any company or --
22 strike that. In the -- I'm using the wrong word.
23 Strike that.
24 In the private investigation field, have
25 you ever worked for any company other than [REDACTED]

Page 45

1 & Associates and Capital Investigations?
 2 **A. No.**
 3 **(Plaintiff's Exhibits F and G were marked**
 4 **for identification.)**
 5 Q. (By Mr. Butler) All right. I looked you
 6 up on the state licensing board. And I found what
 7 appear to be two licenses. I'll ask you why.
 8 I'll show you Plaintiff's Exhibit F and
 9 Plaintiff's Exhibit G. Why are you on there twice?
 10 **A. One license was for [REDACTED] & Associates,**
 11 **and then I started working for Capital**
 12 **Investigations.**
 13 Q. Do you have to get a new license every
 14 time you change companies?
 15 **A. Yes.**
 16 Q. Oh.
 17 **A. If you're an employee of that company.**
 18 Q. I see. So if you change companies six
 19 times, there'd be six licenses?
 20 **A. More or less, yes.**
 21 Q. Other than what's captured in that video
 22 and in your report, did you do any other
 23 investigation or research into Mr. [REDACTED]
 24 **A. No.**
 25 Q. Interview any witnesses?

Page 46

1 **A. No.**
 2 Q. Talked to anyone who knew Mr. [REDACTED]
 3 **A. No.**
 4 Q. Do you sometimes do those things in the
 5 course of your work?
 6 **A. What were those questions again? I'm**
 7 **sorry.**
 8 Q. Interview any witnesses, talk to anyone
 9 who knew the person you were investigating.
 10 **A. Occasionally I'll interview witnesses.**
 11 **But it's -- I don't typically speak with people that**
 12 **know the person that I might be investigating.**
 13 Q. Did you look at Mr. [REDACTED] Facebook or
 14 other social media profiles?
 15 **A. No.**
 16 Q. Do you sometimes do that?
 17 **A. Occasionally.**
 18 Q. Did you look at photographs from the car
 19 wreck that this case is about?
 20 **A. No.**
 21 Q. Did you ask for medical records or
 22 Mr. [REDACTED] medical condition?
 23 **A. No.**
 24 Q. Did anyone at your office look at Facebook
 25 or other social media profiles?

Page 47

1 **A. I don't know.**
 2 Q. To the best of your knowledge, did anyone
 3 at your office look at Facebook or other social
 4 media profiles?
 5 **A. I don't believe so. Not that I know of.**
 6 Q. To the best of your knowledge, did anyone
 7 else at your office look at photographs of the wreck
 8 or ask into Mr. [REDACTED] medical conditions?
 9 **A. I don't believe so.**
 10 Q. Do you think that Mr. [REDACTED] his wife,
 11 his daughter, or any of their neighbors noticed you
 12 conducting surveillance in the neighborhood?
 13 **A. Some of his neighbors may have.**
 14 Q. What makes you say that?
 15 **A. Because of strange -- because my car was**
 16 **not a typical car that's parked in their**
 17 **neighborhood, so someone may have observed it. Yes.**
 18 Q. Do you have any reason to think that they
 19 did, or are you just saying it could have happened?
 20 **A. I'm just saying it could have happened.**
 21 Q. Is it possible they thought you were,
 22 like, a burglar, scoping the place out?
 23 **A. I don't know what they thought, sir.**
 24 Q. Is that possible?
 25 MR. SCOTT: Objection.

Page 48

1 THE WITNESS: Anything is possible, sir.
 2 I mean, they can think anything.
 3 Q. (By Mr. Butler) Do you think Mr. [REDACTED]
 4 relatives or his neighbors had a right to know what
 5 you were doing?
 6 **A. No.**
 7 MR. SCOTT: Objection.
 8 Q. (By Mr. Butler) Why not?
 9 **A. Because I'm observing -- I have a license**
 10 **to conduct the work that I do, and it's legal work.**
 11 **It's on public property. It's...**
 12 Q. Do you think they would like to know why
 13 you were parked there for three days?
 14 MR. SCOTT: Objection.
 15 THE WITNESS: I have -- I don't know, sir,
 16 if they'd like to know or not.
 17 Q. (By Mr. Butler) You don't think they have
 18 a right to know?
 19 **A. No. I mean --**
 20 Q. Do you think Mr. [REDACTED] and his family and
 21 neighbors have any right to privacy?
 22 MR. SCOTT: Objection.
 23 THE WITNESS: I'm not going to answer
 24 that, sir.
 25 Q. (By Mr. Butler) Why not?

1 **A. Well, I just -- these questions seem very**
 2 **speculative.**
 3 Q. You think whether someone has a right to
 4 privacy is a speculative question?
 5 **A. The term privacy could mean many different**
 6 **things to many people.**
 7 Q. Well, do you think Mr. [REDACTED] wife and
 8 daughter -- well, let me strike that.
 9 Is it important?
 10 **A. Is what important?**
 11 Q. Is it important whether Mr. [REDACTED] and his
 12 family and his neighbors have a right to privacy?
 13 **A. Oh, yes.**
 14 MR. SCOTT: Objection.
 15 Q. (By Mr. Butler) It is, okay. Have you
 16 ever in the course of conducting surveillance been
 17 noticed by the person you were conducting
 18 surveillance on?
 19 **A. Yes.**
 20 Q. Have you ever been confronted?
 21 **A. Yes.**
 22 Q. What did you say?
 23 **A. Actually, I don't think that I said**
 24 **anything. I closed up my window and drove off.**
 25 Q. Have you ever been followed or spied upon?

1 MR. SCOTT: Objection.
 2 THE WITNESS: Not that I'm aware of.
 3 Q. (By Mr. Butler) Do you check?
 4 **A. No.**
 5 Q. Do you take any precautions to make sure
 6 you're not followed or spied upon?
 7 **A. No.**
 8 MR. SCOTT: Objection.
 9 Q. (By Mr. Butler) Would you like it if you
 10 were followed or spied upon?
 11 MR. SCOTT: Objection.
 12 THE WITNESS: I don't have anything to
 13 hide, so it wouldn't bother me.
 14 Q. (By Mr. Butler) Do you think you have a
 15 right to privacy?
 16 **A. Yes.**
 17 MR. SCOTT: Objection.
 18 Q. (By Mr. Butler) This next question is one
 19 I ask of just about every witness. Have you ever
 20 been arrested?
 21 **A. Yes.**
 22 Q. All right. Tell me about it, please.
 23 **A. I was arrested at age 17 for minor**
 24 **possession of alcohol, and I believe age 18 for**
 25 **possession of marijuana.**

1 Q. Okay. Anything else?
 2 **A. No.**
 3 Q. I show -- I found something about a motor
 4 vehicle violation with a six-month sentence in
 5 Gwinnett County. Does that ring a bell?
 6 **A. It may have been driving with no**
 7 **insurance. It was a traffic violation of some type**
 8 **back then. It was a long while ago.**
 9 Q. Okay. Have you ever been in professional
 10 trouble?
 11 **A. No.**
 12 Q. Ever been subjected to any discipline by
 13 any sort of regulatory authority in the world of
 14 private investigations?
 15 **A. No.**
 16 Q. What is the physical address of Capital
 17 Investigations?
 18 **A. Do you mind if I look on my phone?**
 19 Q. No, not at all.
 20 **A. [REDACTED]**
 21 **[REDACTED]**
 22 Q. How do you spell [REDACTED]
 23 **A. [REDACTED] -- sorry. I just lost it.**
 24 **[REDACTED]**
 25 Q. What is your personal home address?

1 **A. [REDACTED],**
 2 **[REDACTED]**
 3 MR. BUTLER: All right. I think that we
 4 are finished. Let me -- we'll go off the record,
 5 and I'll review my notes. I think that's going to
 6 be it unless one of those folks has questions for
 7 you, which is probably unlikely.
 8 THE VIDEOGRAPHER: Going off video record.
 9 (Off the record.)
 10 THE VIDEOGRAPHER: Back on video record.
 11 MR. BUTLER: No further questions.
 12 MR. SCOTT: No questions.
 13 MS. MATTLER: Nope.
 14 MR. BUTLER: All right. That concludes
 15 the deposition.
 16 THE VIDEOGRAPHER: Going off video record.
 17 The time is 2:47 p m.
 18 (Deposition concluded at 2:47 p.m.)
 19 (Plaintiff's Exhibit H was marked for
 20 identification.)
 21 (It was stipulated and agreed by and
 22 between counsel and the witness that the signature
 23 of the witness be waived.)
 24
 25

1 The following reporter and firm
2 disclosures were presented at this proceeding
for review by counsel:

3 REPORTER DISCLOSURES

4 The following representations and
5 disclosures are made in compliance with Georgia Law,
more specifically:

6 Article 10(B) of the Rules and Regulations
of the Board of Court Reporting (disclosure forms)
7 OCGA 9-11-28(c) (disqualification of reporter for
financial interest).

8 OCGA 15-14-37(a) and (b) (prohibitions
against contracts except on a case-by-case basis).

9 - I am a certified reporter in the State of Georgia.

10 - I am a subcontractor for Pope Reporting & Video.

11 - I have been assigned to make a complete and
accurate record of these proceedings.

12 - I have no relationship of interest in the matter
on which I am about to report which would disqualify
me from making a verbatim record or maintaining my
obligation of impartiality in compliance with the
Code of Professional Ethics.

13 - I have no direct contract with any party in this
action and my compensation is determined solely by
the terms of my subcontractor agreement.

14 FIRM DISCLOSURES

15 - Pope Reporting & Video was contacted to provide
16 reporting services by the noticing or taking
attorney in this matter.

17 - There is no agreement in place that is prohibited
by OCGA 15-14-37(a) and (b). Any case-specific
discounts are automatically applied to all parties,
at such time as any party receives a discount.

18 - Transcripts: The transcript of this proceeding as
produced will be a true, correct and complete record
of the colloquies, questions, and answers as
submitted by the certified court reporter.

19 - Exhibits: No changes will be made to the exhibits
as submitted by the reporter, attorneys, or
20 witnesses.

21 (Continued on following page)

1 - Password-Protected Access: Transcripts and
2 exhibits relating to this proceeding will be
uploaded to a password-protected repository, to
which all ordering parties will have access.

1 CERTIFICATE

2 STATE OF GEORGIA:
3 COUNTY OF FULTON:

4 I hereby certify that the total.
5 transcript, pages 1 through 52 represent a true,
6 complete, and correct transcript of the proceedings
7 taken down by me in the case aforesaid (and exhibits
8 admitted, if applicable); that the foregoing
9 transcript is a true and correct record of the
10 evidence given to the best of my ability.

11 The above certification is expressly
12 withdrawn upon the disassembly or photocopying of
13 the foregoing transcript, unless said disassembly or
14 photocopying is done under the auspices of myself
15 and the signature and original seal is attached
16 thereto.

17 I further certify that I am not a relative,
18 or employee or attorney of any party, nor am I
19 financially interested in the outcome of the
20 actions.

21 This, the 16th day of February, 2017.

22 KATE COCHRAN, CCR-2722

WORD INDEX

< \$ >

\$2,295 9:11**\$72.85** 9:12

< 0 >

06 44:12**09** 44:12

< 1 >

1 4:19 18:22

20:17 55:6

1:34 4:19**1:36** 1:1**10** 53:5**10.B** 4:2**100** 2:16**102** 51:21**11:23** 35:6**11th** 42:24**12** 36:14**13th** 9:17**14th** 9:17**1510** 2:16**15-14-37** 53:7, 17**15th** 9:17**16th** 55:22**17** 3:10 24:17

50:23

18 3:10 7:10 31:6

50:24

18th 6:21 8:4

32:8, 15

19 25:17, 21**19.5** 6:20**1932** 2:5

< 2 >

2 21:23 22:5

36:14

2:47 52:17, 18**2004** 43:10, 14**2006** 43:18**2009** 13:7 44:10**2015SV-0270** 1:1**2016** 31:6**2017** 1:1 4:18

55:22

21 26:9**24** 26:19**25** 26:23**250** 2:5**27** 6:14 8:17**2970** 1:1 2:10

< 3 >

3 16:8 22:16**30** 34:19**30046** 52:2**30188** 51:21**30319** 2:6**30329** 2:11**30339-3122** 2:17**31** 3:10 6:10 9:3, 10**32** 28:6**3380** 51:20**34** 29:5**35** 29:8**36** 29:22**37** 30:11

< 4 >

4 3:10 15:19, 20

16:8 23:11

40 13:15**404-578-8423** 2:6**404-720-7691** 2:12**43** 18:23 31:1**45** 3:10**471** 52:1

< 5 >

5 3:5, 10 15:19, 20

23:16 36:14

50 13:15**52** 3:10 55:6

< 6 >

6 23:22, 22**600** 1:1 2:11

< 7 >

7 1:1**7:49** 34:24**770-956-1813** 2:17**7th** 4:18

< 9 >

900 51:20**9-11-28** 53:6

< A >

a.m 34:24**ability** 55:11**able** 20:25**accept** 35:16**access** 38:15 54:1, 2**account** 37:12, 14, 16 38:2, 2, 3, 10, 16**accurate** 16:20, 24

18:5, 14, 24 53:10

accurately 19:14**Act** 4:14, 15**ACTION** 1:1

53:13

actions 55:21**activities** 9:17, 22

11:4 28:22

activity 9:24 11:1

21:2, 19 24:1

actual 8:23**Adding** 6:7**additional** 39:1**address** 11:7 23:8

37:17 40:14 51:16,

25

administrative

11:23 14:24 33:10,

19 38:11

admissible 38:24

39:3

admitted 55:9**advisement** 38:20**AFFINITY** 1:1**aforesaid** 55:8**afternoon** 4:20, 21**age** 50:23, 24**agency** 12:17**ago** 40:7 51:8**agree** 35:18**agreeable** 35:19, 20, 22**agreed** 52:21**agreement** 4:9

53:14, 17

alcohol 50:24**Allow** 9:20**Amanda** 12:1**AMERICA** 1:1**amount** 8:24**angle** 17:6 21:23**answer** 13:3 37:22 48:23**answers** 53:20**anybody** 7:23**AOL.com** 40:13**apparently** 39:17**appear** 5:15, 22

16:24 18:4, 23

45:7

APPEARANCES

2:1

appeared 31:22**appears** 9:13

23:12 25:22 26:12,

24 29:16 30:1

applicable 55:9**applied** 53:18**appropriate** 39:14**Approximate** 43:17**area** 43:3**arrested** 50:20, 23**arrive** 20:21, 23**Article** 4:2 53:5**asked** 9:14, 18

11:4, 18 27:23

asking 37:9 41:14**assigned** 7:11, 14

40:24 53:9

assignment 14:5**assignments** 15:1**assistant** 11:23**Associates** 43:11,

13, 20, 22, 25 44:7

45:1, 10

assume 7:11

Atlanta 1:1 2:6, 11, 17 43:3
attached 3:10 55:16
attorney 53:16 55:19
attorneys 12:19 53:21
Audi 22:17
auspices 55:15
authentic 18:2
authored 8:1
authority 51:13
automatically 53:18
avoid 35:15 41:18, 24 42:13
aware 14:3 50:2

< B >
back 17:8, 9 29:12 34:14 41:8 44:15 51:8 52:10
background 12:21 42:22
bag 19:25
Ballpark 36:14
Based 9:10
basically 15:5 42:6
basis 38:21 39:12 53:8
Bassler 2:15
Beginning 4:19
begins 33:15
behalf 2:3, 7, 14 14:12
Believe 7:1 10:19 15:23, 24 16:6 22:24 25:8, 16 26:4, 22 28:9 43:15 47:5, 9 50:24
bell 51:5
best 47:2, 6 55:11
billable 8:22
billed 8:22
billing 14:24
Birch 21:13
bit 42:21

Board 4:3 45:6 53:6
bother 50:13
bottom 18:22 20:18 34:17
bought 30:1
break 20:8
brief 11:12
briefly 25:2
brought 5:12
Building 51:20
bunch 19:8
burglar 47:22
bushes 42:1, 3, 6
business 24:3 34:11
Butler 2:4, 4 3:5 4:7, 20, 22, 22 5:5, 12, 22, 25 6:3 17:2, 5, 13 18:19 20:8, 10 31:11 32:19 35:21, 23, 25 37:20 38:17, 21, 25 39:11, 15 45:5 48:3, 8, 17, 25 49:15 50:3, 9, 14, 18 52:3, 11, 14

< C >
CAITLIN 2:15 35:21
calculate 9:11
calculated 39:2
calculator 6:15 9:7
call 27:22, 24 37:2
calls 39:17
Camera 3:10 19:23 20:2, 11 21:25 42:9
Canon 19:24 20:5
Capital 3:10 5:7, 14 8:16 9:2, 19 12:4, 15 13:1, 6, 8 40:13 44:8 45:1, 11 51:16
CapitalPI@AOL 38:8
capitalPI@AOL.co

m 38:7
captured 45:21
captures 19:22, 22
car 14:13 19:19 22:19 25:5 30:12 42:8, 9, 10, 18 46:18 47:15, 16
Carrier 2:7
case 4:9 5:14 6:4 9:15 13:11 15:3, 4, 5 16:17 18:15 20:24 31:18 35:9 36:20 38:22, 25 40:25 41:10, 19 46:19 55:8
case-by-case 53:8
cases 15:11, 14, 25
case-specific 53:17
casework 40:4
cause 10:11
CCR-2722 1:1 55:24
ceased 43:18
cellular 28:10
center 28:15
certain 41:8
certainly 39:2, 7
certification 55:12
certified 53:8, 20
certify 55:5, 18
change 45:14, 18
changes 53:21
charge 9:11
charged 8:25 9:2
check 31:14 50:3
checked 39:20
check-ins 39:23, 25
Chick-fil-A 23:23 24:6
child 16:7
CIVIL 1:1 4:14
Clairmont 1:1 2:10
clean 29:4
client 14:23
clients 14:4, 6
closed 49:24
closely 41:20

Cmattler@cmlawfirm.com 2:18
Cochran 1:1 55:24
Code 53:12
collection 18:3, 20
colloquies 53:20
combination 37:4, 5
come 11:14
comes 31:2
communicated 40:15
communication 39:16
communications 40:10, 12
companies 14:21 45:14, 18
COMPANY 1:1 5:19 6:24 11:16 13:4 14:24 37:7, 8, 10 38:2, 3 44:1, 21, 25 45:17
compare 19:2
compensation 53:13
compile 33:10
complete 15:1 53:9, 19 55:7
completed 42:24
compliance 53:4, 12
computer 17:17 19:8
concerned 27:20
concerning 9:24 11:5 16:7 40:25
conclude 34:21
concluded 34:16 52:18
concludes 18:12 52:14
conclusions 12:9
condition 46:22
conditions 47:8
conduct 6:21 10:25 11:19 12:20 34:11 48:10
conducted 8:4, 16 31:7 32:15

conducting 6:9, 13
7:19 13:10 28:3
47:12 49:16, 17
confronted 49:20
consider 33:10
contact 32:21
36:18
contacted 36:16, 23
53:15
contained 19:14
CONTENTS 3:1
continue 40:23
Continued 53:23
contract 53:13
contracts 53:8
conversation 27:9,
10
copies 17:15 38:13,
18
copy 4:12 5:13
16:20 18:14 24:24
31:13, 16, 18
correct 5:9, 16, 18
9:5, 5, 13 10:15
22:14 23:15 24:16
26:8 28:1 29:7
30:5, 23, 25 32:5
33:18, 21 34:23
42:7 53:19 55:7,
10
Cotton 52:1
Council 4:3
COUNSEL 2:1
17:20 52:22 53:2
COUNTY 1:1
43:7 51:5 55:3
couple 13:13
coupled 33:12
course 36:1, 16, 23
46:5 49:16
COURT 1:1 4:3,
25 17:16 53:6, 20
covert 10:10 22:7
Crim 2:15
custody 16:7
cut 34:6

< D >
dad 44:4
damages 39:5
dark 20:21
date 32:1
daughter 47:11
49:8
day 7:7 8:11 21:1,
12 24:2 26:6, 7
32:7, 8, 9 34:16
36:8, 9, 10, 11, 12,
20 55:22
days 36:9 48:13
day-to-day 40:4
deal 5:18
dealings 13:4
decide 10:7 44:15
decided 40:22
Defendant 2:14
14:18
Defendants 1:1
17:20
defense 28:18
deliver 14:7
departing 25:2
depo 4:23
DEPOSITION 1:1
3:10 4:7, 12, 13
15:18 16:11 17:25
52:15, 18
depositions 15:21,
24, 25 16:8
DESCRIPTION
3:10 11:12, 14
detection 41:19
detective 12:17
determined 25:3
53:13
DICK'S 29:9, 23
41:23
different 12:18, 19,
23 41:10, 13, 15
44:13 49:5
direct 53:13
directly 41:21
disassembly 55:13,
14

discipline 51:12
disclosure 4:1 53:6
disclosures 53:1, 3,
4, 15
discount 53:18
discounts 53:18
discovery 38:24
39:2
discussed 24:14
30:12 32:23
disqualification
53:6
disqualify 53:11
distance 41:8
divorce 16:7
document 9:16
11:1, 5 15:10, 10
21:1 24:1, 4
documents 21:18
dog 26:25 27:2, 4
doing 25:25 27:7,
16, 19, 24 35:15
37:23 42:19 43:8
48:5
domestic 16:6
DORNE 2:15
doubt 38:20
dozen 14:8 15:12
dragging 29:25
30:3, 7
dream 44:2
Drive 3:10 17:15,
17 20:10 23:14
42:18, 20
driving 6:13, 20
8:17, 19, 23 51:6
drove 49:24
Druid 2:5
duly 5:2

< E >
earlier 24:15 31:20
eight 17:22
either 14:22 15:5
Elantra 42:20
email 20:9 37:3, 6,
7, 8, 10, 16 39:23,

23 40:2, 5, 11, 13
41:2
emailed 11:15
emails 38:14, 18
39:17
employed 12:2
employee 45:17
55:19
employees 12:22
entered 34:19
entire 35:24
entry 34:17, 24
Esq 2:4, 7, 15
Ethics 53:12
eventually 20:7
everybody 35:17
evidence 38:24
39:3 55:11
evidently 19:19
exact 17:21 19:24
37:17 43:16
exactly 22:1
EXAMINATION
3:3, 5 5:4
examined 5:2
excluding 6:13
8:16
excuse 4:13
Exhibit 3:10, 10, 10,
10, 10, 10, 10, 10
4:5, 11 5:10 6:8
17:11, 15 18:4, 14,
17, 21, 25 19:14, 16
20:7 22:17 23:22
24:18 25:19, 21
26:10, 24 29:8
31:9, 15, 18 32:3, 4,
6 33:5, 16 45:8, 9
52:19
Exhibits 3:10 45:3
53:21, 21 54:1
55:8
exists 31:5
exited 28:9
explain 25:25 27:6
explained 27:16
28:2

expressly 55:12

< F >

Facebook 46:13, 24
47:3**fact** 39:6**fairly** 44:1**faking** 12:13**family** 48:20 49:12**far** 40:8 42:22**Fargo** 10:17, 21**father** 43:21 44:18**FAYETTE** 1:1**February** 1:1 4:18
55:22**female** 22:21 25:3**field** 14:25 44:21,
24**figure** 30:19**FILE** 1:1**film** 10:12, 13, 14,
16**filming** 10:11, 12**final** 8:11 9:10
33:5**finances** 5:19**financial** 53:7**financially** 55:20**find** 10:23, 24
23:1 34:13, 14, 21**fine** 43:17**finished** 36:8 52:4**firm** 13:19 53:1, 15**First** 4:25 5:2 7:2
20:17 23:20 33:4,
20**fitness** 28:15**fix** 9:20**Focus** 24:25 25:5,
6, 15 26:12, 14
35:2, 4**folks** 52:6**follow** 20:25 22:22**followed** 22:2525:2 34:9 35:1, 4
49:25 50:6, 10**following** 22:17
23:17 26:14 41:4,
20 53:1, 4, 23**follows** 5:3**Footage** 3:10 42:16**Ford** 24:25 25:5, 6,
15 26:12, 14 35:2,
4**foregoing** 55:9, 14**format** 37:1**forms** 53:6**found** 45:6 51:3**foundation** 38:22
39:1, 14**four** 8:20**fourth** 35:6**front** 17:19 21:24
22:5 41:21**FULTON** 55:3**further** 52:11
55:18

< G >

G20 20:5**Galleria** 2:16
[REDACTED] 7:3, 10
8:1, 21 31:6, 22
32:20**G-a-r-l-a-n-d** 7:3
[REDACTED] 32:11**gear** 16:16**GED** 43:2**general** 11:12**Generally** 10:8, 24
20:23 36:10 37:5**generate** 32:16**gentleman** 11:13**GEORGIA** 1:1, 1
2:6, 11, 17 4:4
42:25 43:1 51:21

52:2 53:4, 8 55:1

getting 10:20**give** 13:15**given** 17:15 55:11**go** 4:13 6:4 15:9,
12 17:2, 8 20:13,
15, 25 21:1, 24, 25
22:10, 15 28:630:15, 18 42:22
52:4**goes** 18:9 24:2
28:19 35:9**going** 10:10, 11, 1716:15 17:4, 7, 14,
20 23:19 24:20

26:10 28:8 33:25

34:11 36:19, 21

48:23 52:5, 8, 16

Good 4:20, 21

29:4 35:21

Goods 29:10, 23
41:23**gosh** 12:20**grade** 42:24**greater** 8:23 13:12[REDACTED] 1:1
4:8, 20, 21 5:1, 6
17:13 39:13 43:11,
13, 20, 20, 24 44:7,
25 45:10**grow** 43:3**guess** 17:2 30:4
35:14 41:7**guy** 27:13**Gwinnett** 43:6
51:5**gym** 28:14, 16, 19,
22 29:1, 6 42:12

< H >

hair 17:22**half** 6:10, 14 8:17
9:3, 10**hand** 16:22 20:12

29:12, 20

hang 21:25**happened** 34:8

47:19, 20

hard 17:17 20:18
26:20**Hendrix** 2:18**HF** 20:5**hide** 50:13**Hills** 2:5**hired** 13:1**hold** 20:11 42:9**holding** 29:16, 19**home** 11:7 51:25**Honestly** 5:17

14:19 15:15

hope 10:24**hoping** 10:23**hotel** 34:4, 19, 20**hourly** 9:11**hours** 6:7, 10, 14,
19 8:17, 20 9:3, 10
26:6, 7**house** 20:19 21:4,
15, 17, 22 22:6

23:4, 13 24:10

26:21 35:12 41:21

[REDACTED] 1:1 4:9

hurt 12:13 14:13**Hyundai** 42:20

< I >

idea 7:13 28:21
29:15, 19 30:6, 9,
22**identification** 4:6
5:11 17:12 18:18
31:10 45:4 52:20**III** 2:4**imagine** 15:3**impartiality** 53:12**important** 23:25
24:6 34:2 49:9, 10,
11**inaccurate** 6:1**inactive** 44:1**inauthentic** 6:1**incorrect** 6:16, 17**indicates** 34:18**indicating** 20:12**information** 11:10,
17, 21**injured** 14:13**injuries** 12:10**injury** 15:3, 6

16:10

injury-type 15:5,
11, 14

inside 28:16 29:1, 3
instance 10:16 41:22
instruct 37:22
instructions 11:2 12:5
INSURANCE 1:1 14:21 51:7
interest 44:18 53:7, 10
interested 10:2, 2 55:20
intersects 21:13
Interview 45:25 46:8, 10
interviews 12:20
inventory 30:19
investigating 46:9, 12
investigation 7:6 8:10 10:11 12:8 22:7 36:24 39:21 40:16 43:9 44:20, 24 45:23
Investigations 3:10 5:8 8:16 9:2, 19 12:4, 16, 22 13:1, 6, 9 44:8, 16 45:1, 12 51:14, 17
Investigation's 5:14
investigative 33:12, 12, 15
investigator 6:23 42:22
investigators 7:8
investigator's 6:25
Invoice 3:10 5:14, 23 6:6, 8 32:1, 2, 4
involve 13:10
involving 16:1
item 30:16, 19, 22

< J >

JAMES 2:4
Jeb 4:22
Jeb@butlertobin.co

m 2:7
job 13:14 14:5
jobs 44:13, 14
Judicial 4:3
June 6:21 7:10 8:4 9:17 31:6 32:8

< K >
Kate 1:1 55:24
keeping 29:4
kind 12:15 15:4 19:23 36:17 41:5, 12 42:12, 12, 18 43:6 44:18
kinds 12:18
knew 46:2, 9
knocked 27:18
know 4:22 7:1, 7, 18 14:4, 19, 22 15:3, 15 17:6 18:23 19:7 20:25 21:17 22:20 23:4, 8 24:5, 8 26:2 27:8 28:16, 18, 25 29:2 30:4 31:5 32:17 34:1, 10 35:11, 17 36:6, 20 39:3, 20, 22 40:21 46:12 47:1, 5, 23 48:4, 12, 15, 16, 18
knowledge 47:2, 6 [REDACTED] 1:1 21:20

< L >

labeled 18:22 20:17
lady 25:20, 22
laid 39:1
Law 2:10 5:15 9:2 13:19, 23 14:2 15:13 16:1 53:4
Lawrenceville 43:5 52:1
lawyers 13:2 14:16, 17
lay 39:13

lead 38:23 39:2
leading 34:21
leave 20:24
leaving 26:12 29:6, 23
left 16:16 22:1 34:22
legal 48:10
lens 19:21
license 45:10, 13 48:9
Licenses 3:10 45:7, 19
licensing 45:6
line 41:12
listed 31:25 32:1, 6, 7, 8
little 42:21
lived 27:11
lives 23:4, 8
loading 30:12
Locating 12:21
location 21:12 24:3, 14
long 13:5 16:13 17:23 43:13 51:8
longer 12:2 34:15 40:23, 24
look 6:10 18:19 20:1 24:17 25:17 26:3, 9, 23 27:13 30:18 31:13, 13, 17 46:13, 18, 24 47:3, 7 51:18
looked 27:15 45:5
looking 9:22 20:13 21:16, 23 28:10 34:17, 24
looks 6:8 8:19 17:22 22:17 23:16 25:12, 20 28:10, 13 29:12
lost 10:19 34:10 51:23
lot 12:19, 22 14:23, 25 34:5, 7, 9, 12, 15, 20, 20 41:25 42:1,

2, 15

< M >

maintaining 53:11
making 53:11
man 26:24 27:6
M-a-r 7:2
marijuana 50:25
MARK 2:7 20:7 37:20
Mark.scott@nationwide.com 2:12
marked 4:5, 11 5:10 17:11, 15 18:3, 13, 17, 25 19:16 31:9, 14 45:3 52:19 [REDACTED] 7:2, 3, 4, 9, 10 31:6, 21
M-a-r-q-u-i-s 7:3
math 9:6
matter 16:6 53:10, 16
matters 16:7 39:5, 7
MATTLE 2:15 35:22 52:13
McDonald's 34:1
mean 10:14 12:18 13:19 21:20 41:11 48:2, 19 49:5
media 46:14, 25 47:4
medical 46:21, 22 47:8
memory 36:22
merely 21:11
merge 41:9
met 4:23
microphone 9:20
mind 24:21 51:18
minor 50:23
minute 16:14 40:6
minutes 17:23
model 19:24 20:1
monitors 38:10
motor 51:3

Motorist 2:7
moving 19:19

< N >

name 4:24 5:6
6:25 7:2, 2 11:25
32:11

Natalie 2:10 5:15
9:3 13:20, 23
15:13

NATIONWIDE
1:1 4:10

Nationwide's 39:6,
6

nature 10:10

NE 2:5, 10

nearby 34:12

necessary 17:24
39:13

need 6:15 19:24
35:10 37:24

needed 36:13

needs 39:1

neighborhood
26:13 27:21 47:12,
17

neighbors 28:4
47:11, 13 48:4, 21
49:12

never 44:2

new 45:13

Nope 52:13

normally 5:18 7:8
12:16

North 2:5

notes 52:5

Notice 3:10 4:8,
12 10:5 18:21

noticed 10:16 33:4
41:6, 24 42:13
47:11 49:17

notices 10:14

noticing 53:16

number 19:25
36:13 39:21

numbers 6:7

< O >

object 29:25 30:12
37:21

objection 35:23
37:19 39:9 47:25
48:7, 14, 22 49:14
50:1, 8, 11, 17

obligation 53:12

observe 8:5 9:16
10:12 11:1, 4 15:8,
10 22:8, 9, 10

34:13, 14 39:5

observed 25:1, 2
32:25 39:4 41:23
47:17

observing 48:9

obstacles 41:11

obtain 7:8 12:19
15:9 43:1

obtained 7:7 11:16

obvious 41:7

Occasionally 46:10,
17

occupant 25:4

occurred 15:6

OCGA 53:6, 7, 17

Office 2:10 5:15
9:2 11:24 13:17,
19, 23 14:2, 7

15:13, 13 16:1
32:13, 24 33:1, 20

38:12 40:13, 15, 17
46:24 47:3, 7

Oh 4:13 6:22 7:2
38:6 45:16 49:13

Okay 5:20 6:25

7:9, 25 8:13 9:1
12:3 16:21 17:1
18:6 19:9, 18 20:6

21:3 22:12 23:21
24:19, 23, 25 25:17

26:9 27:3, 5 28:7,
12 29:18 33:4

34:24 38:17, 21

39:11 40:3, 9 41:4
42:5 43:8, 19

49:15 51:1, 9

old 25:20

older 25:22

ones 41:13

open 19:21 43:13

opinions 12:12

opposed 22:5

order 22:8 41:5

ordering 54:2

Original 3:10, 20
55:16

outcome 55:20

outside 20:22

< P >

p.m 1:1 4:19
52:17, 18

PAGE 3:3, 10
33:4, 16, 24 34:18,
25 35:6 53:23

pages 33:20 55:6

pants 29:13, 16, 19

paperwork 14:8

park 22:4, 9 42:14,
15

parked 22:12, 13
24:14 25:1 26:1, 5
27:7 41:25 42:2, 4
47:16 48:13

parking 34:5, 7, 9,
12, 15, 20, 20 41:20,
25 42:1, 2, 15

Parkway 2:16

part 24:2

particular 10:1, 22

parties 53:18 54:2

party 53:13, 18
55:19

pass 19:8

passed 27:13

Password-Protected
54:1, 2

Patch 52:1

path 8:14

pause 19:7, 7

payroll 39:7

people 12:21 15:8
20:23 33:10 43:24
46:11 49:6

percent 13:15

percentage 13:10,
15 14:17, 20

permitted 4:15

person 27:24 28:2
40:17 46:9, 12
49:17

personal 15:2

37:12, 16 38:2
44:16, 20 51:25

personally 14:15

perspective 12:22

phone 28:10 32:24
37:3 40:1, 14 41:2
51:18

phones 39:17

photocopying
55:13, 15

Photograph 3:10

photographs 46:18
47:7

phrase 15:11

physical 51:16

PI 40:13

pickup 25:10

picture 20:6

place 47:22 53:17

Plaintiff 1:1 2:3

PLAINTIFF'S 3:7
4:5, 11 5:10 6:8

17:11 18:4, 14, 17,
20, 25 19:14, 16

22:16 23:22 24:17
25:19, 21 26:10, 24

29:8 31:9, 15, 17

32:3, 4 33:5, 16

45:3, 8, 9 52:19

plan 15:8

play 16:16 17:21,
23

playing 17:16

Plays 18:11 19:10

please 9:12 19:11
20:4 26:11 31:14,
17 50:22

point 26:5 28:12

police 27:22, 25

Pope 53:9, 15

port 17:18

portion 13:14 14:24	put 17:14 33:17, 20	relative 21:22 55:18	14:9, 20 16:8, 14 17:13 18:1, 9, 12, 22 19:6 20:8, 13, 18, 19 21:4, 15, 25 22:15 23:1, 16, 17, 23 24:13 25:8, 9, 9, 23 26:7, 19, 21, 25 28:6 29:5, 10, 22 30:13 31:1, 3, 11, 20, 21 32:19 33:1, 22 35:2, 4, 6 37:1, 7, 14, 20 38:1, 13, 25 40:19 41:1 42:14 44:6, 20 45:5 48:4, 18, 21 49:3, 12 50:15, 22 52:3, 14
position 29:20	< Q >	relatives 48:4	right-hand 22:2
possession 50:24, 25	Quentin 2:18	relevant 39:5	ring 51:5
possible 47:21, 24 48:1	question 13:3 19:11 49:4 50:18	remember 10:17 16:12 27:8, 14 31:21 36:15 42:16 43:16	road 1:1 2:5, 10 22:3 51:20 52:1
possibly 28:11, 15 34:11	questions 8:13 20:15 31:12 33:22 46:6 49:1 52:6, 11, 12 53:20	remind 20:9	rough 13:9, 15
Practice 4:14	< R >	replaying 19:1	row 42:3, 6
precautions 50:5	random 44:13	Report 3:10 8:8, 10, 12 11:6 24:21 31:12, 16, 18, 22, 25 32:4, 10, 12, 16 33:5, 6, 7, 8, 9, 11, 25 34:6, 18, 25 35:6, 25 36:3, 5, 7 37:2, 8 45:22 53:11	rows 42:1
prefer 35:13	rate 9:1, 11	Reporter 4:1, 25 17:16 53:1, 3, 6, 8, 20, 21	RPR 1:1
preliminary 33:6	reach 12:9 19:25	Reporting 4:3 53:6, 9, 15, 16	Rules 4:2 53:5
presented 53:1	reading 34:5	reports 7:25 8:7 37:6 40:1	< S >
presenting 9:7	ready 4:16	repository 54:2	save 35:23 37:24
presents 41:10	really 12:13 35:11	represent 31:15 37:21 55:6	saying 31:22 47:19, 20
presumably 27:4	reason 5:25 24:5, 8 34:1 39:8 40:21 47:18	representations 53:4	says 33:5 35:3
presume 37:22	recall 27:12	representing 14:17	scenes 19:15
Pretty 43:6	receives 53:18	request 39:6	school 42:23
privacy 48:21 49:4, 5, 12 50:15	recollect 40:8 41:3	research 45:23	scoping 47:22
private 12:17 43:8 44:24 51:14	recollection 14:15	reserve 39:10	SCOTT 2:7 5:22, 24 6:2 13:22 14:9 17:16 32:18 35:16, 19 37:19 38:17, 19, 23 39:10 47:25 48:7, 14, 22 49:14 50:1, 8, 11, 17 52:12
probably 6:5 15:19 22:8 34:22 35:13 43:18 52:7	record 4:18, 24 10:7, 8 16:15 17:10 29:4 52:4, 8, 9, 10, 16 53:10, 11, 19 55:10	residence 21:9 22:24 25:1	screen 17:19 26:1 27:7
problem 9:21 19:1	recorded 10:6	responsible 32:14	Screenshot 18:22, 23 20:17, 19 21:3, 23 22:5, 16, 16
proceeding 53:1, 19 54:1	records 6:5 12:19 46:21	restarting 19:6	
proceedings 53:10 55:7	redo 8:13	restate 19:11	
produce 38:13, 18	refer 24:21	restaurants 44:14	
produced 5:23 53:19	reference 33:24	result 12:8	
Professional 3:10 51:9 53:12	referring 39:25	retained 12:24	
profiles 46:14, 25 47:4	refers 33:25	review 52:5 53:2	
prohibited 53:17	reflected 6:5	reviewed 8:7, 8	
prohibitions 53:7	refuse 38:22	right 5:12 6:3, 10, 19 8:3, 6 9:4, 12, 14 10:18, 22 13:23	
project 11:3	regard 28:22		
promise 23:19	Regulations 4:2 53:5		
property 48:11	regulatory 51:13		
provide 11:21 53:15	related 16:10		
public 22:10 48:11	relating 54:1		
pull 19:25 20:4	relationship 53:10		
purposes 4:15			
pursuant 4:1, 8, 14			

23:11, 22 24:17
 25:7, 17, 21 26:9,
 19, 23 28:6, 13
 29:5, 8, 22 30:11
 31:1
Screenshots 3:10
 16:23 18:3, 5, 20,
 21, 24 19:13 20:14
 24:13
seal 55:16
seated 13:22
second 21:3 33:24
seconds 34:19
section 42:3
sections 42:2
see 8:3 17:6, 20
 20:18 22:13 25:9
 26:20 30:19 31:23
 32:3, 10, 12, 21, 22
 33:14 34:13 40:10
 43:22 45:18
Seen 7:25 22:23
 32:17
send 37:3, 3, 8
 38:1
sense 18:7
sent 40:5
sentence 51:4
separated 42:2
separating 42:4
Series 3:10 31:2
serve 35:10, 12
service 35:16
services 53:16
set 16:15 17:3, 5
Seven 24:10
 [REDACTED] 1:1 4:8
 5:1, 6
shot 19:3 23:13
shots 16:25 19:14,
 18 21:9, 10, 11
show 17:14, 20
 19:15 21:8, 9, 11
 24:13 25:22 26:24
 27:3 31:14 45:8
 51:3
shown 22:4

shows 21:4 22:17
 23:23 24:10 25:20
 28:13 29:5, 9, 22
 30:11
side 42:5
sign 21:24
signature 52:22
 55:16
silver 42:20
 [REDACTED] 9:19
 11:20 12:1 33:3
 36:2, 5, 7 38:11
 39:16, 22 40:24
 [REDACTED] 38:4
sir 5:9, 17 7:6
 8:11 9:13 11:1
 12:23 13:21 14:19
 16:13 18:16 19:11
 21:17 22:18 25:24
 26:2, 15 27:2, 20
 28:17 29:11, 21, 24
 30:8, 10, 14, 21
 31:4, 8, 19, 25 34:3
 35:3, 20 36:25
 37:11 40:21 43:12
 44:1 47:23 48:1,
 15, 24
sitting 13:20 42:9
six 26:6 45:18, 19
six-month 51:4
skimmed 31:23
slowed 13:14
smattering 12:21
Smith 2:10 5:15
 9:3 13:20, 24
 15:13
social 46:14, 25
 47:3
solely 53:13
sorry 46:7 51:23
sort 9:22 29:25
 51:13
speak 33:2 41:13
 46:11
speaking 39:19
 40:16
specific 36:13
 39:19

specifically 41:13
 53:5
speculative 49:2, 4
spell 51:22
spent 6:4
spied 49:25 50:6,
 10
splice 17:24
spoke 32:12
Sporting 29:9, 23
 41:23
spot 22:4 26:6
stack 16:22
staff 33:19 38:11
start 11:8, 11 43:8
started 4:23 8:14
 11:3, 22 43:14
 45:11
Starting 18:9
STATE 1:1, 1
 4:23 16:15 27:2
 45:6 53:8 55:1
stated 15:6 24:1
 32:14
stay 14:25 17:3
 41:8
stayed 42:10
steno 17:3
steps 41:5 42:12
stipulated 52:21
stop 21:24 34:7
 40:20 41:1
stopped 43:15 44:7
store 30:15, 18
straight 17:23
strange 47:15
Street 21:13 25:22
Strike 6:12 12:25
 23:7 24:8 25:20
 40:11 44:22, 23
 49:8
stuff 18:2
subcontractor 53:9,
 14
subject 10:9 21:19,
 20
subjected 51:12

subject's 24:2
submit 33:9
submitted 40:1
 53:20, 21
subpoena 35:10, 17
Suite 1:1 2:5, 11,
 16 51:20
summary 33:12
supposed 35:11
sure 11:15, 17
 22:1, 25 26:17
 34:8 50:5
surveillance 6:9, 13,
 21 7:10, 19 8:4, 15
 10:23, 25 11:19
 13:10, 14 15:7
 28:3 31:7 32:14
 34:16 36:1, 16
 40:19, 22 47:12
 49:16, 18
 [REDACTED] 1:1
sustained 12:10
swear 4:25
sworn 5:2
Sycamore 21:14

< T >
TABLE 3:1
tactics 41:11, 16, 18
 42:12
Tail 25:14
taillight 25:13
take 10:10 14:25
 20:6 26:20 33:14
 38:4, 19 41:5
 43:19 50:5
taken 4:8, 14
 21:13 31:6 55:8
talk 34:4 46:8
talked 7:21, 23
 46:2
Tape 4:19
 [REDACTED] 1:1 4:9
 8:5 9:25 10:17, 23
 11:5 12:9 21:20
 22:8 23:5, 9, 17
 26:17 28:21 29:5,
 9, 22 30:11 32:21,

23 33:25 34:6, 9,
19 36:1 40:20
41:23 42:11 45:23
46:2 47:10 48:20
49:11
[REDACTED] 9:16
12:13 20:19 21:4,
22 22:5, 24 23:13
24:10 25:1 26:13,
21 28:9 41:21
46:13, 22 47:8
48:3 49:7
tell 5:17 9:12
15:16, 20 26:10
27:1 28:8 31:17,
24 36:20 39:12
40:9 41:1 50:22
tells 34:25
tend 14:25
term 49:5
terms 7:18 53:14
testified 5:3 15:17
text 37:3
Thank 9:9 19:5
thereof 37:4, 5
thereto 55:17
thing 17:21 35:8,
24 40:6
things 10:2, 5
12:18, 21, 23 36:17
44:14 46:4 49:6
think 5:7, 25 6:5
16:17 19:13 24:11
26:25 28:25 29:6
31:16, 20, 21 32:19
34:18 35:12 37:24
39:11 47:10, 18
48:2, 3, 12, 17, 20
49:3, 7, 23 50:14
52:3, 5
thinking 35:8
third 33:15 34:18,
25
thought 29:18
34:10 47:21, 23
thousand 43:15
three 8:20 36:9

48:13
Thumb 3:10 17:15
Time 4:18 6:4, 9,
12, 20 8:5, 17, 19,
22, 23, 24 9:1 12:1,
2 14:17, 21 16:13
19:2 21:12 22:21
23:12 28:19 35:1
39:4 42:10 45:14
52:17 53:18
timeline 33:9, 13, 15
times 10:8 14:1, 8
15:12, 17 35:5
36:12, 15, 22 39:21
45:19
Tobin 2:4
Today 4:18 13:20
told 15:4 27:24
28:18 40:23
total 6:9, 12 8:15,
19 9:1 55:5
traffic 19:21 41:9
51:7
transcript 3:20
40:9 53:19 55:6, 7,
10, 14
Transcripts 53:19
54:1
T-r-i 51:23
trial 4:15 15:18,
22, 23 16:3, 5 35:9,
10, 16
[REDACTED] 51:20, 22
T-r-i-c-k-u-m 51:24
tried 34:10
trouble 10:20
51:10
truck 25:12 34:15,
21
true 16:20, 24
18:4, 14, 24 53:19
55:6, 10
Try 17:5 24:3
41:8, 9
trying 22:9 34:12
39:5
tucked 29:13

Tuesday 1:1
tune 13:4 14:23
turn 22:2
turning 25:8
twice 45:9
two 33:20 43:15
45:7
type 15:7 28:15
51:7
types 41:16, 18
typical 47:16
typically 20:24
24:3 40:5 46:11

< U >
Uh-huh 16:18
41:17
understand 5:13
8:15 13:22
understanding
32:20 34:5
Uninsured 2:7
unknown 39:21
update 36:19
uploaded 54:2
USB 17:18
use 4:15 9:8
19:23, 24 37:7, 12,
15 41:11, 18 42:13
usually 14:3

< V >
vehicle 22:23, 25
25:3, 4 26:18 28:9
51:4
verbatim 53:11
version 33:7
vicinity 21:18
Video 3:10 4:13,
17 7:4, 7, 8 10:6, 7,
9 11:5 16:17, 20,
23, 25 17:2, 4, 8, 9,
14, 21, 24 18:1, 5,
10, 11, 12, 13, 15, 24
19:2, 10, 15, 18
21:10 24:4 27:3
31:2, 5 35:1 45:21

52:8, 10, 16 53:9,
15
Videographer 2:18
4:17 17:4, 9 52:8,
10, 16
VIDEOTAPED 1:1
view 10:9, 20 22:9
25:6 34:13, 14
violation 51:4, 7
vs 1:1

< W >
wait 7:2 22:10
waiting 21:19
waived 52:23
walker 25:23
walking 25:22
26:25 27:1, 2, 4
28:13 29:9
want 9:7 19:7, 7
27:21 31:11 37:16
42:21
wanted 6:3 33:23
Watch 19:21
watched 18:13, 25
way 14:14 17:18
28:22 35:18 40:14
weighed 30:9
welcome 31:13
well 6:6 8:13
11:7 14:20 15:2,
20 16:14 21:10
23:7 24:8 27:3, 20
28:12 30:3 31:13,
16 35:15 39:20
40:9 41:15 49:1, 7,
8
Wells 10:17, 21
went 24:4, 6 28:19
34:12, 14, 20 42:11
44:8
we're 4:16, 17
12:17 13:20 17:9
21:15, 23 23:19
[REDACTED] 9:19 11:20
33:3 36:2 38:11
40:24

whereabouts 27:21
white 25:5
wide 19:21
wife 47:10 49:7
window 27:19
49:24
withdrawn 55:13
WITNESS 35:20
48:1, 15, 23 50:2,
12, 19 52:22, 23
witnesses 45:25
46:8, 10 53:22
Woodstock 51:21
word 44:22
words 10:13 22:12
37:2
work 5:7 12:15,
18 13:5, 8, 16, 17
14:1 15:7 17:7
20:24, 25 21:1
32:9 40:25 41:12
42:19 43:9 44:8
46:5 48:10, 10
worked 14:9, 12
15:12 32:2, 8, 9
43:24 44:21, 25
working 14:4, 16,
21 15:2 40:23
43:14 44:14 45:11
works 6:23 11:23
13:23
world 51:13
wreck 14:13 46:19
47:7
write 11:6
written 12:5
wrong 31:23 44:22

< Y >
y'all 17:6
yards 22:1
Yeah 10:19 16:14
20:12 25:11 27:5
32:22 38:9 43:4, 6
year 43:16
years 13:13
yesterday 32:13, 23