

COPY

Discovery Deposition of **CAROLYN McGUIRE**

obvious Coaching

Date: March 20, 2013

Case: Dulberg v. Gagnon

Perjures Herself Way Too Many Times.

Faked who she was To obtain medical Information on Paul

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IN THE CIRCUIT COURT

FOR THE 22ND JUDICIAL CIRCUIT

McHENRY COUNTY, ILLINOIS

PAUL DULBERG,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	No. 12 LA 178
	)	
DAVID GAGNON, Individually, and as Agent of CAROLINE McGUIRE and BILL McGUIRE and CAROLINE McGUIRE and BILL McGUIRE, individually,	)	
	)	
Defendants.	)	

The deposition of CAROLYN McGUIRE, taken in the above-entitled cause, before Paula Ann Erickson, Certified Shorthand Reporter, Registered Professional Reporter and Notary Public, on March 20, 2013, at 3421 West Elm Street, McHenry, Illinois, at the approximate hour of 1:00 p.m.

REPORTED BY: PAULA A. ERICKSON

C.S.R. LICENSE NO. 084-003899

APPEARANCES:

MR. HANS MAST
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Appeared on behalf of the Plaintiff.

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Appeared on behalf of the Defendants, Carolyn and Bill McGuire.

MR. PERRY A. ACCARDO
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Appeared on behalf of the Defendant, David Gagnon.

* * * *

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E X H I B I T S

(NO EXHIBITS MARKED)

THE REPORTER: Ma'am, can you raise your right hand, please?

CAROLYN McGUIRE,

after being first duly sworn, deposeth and saith as follows:

EXAMINATION

BY MR. MAST:

Q. All right. Please state your name.

A. Carolyn McGuire.

Q. Okay. And you are Dave Gagnon's mother?

A. Yes.

Q. And you know why we are here today I assume?

A. Yes.

Q. About the chain saw accident?

A. Yes.

Q. Okay. And I represent Paul Dulberg.

A. Okay.

MR. MAST: This is the discovery deposition of Carol McGuire -- Carolyn McGuire.

THE WITNESS: It's Carolyn, right.

MR. MAST: It's what?

THE WITNESS: It is Carolyn. I know it was written -- It's C-A-R-O-L-Y-N.

MR. MAST: Okay. Very good. Taken pursuant to

notice, in the course of the applicable rules.

I am just going to ask you some questions about this incident. I am trying to find out what you know, so if you don't know things, that's fine, too, but I will just ask you some questions and, please let me finish my question before you answer so we don't talk over each other and if you don't understand the question, let me know and I will try to rephrase it for you, okay?

THE WITNESS: Okay.

BY MR. MAST:

Q. What's your date of birth?

A. November 26, 1946.

Q. Okay. That makes you, what, 65?

A. 66.

Q. 66. Okay. And what's your address?

A. 1016 West Elder, that's E-L-D-E-R, Avenue, McHenry, Illinois, 60051.

Q. And who do you live there with?

A. My husband, William McGuire.

Q. Okay. How long have you been married?

A. Let's see. We got married in 1993. — Bill said 91

Q. 20 years?

A. That would be 20 years I guess, yeah.

Q. Okay. And I understand that William is David's stepfather, right?

A. Yes.

Q. And what's his father's name?

A. His real father's name was Alan, A-L-A-N, A., Gagnon, G-A-G-N-O-N.

Q. Were you married?

A. Yes. We were married.

Q. Did he pass?

A. Yes. He has passed on.

Q. When did he pass on?

A. He died when he was 50 so that was 16 years ago so 1990 -- 97'?

Q. So was there a divorce?

A. Oh, we were divorced. Yeah.

Q. Okay. Do you have any other children?

A. I have two daughters. I have a Diane Lutz, L-U-T-Z. She is my oldest.

Was There the Day of Accident

Q. Where does she live?

A. She lives at 4708 Wilmot Road, McHenry, Illinois.

Q. Okay.

A. And then I have another daughter. Her name is Donna Giovanni, G-I-O-V-A-N-N-I, and she lives on

Terrace in Johnsburg. I am trying to think of their address. I can't think of it right offhand.

Q. Okay. And Dave is married?

A. David is married.

Q. How long has he been married?

A. It was four years. – @ 2009-? Doesn't Sound Right

Q. What's his wife's name?

A. Pam.

Q. Okay. So they live up in where?

A. They live -- Well, their mailing address is Geneva, Wisconsin.

Q. Lake Geneva?

A. But they don't live in Lake Geneva. Oh -- No. It's Genoa. What am I saying. It's Genoa, Genoa, Wisconsin.

Q. Right near Lake Geneva? — Powers Lake NEAR Twin Lakes

A. Right. It's close.

Q. Okay. And before being married to Pam four years ago, did he live with you two?

A. No. They lived in that house where they live now but they weren't married. – check when Dave said he was married to Pam

Q. How long did they live at that house?

A. At least 12 years. – ? 2001

Q. Oh, that long?

A. Yeah. Maybe 12 years.

Q. So 12 years ago was David living with you?

A. Yeah. He lived with me then.

Q. For how long?

A. His whole life until he left. He was there a long time.

Q. How old is Dave?

A. Dave is 45 right now.

Q. Okay. So he lived with you over 30 years then?

A. Probably. Yeah. Yeah. 33 YRS

Q. Right?

A. 30. Yes. Yep.

Q. What does Dave do for a living?

A. He does auto body work.

Q. Does he do it for somebody or out of his house?

A. He is self-employed. -?

Q. Out of his house then?

A. Yeah. Right. -?

Q. Okay. You are aware of this chain saw accident involving my client Paul Dulberg at your house, right?

A. Correct.

Q. And I think it happened in June of 2011. Does that make sense?

A. Yes.

Q. Okay. Do you know the day?

A. I believe it was the 28th or the 29th of June. It was towards the end there.

Q. Okay. And the incident occurred I think -- and just generally now, we are going to go into the details, but I think Paul was helping Dave with some tree, cutting down some branches or something on your property, right?

A. Correct.

Q. Okay. And Dave has already been deposed and I don't have -- I am just trying to remember what he said.

A. Uh-huh.

Q. But so I am going to ask you a little bit about what your understanding was that he was doing but as I recall, he said that he was taking a tree down for you. Does that sound right?

A. Yeah. There was two trees in the back there. They were evergreens.

Q. So there were two trees that you wanted him to take down?

A. Yes. Because we were going to put a shed up back there. – TREE REMOVAL & NOT TREE TRIMMING

Q. Okay. So at some point I am assuming neither you nor your husband are able to take a tree down with a chain saw, right?

A. No.

Q. Is that right?

A. That's correct. We did not.

Q. Well, you aren't even able to do it because you are just not -- you don't know how to do a chain saw?

A. I am afraid of a chain saw. – But you own 2

Q. Probably your husband is the same?

A. Yes. He never used one either, yeah.

Q. So you knew that Dave had some experience with chain saws?

A. Yes.

Q. Okay. If I were to go through what level of experience he had in using chain saws before Paul's accident, would you know?

A. He has used them many a times. If you go from a one to a ten, I'd have to say a ten because he has taken down trees at his house and so – big trees.

Q. This is what I am asking, though --

A. Okay.

Q. Let me ask it this way: Before Paul's accident, do you know how long Dave has had experience using chain saws? A year, five years, ten years, twenty years, do you have any idea?

A. Well, I'd have to say probably as long as he was probably on his own property because he had cut down trees then and anything prior to that, I really don't remember.

Q. Okay. So you are saying for at least the last 12 years?

A. At least, yes.

Q. Okay. So as soon as Dave began living up in Genoa from that time until Paul's accident you knew he was using chain saws?

A. Right.

Q. Before he began living up in Genoa 12 years ago, what experience he had with chain saws you are not sure; is that correct?

A. No, because like you said, he lived with me for how many years and the only thing we ever cut down on our property was the apple tree in the back.

Q. And did he do that?

A. Yeah. He did that.

Same APPLE TREE That was cut DOWN in Same Year as accident?

Q. With a chain saw?

A. With a chain saw, so that was before this accident happened the timeframe.

Q. So I want to get a summary of what you have just said just so I understand.

A. Okay.

Q. So you are saying for the past 12 years while Dave was living up in Genoa, you believed he has used a chain saw regularly because that would be needed on his property?

A. Uh-huh.

Q. Right?

A. Right.

Q. Okay. But 12 years ago, before 12 years ago when he lived with you, you knew he took down a tree but other than that, you are not aware of what experience he had with chain saws; is that right?

A. No. I don't know if he had any.

Q. Is that correct what I just said?

A. That's correct. That's correct.

Q. I am going to say it again because the no and the yeah messed it up.

A. Okay.

Q. Before 12 years ago --

A. All right.

Q. -- prior to that, other than Dave cutting down a tree on your property while he was living with you, you are not aware of any other experience he had using a chain saw during -- before 12 years ago; is that correct?

A. Correct.

Q. Okay. And how long did it take him to cut that tree down more than 12 years ago on your property?

A. Well, that wasn't even 12 years ago. That tree was -- Okay. I'm sorry. The tree was actually cut down before -- you know, not long before this accident happened.

MR. BARCH: You got to listen to his questions because he was asking you if the apple tree was cut down more than 12 years ago so you got to listen to his question.

MR. MAST: Let me say it again.

THE WITNESS: I was going to break in but then --

BY MR. MAST:

Q. I am happy to go through this to make sure you understand it but if you don't understand it, you got to let me know so we don't get it taken down

wrong, okay?

A. All right.

Q. So let's go back over that. All right. Over the last 12 years while Dave was living up in Genoa with his wife, you have known Dave to regularly use a chain saw not only at his property but for you, right? Is that correct?

A. Okay. Correct.

Q. Okay. Prior to 12 years ago when Dave was living with you for the rest of his life pretty much, have you ever known what experience he has in use of a chain saw?

A. No.

Q. Okay. Do you know if he ever used a chain saw more than 12 years ago?

A. I don't know. — WHO USED THE electric chainsaw YOU OWN?

Q. Okay. So the answer is the first time you are aware that Dave has used a chain saw was after he moved from your house and moved up to Genoa and lived with his wife?

A. Right.

Q. His soon to be wife, right?

A. Right.

Q. And that was for the last 12 years, correct?

A. Correct.

Q. Before that you are not sure what experience or use he had of a chain saw, fair enough?

A. Fair enough. Right.

Q. Okay. So I am assuming, and you can correct me if I am wrong, did you ever see Dave use a chain saw over at his house?

A. No. I would --

Q. You just knew he did?

A. Right. I seen a tree down.

Q. Did he have his own chain saw?

A. Uh-huh.

Q. Yes?

A. Yes.

Q. You can't block your mouth because we have to make sure you say it loud for us, all right?

A. Yes.

Q. I am assuming, and you can correct me if I am wrong, the only time you saw Dave use a chain saw has been on your property?

A. Yes.

Q. And that would have been within the last 12 years?

A. Yes.

Q. Okay. All right. So my next question obviously is then before Paul's accident, how many times have you known Dave to use a chain saw on your property?

A. Twice.

? Carol seems SURE of cutting up elm tree in FRONT yard later ON:

Q. Okay. One was for the apple tree and the other was for this accident, right?

A. No, and the other one was the tree in the front we had taken down before this, too, within, you know, a span of maybe a couple months and we had somebody come and take down the whole tree but this was like big pieces. It was a huge tree.

Q. Got it.

A. And so David and Paul were helping. They were using Paul's chain saw.

APPLE TREE Back House NOT FRONT FOR PAULS Chainsaw

Q. All right. I am going to get to that. It's a little bit more wordy than I was asking. My question was: How many times before Paul's accident had Dave cut or used the chain saw on your property and your answer is three?

A. Well, twice. The apple tree and the big tree in the front.

Q. And he was also working on your property before --

A. Right, and --

Q. We can't talk over each other, though. You got to let me come to an end, okay, and then you can answer. I will let you say whatever you want but you got to let me come to an end.

Would it be fair to say that Paul has used a chain saw on your property in the last 12 years three times, three separate times?

A. Did you just say Paul?

Q. I'm sorry I did, didn't I?

MR. ACCARDO: Yes.

MS. MAST: See, she is listening to me.

BY MR. MAST:

Q. Is it fair to say over the last 12 years Dave has used a chain saw on your property on three separate occasions?

A. Correct. Yes. 3 not 2?

Q. Okay. The one occasion was in conjunction with the work he was doing before Paul's accident?

A. Yes. — is she listening?

Q. The other was the apple tree?

A. Uh-huh.

Q. Yes?

A. Yes.

Q. And the other was that tree in the front that you had cut down and he had to cut it up?

A. Correct.

Q. Is that right?

A. Yes.

Q. All right. So now I want to try to get a timeframe for those three occasions. I know when the third occasion was because that's in June of 2011, right? Right?

A. Right.

Q. Okay. So give me the timeframe of the other two occasions if you can generally.

A. Well, let's see.

Q. Because you were talking about months before and stuff.

MAY-June = 1 month

A. Yeah. Probably months in between. I would have to say this was -- I'd probably have to say maybe the beginning of May was the real big tree in the front that he did help at the end cut up.

1 MONTH

Q. May of what year?

A. The same year, 2011.

Q. I need you to say it, though. I don't want to say it.

A. Okay. May 2011.

Q. Okay.

A. And the apple tree, too, it was in 2011 and it was probably shortly after that. Maybe the beginning of June.

Q. Okay. Very good. Is the apple tree kind of a smaller fruit tree that we are talking about then?

A. Yes. It was probably like that, the trunk, yeah.

Q. I get it. Maybe about 6 or 8 inches?

A. Yeah. Diameter.

Q. Diameter.

A. Yes.

Q. So the first tree that Paul had to cut or the first use of a chain saw on your property before Paul's accident would have been that same year a month before?

A. Uh-huh.

Q. Yes?

A. Correct. Correct.

Q. All right.

A. Yes.

Q. And that was where the big tree in the front was taken down already, Paul didn't -- or Dave didn't have to do that, right?

A. No.

Q. Is that right?

A. Correct. He did not cut it down.

Q. But you asked him -- you asked Dave to cut up the trunk after the tree was already cut down; is that right?

A. Can I elaborate on that and say something?

Q. Well, you can elaborate any time you want but I'd first ask you to answer my question so that the answer is shown on the record.

A. No. I did not ask him to cut it.

Q. Okay. What did you ask him to do?

A. But after the tree was removed, this big huge tree by a tree company, there was a big huge stump out there and what happens is they didn't take the wood away because that would cost extra money and we knew that Paul would probably want it for his fireplace which he did and these things were huge so they were cutting them into smaller pieces.

Q. Who is "they were"?

A. My son and Paul.

Q. So the stumps were left by the tree company in May 2011 after they cut the tree down --

A. Uh-huh.

Carol Has ever been to Paul's House once and that was after accident. How did she know he had a fire Place?

Lie I took them whole - Never Cut any of It.

what company? Receipts! DATES?

Q. -- and Paul and Dave you didn't ask them to but they -- Paul wanted to keep some of that wood so he asked Dave and they worked together to cut up those stumps? PAUL was asked By Dave to help Remove stumps and told he could Keep them if He wanted. was carol witness to This?

A. Right. To cut up the big rounds. You know, they took away branches and stuff but they left big chunks and that's what they cut up. — Never Cut up Chunks of Elm

Q. You mean "they" took away, the tree company took away the branches?

A. Right. The branches.

Q. But left the stumps?

A. Okay. The stump. Well, the stump, right. The stump. Yeah. The stump is still there.

Q. Well, there is other little stumps that are cut apart, right?

A. Yeah. They were trunks of the tree, you know, yeah. Uh-huh.

Q. All right. So after the tree company cut the tree down in May of 2011, there were sections of the tree that were cut up by the tree company that were left behind?

A. Correct.

Q. And Paul and Dave cut them up so Paul could use it as firewood at his house?

A. Yes. Did she see them get cut up?

Q. Do you know if Paul was using a chain saw during that time?

A. Well, it was his chain saw. — NEVER BROUGHT my chain saw over

Q. But you know what I am asking, right? REMOVED whole TREES

A. Yeah. You know, I can't really remember if they were both doing it or -- — She Didn't See either of us ~~Seen~~ Cut the Stumps Because she Wasn't Home.

Q. All you have to say is I know or I don't know.

A. I don't know. I really don't know. — TRUE

Q. That's all you got to say and I will move on.

Had you ever seen -- Before Paul's accident, had you ever seen Paul use a chain saw?

A. No. — TRUE

Q. Okay. So whether he used it properly or dangerously prior to Paul's accident you don't know if Paul did or didn't?

A. No.

Q. You seen Dave use it on occasion before Paul's accident as we already talked about, right?

A. Right. — ? YES OR NO?

Q. Did you believe he used it safely?

A. Yes.

Q. Ever see him use it unsafely, this chain saw?

A. No.

Q. Okay. Other than Paul and yourself, is there anyone else Paul -- I'm sorry. Other than Paul, Dave and yourself, is there anyone else that would have to your knowledge seen Dave use a chain saw before Paul's accident?

A. Well, I'd have to say no because I can't remember actually. - Her Husband Bill?

Q. That's fine.

A. I seen him cut the tree. - who? What TREE?

Q. I'm not asking you to put your name in there.

A. Nobody else, no. - Husband?

Q. Okay. How long did Paul and Dave work on those tree sections cutting them up? How long did that take? One day, more than a day?

A. Couple hours. - again, she Wasn't Home when PAUL WAS There

Q. Okay. So just one day then?

A. I believe. - Believe

Q. Okay. And was anything left after they cut those stumps up?

A. No. Paul took it all. - TRUE

Q. Okay. Did he pay you for it?

A. No. I gave it as a gift. He said he wanted it. PAUL Didn't SAY This

PAUL Removed it as a favor FOR DAVE.

Q. Very good. Okay. But who cut it up with the chain saw you don't know, right?

A. I don't remember if they both did it or if David just did. — NO ONE DID, Taken away whole, she was NOT Home, Bill was.

Q. Okay. Do you know -- Again, I am just asking what you know. If you don't know, you can just say I don't know.

Do you know between Paul and Dave before Paul's accident who was more experienced on the chain saw?

A. No.

Q. Okay. Then after that big tree in the front was cut up, there was the apple tree that was cut up shortly after that, right?

A. Correct. — TRUE

Q. Also in May or June of 2011, right?

A. Correct.

Q. And that is a 6 to 8-inch diameter and were there any branches off the tree had to be cut up or just the tree cut down?

A. No. There was branches.

Q. Okay. Do you know -- Did you see that being cut down?

A. Yeah. David was out there trimming.

Q. Who cut the apple tree down?
A. David did.
Q. Did Paul -- Was Paul involved in the apple tree being cut at all?
A. I believe no. — TRUE with the exception of ~~Stump~~ The stump.
Q. Okay. So David did all that work?
A. Yes.
Q. How tall was that apple tree?
A. As tall as my house, 20 feet. — TRUE
Q. And, again, that might have taken a couple hours and that was over then?
A. Yes.
Q. And who took the wood from that tree?
A. I believe we put it in the back. We have it piled up. — No, FIRE Place - Why Keep it?
Q. Okay. So that was -- Those are two tree projects that we just talked about in May or June of 2011, right?
A. Correct. Yes. — TRUE But DAVE Claimed NO
Q. The third project is the two trees that you said were in the backyard that you wanted to put a shed back there so you wanted those trees cut down, right?
A. Yes.

Q. And that was a project where you asked Dave to do again, right?

A. Yes.

Q. You didn't ask Paul to do it, did you?

A. No.

Q. Okay. Sometime in June you told Dave, hey, we need those two trees cut down in back, right?

A. Correct. Yes.

Q. And you asked him to do it, right?

A. Right.

Q. And he said he would do it for you?

A. Right.

Q. Okay. And the reason they had to be cut down is you wanted to put a shed back there?

A. Right, and we didn't want to of course put a shed up first and then take the trees down.

Q. Right. I understand. Okay. What was the diameter of that -- of the two trees that were the evergreens that were going to be taken down, if you know?

A. Well, I'd have to say that they were probably both at least 60 feet tall. -TRUE 60'ft.

Q. Okay.

A. And the base of them was -- I don't know.

Q. A foot or so around?
A. Yeah. Maybe more. - TRUE
Q. Well, if you measure -- Hold on.
A. Okay.
Q. If you measure it from one side to the other side, is that about a foot wide?
A. No. It was more. - TRUE
Q. More than a foot wide?
A. More than a foot wide.
Q. A foot and a half wide?
A. Yes. At least. - TRUE
Q. Both of the trees were the same size?
A. About the same. - TRUE
Q. Okay. Okay. And when Paul's accident occurred, had both of the trees already been cut down?
A. David had gone up the trees by, you know, and cut down --
Q. We are going to start there later, but I am asking you right now by the time of Paul's accident, were both of the evergreen trees already cut down or was he going limb by limb?
A. David was cutting limb by limb but I believe Paul came over when David needed him to help him.?
Q. You are going too far away. I am just asking

you right now at the time of Paul's accident what the condition of those two standing evergreens were. Were they both still standing?

A. There was branches on the ground already.

Q. Were the trunks still standing?

A. Okay. Yes. - Reluctant?

Q. Okay. That's what I am trying to find out.

A. Okay.

Q. Do you know the process Dave was choosing to cut the trees down? Was he going first up the tree and cutting the limbs down first and then he was going to do the trunk or do you know?

A. He was going up the tree and cutting down the branches. — she was watching Contrary to Daves testimony

Q. Okay. And then after the branches were cut down, he would take the bases down and cut the trunks down?

A. He didn't do that. We hired someone to take the tree down the rest of it because they were so tall.

Q. I got you. Previously she Asked Dave to Remove Trees ? Because Dave injured Paul?

A. Okay.

Q. So you asked Dave then his job with regard to these two evergreens in the backyard was just to take the branches down?

A. Yes. ? wow, That changed.
Q. Right? Why not JUST let TREE Company Do ~~that~~ The Lower Branches Then?
A. Correct.
Q. And since the trunk was so big, you didn't want Dave doing that because this was a big project. You had a tree company come in to do that. — The TREE Company Came DAY After Because of the accident
A. Right. — Lie
Q. Okay. And I am assuming there is countless branches on both of these evergreens, right?
A. Right.
Q. Do you know the size of the bigger branches that came off the tree?
A. Probably at least that big.
Q. Maybe about four inches from one side to the other, yes?
MR. BARCH: I want to get -- I think we are just -- I want to make sure that you are giving estimates when you are or an accurate number. Just clarify for when you are estimating or not. I don't want you guessing.
BY MR. MAST:
Q. Now listen, I know you didn't go out with a tape measure. What I'm asking is if you can estimate. If you can't, if it's just a guess, then fine but hold

on. Let me ask the question.

My question is: If you put your fingers on both sides of the heavier bigger branches on these evergreens and you measured one finger to the other --

A. Right.

Q. -- what is the approximate distance you think you'd have for the width of those branches, the bigger ones?

A. I would say maybe three inches. — How does she know this if she was inside?

Q. Okay. All right. And those would have been -- the bigger ones would have been at the bottom or closer to the base of the tree, the thinner ones up at the top, right?

A. Yes.

Q. Okay. Now, and, again, if you don't know, that's fine. I keep saying that because I don't want you to guess but I am trying to find out what you know. So my question is: By the time of Paul's accident, the day of Paul's accident, was that the first day Dave was beginning work on those two trees?

A. It's been awhile and I really can't remember. I think he did come by the one day to start it and because there was all these branches piled up, then Paul came over the next day and helped. — LIE coaching?

Q. Okay. And I think that might have been even what he said so that sounds accurate.

A. Yeah, because he had to go someplace that day. (who?)

Q. So Paul to your knowledge -- Strike that.

To your knowledge, Dave had worked out at your house on these two evergreens the day before Paul's injury cutting some branches down.

A. Right. - NO, NO WORK WAS DONE when Paul showed up.

Q. And then Paul came over the next day to help?

A. Right. - wrong → TO GET WOOD if I wanted it

Q. Is that your understanding?

A. Yes.

Q. Okay. Did Dave ask you if Paul could come over and help or did he ever go through that with you or did he just do that on his own?

A. He did it on his own.

Q. Were you going to pay Paul or not Paul. I keep getting the names mixed up.

Were you going to pay Dave to do this work for you?

A. He (Paul?) came over as a favor of my son to cut the trees down and for his time I was going to give him something for gas. He had to come up, you know, from

why gas, Paul lives less than 1 min. away

his house and that I was going pay him something.

Q. Was it predetermined what you were going to pay him? —who?

A. No. I didn't know. I just figured I'd give him something.

Q. Like 20 bucks or something for gas?

A. Money to just --

Q. So you were going to pay him, how much, you don't know and it wasn't going to be a large amount, fair enough? ?

A. Right. Yes.

Q. So the first day that Dave started the work the day before Paul's accident was cutting some branches down from the two evergreens?

A. Yes. Why Do All 3, Dave, Carol + Bill say David Scaled TREE DAY BEFORE? whats the advantage of this lie?

Q. Was he starting on one evergreen first or was he going to do both kind of in tandem together, if you know?

A. Well, there was a big pile of branches. I really can't remember if when Paul came in both were already trimmed up or if he had just done one of the bigger ones.

Q. So the answer is I don't know.

A. I don't know. while, She watched as Dave climbed TREE!

Q. Okay.

A. Right. I can't remember.

Q. All right. So the next question is: When Paul came over the next day of this tree work that Dave was doing, the status of the trees and how far up one or more of them were cut you don't know; is that correct?

A. Correct. — Its a small yard & Trimming off the Bottom Branches of 60 ft spruce Tree is very Noticable Change.

Q. Okay. But by the time Paul got there the day of his accident, the second day in to doing the work, some branches Dave had already cut the day earlier?

A. I can't remember. I don't know. ← Honest OR Caught?

Q. Were there some branches on the ground already?

A. They were on the ground but as he was cutting and they were just falling down, okay? — She was out watching?

Q. Right.

A. But I don't remember if he actually had started to cut up branches himself that very first day he was there, that it was just one big pile.

Q. Okay. And maybe I didn't word it properly but my question was: By the time Paul arrived at your house on the day of the accident, there were already branches that had been cut down from the tree that

were on the ground?

A. Right. — Wrong/Coached BY Dave? OR Just Agreeing to get This over?

Q. Were they piled up yet or were they all just scattered on the ground?

A. I don't remember. — Caught

Q. Okay. And you don't know -- I think what you were saying is you don't know if Dave had already begun to cut up those branches that had been cut down from the tree or whether they were still all together in full lengths, right?

A. Yes.

Q. Okay. Do you know when Paul arrived at your house the day of his accident?

A. I can't give you a precise time. It was probably later morning, early afternoon. ? again all 3 ? Say Later MORNING EARLY AFTERNOON - Why Lie, What's the advantage?

Q. Other than late morning, early afternoon, that's as specific as you can give me?

A. Right. I can't give you a time exactly.

Q. Okay. Late afternoon -- Late morning, early afternoon seems to be around 12:00 or 1:00. Does that sound about right?

A. Yeah. — Lie OR Just agreeing

Q. And did you greet or see Paul when he arrived first at the house?

A. I saw his truck in front so I knew he was over. – Dave's Answer – obvious collusion

Q. But how long he had been there when you first saw the truck you don't know; is that correct?

A. I don't remember, no.

Q. Is that correct then what I just said?

A. Correct. Uh-huh.

Q. Okay. All right. When you saw Paul's truck out in front, that would have been the 12:00 to 1:00 kind of timeframe?

A. Right. – Thought she didn't Know

MR. BARCH: Well, I need to object. It's an approximation. I don't want it to be looked at we are using that as if that is the time so I object to form of the question.

BY MR. MAST:

Q. I said earlier we are thinking somewhere around 12:00 to 1:00 generally, fair enough?

A. Yes.

Q. And that's the first time you saw Paul's truck in your drive, correct?

A. Uh-huh. – TRUCK wasn't in Driveway it was on The street.

Q. Yes?

A. Yes.

Q. So whether Paul was there before you saw his truck or how long you saw his truck, you don't know, correct?

A. No.

Q. Is that correct?

A. Correct.

? Carol Came out to Say hi. To PAUL & His Dog at about 9am.

Q. What Paul was doing by the time you saw his truck around 12:00 to 1:00 generally out at your property, you don't know, correct? Is that correct?

A. Correct.

— Why is hans answering FOR her?

Q. Okay. You know he was helping Dave but exactly what Paul's tasks were, do you know?

A. No. - or yes

Q. Did you at any time that day before Paul's accident observe their work?

A. I went out there to give them some water because it was a hot day but that was it.

Avg. Temp That Day was 72°F

? she was outside all Morning.

Q. Did you go out there to give both Paul and Dave water?

A. Yeah. I gave them water.

she gave Paul POP. offered Lunch

Q. A glass of water?

A. Probably a bottle, like this.

Q. Okay. And how many times did you do that before Paul's accident?

A. Maybe once. I don't exactly -- Once. Say once. — Does she think outloud? — Just Answer I Don't Know

Q. Okay. Okay. And when you went out there, how long were you out there?

A. Probably a few minutes. — 3-4 hours I talked to him. Said hello and --

Q. Were Dave and Paul working at any point while you were out there giving them water?

A. No. Not that I can remember, no. — Lie

Q. Okay. So what Paul's tasks were doing -- Strike that.

What Paul's tasks were during the work and what Dave's tasks were during the work, you did not observe; is that correct? — ANSWER?

A. Correct. — Lie

Q. All right. So now I am going to summarize this, and you can correct me if I am wrong, but before Paul's accident, is it fair to say you only went out of the house and saw what they were -- saw the progress of the work once; is that correct?

A. Correct. — Lie

Q. And that was to deliver water to him for a couple of minutes you were out there?

A. Correct. — Lie

Q. And during the time you were out there for a couple minutes delivering water that one time, you did not see either of them do any work that you can recall, correct?

A. Correct. - Lie

Q. Okay. So as far as who was doing what work before Paul's chain saw accident on your property that day, you don't know who was doing what, correct?

A. No. - yes?

Q. Is that correct? She's Confused Looking For Hans To Lead Her.

A. Correct.

Q. Okay. When you say no, that's why I have to ask to make sure you understand my question. Is that correct?

A. Correct. - Lie

Q. Okay. Do you know if Paul -- at any point that day of his accident at your house, do you know if Paul operated that chain saw that they were using to trim these branches, do you know if he did?

A. No.

Q. Okay. You know that Dave was using the chain saw, correct?

A. Yes. - How? She claimed To Be inside All DAY But once.

Q. Okay. Other than the chain saw -- Well,

strike that.

The chain saw Dave was using to cut the branches up at your house the day of Paul's accident, was that the chain saw that was your chain saw?

A. Yes.

Q. Do you know if Paul had his own -- Strike that.

Do you know if Dave had his own chain saw?

A. Not with him. – He Does still own one? He Claimed he Doesn't.

Q. He had his own but it was at home, right?

A. Yes.

Q. Okay. Instead of him bringing his chain saw, he used yours, right?

A. Yes. – seems odd

Q. Is there a reason he decided to use yours as opposed to bringing his own?

A. Ours was new. – I Believe This

Q. Is yours the one that's sitting here on the table today?

A. Yes.

Q. Okay. At the time of Paul's accident at your house with the chain saw, did you own more than one chain saw?

A. We have an electric one in the basement but we didn't use it. – 2nd Chainsaw? Why have 2 if They Never USED ONE?

Q. Okay. So at the time of Paul's accident --

A. Yes. I'm sorry.

Q. Once I start I am assuming you are done. Okay. At the time of Paul's accident, you owned and had available to use an electric chain saw and a gas chain saw, correct?

A. Yes.

Q. The electric chain saw was in the basement and was not being used for any of the work that Dave and Paul were doing, correct?

A. Yes.

Q. All right. Why was that not being used?

A. It wasn't big enough and the chain on it was dull. – Dull, From What/who? When?

Q. Okay. So Dave chose to use the gas one at your house, correct?

A. Yes.

Q. That was by his choice. You didn't make him, did you?

A. No. I didn't make him. Yeah. I know you don't want me to elaborate. No. He chose to use that one. It was new and it had never been used and the

What about the Day Before?

blade was sharp.

Q. And, again, it's not that I don't want you to elaborate. I want you to elaborate if you think it's necessary. All I am saying is if you are not answering the question, then I need to ask the question again, okay? Okay. You can say whatever you want to say, okay?

A. Okay.

Q. So the chain saw we have today here on the table is the gas chain saw that Dave was using to cut up the branches when Paul was injured, correct?

A. Yes.

Q. Okay. And this was the only gas saw you had present and available and that you owned on your property at the time of Paul's injury, correct?

A. Yes.

Q. Had Dave ever used this particular chain saw before the day of Paul's accident? What was used the Day Prior?

A. I can't remember if he actually did use it to cut up the apple tree or not. I don't remember.

Q. When you say it was new, you mean it was -- Wait. I just started my question.

When you say this chain saw was new as of the day of Paul's accident, are you saying it had

never been used or you don't know if it had been used?

A. I don't remember. All I know is it was new and we bought it in that year.

Q. You bought it in 2011?

A. Yes.

Q. Where did you buy it from?

A. It's on the manual inside the date where it was purchased at and everything.

Q. I am asking you.

A. I don't remember but it's written on the manual so if you want that information, I don't know.

Q. Listen, I can get it anyway. I am asking you. If you don't know, you can just say.

A. I don't remember. It was just in 2011 we purchased it.

Q. All right. And why did you purchase it?

A. Because we had trees that we knew needed to be cut down.

Q. Okay. Did you purchase it, however, though, for you or your husband to use or for somebody else to use that might have to use on your property?

A. I guess we purchased to have a chain saw that worked well and was new and had a sharp blade and I didn't particularly buy it for, you know what I mean,

who?

Was it Carol or Bill who Purchased it? Was Dave present when it was Purchased? wish I could get security Footage From Menards

– Bill Doesn't agree - claimed it was For Emergency even though Bill + Carol Both Deny ever using one.

NO I DON'T

say, oh, I am buying a new chain saw here. We bought it because we needed a chain saw.

Q. This is my question: I'm sorry if you think my questions are funny but my question is this: Did you purchase it expecting that you or your husband was going to use it or that somebody else other than you and your husband were going to use it?

A. Someone else.

Q. Okay. Not necessarily Dave but somebody else other than you and your husband?

A. Right.

Q. Okay. And whether this chain saw, this gas chain saw, that you purchased new in 2011 had been used prior to cutting these two evergreens down in June, 2011 you are not sure, correct?

A. I don't remember, no.

Q. Okay. If it had been used prior to the two evergreens, that job in June of 2011, it had only been used once before and that might have been the apple tree job, correct?

A. Yes.

Q. Okay. Where these evergreens were and where Dave and Paul were working, that would have been in the backyard of your house?

A. Yes.

Q. If you -- What were you doing that day? I am sure you were in the house, correct?

A. Right. - Yes? HANS Feeding Her answers Again?

Q. You weren't working outside, were you? Thought she only brought out water ONCE

A. I was outside for awhile playing with his dog in the backyard but, I mean, I didn't stay out there for any length of time and I was in the house most of the time. Few minutes - Lie, She is not sure how to answer Coaching? - What happened to ONLY water?

Q. Okay. So other than delivering water to Paul and Dave before Paul's accident and maybe being out of the house to run around with the dog for a few minutes, everything else, all of your other activities would have been inside the house that day, correct?

A. Yes. Lies Yes. - REAFFIRMS Her answers. She was Coached

Q. Okay. And if you ran the dog outside for a few minutes, do you recall doing that before Paul's injury or not?

A. Yeah. - Before OR After?

Q. Do you know how long? It was just a few minutes?

A. Yeah. Probably. I mean, just throw a ball around and get a bone. Where Did a Ball & Bone Come FROM?

Q. And would that have been near where Dave and

That Don't Have Dogs OR Kids

Paul were working?

A. Yeah. I mean, my yard is not that big. Yes. It's near. — But she didn't see the progress?

Q. Okay. Do you recall having any observations of what they were doing at the time you were outside playing with the dog?

A. No. I don't remember. No. I would say no.

Q. Okay. Was that after you saw Paul's truck in the drive that you said you first noticed Paul would have been over by that time around 12:00 or 1:00, somewhere around there?

A. Yes. It was after I was out there with the dog. — She noticed TRUCK After Playing with Dog?

Q. Okay. Do you know about what time -- How did you first learn Paul was injured?

A. They came running in the house. — He was bleeding and I gave him a clean towel to wrap around his arm and David drove him to the hospital in Paul's truck. — B.S.

Q. Okay.

A. It was fast. I mean, they didn't waste any time getting to the hospital. — HA. She was on Phone with insurance agency & Refused to Call 911.

Q. Okay. We are going to go through all that step by step. About what time was that that Paul ran

TRUE

LIE

Carol Ran Outside

I was NEVER IN The House.

Dave got towel

in the house?

A. I don't remember. It was maybe an hour, maybe it was 2:00. I don't know, an hour later? NO

Closest – INJURY was at 2:15

Q. An hour later meaning -- hold on -- an hour after you first saw Paul's truck was in the drive around 12:00 or 1:00 or approximately sometime around there?

← Agreeing?

A. Right. They were working. – ?, what? When we Ran In House?

Q. So I am trying to get the chronology of this and I understand it's not exact, I get that, but you are saying again very generally 12:00 or 1:00 was when you saw Paul's truck in the drive. An hour from whenever that was later was approximately when Paul ran in the house and said he was injured?

A. Right. Right = Agreeing LIE – Watch FOR it!

Q. And he was bleeding from what arm, if you know?

A. I don't remember. I think it was his right arm. – Later I think I Read where she Bandaged it up?

Q. Okay. You are not positive or are you sure about that?

A. I am not positive.

Q. Okay. Hold on a minute. All right. So during that approximate hour time that you knew Paul

and Dave were working on those -- on the trees, you had been out there just a couple minutes outside running with the dog and then delivering water during that one hour time?

A. Yes.

Q. Okay. Were you doing anything in particular inside the house?

A. What I usually do every day.

Q. What's that?

A. Dishes, wash clothes, clean up, whatever. I don't remember, you know, but working inside the house, yeah.

Q. Okay. What was your husband doing?

A. Probably watching television.

Q. Okay. Do you remember what day of the week this was?

A. I think it was during the week.

Q. And I didn't ask you this before but are you retired?

A. I am.

Q. Okay. Is your husband retired as well?

A. Uh-huh.

Q. Yes?

A. Yes.

Q. Okay. What kind of work did you do before you retired?

A. I worked at Intermatic. – TRUE

Q. What is that?

A. It was in Spring Grove. I worked in production.

Q. What kind of company is that?

A. They made lighting sets, timers.

Q. Is that like factory type work?

A. It was factory, yeah.

Q. Okay. And what was your husband's kind of job he did before he retired?

A. He was a carpenter. – USE OF SAWS?

Q. Okay. I didn't even ask this. William, how old is William?

A. He was born in 1953. He will be 60 this year.

Q. Okay. Is he in good health?

A. Huh?

Q. Is he in good health?

A. He is on Social Security disability. – Thought He was Retired?

Q. For what kind of disability?

A. For he got injured at work. > Not Memory? LOL

Q. What?

A. His back.

Q. Okay. So he is not able to be real active?

A. No. He can't lift up heavy things. – HA! He helped TURN UP ELM TREE LOGS & was Hauling & BOWING PINE Branches

Q. That's what I am trying to understand.

A. Yeah.

Q. Okay. Are you healthy?

A. Yeah. I am all right. I am living. That's about it.

Q. Do you have any disabilities?

A. No. I am not -- I am on Social Security but -- Okay. No. I am not.

Q. All right. Let me just ask the question. Do you have any physical disabilities whatsoever?

A. I am okay. – Is That a NO?

Q. Okay. All right. The work that you were doing in the house, if you wanted to, would you have been able to just look out the window and see the work that Paul and Dave were doing or were they doing it at a spot where you really couldn't see them?

A. I couldn't see them. – UNLESS IN The Bedroom TO REAR of HOUSE

Q. So even in the house had you looked out a certain part of the house, you wouldn't have been able to visualize them outside working; is that correct?

A. Correct. – False ONLY KITCHEN & BACK DOOR was OBSCURE FROM View Bedroom Was NOT!

Q. Okay. So in order to see what they are doing, you'd have to go outside and take a look?

A. Yes. - Lie

Q. Right?

A. Yes. - Reaffirms Lie

Q. And you didn't do that except for when you went to deliver water. That's the only time you went outside in the area where they were working, correct?

A. Right and played with the dog twice. That was it. - Now its twice?

Q. Right but playing with the dog you weren't even paying attention to what you were doing, correct?

A. Yeah. I was paying attention to the dog. No, I wasn't. - wasn't?

Q. Is that correct?

A. Yes. That's correct. - Lie

Q. So the only time you would have been in the area to observe what they were doing is when you delivered the water?

A. Right. -

Q. And that's the time you remember telling me you don't remember seeing what they were doing; is that correct?

A. No. I don't remember. ← Hugh?

Q. Is that correct? simply agreeing again?
A. Correct. Correct.
Q. All right. Did your husband ever go outside while Dave and Paul were working?
A. I don't remember.
Q. Okay.
A. I don't remember. } Reassuring Herself Here
Q. Did you ever talk to your husband about the incident with Paul?
A. You mean about this whole thing?
Q. Yes.
A. Yes.
Q. Well, not -- Not what?
A. Oh. oh what?
Q. Hold on. Not about what happened as a result of the incident, meaning the lawsuit and things like that. I am asking about did you ever talk to your husband about how the incident may have occurred?
A. I probably -- Well, I wasn't there to see it so I couldn't really tell him how I thought it happened. B.S. Normal People would Discuss it.
Q. Well, did you ask him if he saw it or --
A. He didn't see nothing, no. Wow!
Q. Okay. All right. When Paul came in, ran in

the house as you described from being injured --

A. Right. — agreeing?

Q. -- you offered him to wrap his arm?

A. Yes. — which arm? where? Details, LOL

Q. And then so how long was he in the house physically or did he just run in and run out with Dave?

A. I have to say it might have been a minute. I ran immediately, got a clean towel, put it on his arm and they went to hospital. — All B.S. — That woman Never Touched the Wound!

Q. Did you visualize the injury? Did you see it?

A. I could see the cut. — B.S. She NEVER looked at It. & PAUL Didn't ENTER The HOUSE

Q. That's what I am asking.

A. Yes. I could see the cut. — FROM Inside the HOUSE?

Q. How long was the cut?

A. Probably like this I would think. — Did she see It or NOT?

Q. About six inches or so?

A. Yeah. He -- probably like that on the forearm. — She Saw it after Hospital

Q. Approximately six? ?

A. Yeah. Maybe on his forearm.

Q. And did you do anything to determine how deep the cut was?

A. No. I got a towel and no, I didn't.

Q. Okay. All right. So although you know it's about six inches long, you don't know how deep it was; is that correct?

A. No. I don't know.

Q. Is that correct?

A. Correct.

Q. After wrapping it, and this is all within a minute, Paul runs out with Dave and Dave takes him to the hospital?

A. Correct.

Q. What hospital?

A. McHenry.

Q. NIMC?

A. Yes. NIMC.

Q. Do you know how long they were at the hospital?

A. Well, I called -- I don't know. I don't know. I called the hospital to see.

Q. What?

A. I called probably after they got there. What does it take, 15 minutes to get there. Maybe a half hour or something I called after.

Q. Just to find out the status?

Paper Towel OR?

She NEVER Even looked at it yet alone wrapped it. Paul cut off Blood supply to His own ARM!

B.S.

she claimed to be PAULS MOM and Wouldn't Actually call PAULS Family

- SINCE when Do Hospitals talk with non-Family Members

She called and Claiming to be Pauls Mom

A. Yeah. See how he was doing.

Q. Did you learn anything?

A. Yes.

Q. What did they tell you?

A. In the emergency room they told me that as far as they could -- their knowledge, he didn't have any damage done other than a superficial wound that they would clean up and stitch up and give him medication, you know, for pain and antibiotics for infection.

Q. That's what the nurse people told you, the people attending in the ER?

A. Uh-huh.

Q. Yes?

A. Yes.

Q. Okay. And then did you -- Did Dave or Paul have a cell phone with them when they went to the hospital?

A. I can't recollect for sure.

Q. Does Dave have a cell phone?

A. Yes, he does.

Q. Did he have it at the time?

A. I don't remember.

Q. Okay. Did either of them -- Well, strike

that.

After Dave and Paul went to the hospital right after the accident occurred, did you hear from either of them while they were at the hospital?

A. No. When they came back, no. — Lie, She talked to Both Dave+Me in The ER on Hospital Phone!

Q. Okay. It wasn't until they came back from the hospital?

A. To my house. — Lie

Q. Was that Dave or both Dave and Paul?

A. Both Dave and Paul were at my house afterwards. — True

Q. Do you know how long that was after the time they left to go to the hospital that they arrived back at your house?

A. The length of time he was gone I am not quite sure. 3 1/2 hrs APPROX.

Q. What did you say?

A. I am not quite sure. Maybe an hour and a half or something I mean by the time they did their job and --

Q. Okay. All right. So it's your understanding that Paul was injured, he runs into the house. Does Dave run into the house, too?

A. He is right behind him. — This is getting laughable

Pull Phone Records IF Possible

Q. So they both run into the house, right? Yes? Yes?

A. Yes. - Lie

Q. You wrap the arm, then they run back out. They go to the hospital. They are at the hospital approximately, and I know you didn't time it, but approximately an hour and a half at the ER?

A. Uh-huh. - ~~Sho~~ This is B.S.

Q. And they come back to your house, correct?

A. Correct. Yes. - True

Q. And then Paul and Dave come into the house again?

A. Yeah. ← Inside a Second Time? - Didn't Happen Paul wanted Dog, Glasses, To see Chainsaw & Go Home

Q. Okay. And do you sit down and talk to him or what happens?

A. Well, Paul needed medication to have refilled and he didn't have any insurance and didn't have any money on him so I gave him $50 to go get the prescriptions refilled. - FALSE

Dave Knew cost of Medication Because He was There.

Filled Prescription ON WAY Home she Never gave Paul money!

Q. Okay.

A. Not knowing how much they would cost but you know. - B.S. - Dave told Her it cost $47 Afterwards - Also Notified Her Paul Didn't Have insurance Afterwards.

Q. So as I understand it, Paul comes back to your house from the ER and says, hey, I need to refill

this prescription for pain medication and don't have any money and you give him $50?

A. Yes. — Lie → This lady is Full of Shit!

Q. Okay. So he asked -- Did he ask -- Hold on. Did he -- It looks like you want to talk. Did he ask you for the $50 or did you just offer it to him?

A. I offered it to him. — Never offered & Paul Never Recieved — Paul Paid for Meds on way Back from Hospital He didn't ask.

Q. How long was Paul in the house when he returned from the ER until he left to get the prescription filled? Paul was NOT IN Their House!

A. They weren't there maybe a few minutes and they went to the drug store.

Q. So Dave then took Paul in Paul's truck and went to the drug store to fill the prescription?

A. Uh-huh. — Lie Dave Drove Paul & His Truck to Pauls House.

Q. And then when Dave returned, did he return alone or with Paul again?

A. I believe he took Paul home.

Q. Right.

A. And he could walk from Paul's house. — Carolyn Picked Him Up — Barb & Mike Watched

Q. Right. So it's your belief that Dave would have walked from Paul's house back to home and that's when he arrived home then?

A. Right.

Q. Was that within the hour?

A. I don't know how long he was at Paul's house once he -- - what?

Q. Okay. But after Dave and Paul left in Paul's truck to go fill the prescription, Dave then returned next alone to the house, right?

A. Back to my house.

Q. Yes.

A. Yes, because he -- he what?

Q. So it was your feeling that he probably dropped Paul after and left the truck at Paul's house?

A. Yeah. It was his truck. Paul's truck.

Q. I understand.

A. Okay.

Q. All right. Okay. Now, let's go back a little bit and let me ask a couple follow-up questions. When Paul ran into the house after the accident, okay --

A. Uh-huh.

Q. -- with the injury, did he say anything about how it happened?

A. There wasn't time. No. — What?

Q. I understand there might not be time. I am just asking if. If they didn't you can just say they

Carol Followed To Pauls & DROVE DAVE Home - mike Mcartor & Barb Dulberg Saw Them. I was Shocked They Didn't Stay on & Say anything

That's Not an answer to the ?

No Time After HOSPital? PAUL Said Exactly How it happened Dave wouldn't Say.

didn't.

A. No. — No Because she's lieing

Q. Let me ask the question again because you didn't answer it directly. When Paul arrived into the house --

MR. BARCH: I know you are frustrated with the way she answers questions but I think she is trying her best. → She is obviously Flustered & Lying

MR. MAST: There is no question she is trying her best. - To Lie? LOL

BY MR. MAST:

Q. I'm not saying you are not trying your best.

A. I'm sorry. I know. - she's Playing victom?

Q. You are doing fine actually. It's just actually when you do answer it kind of indirectly, I need to go back and I'm telling you why I need to go back. You are doing fine. There is no problem with what you are doing. I just need you to understand why I am asking the question again.

So when Paul runs in the house after being injured for the first time, I think you said Dave followed, right?

A. Uh-huh. - Lie

Q. Yes?

A. Yes. - Lie

Q. You saw the injury, you wrapped it and then they left immediately to go to the hospital, right?

A. Yes. - Was any Blood IN the House? where?

Q. During the time after the accident before they left to go to the hospital, did Paul say anything about how the accident occurred?

A. No. - B.S. I said exactly what I saw

Q. Did Dave say anything how the accident occurred?

A. No. > Dave & His Mother were in House - closed Door & Left Me Outside - No Consideration FOR MY Wounds!

Q. So by the time Paul and Dave left to the hospital to the emergency room to treat Paul's injury, you did not know how it happened other than you assumed I am assuming you felt it was probably due to the chain saw, right?

A. Yes. ~ Lie

Q. But you didn't know that?

A. No. - Lie

Q. And they never -- either of them never told you how it happened, correct? Is that correct?

A. Correct. - Lie

Q. Okay. So they are at the hospital. You don't talk to them now until they arrive back at your

~ Lie, She Called & Told ER She was Pauls Mom & spoke with Paul & DAVE

house after the ER, right?

A. Correct. lie She talked to me over the ER phone

Q. And they are only there for a couple of minutes until they go fill the prescription for pain medication, right?

A. Right. - lie Hospital Staff Gave me a phone and said it was my MOM.

Q. And while they are there for a couple of minutes at your house before filling the pain prescription, does Dave or Paul tell you anything more about how the accident occurred?

A. No. - Lie Paul Talked, Dave Didn't.

Q. Okay. I am assuming you put the dots together and you felt it was because of the chain saw but nobody told you that, fair enough?

A. Correct. Right. → She was told what happened By PAUL

Q. Is that correct?

A. Yes. - Lie

Q. Okay. So by the time Dave now returns home alone after dropping Paul off, you have not yet heard from Dave or Paul at that point how the accident occurred; is that correct?

A. Well, Dave would have had to come back to my house. - Thats NOT ANSwering the ? again

Q. That's where I am starting this question. By

the time he returns to your house, by that time you still have not talked to either of them about how it happened, correct?

A. No. - Lie PAUL was screaming what happened Prior TO Hospital + was talking about it after.

Q. Is that correct?

A. Correct.

Q. Okay. So Dave returns to your house alone and we are probably talking now, what, in the evening hours?

A. Yeah. Early evening.

Q. Maybe 4:00 to 5:00, somewhere in that general area?

A. Right. Yes.

Q. Okay. 4:00 to 5:00 p.m., Dave arrives home approximately and is there a conversation about what happened?

A. I can't remember.

Q. Okay. Any time the rest of that day does Dave make any statement about what happened?

A. Can I say something? — won't answer

Q. Sure. If you want to.

A. In the aspect of all this thing happening so fast, coming into the house, literally wrapping his arm and rushing him to the hospital because he was really

Release FROM Hospital at. / Prescription was Ready at 5:46PM
5:06PM - stoped at Pharmacy on way BACK - went to Carols to collect Dog - DOG was Gone
was told Mike Mcartor Picked UP Dog. Told them (Carol + Bill) Id Be fine, Im going to Live. talked about How it happened. Looked FOR Lost Sunglasses + wanted to see chainsaw. Bill Response was he Threw it away.
WOW!
I looked in garbage - wasn't there - Bill said it wasn't on the Property. I GOT Mad + Wanted to GO Home immediatly!

concerned, when they came back to the house, they were only there a few minutes also. I gave them the money. When David came back obviously he drove Paul home because it was his truck, he came back to my house because that's where his car was, he was all upset and everything. I don't remember that anything really was said, you know, that Paul -- you know, little bit about Paul, you know, as far as not how the accident happened, how he was doing, you know, and that they got the prescriptions and then he went home but he didn't ever at that point at that time on that day, so. — Seems odd!

Q. All you are saying then in summary is Dave never mentioned how the accident happened? Didn't she ASK? What the Hell Happened?

A. Not on that day. — When?

Q. Hold on. You got to let me finish my question -- my statement. All you are saying is on the day of Paul's accident at no time did you hear from Dave or Paul for that matter how the accident occurred?

A. No. — Lie

Q. Is that correct?

A. Correct. — Lie

Q. Okay. So even when Dave arrived back from dropping Paul off, he stayed, what, for a few minutes?

A. Yeah. He didn't stay long. I can't really remember, you know, but he probably did stay, you know.

Q. Stayed for awhile?

A. For a bit, yeah.

Q. Did he ever go back and finish the work up?

A. No. He went home.

Q. So by the time Dave left for now home the day of Paul's accident, he still never told you what his version of the accident was; is that correct?

A. No. — Thats odd!

Q. Is that correct? — Why Does Hans Keep Feeding Her the answers?

A. Correct.

Q. Did you see Dave the following day?

A. I can't remember but he must have come back because the branches. You know, this is a year and a half ago, no. ← TREE Company Removed the Rest NEXT DAY?

Q. Listen, Carolyn, you don't have to tell me why. I have been doing this long enough. I know that memories aren't the best sometimes so you don't need to tell me why. My job, though, is to find out what you know.

A. No, I don't. Don't what?

Q. So I have to go through this with you, okay? So let's just get through this. You are doing the

best you can. Let's just keep going.

Did you ever at any time after Paul's accident at your house ever talk to Dave about how it happened?

A. Yes. He did tell me. – when? where? why? How?

Q. Okay. How many times have you talked to Dave where you heard Dave's version of it? Just once or more than once?

A. Maybe more than once.

Q. How many times?

A. I don't know. Twice. 2x Thats it?

Q. Okay. When was the first time after the accident that you spoke to Dave about how it happened? The next day, days later, how soon after the accident?

A. I don't remember. – Denial

Q. Do you know if it was within days of the accident?

A. No. I don't remember. – clamming up again. Sensitive about Dave version?

Q. Okay. Was it within at least a month after the accident? Thats a long Time

A. Yeah. Probably.

Q. Okay. And was it at your house?

A. Or was it on the phone. I don't remember if it was. To Not Say anything while talking is an art form. LOL...

Q. So it was either in person or on the phone?

A. Right.

Q. Okay. Do you know if anybody else was a party to that conversation meaning overheard that conversation?

A. No. Just me.

Q. So Dave would have either called you or he would have been at your house and he would have told you this, right?

A. Right. Correct.

Q. Okay. What did he tell you? Question of the ~~Year~~ Decade!

A. What happened. That he was out there with Paul, that Paul was helping him. David was using the chain saw and Paul was holding the branches and they had been cutting out there for awhile branches and everything seemed to be okay and then the one branch that when the accident happened that Paul was holding, Paul had repositioned his hand at the split second and moved his hand up on the branch because I guess it was flexing and he just instantly and then David was in the position, it only takes a second and that's how he ended up injuring his arm because Paul had moved his hand out of the position. — B.S. ~~This~~

Q. So Dave blamed Paul for the accident then?

Dave Says Opposite

Victimize The Victim

A. If he didn't move his hand -- They had been cutting for an hour and everything was going fine until this one incident happened, yeah. — Dave Blamed the victom!

Q. So the reason for the accident then according to Dave was because Paul was moving his hand and he didn't know he was moving his hand and he cut the hand or the arm with the chain saw, correct?

A. Right. Right. — Theres that Double Right again Right=Lie

Q. And, again, and if you don't know, that's fine but you don't know how long after the incident occurred that Dave first told you this, do you?

A. Well, it wasn't that day because he was all upset. — Didn't YOU ASK & Demand an explaination FROM YOUR SON? GOD FORBID He be UPSET.

Q. I am just asking how long, if you know.

A. I don't know. Maybe a couple weeks. I don't know or next week, the week after. (Time FOR Dave to FORMulate His Response

Q. Okay. And you said maybe a couple times Dave had told you this, correct?

A. Uh-huh.

Q. Yes?

A. Yes. — Did the story Change?

Q. When was the next time?

A. Well, I don't know. He probably told -- I don't know. Maybe before -- Well, I think it was

probably before he got the letter from you in December, you know. Up to that point, you know, he just thought that things would not end up this way not knowing, you know, and then when he found out the way he knew it happened and he told me and he knew what Paul had said the way it happened, he was kind of upset.

Q. Okay. But my question was: When is the next time you spoke to him? Hold on. You got to let me --

A. I am thinking.

Q. My question is: When is the next time after this first time of one or two weeks after the accident when is the next time you heard Dave express his version of the accident?

A. Probably a couple months went by.

Q. Okay. And that was after he heard Paul's version of the incident or not?

A. I think so. Yeah.

Q. And Dave got mad after he heard Paul's version of the incident?

A. He was kind of upset.

Q. Did he tell you why he was upset?

A. For what's written -- because he figured if Paul hadn't moved his arm forward to reposition on the branch David would have never cut him.

Non Answer

Paul wasn't Deposed yet.

When did I tell Dave how it happened, & Same Day- at Hospital to DR OR Same Day To Carol + Bill ?

Caught - Doesn't want to Screw this one uA

FROM who?

Where was it written at that Time?

Thought She Just Said PAUL moved His Hand UP.

This is NOT what Dave Said in His Deposition

Q. Is that what Dave said to you?

A. Uh-huh. -This I Believe

Q. Yes?

A. Yes.

Q. See, this is what I am trying to find out. I am trying to find out everything that Dave said describing the incident and his feelings versus Paul's version of the incident. That's what I am trying to find out.

A. Right.

Q. I don't want to know your version. I want to know what Dave said.

A. No. No what? ~~Can't~~ No - won't give Dave's Description?

Q. So Dave told you he is upset because he heard of Paul's version which is different from his version of the incident, correct? WRITTEN?

A. Uh-huh.

Q. Is that correct?

A. Yes.

Q. Anything else that Dave discussed with you regarding how the incident occurred or his feelings regarding how Paul described the incident?

A. No. I mean, no. He just -- What he had said what his version was and knowing what Paul had said.

This make No Sense

Q. Do you know what Paul's version is? Do you?

A. Well, I don't know if I put my foot in my mouth now because --> whats NEW shes Been Doing it all along

MR. BARCH: I think he is asking you what you have heard about Paul's version.

THE WITNESS: The version that I know is that Paul is saying that he was holding the branch and threw it down on the ground, that David had revved up the chain saw and came towards him to cut the branch that he didn't even have. He had already thrown the branch down on the ground. What would that make it seem like, David didn't even see his arm was there and that the branch -- Did Dave, Carol or Bill See My Deposition Prior to Testifying?

This is Basically The Same story I Told Her That Day of Accident

If the shoe Fits!

story changes again.

BY MR. MAST:

Q. Carolyn, I don't want to get into an argument about what happened, okay. That's not my purpose here. What I am trying to find out is who told you what, when and how. Okay. That's what I am trying to find out. What you think makes sense or what I think makes sense is not the topic today, okay.

She was argumentive?

The version that you just described, whose version is that?

A. That's what Paul had said in his -- one of his -- Paul had said. - Ask Her where She learned This?

where?

Q. In what? When did he tell you?

A. No. To your -- you, to the lawyer or in some kind of --

Q. How do you know that?

A. Because my lawyer told me.

Q. Okay. All right. Sorry.

MR. BARCH: Here's the thing, let me just say this, Carolyn, if he is asking you questions which require you to relate what I have told you --

THE WITNESS: Yes.

MR. BARCH: -- don't give that information. He is asking you about other people. Not about what you and I have talked about.

BY MR. MAST:

Q. All right. So let's go back. Okay. What I want to try to find out is this: I want to know everything Dave told you and everything Paul told you and everything anybody else might have told you other than your attorneys, okay? That's what I am trying to find out, three things. We have gone pretty far with regard to Dave so I am going to follow that up by saying: Have you told me everything that Dave has told you concerning the accident or Paul's injuries?

A. Yes.

Q. Is there anything else you want to add to that other than what you have already told me?

A. No. - Afraid of Being caught UA?

Q. Regarding Dave now. Is that it?

A. Yes.

Q. Okay. So Dave has never told you more about what he thinks as far as Paul's injuries, nothing more? You have never told me anything about that.

A. You mean if David knew the extent of Paul's injuries?

Q. Yes. Has he discussed that with you at all?

A. He only knew, too, the day of when it happened what I had told him what I learned from the --

Q. ER?

A. -- from the hospital, from the ER.

Q. That's all Dave knows?

A. That's all he knew until all this started to unroll, right. ← Is that a? - Dave was at the hospital Did He NEED His mothers version?

Q. Right. So you have told me now everything that Dave has ever told you regarding the incident and how it occurred and medically how Paul was injured from it, correct?

A. Yes. — she told Him! Not the other way around!

Q. Okay. And there are only two times that Dave

How Did She get this INFO IF She is Not Related to Patient?

really discussed the specifics of how it happened and both times he told you that Paul was shifting his hands when he was lifting this chain saw up and caught Paul on the arm, correct?

A. Correct. - Tho - Forward, Down or up movements mentioned earlier.

Q. Okay. Dave never accepted responsibility for this accident then in your view, correct? He did not believe he was responsible for it; is that correct?

A. Correct.

Q. Okay. And he never accepted responsibility for it to you as far as you knew, correct?

A. Correct. —

Q. Okay. How many times now have you talked to Paul about the incident after his accident?

A. I have never talked to Paul. — Lie The only time I talked to Paul was after it happened a few days and I went by to see how he was feeling and when he was going to get his stitches out and I maybe talked to him on the phone maybe once. - Lie

Q. All right. Well, see, this is my confusion. I asked you how many times you talked to Paul since the accident about this and you said I never had and you mentioned two times.

A. Well --

She never Asked This.

2 months my House Kitchen with Barb

Well? What? Caught again?

Q. Stop. Stop. So we got to go through those, okay? So it's your testimony that you only spoke to Paul twice after this accident?

A. Yes. Twice.

Q. Right?

A. Right.

Q. Not any other times than two times, right?

A. Just twice.

Q. Okay. Before the accident, let's say a year before the accident, how many times did you talk to Paul?

A. I don't know. A few times.

Q. Okay. So talking to him twice after the accident, is that within a year of the accident, after the accident?

A. The time span which I did talk to him was probably when it happened into the late part of the year. Well, no. It was probably when I first talked to him -- -

Q. You are not listening to the question.

A. I know. I am going off the edge again.

MR. BARCH: He is talking about a different timeframe than you are.

BY MR. MAST:

Q. From the day of Paul's accident during the time that you talked to him these two occasions about the accident, how much time elapsed? Just --

A. A couple weeks only. — Few DAYS to weeks — 2 MONTHS - Pauls Kitchen w/ Barb —

Q. Okay. So the two times -- the two times you talked to Paul about his accident with the chain saw was within a couple of weeks of his accident, yes?

A. Right. Correct.

Q. And that would have been sometime still in July of 2011, right?

A. Uh-huh. — Sept. in Pauls Kitchen. w/Barb She ~~not~~ Stopped By and Did NOT Discuss the incident. Wanted a Cigarette + Talked about Former Employees at INTERMATIC was there FOR MORE Than 10 min. LESS than 20 min. and left.

Q. Yes?

A. Yes.

Q. And you have not talked to Paul since July, 2011 until today, correct?

A. I did in September. — 2 months Later As Noted earlier

Q. So there is another time?

A. He came by my house. — When, DAY of Accident?

Q. September of what?

A. 2011, that year.

Q. So there is three times you talked to Paul?

A. Uh-huh. — Now it's "3"

Q. Yes?

A. Yes.

Q. So since September of 2011, have you talked to Paul until today?

A. No. - TRUE

Q. From the time of Paul's accident until today you have talked to him only three times?

A. Correct. Yes.

Q. Have they all been in person?

A. Two are in person. -

Q. One was on the phone?

A. One was on the phone that I remember.

Q. Okay. All right. So let's start with the first time you talked to Paul after his accident about the incident, okay?

A. Uh-huh.

Q. You say that was a couple weeks later?

A. It was probably -- It's before he had stitches out even so it was within a week. — NO, It was same DAY Thats How She Knew it was APPROX. 6 INCHES

Q. Okay.

A. When I had seen him in person.

Q. And was it at your house or where?

A. At his house. — NO Lied

Q. You visited him?

A. Uh-huh. — NO Not Till Sept.

She called TO ASK if She could stop BY in SEPT.

Q. Yes?

A. Yes. - Lied

Q. And how long were you at his house?

A. I don't know. - 10-20min. Tops

Q. Couple minutes?

A. Maybe. I don't know. I was visiting maybe an hour. - 10-20 min.

Q. Okay. And how much time did you spend of that hour talking about the incident?

A. I only asked him how he was doing. - No she didn't she talked about Intermatic

Q. Okay. And what did he say?

A. He says that he seems he is doing okay but of course it hurts and I says, well, I can understand that, you know, and that was about it. He didn't go on and elaborate anything. - I told her I would live - Thats about it.

Q. Okay. At any time during that first visit with him, within a week of the incident, was it ever discussed how the accident occurred?

A. No. - ~~Bec~~ Yes Day of - ~~afte~~ after Hospital.

Q. Okay. And other than him saying, okay, it still hurts, did you ever talk more about his injury?

A. No. Other than that one time I called him on the phone. - Day she stopped over in Sept.?

Q. No. No. I am just talking about --

A. No. No.

Q. You met with him --

A. No.

Q. When you met with him a week after the accident and visited for about an hour at his house, the only thing you talked about regarding his injury was, okay, it still hurts. That's all he said?

A. Right. Correct.

Q. So the rest of that visit was unrelated to this incident or his injury, correct?

A. Correct.

Q. It was just being friendly talk?

A. Uh-huh.

Q. Yes?

A. Yes.

Q. Okay. Who was present during that visit?

A. His mother.

Q. Was she -- Was she able to hear the words that were exchanged between you two?

A. She was sitting right next to me.

Q. Okay. Anybody else present?

A. I don't remember. I think she was just home.

Q. Did Paul ever suggest at any time since his accident that he was wanting you or Dave or anybody to

say something in order so that he can get a lot of money in the case? Did he ever say anything like that to you?

A. To me, no. -TRUE

Q. Did he say it to somebody else?

A. You mean so he could -- Well, you can say it's hearsay again. How can I prove it? Paul had said something to David. - when, where, what?

Q. And Dave told you that?

A. David told me that.

Q. So I understand that. I know that already but you didn't hear Paul say that. You heard Dave tell you that he said that?

A. Right.

Q. You knew they were -- Hold on. You are not -- you did not -- Let me say the question again. You have not heard Paul at any time say anything like that, correct?

A. Correct. -TRUE

Q. You have not heard Paul ever say since his accident that he wanted to try and make money, he wanted to try to stay off of work, he wanted to try to get people to help him get the money or anything like that? You never heard any of those conversations from

When Did Hans say it a FIRST TIME?

Funny that Dave Came up with that to Discuss with his Mom But NEVER How it happened! At least Not Right after incident.

Paul, have you?

A. No. — TRUE

Q. Okay. You heard them indirectly from Dave to you, correct?

A. Right.

Q. Okay. So you are not a witness to what anything Paul said regarding those issues of trying to make money or trying to not have to work the rest of his life or any of those kind of things, you never heard any of those things from Paul, did you?

A. No. — TRUE IN Dave's FANTASY WORLD! Reality! It's ~~no~~ NOW WORK JUST to Cook Food!

Q. Okay. And the only person you have heard that from is from Dave, correct?

A. Right.

Q. All right. Wherein Dave said, hey, Paul told me he wants me to say this to try to get him more money, something like that?

A. Uh-huh. — Dave's FANTASY — DAVE ~~wanted~~ Demanded MONEY FROM HIS OWN INSURANE & THREATEND Something WORSE Than a chainsaw if he didn't get it

Q. Right?

A. Right.

Q. Did you ever report that to anybody that Paul said that?

A. I don't know if I mentioned it to Ron or not.

Q. Your attorney?

MILLER McARTOR Witness

& Lawyer

Who is Ron?

A. Yeah. My attorney.

Q. Okay. Did you ever mention it to anybody else?

A. Well, if I mentioned it to my husband, he probably won't remember anything. → Another Cheap shot at her husband!

Q. Okay. Anybody else?

A. No.

Q. Okay. All right. So far we talked about that one visit, the first visit, with Paul after the accident about a week later, you had an hour over at his house and there wasn't a lot discussed about the accident, correct?

A. No. – She talked mom & I Just Listened & Answered what she asked about was my walls. IN my house – She Talked ABOUT INTERMATIC. Smoked a Cigarette & Left.

Q. Correct?

A. Correct.

Q. Okay. The second time you met with him it was again in person?

Same Visit

A. Yes. It was in the end of September of 2011.

Q. No. I thought you met with him two times, though.

she is READING HANS Noted

A. Yes. When he -- you wrote down three times in that year. It was three times.

Q. We are on the second time. September was the third time. When, where was 2nd time? Cause it Didn't Happen.

A. Okay. It was on the phone.

Q. Let's go back because now we are all unclear again because of that.

The first time you spoke to Paul after the accident was when you visited in his home about a week later for that hour for that visit, right?

A. Correct.

Q. The second time was on the phone call?

A. Yes.

Q. How long after that first visit with him was that phone call?

A. Not long. I can't say.

Q. A day, a week, a month, a year?

A. I don't know. Maybe two weeks.

Q. Okay. And that was a telephone call did you make to him or he made to you?

A. I called him.

Q. Why did you call him?

A. Just to see how he was doing. How -- He had his stitches out, you know.

Q. So what was said?

A. Well, he says the stitches are out and he seems he is doing okay and left it at that.

Q. Did he say he is recovered?

A. No. I can't -- No. No. — Can't what?

Q. Did you know if he still had problems with the injury or not or you don't know?

A. I don't know. — Because the call Didn't Happen?

Q. Okay. How long was that conversation on the phone?

A. Probably a few minutes only.

Q. Did Paul ever discuss the specifics of how his chain saw accident occurred?

A. No. Not to me, no. — B.S. Same DAY as accident after hospital

Q. Did he tell you what he thinks Dave did wrong in that accident or causing his injury or anything like that?

A. No. — B.S. I said Dave Hit me with chainsaw Carol said she Knows her son Did This.

Q. Did he ever suggest that he wants to try to make money out of this case in that conversation?

A. No. — True

Q. Or any other conversation did he ever suggest that?

A. No. — TRUE

Q. Okay. Did he ever ask you for your insurance information?

A. I offered it to him. — TRUE — Same Day. She had it Ready When I Got BACK FROM Hospital.

Q. When? Paul Did Call Her After trying to Call Her insurance & Got the Runaround → Caused PAUL To Seek a lawyer.

A. Right after the accident happened. -TRUE

Q. You mean while he was still on the way to the ER or that week later?

A. No. After the fact. Yeah. Maybe after a week. After a week later. - B.S. it was Same DAY!

Q. I am trying to find out when.

A. A week later. - Same DAY AS Accident upon RETURNING Hospital

Q. When you went to his house? Carol had it All written ON Paper FOR PAUL

A. Possibly. I gave him -- yes.

Q. Wait.

A. I can't remember.

Q. Hold on. We are talking about the times you spoke to Paul and there was only three times. It's got to be the first time, the second time or the third time that you offered your insurance information to him.

A. It must have been when I went over to the house then because I remember writing stuff down. } 2 month Later?

Q. The first time?

A. The first time. - what?

Q. Okay. So during that hour conversation with Paul at his house, you said, here, I will give you my insurance information, right?

A. Right. - wrong

Q. Did he thank you for it?

A. I guess. Yeah. - NO

Q. Was he polite?

A. He was polite, yes.

Q. Was he trying to make more out of the case than you thought?

A. No.

Q. Did Paul ever make you feel uncomfortable in the way he described his accident or what his injuries were?

MR. BARCH: I object. She said he didn't describe it to her.

BY MR. MAST:

Q. Well, in any way that he described his injuries or the accident did he ever make you feel uncomfortable like he was trying to make more out of it than he should?

A. No.

Q. Okay. So we talked about your first visit with him at his house for an hour. We talked two weeks later the telephone call for a few minutes and all he said was he is doing okay and that was about all that was discussed, right?

A. Right. - All B.S.

Q. No specifics regarding the accident?
A. Okay. — Yes, NO?
Q. Then the third and final conversation you had with Paul was in person, correct?
A. Yes.
Q. September, 2011?
A. Uh-huh. — First Time Carol was ever in Pauls House
Q. Yes? — This morphs into Different visit and story changes To Tiller? Why is she injecting This Crap?
A. Yes.
Q. And where was that?
A. At my house. — Now its At Carols?
Q. So he came over to your house?
A. Yes. — B.S.
Q. Was he alone?
A. Yes. — John Choyinski was there & Loaded & UNLOADED The Tiller
Q. Was anyone else other than you and him present?
A. Just me and him. — & John Choyinski
Q. Okay. And how long was that conversation?
A. Well, he wasn't there too long. He was taking a tiller off the back of his truck by himself that's two and a half feet off the ground. — 2 1/2" LOL - NO Paul Does not own a Pickup
Q. Off the back like a pickup truck? — ? Mike Who?
A. Yeah. The vehicle that Mike came in here. I

don't know what you would call it. It's like a suburban and he had a flatbed on the back of it attached.

Q. He had a trailer on it?

A. Yes. A flatbed.

Q. And the tiller was it one of those garden tillers?

A. No. It was a big tiller.

Q. Well --

A. It's not a Mantis. A Mantis is a little tiny thing. This is a full size tiller, probably about this wide.

Q. Three feet wide?

A. Yes.

Q. Does it have wheels?

A. Wheels? You mean --

Q. Does it have wheels to roll it on?

A. Yeah. When you have to till, you got to have wheels. Okay. It got wheels on it. It's a tiller, yeah.

Q. All right. Do you know how much it weighs?

A. I asked him if he needed help.

Q. That's not what my question was.

A. No. I don't know. It probably weighed,

what, 200 pounds at least. - Did Carol Try to Pick it up? To See what It. Weighed?

Q. Okay. Had you ever lifted it or moved it around yourself?

A. No.-

Q. Who was going to use it? NO PAUL Didn't!

A. Paul used it at his house to till his garden.

Q. Who was going to use it at your house?

A. He brought it back to my house so David could pick it up and bring it back to his house.

Q. So Dave was going to use it?

A. It was his.- ~~Abuse~~ she Can't Answer the?

Q. It was Dave's tiller?

A. It's Dave's tiller.

Q. So apparently Dave had let Paul use it before the accident, right?

A. No. It was after the accident. He had a big garden. It was time to till the garden -- - Per Carol + Dave

Q. You are not letting me take you through this because I got to ask the question before you are answering me otherwise your answer doesn't mean anything.

A. I know. Okay.

Q. Do you know when Dave first lent this tiller to Paul?

A. Probably the beginning of September I'd say.

Q. Do you know that for sure?

A. I am only basing it on the fact that the garden was done and he wanted to till up his garden.

Q. Who is "he"?

A. Paul wanted to till up his garden and he asked David if he could use his big tiller. — NO

Q. Do you know when Dave asked or when Paul asked Dave to use the big tiller?

A. Beginning of September maybe. — She Doesn't Know!

Q. Why? Were you there when Paul asked Dave that? How do you know that?

A. He brought the tiller back from his house the day -- what Day? this is not AN Answer to the?

Q. Paul did?

A. -- that David had borrowed him. — Did Dave Say this to Her? — LOL

Q. I need names so I know who you are talking about.

A. David's tiller he borrowed to Paul to till up his garden. — Dave Dropped it at Paul's House. PAUL Never asked FOR It.

Q. This is my question: Do you know when Paul borrowed the tiller?

A. In the beginning of September.

Q. How do you know that?

— She Doesn't Know! Dave Brought the Tiller to Pauls Dropped it in Driveway + Left

Paul Did not ask For it. Paul HAD To PAY John Choyinski $20 to Help Take it Back. Paul Dumped it at Carols House Becaus He Wasn't Going To Drive To Pell Lake W. To Return Something He Never asked FOR.

A. Because David said that Paul had the tiller.

Q. Okay. That's what I am trying to find out.

A. Okay. All right.

Q. So your -- the basis for what -- your thinking that Paul used the tiller beginning in September of 2011 was what Dave told you, right? You didn't have direct knowledge of that. You just knew it from Dave, right?

A. Right. I just knew that Paul had it. Right.

Q. Okay.

A. Yes.

MR. BARCH: Just, Carolyn, you don't have to feel bad if you don't know when he got it or how he got it. It's okay.

MR. MAST: It's not a big deal. I am just trying to find out.

THE WITNESS: Okay. So probably. Yeah.

MR. MAST: I am just trying to find information out.

BY MR. MAST:

Q. Okay. All right. So what you are saying is sometime in September Dave said Paul is borrowing my tiller, is that what you are saying?

A. Right.

Q. Okay. When Paul began to use it, you don't know, right?

A. No.

Q. You don't know who was using it over at Paul's house?

A. No.

Q. You never saw Paul use it, did you?

A. No. No.

Q. So who used the tiller over at Paul's house you don't know?

A. No, I don't. — My Brother Scott? — THINK WE RENTED ONE FROM Ed's Rental. - Did every year. I Didnt want Dave's Tiller.

Q. Okay. But Paul brought it back to your house to return to Dave, correct?

A. Yes. — why?

Q. And that was in September, 2011?

A. Correct.

Q. Okay. And how long was Paul at your house that day?

A. I don't know. Not long. A few minutes maybe. — 5-10 min. TOPS

Q. What's that mean, a few minutes?

A. Okay. 15 minutes he was there.

Q. Was he inside your house or just outside?

A. He was outside.

Q. During the 15 minutes he was at your house, were you with him that entire time?

A. Yes.

Q. Was anybody with him at that time?

A. No. — John Choyinski

Q. So just you and him again?

A. Right.

Q. Okay. And that visit was meant only for Paul to drop off the tiller?

A. Correct.

Q. Okay. Did you and Paul engage in any conversation about the chain saw accident, how it occurred or his injuries as a result of that?

A. No. — LOL, Paul Commented.

Q. Okay. So the only conversation that you had with him pertained to returning the tiller?

A. Yes. - B.S.

Q. Okay. And what was said then regarding that issue?

A. I just said that tiller looks awfully big and it's pretty heavy. I says would you like me to help you take it down and my husband I believe was not home at the time so I was there and he says no. It's okay. I can do it. HA! - BS. John Choyinski was there + HE ONLoaded it. FOR PAUL

Q. Okay. Were you there when he took it down?

A. Yes. — No, She went inside

Q. Okay. How high was the trailer off the ground? About a foot and a half, foot maybe?

A. About two feet maybe. } Trailer is 1 ft. aground. Backed up to Driveway that goes up Hill made it much less than 1 ft.

Q. About two feet?

A. Yeah. — No

Q. Okay. And is there a ramp off of the trailer or does he have to roll it off or how does he get it off?

A. There was no ramp. — NONE NEEDED

Q. Okay.

A. It was just the flatbed, you know.

Q. So how did he get it off then?

A. He picked it up. — What? 200 lbs? That's 40lbs. more than PAUL weighs. How?

Q. Okay. He picked the whole tiller up with both arms?

← This is getting Historical!

A. He picked it up, yeah. How else do you pick up 200 some --

— John TRIED TO PICK it UP, — Rolled it off.

Q. Listen, Carolyn, I am just trying to find out. I am not going to assume anything so don't get upset with this but I have to go through the steps of what happened, okay?

A. Uh-huh.

Q. You watched him pick up the tiller?
A. Uh-huh. — Why Does she forget John Choyinski Who She Knows very well & why make it out that Paul Lifted This Thing off a TRAILOR? What is the advantage TO This?
Q. Yes?
A. Yes.
Q. I need a yes or no, okay?
A. Yes. — LIAR —
Q. Did you watch him pick it up with both arms?
A. Yes. — Lie, I can't even Pick UP 40lb. Bag of Dog FOOD TODAY - MY GRIP is shot!
Q. Okay. Did he wrap his arms around the engine and the wheels or just around the top handlebars?
A. Like that. Around the engine and the top so he could get it down.
Q. Okay. Was the engine of the tiller up by the edge, the rear edge of the trailer when he picked it up or was it in the middle of the trailer? Where was it?
A. It was towards the back. — I'm Not Sure But I think The Engine Was IN The FRONT. Rear Tine Tiller
Q. Did he pick it up from standing on the ground or from standing on the trailer?
A. I think he was on the ground and because it was towards the edge so he was on the ground where he could, you know, grab on to it. Makes NoSense!
Q. So as I understand from you, the tiller is at the end of or the back of the trailer which is an open

ended trailer, right?

A. Correct.

Q. Paul takes his arms and wraps it around from standing on the ground?

A. Right. —B.S. Now I'm Heman! LOL

Q. Which is a foot or two feet lower than that?

A. Right.

Q. Correct?

A. Right.

Q. Wraps his arms around the engine and the wheels, that whole compartment, picks it --

MR. BARCH: I think she said he grabbed the handle and then the engine at the same time.

MR. MAST: Did he?

MR. BARCH: She reached like that.

THE WITNESS: He put his hand here and here so he'd have leverage to put the thing down on the ground.

BY MR. MAST:

Q. Here and here, I don't know what that means. Hold on. I need to follow this up with a question, okay?

Where was Paul's left hand or arm with regard to the tiller when he picked it up? Was it on

the engine part of it or was it on the handle or where?

A. I'd have to -- I don't know. — Because it Didn't Happen!

Q. Or don't you know?

A. I don't know. I know he had to use both hands to take it down. —

Q. Okay. Where was his right arm when he picked up the tiller, on what part of the tiller?

A. Towards the heavier part. — How Does She Know which end is Heavier?

Q. His right arm. The FRONT?

A. Where the engine is at, you know. — B.S.

Q. Okay. You don't know where his left arm was but his right arm was by the heavier part of the engine?

A. Yes because, let's see, if I was standing in my driveway, yeah, and his back was that way, his right arm was here and the other arm would have been up. She is making this up As she goes! She Doesn't Know again

Q. Up where, on what?

A. Well, towards the handle part of the tiller. It was like a bar. — This IS. B.S.

Q. When you were looking at this, were you watching him do it?

A. Yes. — LIE!

Q. What part of his body was facing you when he

was doing this?

A. His face was facing me. He was facing -- I was looking like I am looking at you. — what was the orientation of the People at this DEP:?

Q. Right.

A. Okay. And --

Q. So let me stop you. So he had his pickup truck with him, right?

A. Uh-huh. — thought she said Suburban?

Q. Yes? I need a yes or a no.

A. Yes.

Q. The trailer was on the back of the pickup truck and he pulled into your driveway, right?

A. Right. — Backed IN OR NO?

Q. And you are in the front of the house looking toward him, right?

A. Yes. — She was NEAR Back of House. She opened the Garage FOR John to Roll it INTO.

Q. So if he is at the back of the trailer, you are saying he'd be facing you, right?

A. Right. — B.S.

Q. Okay. And then he'd have his left arm up somewhere maybe by the handles and his right arm surrounded the engine of the tiller, right?

A. Right.

Q. And then did he just pick it up?

A. Yeah. He picked it up and put it on the ground. — Heman FANTASY — Wow, Don't think I Could Do that... Even When I was 18 years OLD.

Q. Okay. How high off of the bottom of the open trailer did he pick the tiller up?

A. I am not quite sure. — Though She Said 2'

Q. Okay. Then did he just shift himself around and let it straight down after he moved over from above the trailer?

A. No. He didn't -- He lifted it off and put it on the ground. — B.S. John Took It off Trailer. She Can't ANSWER the ? Because She's Lieing

Q. That's what I am saying.

A. Yeah.

Q. When he lifted it up, did he back up ten feet? Did he just turn around and twist himself and drop it next to him? How did he drop it to the ground? — Because it Didn't Happen!

A. I don't remember the exact procedure.

Q. Okay. Okay. But after he picked it up and moved away from the trailer, he put it back on the ground then, right?

A. Right. — If She Could Describe How PAUL lifted it why Couldn't she Describe How He Set it Down?

Q. Okay. And then what did he do with it?

A. And then we (John Croyinski) put it in the garage.

Q. "We put it," who put it?

A. I think he pushed it into the garage for me.
Q. On its wheels?
A. Yeah. On the wheels.
Q. Did it have rubber wheels, plastic wheels? What kind of wheels did it have?
A. It has rubber wheels on it I believe.
Q. And who has that tiller today?
A. David.
Q. Okay. Again, that visit in September, 2011 where Paul was dropping off the tiller never included any conversation about the chain saw accident or his injuries, correct?
A. No. No.
Q. Is that correct?
A. Yes. Uh-huh.
Q. So you have now told me everything, every communication and every visit that you have had with Paul since his accident, correct?
A. Right. Correct.
Q. At no time then did Paul ever describe for you how the specifics of the accident occurred; is that correct?
A. Correct.
Q. Okay. Okay. And how long have you known

Paul? ← 14yrs old. Not High School

A. Ever since he was in high school.

Q. So for over ten years?

A. Ten years. Paul is 45 and I have known him ever since he was probably 18 or 17. (19)

Q. So over 20 years then. Have you always known him to be a trustworthy, credible person?

A. Yeah. As far as I know, yes. — TRUE

Q. Do you today -- And I know the lawsuit is here so I understand. That's fine. And you are kind of a defendant in the lawsuit so I get that but if you put the lawsuit aside, do you still consider him a friend or are you thinking of him in more negative terms now because of all of this?

A. Negative. — Why, YOUR SON Cut PAULS ARM Almost IN HALF?

Q. Why do you think of him in negative terms other than the fact that you are named in a lawsuit? What's the reason?

A. Because, I mean, it happened as a bad accident of course and you know -- ? NO we Don't Know

Q. Wait. It happened -- What?

A. It happened as a bad accident but when I heard from the ER on how the injuries went and then as time went on, many months went by, it wasn't until

FAKING TO BE PAULS MOM?

DOES The Hospital Usually Give info to NON-Family Members or Did she Say she Was Paul's Mom to Get The INFO? Why lie?

December we knew that Paul had gotten your services that there was anything that would come to this recourse and he never said anything to me about the accident either thinking that his arm, you know, might just -- you know, thank God it was okay and then all of this came out, so. — B.S.

— what?

Q. I mean, you are not a doctor and I am not a doctor --

where did this Come FROM Hans?

A. No.

Q. -- and I guess we have to defer to what they think.

A. Uh-huh. — yes?

Q. What you are basically saying is you thought it was just a relatively small injury, right?

How Did Carol See EMG Results?

A. What about EKGs? — EMG?

Q. Again, I am not going to get into the --

A. Medical. Forget that. — what?

Q. -- into the medical. All I am asking you is -- My question is: Why are you now kind of feeling negative toward Paul today? What is the issue? Is it because you thought this wasn't much of an injury or you just don't think Dave did anything wrong or what? What is the reason?

WOULDNT SHE Know the ACRONYM?

A. Well, usually I have had those tests done.

when HOW Many Times, where, FOR what?

Does She HAVE Conditions That Require usual Testing? She Said Retired + Healthy.

She is NOT ANSWERING The? She is injecting Her own Story again Like The Tiller

Q. Listen, I don't want to get into all that.

A. It's because of the testing that he had done it proved that he didn't have any nerve damage done at one point and then along the way it all happened and then he --

Q. So your negative feelings toward Paul today is because you think that the medical treatment that he is getting isn't related to this accident but he thinks it is. Is that what you are saying?

A. I am saying that his EKG that he had done to prove nerve damage didn't show positive, so.

Q. That's up to his doctors to talk about.

A. Oh, I see. Okay.

Q. That's not him. He is not a doctor. He is not going to testify to his EKG. You know --

A. Okay. Fine.

Q. He doesn't know --

MR. BARCH: Carolyn, slow down. Answer the question. He wants to know why you view him negatively. Is it just because of the lawsuit and his claimed injuries or is there something more?

THE WITNESS: It's just the claim from the lawsuit.

BY MR. MAST:

Q. The injuries?

A. Yes.

Q. The injuries issue, right?

A. Right.

MR. MAST: Okay. I don't have any more.

MR. ACCARDO: I got nothing.

THE WITNESS: He probably had enough of me already probably. Good thing I ran out of water.

MR. BARCH: Hold on one second.

MR. MAST: How do you feel about me, negatively?

THE WITNESS: I don't feel negatively about any of you guys. I am just glad I am not a lawyer, I am not a doctor, I am not a police officer.

MR. BARCH: Let's not talk about things that are not associated with the deposition on the record at least.

THE WITNESS: Okay.

EXAMINATION

BY MR. BARCH:

Q. With respect to the tree branches, the size of the trees, the size of the branches that were being cut, those were all estimates that you gave, correct?

A. They were, yes.

Q. You didn't go out there and measure any of this stuff?

A. No.

Q. Okay. And with respect to David using the chain saw that day that Paul was injured or the day he cut the apple tree up or the day he cut up the branches from that larger tree, did you feel that you had any skill that you could give to him? Did you feel you could teach him anything about the use of chain saws because you had never used one?

A. No. — She was Reading the manual & Giving Dave instruction on what Gas/oil mixture

Q. Did you at any point see anything in connection with David's use of a chain saw that was a concern for you based upon what you did know, if anything, about using chain saws?

A. No. — Gas/oil, etc..

Q. Was there anything about the way David was using a chain saw that you suspected was dangerous?

A. No. — ~~Putting it~~ ~~Spee~~ using it within 2' of another Person isn't Dangerous

Q. Did you feel like -- Knowing that Paul was out there that day, knowing that David was out there the day he, Paul, was hurt, did you believe there was any -- did you feel compelled to tell them that they could be hurt by a moving chain blade?

Earlier I think she said their Danger...

A. No. — Didn't say Be Careful at all? Seems Odd?

Q. Did you think that -- did you believe that was something obvious?

A. Right.

MR. BARCH: That's all I have.

MR. MAST: Okay.

MR. BARCH: We are going to probably reserve signature on this one.

(FURTHER DEPONENT SAITH NOT.)

IN THE CIRCUIT COURT
FOR THE 22ND JUDICIAL CIRCUIT
McHENRY COUNTY, ILLINOIS

PAUL DULBERG,
Plaintiff,
vs.) No. 12 LA 178
DAVID GAGNON, Individually, and as Agent of CAROLINE McGUIRE and BILL McGUIRE and CAROLINE McGUIRE and BILL McGUIRE, individually,
Defendants.

I, CAROLYN McGUIRE, being first duly sworn, on oath say that I am the deponent in the aforesaid deposition taken on March 20, 2013; that I have read the foregoing transcript of my deposition, and affix my signature to same.

_____
CAROLYN McGUIRE

Subscribed and sworn to before me this day of , 2013

Notary Public

C E R T I F I C A T E

I, Paula Ann Erickson, Certified Professional Reporter, Registered Professional Reporter and Notary Public, do hereby certify:

That the witness in the foregoing deposition named was present at the time and place therein specified;

That the said proceeding was taken before me as a Notary Public at the same time and place and was taken down in shorthand writing by me;

That this transcript is a true and accurate transcript of my shorthand notes so taken, to the best of my ability.

I further certify that I am neither counsel for nor related to or employed by any of the parties to this action and that I am not a relative or employee of any counsel employed by the parties hereto or financially interested in the action.

Paula Ann Erickson
Certified Shorthand Reporter
Registered Professional Reporter
License No. 084-003899
Notary Public

Dated this 9th day

of April, 2013.