



Realtime  
Reporters

STYLE MANUAL

December 2015

## ABOUT REALTIME REPORTERS

Realtime Reporters is currently one of the largest court reporting agencies in West Virginia. It was founded in 1994 by Teresa Evans who is a realtime reporter that graduated from Huntington Junior College in 1981. Teresa is the only person to ever graduate realtime court reporting school in one year. Realtime reporting means putting accurate text on a screen for viewers to read simultaneously as people are speaking. This is a skill that only a few reporters have. Teresa has been very successful in her career and served as a role model, mentor, and friend for many court reporters nationwide.

Teresa founded Realtime Reporters in 1981. She kept the business small until approximately 2012. At that time, she expanded Realtime Reporters, hired more court reporters and started providing services throughout West Virginia. During the first year of expansion for Realtime Reporters, the company grew by 25 percent. The following year saw a 13 percent growth. And last year, there was a 25 percent growth. Realtime Reporters hopes to continue this trend and grow by at least 25 percent, but is striving for more.

In addition to offering court reporting services, Realtime Reporters now offers video services, focus groups, and mediation space for clients. Realtime Reporters pride themselves on going the extra mile for clients by offering the most accurate and fastest turnaround in the business without upcharges for these services. Realtime Reporters take pride in offering friendly, professional, and honest services to their valued clients.

To work as a reporter for Realtime Reporters is a very rewarding experience. Teresa believes in being hands-on for her reporters in addition to reporting herself. Teresa makes herself available day and night, weekends, and holidays for her reporters. Teresa encourages her reporters to be the best they can be, and wants each of them to become nationally certified. Teresa is very supportive of her reporters and wants them to love their job as much as she does.

## INTRODUCTION

The purpose of this manual is to make sure that transcripts being produced by Realtime Reporters are uniform. While this manual will not encompass every issue you may encounter as a reporter, it will address common things you will encounter. Please refer to the manual for guidance. If you still have questions, don't hesitate to ask.

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## FORMAT

In June of 2014, the West Virginia Legislature passed a law regarding Court Reporter Services (see Appendix A). Article 47-27-3 sets out the parameters for which a transcript should be produced, and these guidelines must be followed. When setting up your format, please use the following:

- (1) No fewer than 24 typed lines per page.
- (2) No fewer than nine characters the typed inch. The Lucinda Console or Courier New 12 point fonts meet this requirement and keep all of the characters the same size.
- (3) A full line of text must have no less than 56 characters and/or spaces unless timestamping is used. Then it shall be no fewer than 48 characters and/or spaces for a full line of text. Note that timestamping may only be used according to Article 47-27-4(c)(4). Please confirm with the office before using timestamping in your transcript.
- (4) Page numbers, headers, and footers do not count as a line of text. There must be 24 lines of actual transcript text in your format.
- (5) Each question and answer is to begin no more than five spaces from the left-hand margin with no more than five spaces from the question and answer to the text. The questions should be signified by a capital Q followed by a period. The answers should be signified by a capital A followed by a period. Questions and answers that take more than one line should begin at the left hand margin. Please see the example below.

1           Q. For the record, will you please state and  
2 spell your name for the court reporter?  
3           A. My name is Jane Smith. My first name is  
4 spelled J-A-N-E. My last name is S-M-I-T-H.

(5) Colloquy is to begin no more than 15 spaces from the left-hand margin with the carry-over to continue at the left-hand margin. The colloquy starts two spaces after the colon following the speaker's name. Please see the example below.

1                           MR. JONES: I object. Asked and  
2 answered.  
3                           MS. DOE: If you know, you may answer  
4 the question.

## TITLE PAGES

There are many different types of title pages that can be used for transcripts depending on the type of proceeding. Video depositions, 30(b)(7) depositions, hearings, and trials all may have different types of title pages. This section will help you to determine which title page to use. It is important that you carefully read the Notice of Deposition you receive or any other documents provided to double-check spellings.

The deposition title page will include the following pertinent information:

- (1) Caption of the case;
- (2) Deponent Name;
- (3) Date;
- (4) Type of deposition (video, 30(b)(7), et cetera);
- (5) What jurisdiction it is governed by;
- (6) Name of reporter;
- (7) Location of where the deposition took place; and
- (8) Date of the deposition.

Example paragraph included on deposition title page:

The videotaped deposition of Jane Doe was taken under the West Virginia Rules of Civil Procedure in the above-titled, pursuant to notice, before Teresa S. Evans, a Registered Merit Reporter, at Realtime Reporters, 713 Lee Street, Charleston, West Virginia, on the 15th day of December, 2014.

The court title page will include the following pertinent information:

- (1) Caption of the case;
- (2) Type of hearing;
- (3) Which judge the hearing is before;
- (4) Location of where the hearing took place; and
- (5) Date of the hearing.

Example paragraph included on hearing title page:

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

## TITLE PAGES CONTINUED

If you are transcribing a proceeding from an audio recording in which you were not present, use the same information above but also include a statement indicating your absence at the proceeding **bolded** so that the reader knows that this proceeding was not taken down by you acting in your role as a reporter. See the example below.

Motions hearing before the Mass Litigation Panel consisting of the Honorable Jay M. Hoke and the Honorable John Hutchison, Trial Panel Judges, at the Kanawha County Ceremonial Courtroom, Charleston, West Virginia, on the 18th day of December, 2014, said transcription being performed by Julie A. Blosser, a Certified Court Reporter within and for the State of West Virginia from a compact disc provided by Jane Doe, Esquire; **said transcript having been prepared without the benefit of this reporter's presence at the hearing.**

There will be times when the caption of the case is too large to fit on one page. If this happens, continue with the caption onto the subsequent page. Then add the title and paragraph as listed above. An example of this is attached in Appendix B, along with several other examples of title pages.

## APPEARANCE PAGES

When covering a deposition, it is necessary to note everyone present in the room at the time of the deposition. The title page includes the names and addresses of the attorneys and who they represent. At the top of the page, the title "APPEARANCES:" should appear centered and capped. List the appearances as they are listed in the caption of the case, starting with the plaintiff. If a party is present, list them first and then by their representative. When listing the attorney's information, indent the information, list the attorney's name first, capitalize the firm name, and then list the address. It is also important to note if someone appears by telephone. If the names will not fit on one page, continue on to the next page with the title "APPEARANCES CONTINUED:" centered at the top of the page.

Example of appearances for a deposition:

### APPEARING FOR THE PLAINTIFF:

John Smith, Esquire  
SMITH & JONES, PLLC  
123 Main Street  
Any Town, WV 55555

### DEFENDANT IN PERSON AND REPRESENTED BY:

Jane Doe, Esquire  
DOE & JOHNSON, LC  
345 Main Street  
Any Town, WV 55555

### ALSO PRESENT:

John Jones, Videographer

The only difference in the appearance page for a court proceeding is that it is not necessary to list everyone present. Only include on the title page any parties that are present along with their attorneys. The format is the same as above. Please see Appendix C for examples of appearance pages.



## INDEX PAGES

Index pages are very complex and require attention to detail. It is important that after the transcript has been completed and ready for production that you double-check all of the page numbers listed to make sure they correspond with the information provided.

There are two types of index pages which will be included, an examination index and an exhibit index. The top of the index page should include the title "EXAMINATION INDEX" or "EXHIBIT INDEX" centered and capped. If the information does not fit on one page, continue to the next with the title of "EXAMINATION INDEX CONTINUED" or "EXHIBIT INDEX CONTINUED" centered and capped.

For a deposition examination index page, list the deponent's name and then the attorney doing the examination and the page where the examination began.

### EXAMINATION INDEX

BY MR. SMITH	5
BY MS. JONES	55
BY MR. SMITH	60

For a deposition exhibit index page, list the number of the exhibit, the description of the exhibit, and the page it was marked.

### EXHIBIT INDEX

1	30(b)(7) Deposition Notice of John Doe	8
2	Letter to Mr. Jones from Mrs. Smith dated 03/04/14	55

For a court proceeding examination index, list the parties' witnesses, the type of examination, the attorney doing the examination, and the page on which the examination takes place.

### EXAMINATION INDEX

#### PLAINTIFF'S WITNESSES:

John Doe	
Direct by Mr. Smith	55
Cross by Ms. Jones	135
Cross by Mr. Johnson	155
Redirect by Mr. Smith	175

INDEX PAGES CONTINUED

For a court proceeding examination index page, list the exhibit number, the description, the page it was marked, and the page it was admitted.

EXHIBIT INDEX

PLAINTIFF'S EXHIBITS		MARKED	ADMITTED
1	Letter to Mr. Smith from Mrs. Jones dated 03/04/15	14	18
2	Letter from Mrs. Jones to Mr. Smith dated 03/28/15	22	25
DEFENDANT'S EXHIBITS		MARKED	ADMITTED
1	Employment Agreement	38	60

Please see Appendix D for examples of index pages

## PROCEEDINGS

On your proceedings page, the first line will include the title "P R O C E E D I N G S" which is centered and capped. On Line 2, start your transcript as the proceedings took place. Please reference the format section of this manual on how to start the colloquy and how to set up the question and answer part of your transcript.

At some point during the proceedings, you will need to identify the witness. Make sure to include the name of the witness and who called the witness.

For a deposition, the witness setup is as follows:

J O H N S M I T H  
was called as a witness by the Plaintiff,  
pursuant to notice, and having been first duly  
sworn, testified as follows on:

EXAMINATION

BY MR. JONES:

Q.

For a court proceeding, the witness setup is as follows:

J O H N S M I T H  
was called as a witness by the Plaintiff, and  
having been first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. JONES:

Q.

After the examination has begun, use the approximately guidelines mentioned in the format section to do the question and answer section between the attorney and the witness.

If the witness speaks to someone else during the proceedings, identify them by THE DEPONENT in a deposition, or THE WITNESS in a court proceeding.

Deposition Example:

Q. Where were you born?

THE DEPONENT: Do I have to answer that?

MS. SMITH: Yes.

A. I was born in West Virginia.

PROCEEDINGS CONTINUED

Court Proceeding Example

- Q. Where were you born?  
THE DEPONENT: Do I have to answer that?  
THE COURT: Yes.  
A. I was born in West Virginia.

During the proceedings, if the question and answer is interrupted by colloquy, you do not have to put the by line unless the colloquy has taken place for more than six lines.

Example less than six lines:

- Q. Where were you born?  
THE DEPONENT: Do I have to answer that?  
MS. SMITH: Yes.  
A. I was born in West Virginia.

Example more than six lines:

- Q. Where were you born?  
MS. SMITH: Objection. Asked and answered.  
MR. JONES: The witness did not answer my question  
previously.  
MS. SMITH: She did answer, Your Honor.  
MR. JONES: She stated when she was born, not  
where.  
MS. SMITH: I stand corrected  
THE COURT: Objection overruled.  
BY MR. SMITH:  
Q. Where were you born?

During the course of the testimony, oftentimes exhibits will be marked. To mark an exhibit, identify the exhibit number by centering and capping the text. Following the identification, within a parenthetical give a description of the exhibit at the same place where you start your colloquy.

MR. SMITH: Please mark this as Exhibit 1.  
DEPOSITION EXHIBIT NO. 1  
(Deposition Notice of Jane Doe  
was marked for identification  
purposes as Deposition Exhibit No.  
1.)

At the end of a deposition, the deponent will be given a choice to read his transcript or waive his or her right to read the transcript. The following parentheticals should be used based upon the deponent's choice. The parenthetical starts at the same position as the colloquy, and then continues on to the left-hand margin.

Read

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

Waive

(Having indicated he would like to wave his right to read the deposition before filing, further this deponent saith not.)

## PARENTHETICALS

Throughout the course of the proceedings, there will be times where parentheticals will have to be placed so the reader will understand what is going on. If a parenthetical occurs after a question or answer, place the parenthetical where the text would begin. If a parenthetical is required at a separate place, start the parenthetical at the colloquy position.

If a witness/deponent answers by nodding or shaking their head, please use the following:

Q. Did you eat breakfast?  
A. (Indicating affirmatively.)

Q. Did you eat breakfast?  
A. (Indicating negatively.)

If the witness/deponent does not answer, please use the following:

Q. Did you eat breakfast?  
A. (No response.)

If the witness/deponent uses sounds to indicate affirmatively or negatively, please use the following:

Q. Did you eat breakfast?  
A. Uh-huh.

Q. Did you eat breakfast?  
A. Huh-uh.

## MISCELLANEOUS

In order to keep things consistent throughout transcripts, Realtime Reporters requests you use the following:

- (1) Always make time look like time. For example, "I woke up at 7:00 a.m." If they say the word "o'clock," include that with the time. "I got up at 7:00 o'clock." Do not spell out the time.
- (2) If a title is used before a number, please cap that. For example, "Exhibit 1, Item 1, Page 1."
- (3) Use "No." in place of the word "number" when used with a title. For example, Exhibit No. 1, Item No. 1, Page No. 1."
- (4) Capitalize the word "Court" if it is referring to the judge who is speaking or wrote an order. For example, "The Court ordered that he report to jail."
- (5) Capitalize official documents. For example, "The Complaint was filed in October. The Answer was filed in November."
- (6) When quoting material, please make sure you have the documents to reference before placing the text in quotes.
- (7) Always use the correct punctuation rules when finalizing your transcript. If you are unable to find an answer, please contact the office.

# APPENDIX A



**ARTICLE 27.**  
**COURT REPORTER SERVICES.**

## Section

- 47-27-1. Fair trade standards for use of court reporter services.
- 47-27-2. Prohibited conduct.
- 47-27-3. Disclosure and limitations on practices.
- 47-27-4. Penalties for violations; civil actions; and damages.

**Effective Dates.** — Acts 2014, c. 30, provided that the act take effect June 6, 2014.

**§ 47-27-1. Fair trade standards for use of court reporter services.**

(a) The purpose of this article is to ensure the integrity of the use of court reporter services by establishing standards for private court reporters and entities providing or arranging for court reporting services. It is declared the policy of the State of West Virginia that fair, ethical and impartial selection and use of court reporting services are integral to the equitable administration of justice.

(b) For purposes of this article, “court reporter” means private court reporters providing court reporting services, as well as businesses, entities or firms that provide or arrange for court reporting services, and “original transcript” means the original transcription requested by a party along with a certified copy of same for purposes of filing with a court.

(c) The provisions described in this article apply to court reporting services performed in this state that are:

- (1) Provided by a court reporter, wherever based, in connection with a legal proceeding commenced or maintained in this state; and
- (2) Provided by a court reporter based in this state, whether the parties appear in person or by remote means.

(d) The provisions of this article do not apply to the conduct of official court reporters or their substitutes, appointed by judges pursuant to section one [§ 51-7-1], article seven, chapter fifty-one of this code, when acting in their official capacities, reporters of government proceedings not relating to a legal proceeding, local or federal courts, providing real-time services for hard-of-hearing litigants, the provision of pro bono services to litigants who would qualify for the same through West Virginia Legal Aid or other similar organizations, workers’ compensation proceedings or legal proceedings recorded with sound-and-visual devices. A legal proceeding includes, but is not limited to, the following:

- (1) A court proceeding;
- (2) A deposition;
- (3) An arbitration hearing; and
- (4) An examination under oath.

(e) Court reporters, businesses, entities, insurers or firms providing or arranging for court reporting services are subject to the provisions of this

section even if the businesses, entities, insurers or firms are not subject to registration or other regulatory oversight in the state.

*History.* 2014, c. 30.

**§ 47-27-2. Prohibited conduct.**

(a) A legal proceeding may not be reported by:

- (1) An individual who engages in a prohibited action as provided in this section;
- (2) A party to the action;
- (3) A relative, employee or attorney of one of the parties;
- (4) Someone with a financial interest in the action or its outcome; or
- (5) A relative, employee or attorney of someone with a financial interest in the action or its outcome.

(b) Court reporters may not:

(1) Base the compensation for the court reporting services on the outcome of the proceeding or otherwise giving the court reporter or court reporting business, entity or firm a financial interest in the action. Court reporters or businesses, entities or firms providing or arranging for court reporting services may not offer or provide court reporting services where payment for those services will be made contingent on the outcome of the action.

(2) Enter into an agreement, whether formal or informal, for court reporting services which restricts the noticing attorney or party to a legal proceeding from selecting and using the court reporter of his or her own choosing or otherwise requires the noticing attorney or party to a legal proceeding to select or use a court reporter not of his or her own choosing. Before accepting an assignment for court reporting services, the court reporter is obligated to make reasonable efforts to ascertain whether any arrangement exists which is prohibited under this article.

(3) Allow the format, content or body of the transcript as certified by the court reporter to be manipulated in a manner that increases the cost of the transcript.

(4) Charge a fee for the electronic copy or paper copy of a transcript that is more than fifty-five percent of the cost of the original transcript, except by agreement of all parties to a legal proceeding. This prohibition does not apply to real-time court reporting services or accelerated transcript delivery requests made by the party requesting a copy of the transcript when the party requesting the original has not requested accelerated delivery.

(5) Require the attorney purchasing the original or a copy of the transcript to purchase extra services that were neither ordered nor desired from the court reporter as a condition for the sale of the transcript.

*History.* 2014, c. 30.

**§ 47-27-3. Disclosure and limitations on practices.**

(a) Prior to the commencement of a legal proceeding, and at any time during

or following the conclusion of a legal proceeding, an attorney or a party to that legal proceeding has the right to an itemized statement of all rates and charges for all services that have been or will be provided by the court reporter or business, entity or firm providing or arranging for court reporting services to any party to the legal proceeding.

(b) A court reporter shall certify on the certification page of each transcript of a legal proceeding, the following: "I certify that the attached transcript meets the requirements set forth within article twenty-seven [§§ 47-27-1 et seq.], chapter forty-seven of the West Virginia Code."

(c) Each transcript of a legal proceeding shall conform to the following minimum standards:

(1) No fewer than twenty-four typed lines on standard 8-1/2 by 11 inches pages.

(2) No fewer than nine characters to the typed inch.

(3) A full line of text shall be no less than fifty-six characters and/or spaces unless timestamping is used, in which case no fewer than forty-eight characters and/or spaces shall be used on a full line of text.

(4) Timestamping may only be printed on a transcript under any of the following circumstances: (A) when a deposition is videotaped; (B) when requested by counsel on the record; and (C) when a transcript will have not less than forty-eight characters per line.

(5) The page numbers, headers and footers do not count as a line of text. Line numbers and the spaces preceding text do not count as a character.

(6) Each question and answer to begin on a separate line.

(7) Each question and answer to begin no more than five spaces from the left-hand margin with no more than five spaces from the question and answer to the text.

(8) Carry-over question and answer lines to begin at the left-hand margin.

(9) Colloquy material to begin no more than fifteen spaces from the left-hand margin, with carryover colloquy to the left-hand margin. In colloquy, text shall begin no more than two spaces after the colon following speaker identification.

(10) Quoted material to begin no more than fifteen spaces from the left-hand margin, with carry-over lines to begin no more than ten spaces from the left-hand margin.

(11) Parentheticals and exhibit markings to begin no more than fifteen spaces from the left-hand margin, with carry-over lines to begin no more than fifteen spaces from the left-hand margin.

(d) The provisions of sections one [§ 47-27-1], two [§ 47-27-2] or three [§ 47-27-3] of this article may not be waived or otherwise modified.

**History.** 2014, c. 30.

#### **§ 47-27-4. Penalties for violations; civil actions; and damages.**

A court reporter or the entity that produces and bills for the transcript which violates the provisions of sections two [§ 47-27-2] or three [§ 47-27-3] of this

article is subject to civil penalty in a court of competent jurisdiction as follows: Any party to a civil action, a court reporter, attorney or other person who has been subject to a violation of the provisions of sections two or three of this article may recover, payable to the prevailing party, a civil penalty for any willful violation of this section and the court shall assess a civil penalty of no less than \$2,500 for each violation: Provided, That no more than one civil penalty under this section may be assessed in any one matter pending before the court; and if the court finds that the court reporter has engaged in a course of repeated and willful violations of this section, it may assess an additional civil penalty of up to \$5,000 for each violation of this section. For any action filed pursuant to this section, the court, in its discretion, may award all or a portion of the costs of litigation, including reasonable attorney fees, court costs and fees, to the prevailing party.

**History.** 2014, c. 30.

# APPENDIX B

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VIDEOTAPED DEPOSITION OF JANE DOE  
DECEMBER 14, 2014

Videotaped deposition of JANE DOE taken under the West Virginia Rules of Civil Procedure in the above-titled action, pursuant to notice, before Teresa S. Evans, a Registered Merit Reporter, at Realtime Reporters, 713 Lee Street, Charleston, West Virginia, on the 14th day of December, 2014.

IN THE CIRCUIT COURT OF KANAWHA COUNTY  
WEST VIRGINIA

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IN RE: JANE DOE  
CASE NO. 14-JA-1

\* \* \* \* \*

MOTIONS HEARING

Motions hearing before the Honorable John Smith at the  
Kanawha County Courthouse, Charleston, West Virginia, on 18th  
day of December, 2014.

WORKERS COMPENSATION CLAIM

\* \* \* \* \*

CLAIMANT: Jane Doe
JCN: XXXXXXXX
CLAIM NO.: XXXXXXXX
DOI: XXXXXXXX
EMPLOYER: ABC Company, Inc.

\* \* \* \* \*

Deposition of JOHN SMITH taken by the Claimant under the West Virginia Rules of Civil Procedure in the above-titled action, pursuant to notice, before Teresa Evans, a Registered Merit Reporter, at the offices of Realtime Reporters, 713 Lee Street, Charleston, West Virginia, on the 14th day of December, 2014.

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# APPENDIX C

## APPEARANCES:

## PLAINTIFF IN PERSON AND REPRESENTED BY:

John A. Jones, Esquire  
JONES LAW OFFICE, PLLC  
123 Main Street  
Any Town, WV 55555

## APPEARING FOR THE DEFENDANT ABC COMPANY:

John A. Jones, Esquire  
JONES LAW OFFICE, PLLC  
123 Main Street  
Any Town, WV 55555

## APPEARING FOR THE DEFENDANT DEF COMPANY:

John A. Jones, Esquire  
JONES LAW OFFICE, PLLC  
123 Main Street  
Any Town, WV 55555

## APPEARING FOR THE DEFENDANT HIJ COMPANY:

John A. Jones, Esquire  
JONES LAW OFFICE, PLLC  
123 Main Street  
Any Town, WV 55555

## APPEARING FOR THE DEFENDANT KLM COMPANY:

John A. Jones, Esquire  
JONES LAW OFFICE, PLLC  
123 Main Street  
Any Town, WV 55555

## APPEARING FOR THE DEFENDANT NOP COMPANY:

John A. Jones, Esquire  
JONES LAW OFFICE, PLLC  
123 Main Street  
Any Town, WV 55555

## APPEARANCES CONTINUED:

APPEARING FOR DEFENDANT QRS COMPANY (via telephone):

John A. Jones, Esquire  
JONES LAW OFFICE, PLLC  
123 Main Street  
Any Town, WV 55555

APPEARING FOR DEFENDANT TUV COMPANY (via video conference:)

John A. Jones, Esquire  
JONES LAW OFFICE, PLLC  
123 Main Street  
Any Town, WV 55555

ALSO PRESENT:

Joe Johnson, Videographer

# APPENDIX D

## EXAMINATION INDEX

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BY MR. JONES:	15
BY MS. SMITH:	22
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EXAMINATION INDEX

PLAINTIFF'S WITNESSES:

John Doe

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Cross by Mr. Jones:	10
Redirect by Mr. Smith:	15

DEFENDANT'S WITNESSES:

Jane Doe

Direct by Mr. Jones	17
Cross by Mr. Smith	33
Redirect by Mr. Jones	52

## EXHIBIT INDEX

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2	Letter from Jane Doe to John Smith dated 06/15/14	39
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## EXHIBIT INDEX

PLAINTIFF'S EXHIBITS		MARKED	ADMITTED
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2	Letter from Jane Doe to John Smith dated 06/15/14	23	23
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DEFENDANT'S EXHIBITS		MARKED	ADMITTED
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2	Letter from Jane Doe to John Smith dated 06/15/14	84	85
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4	Color Photograph	93	93