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IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT  
OF THE STATE OF FLORIDA IN AND FOR PASCO COUNTY

STATE OF FLORIDA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
SHANNON STEPHEN,	)	Case No. 06-001591CFAWS
	)	
Defendant.	)	
	)	
	)	

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DEPOSITION OF:	RICHARD SCOTT
DATE:	January 19, 2007
TIME:	11:00 A.M.
PLACE:	7530 Little Road Pasco County Government Center New Port Richey, Florida
REPORTED BY:	Barbara L. Preslock Registered Professional Reporter Notary Public State of Florida at Large

JUDY G. MOUKAZIS & ASSOCIATES, INC.  
7218 Massachusetts Avenue  
New Port Richey, Florida 34654

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APPEARANCES:

KENNETH L. FOOTE, ESQUIRE  
6643 Ridge Road  
Port Richey, Florida 34668

Attorney for Defendant

MICHAEL HARRIS, ESQUIRE  
Assistant State Attorney  
Sixth Judicial Circuit  
New Port Richey, Florida

Attorney for State

I N D E X

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DIRECT EXAMINATION BY MR. FOOTE

4

APPEARANCE CERTIFICATE

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REPORTER CERTIFICATE

43

1 THEREUPON

2 RICHARD SCOTT

3 The Deponent Herein, after having been first duly sworn on  
4 oath, was examined and testified as follows:

5 DIRECT EXAMINATION

6 BY MR. FOOTE:

7 Q Will you please state your name for the Record.

8 A Richard Scott.

9 Q Mr. Scott, my name is Kenneth Foote and I am an  
10 attorney. I represent Shannon Stephen in this matter. The  
11 State has listed you as a witness in this case. By law that  
12 gives us an opportunity to speak to you, which is what we're  
13 doing today by deposition.

14 Have you ever had your deposition taken before?  
15 Have you done this before?

16 A No.

17 Q Some basic ground rules; I'm going to ask you  
18 some questions, conversational just like this. You answer  
19 those questions to the best of your ability.

20 If I ask you a question you don't understand,  
21 ask me to clarify and I'll try to rephrase it. If you answer  
22 a question I ask you, I am going to assume that you did  
23 understand my question. Fair enough?

24 A Yes.

25 Q I am going to ask you to give audible answers

1 because this is not only being recorded, she is typing down  
2 everything that we're saying. You can't give an answer like  
3 ugh huh or huh ugh because that's not a word and she can't  
4 take it down.

5 A All right.

6 Q I may be reminding you if you happen to do  
7 that. Can you tell me your date of birth.

8 A 1-26-65.

9 Q And what is your address.

10 A 7115 Box Elder Drive, Port Richey, 34668.

11 Q Standard question that we ask of every witness;  
12 have you ever been arrested for anything anywhere in the  
13 world?

14 A I don't know if you would say it was arrested.  
15 I was driving a truck and they pulled me over and took me  
16 to the Courthouse and I had to pay money and then they let me  
17 go.

18 Q Did they put handcuffs on you?

19 A No.

20 Q Besides that incident?

21 A No.

22 Q Are you originally from the State of Florida?

23 A No, sir.

24 Q Where are you from?

25 A Where I was born?

1 Q Yes.

2 A Beldon, Michigan is where I was born. I grew up  
3 in Oleria, Ohio.

4 Q How long have you been in Florida?

5 A Four years.

6 Q Where were you just prior to Florida?

7 A North Carolina.

8 Q How long were you in North Carolina?

9 A Nine years.

10 Q What part of North Carolina?

11 A Outside of Charlotte; Concord.

12 Q Are you married?

13 A Yes.

14 Q How long have you been married?

15 A Four years.

16 Q What is your wife's name?

17 A Rhonda.

18 Q Her middle name?

19 A Hers or mine?

20 Q Hers.

21 A Ray.

22 Q Rhonda Ray Scott?

23 A Yes.

24 Q Have you been married before?

25 A Yes.

1 Q What is your ex-wife's name?

2 A Alicia Ray. She is deceased.

3 Q Was that the basis of the marriage breaking up  
4 or was there a divorce and then she passed away?

5 A She passed away while we were married.

6 Q You are a widower?

7 A Right.

8 Q Besides her, any other wives?

9 A No.

10 Q Do you have any children?

11 A Me personally that are biologically mine?

12 Q Out of either of these two relationships?

13 A No. My wife now has three kids but I am not  
14 biologically the father.

15 Q Do they live with you?

16 A Yes.

17 Q Are you employed?

18 A Yes.

19 Q Who do you work for?

20 A Lone Star Cable.

21 Q What do you do for them?

22 A I own it.

23 Q You are the owner of the company?

24 A Yes. I run it out of my house. We put it in,  
25 and then I have two storage units over at U.S.A. Storage.

1 They changed the name of it.

2 Q How long have you had Lone Star?

3 A Since May.

4 Q Of '06?

5 A Yes.

6 Q What were you doing back in March of '06, when  
7 this whole thing happened?

8 A I think I was working for IFG, International  
9 Fireplace and Grill off Gunn Highway.

10 Q How long do you think you worked for them?

11 A Six months, I think, and then I went and cut  
12 these fingers off so then I was out for about six months so  
13 that may have run into that same time.

14 Q Where you may have still be recuperating?

15 A Right.

16 Q Where did you work before Fireplace and Grill?

17 A Armstrong Auto Parts.

18 Q How long did you work for them?

19 A Six years.

20 Q Where are they located?

21 A Charlotte.

22 Q You said you were in Florida for about four years?

23 A Right.

24 Q And then you have had your current company since  
25 May of last year?



1 A Right.

2 Q And then the fireplace place for about six  
3 months?

4 A Yes.

5 Q Where else did you work in Florida?

6 A The same IFG , but it was for somebody different.  
7 We were building the business. We did drywall and metal  
8 framing and stuff like that.

9 Q Did you meet Rhonda down in Florida?

10 A No; North Carolina.

11 Q And then you guys decided to move down?

12 A We got married and a week later, we moved down.

13 Q Did you know anyone in Florida?

14 A Yeah; Jim Ramsey.

15 Q How did you know him?

16 A We grew up together in Ohio. We were trying --  
17 we were doing a little bit of work here and there; the same  
18 kind of work I am doing now for Catalina Marketing.

19 Q Okay.

20 A What we did was put in the little coupon  
21 printers at Winn Dixie. When you buy something, it will give  
22 you a dollar off or something else.

23 Q Right.

24 A That's what we do.

25 Q That's what your company does now?

1 A Yes.

2 Q It's Lone Star Cable?

3 A Cable Company, Incorporated.

4 Q What is the principle business that Lone Star  
5 does?

6 A Just CAT 5 low voltage wiring. We don't do like  
7 cable TV or nothing like that.

8 Q How many employees do you have?

9 A Myself and then I have people that sub-contract  
10 work for me. They are actually their own employer.

11 Q Do you know Mr. Bartlett?

12 A Yes.

13 Q How do you know him?

14 A Through my wife.

15 Q What is your relationship?

16 A Just a good friend. I guess from what I could  
17 find out, his dad and her mom dated a long time ago so they  
18 like grew up together like brother and sister for a while.

19 Q Is that how you met your wife?

20 A Through him?

21 Q Yes.

22 A No.

23 Q Was he in Florida at the time or --

24 A No. He was in North Carolina. He came like a  
25 year and a half after we moved here. There was no work and

1 he wanted to do stone and stuff and with IFG, part of the  
2 thing was they did stone.

3 Q Mr. Bartlett lives at your residence?

4 A Right now?

5 Q Yes.

6 A No. He has his own apartment now.

7 Q Do you know where that apartment is?

8 A It's at the end of my street; Isabella Drive,  
9 I believe, is where it's at. Lake Forest Apartments -- I  
10 think is what it's called.

11 Q So he rents an apartment?

12 A Yes.

13 Q How long has he been living in that apartment?

14 A I'd say three months. This would be probably  
15 going on the fourth month.

16 Q Prior to going to that apartment, he lived with  
17 you on Box Elder?

18 A Right.

19 Q Did you also live on --

20 A Tillson.

21 Q Tillson?

22 A Right.

23 Q Did he live with you there?

24 A He did for a little bit. Then he moved in with  
25 the people that this case is about, I guess.

1 Q Joe and Sarah?

2 A Joe and Sarah, yeah. He was living with them  
3 at the time.

4 Q At the time of this accident and everything?

5 A He had been living there about -- I think about  
6 a month, month and a half. I can't be for sure on all the  
7 times.

8 Q But you know for certain that at the time of  
9 the incident he was living with the young lady and young man?

10 A Yes.

11 Q Any reason he decided to leave your house? Was  
12 there any incidents or anything like that?

13 A No; mainly because her other son came from  
14 California.

15 Q Her --

16 A My wife, yes. We didn't really have enough room  
17 and they had an open room so they told him he could rent the  
18 room from them.

19 Q Do you drink alcohol?

20 A No.

21 Q Did you ever drink alcohol?

22 A No.

23 Q Do you do any type of illegal drugs?

24 A No.

25 Q To your knowledge, does Mr. Bartlett do any

1 illegal drugs?

2 A Not that I know of. Not while he's been around  
3 me or living with me. I can't say when he is not around me  
4 whether he has or hadn't.

5 Q Have you been around the two people that died  
6 in this case; Joe and Sarah?

7 A I talked to them maybe ten or twelve times.  
8 Helped them with their -- they had a car, A Blazer, and it had  
9 a bad water pump and they had another car and I would tell them  
10 how to fix it or try to help them fix it.

11 Q Does your wife have any nicknames or anything  
12 like that?

13 A Kerry.

14 Q Where does that come from?

15 A Her grandmother.

16 Q Would that be how Mr. Bartlett would relate to  
17 her?

18 A Yes, probably.

19 Q On the date of this incident; do you recall that  
20 day?

21 A Pretty much so.

22 Q How about earlier during the day; what were you  
23 doing that day?

24 A What was I doing?

25 Q Let's say from the afternoon on, 12:00 noon.

1           A           Just working around the house cutting grass  
2 and stuff like that.

3           Q           At some point towards the evening, what are you  
4 doing at that point? Do you go out or are you hanging out at  
5 the house?

6           A           Just hanging out at the house.

7           Q           Does your wife go out that evening?

8           A           She went out for a little bit.

9           Q           Tell me what you know about that; where she went  
10 and who she was with.

11          A           She went out with Robert for a little bit and  
12 then she came home and then there was two other people, Joe,  
13 Robert and them all went out too again. They had two other  
14 people with them. I never met them before. They were in a  
15 little red Toyota, I think.

16          Q           On this day did you go out at all during that  
17 evening?

18          A           No.

19          Q           At some point you did go out?

20          A           Yes. When Robert called me, I went.

21          Q           But prior to that, you were home?

22          A           Yes.

23          Q           But your wife went out?

24          A           Yes.

25          Q           Does your wife drink?

1 A Some. Not every day or anything like that.  
2 Once in a while she'll have maybe a wine or martini with  
3 dinner, but, no. I don't like drinking.

4 Q Do you recall around what time she heads out?

5 A Not to be sure. I couldn't say. I know there  
6 was still sunshine and stuff.

7 Q She is out with Robert?

8 A Right.

9 Q And some other people?

10 A Right.

11 Q You said you didn't know the people?

12 A No. I know they met Joe and Sarah, but the  
13 other people that drove were Sarah's friends, I assumed, because  
14 they knew them.

15 Q How did you know about these people?

16 A Because they stopped by my house.

17 Q How did your wife -- what was her mode of  
18 transportation that evening?

19 A She rode with Robert.

20 Q Do you know what kind of vehicle?

21 A They used my Cougar, '96 Cougar.

22 Q So they head out. You are just staying at the  
23 house. What is the next thing -- the next time you have  
24 contact with your wife?

25 A Jim Ramsey picked her up and brought her home.

1 She called, I guess. I don't know. I guess she called him  
2 and wanted a ride home and then she left and he brought her  
3 home.

4 Q When he brought her home, were you home?

5 A Yeah.

6 Q Were you awake?

7 A Yeah.

8 Q Did she relate to you anything about the evening?

9 A Not really. She just said that the place was  
10 packed, wherever they were at. I don't know. I can't say  
11 exactly where they were at, but that the place was packed.

12 When places get real, real busy and real packed --

13 I don't know; anxiety or whatever. She gets anxiety.

14 Q Right.

15 A So she has to leave so she left. That's about  
16 all I know.

17 Q Did she tell you about any incidents where  
18 there was a pushing and shoving match with girls or anything  
19 like that?

20 A She said something about some of the girls  
21 were there and one of the bouncers grabbed her and then  
22 grabbed some of the other girls and people were picking on each  
23 other.

24 Q Right, okay. When she got home, what was her  
25 condition as far as alcoholwise?



1 A She was pretty much all right. She wasn't  
2 drunk.

3 Q So from there, what happens? She is home.  
4 Everything is -- you guys are just sitting at home.

5 A Right.

6 Q What happens next?

7 A Robert calls us.

8 Q About how long after your wife arrived home  
9 did Robert call?

10 A I don't know. Probably -- not to be definite,  
11 but between forty-five minutes and an hour.

12 Q What does he say when you talked to him?

13 A He said that they were walking. He was supposed  
14 to be designated driver and he had had one or two drinks so  
15 he wasn't going to drive because I told him you don't drink  
16 and you don't drive in my car. I'll come and get the car  
17 and that's the end of that.

18 Q How did you get the keys to that car?

19 A How did I get them?

20 Q Yes.

21 A He has a set. I have a set.

22 Q So he had his own set and you had your own set?

23 A Yeah.

24 Q So there was no need for any switching of keys  
25 or anything that night?

1 A No, no.

2 Q Jim didn't come and give you a key to the car  
3 that evening when he dropped your wife off?

4 A She might have had a set. I don't know for  
5 sure.

6 Q Okay.

7 A I mean, she might have had a set. I don't  
8 know for sure. I know he has a set too.

9 Q So there is no need for passing keys around?

10 A No.

11 Q Everyone has keys who would use that car?

12 A Right.

13 Q He calls you and says I'm going to be walking  
14 home because I had a few drinks?

15 A Right.

16 Q So he is letting you know he is leaving the  
17 car there?

18 A Right.

19 Q What else did he say or was that the basic --

20 A That was basically it. At that time he called  
21 me and said they were walking home. I said; well, do you  
22 want me to come and get you. No, it's a cool night. We'll  
23 walk home. I said; are you sure -- yeah, come and get me.  
24 I said that I've got to come and pick up my car anyway and  
25 so we started up that way to pick him up.

1 Q We who?

2 A Me and Jim.

3 Q When Jim dropped your wife off, did he stay  
4 at your house?

5 A Yes.

6 Q What are you guys doing at the house?

7 A Just sitting, talking. Then he went to the  
8 store for something and then I called him and said; do you  
9 want to come and take me up to get my car.

10 Q Where was Jim prior to that before he got your  
11 wife; because it appears that he just popped up at the Reef.

12 A I don't know to be honest with you.

13 Q Okay.

14 A I can't say because I wasn't with him. I don't  
15 know where he was at.

16 Q To your knowledge had he had anything to drink  
17 that evening?

18 A Jim?

19 Q Yes.

20 A No.

21 Q So you agree you and Jim are going to go up  
22 there and pick them up and the Cougar as well?

23 A Yes.

24 Q What happens once you guys start on your way  
25 up there?

1           A       We start on and we get at the intersection of  
2 54 and Grand.

3           Q       Who is driving?

4           A       Jim.

5           Q       Okay.

6           A       We are sitting at the red light and I noticed  
7 this truck pulled up. I said that that guy has run into a  
8 wall or he ran into something. It was smoking and leaking  
9 stuff out of it.

10                    We heard a siren. That lady has that paper  
11 wrong because it wasn't an ambulance. It was that Explorer,  
12 first response, little Explorer.

13           Q       Okay.

14           A       It was coming and the truck went -- it went  
15 right underneath that red light because the red light was  
16 hanging here and he was right underneath it.

17           Q       On what street?

18           A       On Grand.

19           Q       He was on Grand heading southbound?

20           A       I don't know. Going towards Moog Road.

21           Q       South?

22           A       Yes.

23           Q       Where are you at in relation to that? Are you  
24 on 54 or Grand?

25           A       I don't remember if we were sitting on 54 or

1 we were sitting at Grand. I know we were at the intersection.

2 Q You were coming from your house; right?

3 A Right.

4 Q How would you be coming from your house?

5 A Well, we could either come out 54 and go to  
6 Grand and turn left at Moog Road and Grand -- I don't quite  
7 remember exactly which way we were sitting.

8 Q Both vehicles were sitting where you got a  
9 chance to look at the vehicle?

10 A Yes, sir.

11 Q You probably both had a red light?

12 A Yes.

13 Q So you were probably both on the same street?

14 A Right. I am not going to say for sure because  
15 I don't really remember.

16 Q Do you remember seeing the vehicle from the  
17 side or head-on?

18 A I was looking out the window so I seen it in  
19 front of me.

20 Q Head-on, okay. So you noticed that -- were  
21 the lights on on the vehicle?

22 A One was. The right side was all smashed in  
23 and it was leaking antifreeze and smoking.

24 Q Do you recall what the vehicle looked like?

25 A Burgundy color, Chevrolet pick-up.

1 Q Anything unusual about that truck as far as  
2 was it like right off the manufacturer's lot or did it look  
3 souped up?

4 A It looked like just a regular truck. It  
5 wasn't a junk truck. It was a newer truck.

6 Q Right.

7 A It wasn't junky.

8 Q It wasn't like the monster trucks with the  
9 big tires and all that?

10 A No.

11 Q Do you recall whether or not the windows were  
12 tinted or not?

13 A No, I don't.

14 Q So at some point you see this vehicle and then  
15 did it appear to you that it had some front damage?

16 A Right. I made a joke about it. I said that  
17 guy either ran into a wall or ran into something.

18 Q And the light changes at some point?

19 A Well, not while we were sitting there. While  
20 we were sitting there, ( he got out of the truck when he heard  
21 the first response team. He was on his cellphone. )

22 Q Where were you at when you say you see this?  
23 This was a four-way intersection on 54 and Grand and he is  
24 facing you?

25 A I want to say yes. I can't remember for sure.

1 I could see him straight on so I knew what was going on so  
2 I would have to say yes.

3 Q And is that the time you say you see someone  
4 get out of the truck; while you are sitting there waiting?

5 A Yes.

6 Q Is it safe to say the reason why you guys are  
7 sitting there waiting is because it's a red light?

8 A Yes.

9 Q What do you see when you are looking at the  
10 damaged truck? What do you see?

11 A (I hear) the ambulance -- well, not the ambulance;  
12 the first response Explorer is what it was.

13 Q Okay.

14 A And he gets out and goes behind -- there is a  
15 box that sits on the corner. I guess it runs the red lights.  
16 I'm not for sure. It's a big grey metal box. He crouches  
17 down behind there talking on the phone. The light turns so  
18 we went ahead.

19 Q When you see him get out and go behind this  
20 thing on the cellphone, are you still sitting there, but  
21 you are actually not moving?

22 A We are still sitting there.

23 Q You could see across the intersection?

24 A Right.

25 Q And you could see him talking on the phone?

1 A Ugh huh.

2 Q Yes?

3 A Yes.

4 Q What was the person that you saw -- what was  
5 he wearing? Can you describe that?

6 A I don't remember right now. I want to say blue  
7 jeans maybe. It's been so long, I can't remember exactly.

8 Q Do you recall giving a statement to the trooper  
9 about the description of the person?

10 A I don't remember now. I remembered then, yes,  
11 when I gave it to them, but I don't remember that now.

12 Q You don't know what the person was wearing?

13 A At this moment, no. It's been eight or nine  
14 months.

15 Q Were you able to look into the vehicle and see  
16 anyone else in the vehicle?

17 A Yes. There was nobody else in it.

18 Q Do you know that for sure?

19 A Do I know it for sure?

20 Q Yes.

21 A Yeah. I would say yes.

22 Q The reason I am asking you. You are telling  
23 me you don't remember what the person you saw was wearing,  
24 but you saw him on the cellphone and you definitely are  
25 certain that there was no one else in the vehicle.



1           A           If you met me eight months ago, would you  
2 remember what I was wearing?

3           Q           Sir, I just get to ask you questions.

4           A           I am just revealing what I feel.

5           Q           Not what you feel. Do you know that; that there  
6 was no one in the truck?

7           MR. HARRIS: He already answered that  
8 so I object.

9           MR. FOOTE: That's your objection?

10          MR. HARRIS: Yes. He already answered  
11 the question.

12 BY MR. FOOTE:

13          Q           Do you know for certain that there was no one  
14 else in the truck?

15          A           Yeah. I would probably say yes, because I could  
16 see through the windshield. **The only way there could have**  
17 **been anyone in the truck, they would be laying in the floor-**  
18 **board and that would be rough.**

19          Q           What kind of windows does the vehicle have?

20          A           A windshield with normal glasses.

21          Q           Were the windows tinted or not?

22          A           I don't remember. I told you that.

23          Q           That's the first time I asked you that question.

24          A           No, it wasn't. You already --

25          Q           Were the windows tinted?

1           A       I -- you asked me that once already.

2           Q       And you don't know if they were tinted?

3           A       I told you I don't remember, but I know the  
4 front glass wasn't tinted. As far as the side glasses, the  
5 back glass, afterwards I couldn't tell you either because I  
6 didn't really pay attention.

7           Q       What else did you see?

8           A       To more clarify it, yes, I'd probably say the  
9 back glass -- I can remember it being tinted, the vary back  
10 glass.

11          Q       What else do you see this person do?

12          A       ( Well, we waited for the first response to go  
13 by so it was clear for us to go. He was going back toward  
14 the truck as we went by.

15          Q       How tall do you think the person was you saw  
16 get out of the vehicle?

17          A       I would say between 5'4" and 5'6".

18          Q       How much do you think he weighed? Was he a  
19 heavy guy, thin guy?

20          A       Probably medium average guy. Not overweight  
21 but not skinny either.

22          Q       Did he appear to have hair on his head or like  
23 us, bald, or short?

24          A       He had hair. It looked like he had a good  
25 haircut.

1 Q At some point this light that you are sitting  
2 at changes and you go across 54?

3 A Yes, sir.

4 Q On to grand?

5 A Yes.

6 Q As you pass by, what is the gentleman doing  
7 at that point?

8 A I told you he was going toward his truck as  
9 we went by. He was coming back walking toward his truck.

10 Q Okay. You get down to the scene of where  
11 Joe and Sarah were struck by the truck?

12 A Yes, sir.

13 Q What happens when you get there?

14 A We pull up.

15 Q Let me stop you there. Did you know that they  
16 had been hit before that?

17 A No.

18 Q Did Robert call you at any point and tell you  
19 anything?

20 A No.

21 Q How did you know where to look for them at?

22 A Well, right before, probably I would say  
23 thirty seconds -- no, probably about two or three minutes  
24 before that, he had called me and told me that they were  
25 just now past the hospital and walking.

1 Q Okay.

2 A So he gave me right where they were at so we  
3 didn't have to look for them down Grand Boulevard.

4 Q Okay.

5 A Then we proceeded down to there and I seen  
6 Joe over here, Sarah over there and Robert standing in the  
7 road looking dazed and confused. I got out of the truck,  
8 checked on Joe to see what was wrong with him, which there  
9 was no response from him.

10 Q Okay.

11 A I yelled Sarah's name. She tried to answer,  
12 but when I looked down, when she tried to answer, blood came  
13 out of her mouth. Robert told me somebody run them over.  
14 I said; do you know who it was and he said that it was a  
15 dark colored Chevrolet pick-up, either red or blackish color.

16 I said that we seen that truck up there so we  
17 proceeded to go up there.

18 Q What happens when you go up there?

19 A He finally made it, I guess, through the red  
20 light because he didn't go very far because the front of  
21 the truck was all smashed up.

22 When we pulled up there, we blocked him in  
23 and somebody else come in behind him in a van. I don't know  
24 who that was. Supposedly, afterwards, they said it was the  
25 guy that had been drinking with him. I don't know if that's

1 true or whatever. It's none of my business.

2 Q When you say blocked him in -- Jim is driving  
3 this vehicle?

4 A Right.

5 Q And it's a silver pick-up truck?

6 A Jim's?

7 Q Yes.

8 A Yes. It's a new Ford.

9 Q Where is that Ford? Where do you guys position  
10 that truck in relation to --

11 A Like the road was curved a little bit. We  
12 pulled in at an angle like this in front of it.

13 Q In front of it?

14 A And then the van pulled in behind it.

15 Q What kind of van? Do you recall what it looked  
16 like?

17 A I think -- I want to keep thinking it was a red  
18 or dark colored Ford customized van -- I think it was.

19 Q So he pulls in behind to block it in?

20 A That's what he said but I don't know if he was  
21 just driving and he seen us block it off and he just stopped,  
22 you know

23 Q Well, I'm asking you what you thought.

24 A Yeah, he was behind.

25 Q So you guys were in front and he is behind him?

1 A Yes, sir.

2 Q Did you ever talk to that gentleman?

3 A That man there?

4 Q That was driving that red van.

5 A No.

6 Q When you blocked the pick-up truck in, what  
7 do you do?

8 A Get out, go to his door. His door is locked.

9 Told him to get out of the truck. He actually looked like  
10 he was about half asleep or something.

11 When he finally opened the door, I told him --  
12 I said; what are you doing. You just ran over two of my  
13 friends. He smelled like alcohol real bad, liquor and  
14 alcohol.

15 When I asked him to get out of the truck, he  
16 got out of the truck and he started to stumble and fell to  
17 the ground. I picked him up and I said that you need to come  
18 over here and sit down on the sidewalk until the police get  
19 here.

20 He set there for a while and he kept asking me why,  
21 why and basically he was just drunk.

22 Q He appeared to be drunk to you?

23 A Yes.

24 Q Did the other gentleman in the van ever talk to  
25 him or come up and talk to you guys?

*By the way,  
I never lock my  
doors, and they  
are not self  
locking.*

1           A           Not that I can recall. I think that he was  
2 sitting there and he talked to the police, but me physically,  
3 no, I never spoke at him or with him.

4           Q           Do you or Jim ever get on the phone and call  
5 the police or call 9-1-1?

6           A           I don't remember whether -- I don't remember  
7 if we did or somebody else did. There was some guy there with  
8 a camera so they must have been on top of this before us.  
9 There was a guy there videotaping the whole thing.

10          Q           The news or --

11          A           He said that he videotaped for the news. He  
12 had -- whatever you call it -- one of those radios and he  
13 could pick up where the police were going.

14          Q           Was it like a news camera that sits up here or  
15 was it a run-around with a little home video --

16          A           Like a home video thing. All the State Troopers  
17 and Sheriffs knew him because he says he does it for somebody,  
18 some news channel he does it for.

19          Q           So you guys get him, the driver, out of the  
20 vehicle. What is Jim doing at this point?

21          A           Just basically standing there.

22          Q           I mean, you say you went to the door and try  
23 to open it.

24          A           Right. He was still, I guess, putting the car  
25 in park because I jumped out.

- 1 Q Okay.
- 2 A He just stood on the sidewalk until the police  
3 showed up.
- 4 Q How far would you say you were from this guy  
5 that you took out of the truck?
- 6 A Standing on the sidewalk?
- 7 Q When you went up to the truck to get him out,  
8 how close would you say you were to him?
- 9 A Well, I opened the door. I'd have to be three  
10 inches a way from him.
- 11 Q Do you recall at that point what the gentleman  
12 was wearing?
- 13 A No, I don't.
- 14 Q How long did you stay around him?
- 15 A Probably thirty minutes.
- 16 Q The first time you saw him you said you see  
17 someone jump behind the traffic box on the cellphone. Now  
18 you are right up on this person. Is that the same person?
- 19 A Yep.
- 20 Q Do you know that for sure?
- 21 A Yes, because of his hair and face. I could  
22 see his face because there was a big street light right  
23 there. As far as the clothes, like I said, it was a while  
24 ago and I don't exactly remember what he was wearing.
- 25 Q What else do you do after that?



1 A Well --

2 Q You tell him to come on and sit down?

3 A Right.

4 Q Do you have a conversation with him? Do you  
5 talk to him?

6 A I just asked him if he knew what he did and  
7 everything was slurred. He couldn't really talk.

8 Q What was Jim doing at that time?

9 A Standing next to me. I don't think he said  
10 very much to him at all.

11 Q What is the next thing you remember happening?

12 A The sheriff shows up. They put him in the  
13 sheriff's car and then they did their thing, inspecting, and  
14 this guy is still there with the camera, whoever the guy is.

15 Q How long did you stay at that scene?

16 A Three or four hours. Then they came and brought  
17 an ambulance and, I guess, gave him the blood test in the  
18 back of the ambulance.

19 Q How do you know that?

20 A I watched them put him in and put a thing on  
21 his arm.

22 Q So you watched them take blood from him?"

23 A Yes.

24 Q You are walking around and you are able to see  
25 what is going on?

1           A       Yes.

2           Q       Did they ever put up that yellow tape or  
3 anything; anything around that vehicle?

4           A       Who me?

5           Q       No; the police. Did they ever put up -- like  
6 they have on TV for the crime scene?

7           A       I don't remember. I know that there was  
8 enough cars there because I thought they would have got  
9 somebody coming out of that bar speeding, but they didn't  
10 bother with him.

11          Q       Did they ever tell you to step back or step out  
12 of the scene or any of that stuff like that?

13          A       They just told me to stay on the sidewalk away  
14 from the truck.

15          Q       Did you ever look inside of that truck, the  
16 red, maroon truck that was involved in the accident?

17          A       You mean, like go inside of it?

18          Q       You got him out so everyone -- for three or  
19 four hours the truck is still sitting there. Did you ever  
20 walk up to it and look inside?

21          A       No; just when I opened the door and got him  
22 out.

23          Q       Did you notice anything on the dashboard of  
24 that truck; anything special, radar detectors or anything  
25 like that?

1 A No.

2 Q Any equipment?

3 A I didn't go into details as far as looking  
4 at it. I just wanted to get him out and set him over there.

5 Q How long did it take the police to arrive  
6 after you got him out of the truck?

7 A The first sheriff got there probably in ten or  
8 fifteen minutes.

9 Q Was anyone trying to beat up the guy or do  
10 anything like that?

11 A No.

12 Q If someone said that they saw you pull the guy  
13 out and you guys were trying to beat him up and yell at him  
14 and throw him around --

15 A They'd be lying.

16 Q That would be incorrect?

17 A Yes.

18 Q At some point you gave the statement to the  
19 trooper?

20 A Yes, sir.

21 Q A recorded statement.

22 A Yes.

23 Q After that -- did you talk to your wife at all  
24 while this was going on? Did you call back through that time  
25 period?

1           A        I called one time. I didn't. Jim actually  
2 called his wife.

3           Q        Okay.

4           A        And I guess she called my wife and just told  
5 her what we was doing because she knew it wouldn't take four  
6 hours for me to go pick up my car.

7           Q        Right. Did you talk to anyone else about the  
8 case after that evening?

9           A        The news people just kept calling and calling  
10 and bugging everybody.

11          Q        Did you talk to the press?

12          A        They took me out there and they asked me what  
13 happened.

14          Q        So yes?

15          A        Yes.

16          Q        TV or newspaper?

17          A        I don't remember ever talking to anybody about  
18 the newspaper. I didn't talk to nobody on the newspaper.

19          Q        Anything else that you recall regarding that  
20 evening that I didn't ask you about, a detail sticking in  
21 your head?

22          A        A girl that worked at Venture's Bar -- I guess  
23 that's what it is somewhere down there on Grand Boulevard  
24 past Moog Road -- she knew him and her husband had been out  
25 with him and said he was drunk and he had tried to take the

1 keys from him.

2 Q How do you know that?

3 A That's what she said that her husband told  
4 her.

5 Q Did you talk to her?

6 A Yeah. She come and pulled up. She knew the  
7 truck. She knew who that was.

8 Q So you were talking with her?

9 A Yes. She was standing there. She was actually  
10 talking to me. I was just like listening to what she had to  
11 say.

12 Q Have you ever seen that lady again?

13 A Me? No.

14 Q Had you ever seen her before that night?

15 A No. Jim has. He knows her because he shoots  
16 pool at Venture's on a pool league. I couldn't even tell you  
17 her name. I know she's got blond hair and drives a blue --  
18 I think it's a Camaro or Firebird.

19 Q How long did she stay there?

20 A About an hour.

21 Q Was she walking around?

22 A No. She stayed right in the parking lot at  
23 that bar or whatever that club -- whatever that is.

24 Q Did you see the police give the driver any  
25 like field sobriety tests where you walk the line and do all

1 those DUI tests?

2 A Yes, I did. They did the -- something with  
3 the eyes.

4 Q Right. Now when you said she remained in the  
5 parking lot of the bar, were you with her at that time in  
6 the parking lot at that bar?

7 A Yes. That was after he was in the police car  
8 and everything.

9 Q So before that, you were able to be close enough  
10 to watch the troopers doing the DUI tests?

11 A Ugh huh.

12 Q Yes?

13 A Yes. I want to say that I think the deputy did  
14 it.

15 Q That may be correct.

16 A I'm not sure if the deputy did or the State  
17 Trooper. I remember him doing the eye thing.

18 Q How far were you from the deputy and the  
19 driver?

20 A Probably five feet.

21 Q So the police aren't asking you guys to step  
22 back or anything, just like this is a scene here -- you  
23 guys are just that close?

24 A Not really. We stayed on the sidewalk. We  
25 were just standing there. It's all on videotape. I'm sure

1 some guy has the videotape. Somebody knows who has it.

2 Q Do you hear the driver say anything to the  
3 police officers?

4 A No. He was -- they put him in the car and  
5 he slept for a while and then when they went to move him,  
6 he was screaming, saying they were hurting him and they were  
7 just trying to get him out of the police car. They had  
8 handcuffs on him so they weren't really -- quit, you're  
9 hurting, stop, you know.

10 Q When you saw them with the light, did you see  
11 any other tests that he did like walking on the line or  
12 picking up his foot or putting his arms out?

13 A Honestly, no, because when I seen him doing  
14 that I had to go to the bathroom and I snuck in and went to  
15 the bathroom.

16 Q Okay.

17 A Because they wouldn't let us leave and I kept  
18 trying to go to the BP. I said I wanted to go -- and they  
19 said; no, you can't leave. You have to stay here. Well, I  
20 have to go to the bathroom.

21 Q The other lady from the Venture's place -- did  
22 they tell her that she had to stay or --

23 A No. I don't think she ever talked to them.

24 Q What about the gentleman in the red truck.

25 A They talked to him.

1 Q Did he stay as long as you did; do you recall?

2 A No. I think he left like probably thirty  
3 minutes after the police got there because they parked  
4 behind the truck then.

5 Q Did you ever hear anyone say that the driver  
6 didn't have a driver's license?

7 A Yeah; that girl.

8 Q Was she the one that said that?

9 A Yes. She said he had a restricted license.

10 Q It wasn't that he didn't have a driver's  
11 license. He had a restricted license?

12 A Right.

13 Q Did you see any of the news reports of this  
14 when it first came out?

15 A Not really. She had told me -- evidently,  
16 they had known him for a long time. She said he worked at  
17 some tire place and that he was on a restricted license only  
18 to and from work.

19 Q Do you know why? Did she say why?

20 A Epilepsy.

21 Q Do you know anything about that -- Epilepsy?

22 A Yes.

23 Q You do?

24 A Yes.

25 Q How do you know about Epilepsy?



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A My wife has Epilepsy.

Q Rhonda?

A Yes.

Q Do you know what type?

A She has gran mal seizures. We have had her down in Tampa. They actually have an Epileptologist that you can go to there. They put the stuff on your head and create seizures and try to monitor it.

Q How long has she had this disorder?

A I believe since '91.

Q Does she take medication for that?

A Yes.

Q Have you ever seen her have a seizure?

A Yes.

Q What happens to her after the seizure? How is she afterwards?

A She hurts.

Q Are all her seizures like, you know -- you see people like seizing up?

A Yes.

MR. FOOTE: I think that's all I have.

MR. HARRIS: No questions.

(Thereupon, the deposition was terminated.)

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STATE OF FLORIDA  
COUNTY OF PASCO

I, The Undersigned Authority, Certify that  
RICHARD SCOTT, personally appeared before  
me and was duly sworn.

WITNESS My Hand and Official Seal this  
24<sup>th</sup> day of January, 2007.

*Barbara L Preslock*  
BARBARA L. PRESLOCK  
Registered Professional Reporter  
Notary Public  
State of Florida at Large



1 REPORTER'S DEPOSITION CERTIFICATE

2

3 STATE OF FLORIDA )

4 COUNTY OF PASCO )

5

6 I, BARBARA L. PRESLOCK, Registered Professional

7 Reporter, Certify that I was authorized to and did

8 stenographically report the foregoing deposition;

9 that the transcript is a true and complete Record of

10 my stenographic notes.

11 I Further Certify that I am not a relative,

12 employee, attorney or counsel of any of the parties, nor

13 am I a relative or employee of any of the parties'

14 attorney or counsel connected with the action, nor am I

15 financially interested in the action.

16 DATED this 24<sup>th</sup> day of January, 2007.

17

18 *Barbara L Preslock*

19 BARBARA L. PRESLOCK

20 Registered Professional Reporter

21 Notary Public

22 State of Florida at Large



Barbara L. Preslock  
 Commission #00020166  
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