

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

IN THE CIRCUIT COURT OF CABELL COUNTY  
WEST VIRGINIA

\* \* \* \* \*

~~THUNDERING HERD DEVELOPMENT, LLC~~

Plaintiff,

vs.

CIVIL ACTION  
NO. ~~08-C-623~~

~~J.A. STREET & ASSOCIATES, INC.~~,  
and ~~THUNDERING HERD DEVELOPMENT, LLC~~,

Defendants,

and

~~J.A. STREET & ASSOCIATES, INC.~~,

Defendant/Third-Party Plaintiff,

vs.

~~LIBERTY MUTUAL AGENCY MARKETS~~, an  
Ohio insurer; ~~ZURICH AMERICAN INSURANCE~~  
~~COMPANY OF ILLINOIS~~, an Illinois insurer;  
~~SCOTTSDALE INSURANCE COMPANY~~, an Ohio  
insurer; ~~THE PRINCETON EXCESS AND SURPLUS~~  
~~LINE'S INSURANCE COMPANY~~; a Delaware  
insurer; and ~~THE CINCINNATI INSURANCE~~  
~~COMPANY~~, an Ohio insurer,

Third-Party Defendants.

\* \* \* \* \*

30(b)(7) DEPOSITION OF ~~SPENCER HALL~~  
December 15, 2014

REALTIME REPORTERS, LLC

move  
to 2nd  
pg

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

30(b)(7) DEPOSITION OF ~~TERESA S. EVANS~~

December 15, 2014

30(b)(7) deposition of ~~TERESA S. EVANS~~ taken under the West Virginia Rules of Civil Procedure in the above-entitled action, pursuant to notice, before Teresa S. Evans, a Registered Merit Reporter, at Huddleston Bolen, 707 Virginia Street, East, Charleston, West Virginia, on the 15th day of December, 2014.

TERESA S. EVANS, RMR, CRR  
713 Lee Street  
Charleston, WV 25271  
(304) 344-8463  
realtimereporters.net

1 APPEARANCES:

2 APPEARING FOR THIRD-PARTY DEFENDANT [REDACTED]  
 3 [REDACTED] INSURANCE COMPANY:

4 [REDACTED], Esquire  
 5 WALSH, BARNES, COLLIS & ZUMPELLA, P.C.  
 6 The Gulf Tower, 14th Floor  
 707 Grant Street  
 Pittsburgh, PA 15219

7 APPEARING FOR [REDACTED]:

8 [REDACTED], Esquire  
 9 CYRUS, ADKINS & WALKER  
 646 Fourth Avenue  
 10 Huntington, WV 25701

11 [REDACTED], Esquire (by telephone)  
 12 MCQUEEN DAVIS  
 940 Fourth Avenue  
 13 Huntington, WV 25701

14 COUNSEL FOR [REDACTED] THUNDERING HERD DEVELOPMENT, LLC AND THE  
 15 [REDACTED]:

16 [REDACTED], Esquire  
 17 DAMRON LAW OFFICE  
 401 Tenth Street, Suite 310  
 Huntington, WV 25701

18 COUNSEL FOR [REDACTED] THUNDERING HERD DEVELOPMENT, LLC:  
 19

20 [REDACTED], Esquire  
 21 HERNDON, MORTON, HERNDON & YAEGER  
 83 Edgington Lane  
 Wheeling, WV 26003

22 [REDACTED], Corporate Counsel  
 23  
 24

1 APPEARANCES (Contd.):

2 COUNSEL FOR ~~PRUDENTIAL GENERAL INSURANCE CORPORATION~~ (by  
3 telephone):

4 ~~Arthur Levicoff~~, Esquire  
5 ~~Michael J. ...~~, Esquire  
6 THE LEVICOFF LAW FIRM  
7 Centre City Tower, Suite 1900  
8 650 Smithfield Street  
9 Pittsburgh, PA 15222

10 COUNSEL FOR ~~THE OHIO CASUALTY INSURANCE COMPANY~~:

11 ~~Elizabeth M. ...~~, Esquire  
12 DINSMORE & SHOHL, LLP  
13 255 E. Fifth Street, Suite 1900  
14 Cincinnati, OH 45202

15 ~~John ...~~, Esquire  
16 DINSMORE & SHOHL  
17 Huntington Square, 900 Lee Street  
18 Charleston, WV 25301

19 APPEARING FOR ~~BURCH AMERICAN INSURANCE COMPANY OF~~  
20 ~~INDIANA~~:

21 ~~Jeffery R. ...~~, Esquire  
22 ~~Michael D. Griffith~~, Esquire  
23 PULLIN, FOWLER, FLANAGAN, BROWN & POE  
24 2414 Cranberry Square  
Morgantown, WV 26508

APPEARING FOR ~~SUNBELT INSURANCE COMPANY~~:

~~Robert Ted ...~~, Esquire  
McNEER, HIGHLAND, McMUNN & VARNER, L.C.  
Empire Building, 400 West Main Street  
Clarksburg, WV 26302-2040

APPEARANCES (Contd):

APPEARING FOR ~~FRANCIS J. [REDACTED] SURPLUS [REDACTED]~~  
~~INSURANCE COMPANY~~ (by telephone):

~~[REDACTED]~~, Esquire  
MARKS, O'NEILL, O'BRIEN, DOHERTY & KELLY  
Gulf Tower, Suite 2600  
707 Grant Street  
Pittsburgh, PA 15219

ALSO PRESENT (by telephone):

~~[REDACTED]~~, Client Representative

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

EXAMINATION INDEX

BY MR. ██████████	9
BY MS. ██████████	90
BY MS. ██████████	166
BY MS. ██████████	173
RE BY MR. ██████████	202
RE BY MS. ██████████	204
BY MR. ██████████	205
RE BY MS. ██████████	210
RE BY MS. ██████████	212

## EXHIBIT INDEX

1			
2			
3	1	Notice of Rule 30(b)(7) Deposition of <del>Thundering Hard Development, LLC</del>	11
4	2	Letter from <del>Subling</del> to <del>Street</del> dated 5-15-03 Re: Building settlement, shops " <del>W</del> " <del>Merritt Creek</del>	39
5			
6	3	Letter from <del>Rowell</del> to <del>Street</del> dated 3-23-04 with attached photos	42
7			
8	4	E-mail chain Re: <del>Merritt Creek</del> dated 6-19 thru 6-20-05	50
9	5	Letter from <del>Thompson</del> of <del>Goldstar Jewelry</del> to <del>Rowell</del> dated 10-11-05	51
10			
11	6	Punch List for <del>Building A</del> to Building A located in <del>Merritt Creek</del> - March 3, 2006	53
12			
13	7	Letters between <del>Samson</del> and <del>Street</del> dated December 2005 and January 2006	63
14	8	E-mail from <del>Huehler</del> to <del>Rowell</del> and others dated 11-13-06 Re: MCF wall cracks, with attached photo	73
15			
16	9	<del>The Ohio Casualty Insurance Company's</del> Amended Notice of 30(b)(7) Deposition of <del>Thundering Hard Development, LLC</del>	90
17			
18	10	Answers and Responses of <del>WHB</del> , <del>and</del> to Third-Party Defendant <del>The Ohio Casualty</del> <del>Insurance Company's</del> First Set of Interrogatories, Requests for Production of Documents and Requests for Admission	91
19			
20			
21	11	Supplemental Response of <del>WHB</del> and <del>WHB</del> <del>Investors</del> , <del>and</del> to Prior Discovery Requests of Defendants	114
22			
23	12	<del>Thundering Hard Development, LLC</del> and Non-Cam Expense Spreadsheets	128
24			

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

IN THE CIRCUIT COURT OF KANAWHA COUNTY  
WEST VIRGINIA

\* \* \* \* \*

IN RE: [REDACTED]

Case No. [REDACTED]

\* \* \* \* \*

MOTIONS HEARING

Motions hearing before the Mass Litigation  
Panel consisting of the Honorable John Hutchison and  
the Honorable Jay M. Hoke, Trial Panel Judges, at  
the Kanawha County Ceremonial Courtroom, Charleston,  
West Virginia, on the 18th day of December, 2014.

REALTIME REPORTERS, LLC  
TERESA S. EVANS, RMR, CRR  
713 Lee Street  
Charleston, WV 25301  
(304) 344-8463  
realtimereporters.net



1 Q. What is your relationship with [REDACTED]  
2 like?

3 A. Well, he's my nephew, and you know, we're  
4 family.

5 Q. Okay.

6 MR. [REDACTED]: I don't think I have anything  
7 else.

8 MR. [REDACTED]: I have no questions. We  
9 can go off the record. You don't --

10 VIDEO OPERATOR: Off the record at  
11 9:58 a.m., the deposition has concluded. We are off the  
12 record.

13 (Having indicated she would like to read  
14 her deposition before filing, further  
15 this deponent saith not.)

16

17 --oOo--

18

19

20

21

22

23

24

New format

1 STATE OF WEST VIRGINIA,  
2 COUNTY OF JACKSON, to wit:

3 I, Teresa Evans, Registered Merit  
4 Reporter and a Notary Public within and for the  
5 County and State aforesaid, duly commissioned and  
6 qualified, do hereby certify that the foregoing  
7 proceedings were duly transcribed by me from an  
8 audio recording to the best of my skill and  
9 ability.

10 I do further certify that the said  
11 proceedings were correctly taken by me in  
12 shorthand notes, and that the same were accurately  
13 written out in full and reduced to typewriting by  
14 means of computer-aided transcription.

15 Given under my hand this 29th day of  
16 January, 2014.

17

18

TERESA EVANS, RMR, CRR

19

20

21

*If reporter took down on machine  
2nd transcribed*

22

23

24

1 STATE OF WEST VIRGINIA,  
2 COUNTY OF KANAWHA, to wit:

3 I, ~~XXXXXXXXXXXX~~, do hereby certify  
4 that the foregoing proceedings were duly  
5 transcribed by me from an audio recording to the  
6 best of my skill and ability.

7 I do further certify that the said  
8 proceedings were accurately written out in full by  
9 means of computer-aided transcription.

10 Given under my hand this 16th day of  
11 October, 2013.

12  
13 Jennifer Minnich,  
14 ~~XXXXXXXXXXXX~~

15  
16  
17  
18 *Transcription Certificate*  
19  
20  
21  
22  
23  
24

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

WORKERS COMPENSATION CLAIM

\* \* \* \* \*

CLAIMANT: [REDACTED]  
JCN: [REDACTED]  
CLAIM NO.: [REDACTED]  
DOI: [REDACTED]  
EMPLOYER: [REDACTED]

\* \* \* \* \*

Deposition of [REDACTED] taken by the Claimant under the West Virginia Rules of Civil Procedure in the above-entitled action, pursuant to notice, before Samantha Ortt, CRR, at the offices of George Zivkovich, 515 Market Street, Parkersburg, West Virginia, on the 13th day of May, 2013.

REALTIME REPORTERS, LLC  
SAMANTHA ORTT, CCR  
713 Lee Street  
Charleston, WV 25301  
(304) 344-8463  
www.realtimereporters.net

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

IN THE FAMILY COURT OF WOOD COUNTY  
WEST VIRGINIA

\* \* \* \* \*

IN RE THE INTEREST OF:

[REDACTED],  
[REDACTED],  
and [REDACTED]

Juvenile Abuse and Neglect Nos. [REDACTED]  
[REDACTED]  
[REDACTED]

\* \* \* \* \*

Hearing held before the Honorable Jeffrey B. Reed in the above-entitled action, at the Wood County Courthouse, Parkersburg, West Virginia, on the 16th day of October, 2014.

REALTIME REPORTERS, LLC  
SHERY SKEEN, Transcriptionist  
713 Lee Street  
Charleston, WV 25301  
(304) 344-8463  
realtimereporters.net

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

IN THE CIRCUIT COURT OF PRESTON COUNTY  
WEST VIRGINIA

\* \* \* \* \*

[REDACTED], et al.,

Plaintiffs,

vs. CONSOLIDATED CIVIL ACTION  
NO. [REDACTED]

[REDACTED], and  
[REDACTED],

Defendants.

\* \* \* \* \*

Proceedings had in the Jury Trial of the  
above-styled action on July 12, 2013 before  
Honorable Lawrance S. Miller, Jr., Judge, and a  
jury, at the Preston County Courthouse, Kingwood,  
West Virginia.

REALTIME REPORTERS, LLC  
TERESA S. EVANS, RMR, CRR  
713 Lee Street  
Charleston, WV 25301  
(304) 344-8463  
realtimereporters.net

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

IN THE CIRCUIT COURT OF MINGO COUNTY

WEST VIRGINIA

\* \* \* \* \*

State of West Virginia,

Plaintiffs,

vs.

No. ~~21-00017~~

~~James Earl Riddle~~,  
e,

Defendant.

\* \* \* \* \*

The statement of ~~James Earl Riddle~~ was taken by Trooper Mathaney on the 24th day of July 2014 beginning at 6:51.

*Statement  
taken when only  
two parties  
do with Q&A*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

STATEMENT  
OF  
[REDACTED]

October 11, 2009  
Lakin Correctional Center  
11264 Ohio River Road  
West Columbia, WV 25287

PRESENT: Investigator [REDACTED]  
[REDACTED] David Rees

Transcribed by:  
REALTIME REPORTERS, LLC  
JENNIFER MINNICH, TRANSCRIPTIONIST  
713 Lee Street  
Charleston, WV 25301  
(304) 344-8463  
realtimereporters.net



## P R O C E E D I N G S

1  
2 INVESTIGATOR [REDACTED]: Today's date is the  
3 11th day of October 2009. Time is approximately  
4 20:10 hours. Present are myself [REDACTED],  
5 Investigator at Lakin Correctional Center --

6 And go ahead and state your name and  
7 rank, please.

8 LIEUTENANT [REDACTED]: Lieutenant [REDACTED] [REDACTED].

9 [REDACTED]  
10 was called as a witness and gave a statement as  
11 follows:

## EXAMINATION

12  
13 BY INVESTIGATOR [REDACTED]:

14 Q. Okay. What I want to talk to you -- I've  
15 been looking into a situation. It's involving  
16 Officer [REDACTED]. He's been spending quite a bit  
17 of time -- I've been tracking him. He's been  
18 spending quite a bit of time in A-Pod --

19 A. Okay.

20 Q. -- with one particular inmate. It's  
21 Inmate [REDACTED]. And I noticed that you're in  
22 there quite a bit, too. What's going on with her?  
23 I mean, she talks to you quite a bit.

24 A. She just comes up and talks, and I mean,

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

\*\*\*\*\*

TRANSCRIPT OF  
TELEPHONE CALL

(bqt70cfL)

BETWEEN

~~XXXXXXXXXX~~

AND

~~XXXXXXXXXX~~

DATED

DECEMBER 15, 2012

\*\*\*\*\*

Transcribed by:

REALTIME REPORTERS, LLC  
Teresa Evans, RMR, CRR  
713 Lee Street  
Charleston, WV 25301  
(304) 344-8463  
www.realtimereporters.net

## P R O C E E D I N G S

(Telephone conversation between [REDACTED]  
and [REDACTED] dated  
December 15, 2012 - bqt70cfL)

(Telephone ringing)

MR. [REDACTED]: Hello.

THE OPERATOR: This is Global Tel Link.  
Your call may be monitored or recorded. I have a  
prepaid call from --

INMATE [REDACTED]: [REDACTED].

THE OPERATOR: -- an inmate in Lakin  
Correctional Center for Women. Your balance is  
\$60.70. To hear the maximum cost of this call,  
press 9. If you wish to accept this prepaid call,  
dial zero now. To refuse this call, hang up.

(Touch tone sounded.)

THE OPERATOR: Your call is being  
connected. Thank you.

INMATE [REDACTED]: Are you there?

MR. [REDACTED]: Yeah, yeah, yeah.

INMATE [REDACTED]: Hmm.

MR. [REDACTED]: Yeah, what I've been trying  
to tell you is that you passed up the only  
opportunity you had to find out where the children  
was. You had him exactly where you needed him to

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

\*\*\*\*\*

TRANSCRIPT OF  
TELEPHONE CALL  
(2ntxjcbL)

BETWEEN

~~XXXXXXXXXX~~

AND

~~JERRY~~

DATED

DECEMBER 11, 2012

\*\*\*\*\*

Transcribed by:

REALTIME REPORTERS, LLC  
Shery Skeen, Transcriptionist  
713 Lee Street  
Charleston, WV 25301  
(304) 344-8463  
www.realtimereporters.net

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

P R O C E E D I N G S

(Telephone conversation between ██████████ ██████████  
and ██████████ dated  
December 11, 2012 - 2ntxjcbL)

(Telephone ringing)

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

TRANSCRIPTION OF  
VIDEOTAPED CAR SEARCH  
AT RESIDENCE OF

[REDACTED], [REDACTED] AND [REDACTED]

May 13, 2013

Transcribed by:

REALTIME REPORTERS, LLC  
TERESA S. EVANS, RMR, CRR  
713 Lee Street  
Charleston, WV 25301  
(304) 344-8463  
realtimereporters.net

1 (Video begins:)

2 DEPUTY [REDACTED]: Going --

3 [REDACTED]: Yeah, I'd like to talk to  
4 you about --

5 DEPUTY [REDACTED]: I don't want to talk to  
6 you right now. Step inside.

7 You, here. What were you pointing at  
8 people this morning? You lie to me one time --

9 [REDACTED]: Phone.

10 DEPUTY [REDACTED]: -- and I swear I'll put  
11 you underneath the jail.

12 [REDACTED]: Dialing my phone --

13 DEPUTY [REDACTED]: Why are you pointing a  
14 phone at people?

15 [REDACTED]: I needed to make a phone  
16 call.

17 DEPUTY [REDACTED]: Why are you pointing a  
18 phone at people?

19 PAUL [REDACTED]: Why?

20 DEPUTY [REDACTED]: Why. I asked you why  
21 you're pointing a phone at people. You better talk.

22 PAUL [REDACTED]: I was just making a phone  
23 call. My phone don't work --

24 DEPUTY [REDACTED]: You're not paying a phone

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

IN THE CIRCUIT COURT OF KANAWHA COUNTY  
WEST VIRGINIA

\* \* \* \* \*

**[REDACTED] S, [REDACTED]. And  
[REDACTED] S, husband and wife,**  
Plaintiffs,

vs.

CIVIL ACTION  
NO. **[REDACTED]**

**[REDACTED] HUDSON; and  
[REDACTED] INC., a West Virginia  
corporation,**  
Defendants.

\* \* \* \* \*

Videotaped deposition of **[REDACTED]**,  
**[REDACTED]** taken by the Plaintiffs under the West  
Virginia Rules of Civil Procedure in the above-  
entitled action, pursuant to notice, before Teresa  
S. Evans, a Registered Merit Reporter, at the  
offices of Karen H. Miller, 2 Hale Street, Suite  
301, Charleston, West Virginia, on the 5th day of  
January, 2015.

REALTIME REPORTERS, LLC  
TERESA S. EVANS, RMR, CRR  
713 Lee Street  
Charleston, WV 25271  
(304) 344-8463  
realtimereporters.net



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

APPEARANCES:

APPEARING FOR THE PLAINTIFFS IN THEIR DIRECT SUIT:

[REDACTED], Esquire  
THE SEGAL LAW FIRM  
810 Kanawha Boulevard, East  
Charleston, WV 25301

APPEARING FOR THE DEFENDANT [REDACTED] AND A.C.M.:

[REDACTED], Esquire  
LAW OFFICES OF KHAN & WHEELER  
BB&T Square  
Charleston, WV 25301

APPEARING FOR THE DEFENDANT [REDACTED] IN HIS COUNTERCLAIM:

[REDACTED], Esquire  
MARK A. HUNT & ASSOCIATES  
405 Capitol Street, Suite 1009  
Charleston, WV 25301

APPEARING FOR [REDACTED] IN HIS COUNTERCLAIM:

[REDACTED], Esquire  
MacCORKLE LAVENDER  
300 Summers Street, Suite 800  
Charleston, WV 25332-3283

ALSO PRESENT:

[REDACTED], Plaintiff  
[REDACTED], Video Operator

EXAMINATION INDEX

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

DIRECT BY MR. <del>WOODS</del>	7
CROSS BY MR. <del>WORMEN</del>	17
CROSS BY MR. <del>CAUDILL</del>	19
RECROSS BY MR. <del>JOHNSON</del>	25

EXHIBIT INDEX

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

1 State of West Virginia Uniform Traffic 14  
Crash Report

## P R O C E E D I N G S

(Not on video record):

1  
2  
3 MR. ~~WORKMAN~~: This is ~~Andrew~~  
4 ~~Workman~~, Counsel for the Defendants in this  
5 matter, Mr. ~~Hudson~~. I just want to make a general  
6 reservation to redepose Mr. ~~Ross~~ in the future.  
7 That's basically it. I have no objection to the  
8 proceedings here today as long as I had that --  
9 the right to do that in the future.

10 MR. ~~WOODS~~: We wouldn't object, so  
11 long as there's not a -- I don't anticipate that  
12 today's deposition is going to take very long, at  
13 least on direct, so I wouldn't imagine that you  
14 would cover that material again anyway.

15 But --

16 MR. ~~WOODS~~: Okay.

17 MR. ~~CAUDILL~~: And if I may - I'm  
18 ~~Scott Caudill~~ - I am counsel for ~~Mr. Hudson~~ in his  
19 counterclaim against ~~Mr. Ross~~, and I'll join  
20 ~~Mr. Workman~~'s reservations and statements, if I  
21 may.

22 (And the proceedings continued as  
23 follows on the video record:)

24 VIDEO OPERATOR: This is the video

1 recorded deposition of ~~Henry Ross, Sr.~~, taken by  
2 the Plaintiffs in the matter of ~~Ross~~, et al versus  
3 ~~Hudson~~, et al, being Civil Action No. ~~15-CV-00174~~ in  
4 the Circuit Court of Kanawha County, West  
5 Virginia, held at the offices of Karen H. Miller  
6 in Charleston, West Virginia on the 5th of  
7 January, 2015.

8 My name is ~~Jennifer Minnich~~, I am  
9 the legal videographer. The court reporter is  
10 Teresa Evans. We are now on the record. The time  
11 is approximately 2:31 p.m.

12 Would counsel please introduce  
13 themselves and who they represent?

14 MR. ~~WOODS~~: ~~Viggo Woods~~ of the  
15 Segal Law Firm representing ~~Jenny Ross~~ and ~~Sam~~  
16 ~~Ross~~ in their direct claims against the  
17 Defendants.

18 MR. ~~WORKMAN~~: ~~Andrew Workman~~ for  
19 ~~Charles Hudson~~ and ~~ACORN~~, Inc.

20 MR. ~~CADDELL~~: I'm ~~Scott Caddehl~~ with  
21 Mark Hunt & Associates representing Defendant  
22 ~~Charles Hudson~~ in his counterclaim against  
23 Plaintiff ~~Ross~~.

24 MR. ~~WORK~~: ~~David Work~~ representing

1 [REDACTED]s on the counterclaim.

2 VIDEO OPERATOR: Would the court reporter  
3 please swear in the witness.

4 (The witness was sworn.)

5 [REDACTED] [REDACTED] [REDACTED],  
6 was called as a witness by the Plaintiffs, pursuant to  
7 notice, and having been first duly sworn, testified as  
8 follows:

9 DIRECT EXAMINATION

10 BY MR. [REDACTED]:

11 Q. Could you please state your name for the  
12 record?

13 A. [REDACTED].

14 Q. And where do you live, Mr. [REDACTED]?

15 A. [REDACTED] Cabin Creek Road, Eskdale, West Virginia,  
16 25075.

17 Q. And how long have you lived in Cabin Creek?

18 A. All my life, around 60 years.

19 Q. And how old are you?

20 A. 59.

21 Q. And when's your birthday?

22 A. March 12th.

23 Q. Okay. So you'll be 60 years old this March.

24 A. Right.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

*Witness signature*

(Having indicated he would like to waive reading and signing of his deposition, further this deponent saith not.)

--oOo--

*Wants to read*

(Having indicated [he|she] would like to read [his|her] deposition before filing, further this deponent saith not.)

--oOo--

*Witness paragraph*

[]

was called as a witness by the Plaintiff, and having been first duly sworn, testified as follows:

DIRECT EXAMINATION

*Depo exhibit paragraph*

[] DEPOSITION EXHIBIT NO. []

([] was marked for identification purposes as [] Deposition Exhibit No. [].)

1 STATE OF WEST VIRGINIA,  
2 COUNTY OF [], to wit;

3  
4 I, Teresa S. Evans, a Notary Public within and  
5 for the County and State aforesaid, duly commissioned  
6 and qualified, do hereby certify that the foregoing  
7 deposition of [] was duly taken by me and before me at  
the time and place and for the purpose specified in the  
caption hereof, the said witness having been by me  
first duly sworn.

8 I do further certify that the said deposition  
9 was correctly taken by me in shorthand notes, and that  
10 the same were accurately written out in full and  
reduced to typewriting and that the witness [did|did  
not] request to read [his|her] transcript.

11 I further certify that I am neither attorney  
12 or counsel for, nor related to or employed by, any of  
13 the parties to the action in which this deposition is  
14 taken, and further that I am not a relative or employee  
15 of any attorney or counsel employed by the parties or  
financially interested in the action and that the  
attached transcript meets the requirements set forth  
within article twenty-seven, chapter forty-seven of the  
West Virginia Code.

16 My commission expires October 25, 2020. Given  
17 under my hand this [] day of [], ~~2010~~  
2015

18 \_\_\_\_\_  
19 Teresa S. Evans  
RMR, CRR, RPR, WV-CCR

20  
21  
22  
23  
24



