

[1] again, I wasn't evaluating her either. So --

[2] Q I appreciate that. But just as a lay

[3] person --

[4] A Yes.

[5] Q -- and observing her, was she able to

[6] walk?

[7] A Yes.

[8] Q Did she walk with a limp?

[9] A I don't think so. But I try not to pay too

[10] much attention to my x-wife when I'm with my wife.

[11] So --

[12] Q Smart man. In observing Mary in June of

[13] '99 did you see any limitations in her physical

[14] movement?

[15] A Just at a birthday party. So, no, there

[16] wasn't anything she couldn't do really.

[17] Q But in observing her did you see any

[18] limitations in her ability to move?

[19] A No.

[20] Q No?

[21] A No.

[22] Q What happened to the Honda after you took

[23] these photographs?

[24] A I don't know.

[25] MS. JONES: He didn't take them, I

[1] MS. JONES: If he had a conversation with

[2] a lawyer then that would be --

[3] Mr. Stein I was under the impression

[4] that Mary was still in the hospital but let me back

[5] up and make sure that's clear.

[6] MS. JONES: Okay.

[7] By Mr. Smith:

[8] Q When you went to visit the lawyer and speak

[9] to the lawyer where was Mary?

[10] A In the hospital.

[11] Q Who was with you when you spoke to the

[12] lawyer?

[13] A I don't remember if my wife went with me or

[14] not.

[15] Q This is Mr. Kent?

[16] A Yes.

[17] Q Was he a friend of yours?

[18] A Yeah, you could sort of call him a friend.

[19] I've known him for years through law enforcement.

[20] And Mary had used him for some legal matters.

[21] Q Have you ever had your deposition taken

[22] before today?

[23] A Many times.

[24] Q Has Mary ever filed a claim or sued for

[25] any personal injuries other than this case against

[1] believe Denise did.

[2] THE WITNESS: True.

[3] By Mr. Smith:

[4] Q Did you see the Honda after the day these

[5] photographs were taken?

[6] A No.

[7] Q Did you believe that it was important for

[8] the Honda to be preserved in case your x-wife wanted

[9] to make a claim in connection with her accident?

[10] MR. CHAMBERS: Object to the form and object

[11] to the relevancy, but go ahead, sir, and answer it if

[12] you can.

[13] A At that time I had no bucks left. We just

[14] took pictures to take pictures.

[15] By Mr. Smith:

[16] Q I understand you went to see a lawyer

[17] shortly after the accident on behalf of your x-wife,

[18] correct?

[19] A Correct.

[20] Q When you met with that lawyer was there any

[21] conversation regarding what would happen to the Honda

[22] vehicle?

[23] MS. JONES: I would object. If Mary was

[24] present it was attorney/client privilege.

[25] Mr. Stein Well, let me back up --

[1] Honda?

[2] A Not to my knowledge.

[3] Q When you went to speak to Mr. Kent you

[4] were doing that on behalf of your injured x-wife who

[5] was in the hospital?

[6] A Yes.

[7] Q You told him about the accident?

[8] A Yes.

[9] Q Did he provide you with any instructions

[10] regarding what to do with the Honda vehicle?

[11] A No.

[12] Q Did you tell him where the Honda vehicle

[13] was?

[14] A At that time I didn't know where it was,

[15] no.

[16] Q Did it ever come to your attention in the

[17] years after the accident that the Honda vehicle had

[18] been discarded or destroyed?

[19] A Second or third hand maybe, that's what I

[20] understand, yes.

[21] Q How did you learn that?

[22] A I don't -- probably Mary told me. I can't

[23] exactly remember. I just heard that it was gone, not

[24] available to be looked at.

[25] Q Are you aware of any parts or components