

Exhibit "57"

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

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-----X
CITY OF NEW ROCHELLE,

4

PLAINTIFF,

5

- against -

Index No.:

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54190/2016

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FLAVIO LA ROCCA, MARIA LA ROCCA, FLAVIO LA
ROCCA & SONS, INC., a/k/a F. LA ROCCA &

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SONS, INC. And FMLR REALTY MANAGEMENT LLC,

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DEFENDANTS.
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DATE: May 28, 2021

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TIME: 1:00 P.M.

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EXAMINATION BEFORE TRIAL of the
Defendant, FLAVIO LA ROCCA & SONS, INC., by
MARTIN SANCHEZ, taken by the Plaintiff,
pursuant to a Court Order, held via
Veritext Virtual Services, before Edith
Tirado-Plaza, a Notary Public of the State
of New York.

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A P P E A R A N C E S:

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LLP

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SILVERBERG ZALANTIS, LLC

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BY: KATHY ZALANTIS, ESQ.

ALSO PRESENT:

ROLAND KOKE
KARA GALLAHER - SPANISH INTERPRETER
ELITE LANGUAGE SERVICES

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221. UNIFORM RULES FOR THE
CONDUCT OF DEPOSITIONS

221.1 Objections at Depositions

(a) Objections in general. No objections shall be made at a deposition except those which, pursuant to subdivision (b), (c) or (d) of Rule 3115 of the Civil Practice Law and Rules, would be waived if not interposed, and except in compliance with subdivision (e) of such rule. All objections made at a deposition shall be noted by the officer before whom the deposition is taken, and the answer shall be given and the deposition shall proceed subject to the objections and to the right of a person to apply for appropriate relief pursuant to Article 31 of the CPLR.

(b) Speaking objections restricted. Every objection raised during a deposition shall be stated succinctly and framed so as not to suggest an answer to the deponent and, at the request of the questioning attorney, shall include a clear statement as to any defect in form or other basis of error or irregularity. Except to the extent permitted by CPLR Rule 3115 or by this rule, during the course of the examination persons in attendance shall not make statements or comments that interfere with the questioning.

221.2 Refusal to answer when objection is made. A deponent shall answer all questions at a deposition, except (i) to preserve a privilege or right of confidentiality, (ii) to enforce a limitation set forth in an order of the court, or (iii) when the question is plainly improper and would, if answered, cause significant prejudice to any person. An attorney shall not direct a deponent not to answer except as provided in CPLR Rule 3115 or this subdivision. Any refusal to answer or direction not to answer shall be accompanied by a succinct and clear statement of the basis therefor. If the deponent does not answer a question, the examining party shall have the right to complete the remainder of the deposition.

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M. SANCHEZ
221. UNIFORM RULES FOR THE
CONDUCT OF DEPOSITIONS

221.3 Communication with the deponent
An attorney shall not interrupt the deposition for the purpose of communicating with the deponent unless all parties consent or the communication is made for the purpose of determining whether the question should not be answered on the grounds set forth in section 221.2 of these rules and, in such event, the reason for the communication shall be stated for the record succinctly and clearly.

IT IS FURTHER STIPULATED AND AGREED that the transcript may be signed before any Notary Public with the same force and effect as if signed before a clerk or a Judge of the court.

IT IS FURTHER STIPULATED AND AGREED that the examination before trial may be utilized for all purposes as provided by the CPLR.

IT IS FURTHER STIPULATED AND AGREED that all rights provided to all parties by the CPLR cannot be deemed waived and the appropriate sections of the CPLR shall be controlling with respect hereto.

IT IS FURTHER STIPULATED AND AGREED by and between the attorneys for the respective parties hereto that a copy of this examination shall be furnished, without charge, to the attorneys representing the witness testifying herein.

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COURT REPORTER: Due to the need for this deposition to take place remotely because of the Government's Order for social distancing the parties will stipulate that the court reporter may swear in the witness over the phone/Veritext Virtual video conference and that the witness has verified that he is in fact Martin Sanchez Quiroz.

May I swear in the Spanish interpreter and the witness?

MR. MEISELS: Yes.

MS. ZALANTIS: Yes.

K A R A G A L L A G H E R, a Spanish interpreter, solemnly swore to translate the following questions from English to Spanish and answers from Spanish to English:

M A R T I N S A N C H E Z Q U I R O Z, called as a witness, having been first duly sworn, through an interpreter, by a Notary Public of the State of New York, was

1 M. SANCHEZ

2 examined and testified as follows:

3 EXAMINATION BY

4 MR. MEISELS:

5 Q. Mr. Sanchez, my name is Peter
6 Meisels. I'm going to be asking you a few
7 questions. If they're not clear, please
8 tell me and I will rephrase them; okay?

9 A. Yes.

10 Q. When did you find out that you
11 were going to have this deposition today?

12 A. Today.

13 Q. Who told you that you would
14 have the deposition today?

15 A. My boss.

16 Q. Who is your boss?

17 A. Flavio La Rocca.

18 Q. Did he tell you what this
19 deposition was about?

20 A. No.

21 Q. What do you understand this
22 deposition is about?

23 A. I don't know what it's about.

24 Q. How long have you worked for
25 Mr. La Rocca?

1 M. SANCHEZ

2 A. I've been working 15 years for
3 La Rocca.

4 Q. And were you working for Mr. La
5 Rocca in May of 2015?

6 A. Yes.

7 Q. Did you ever have occasion to
8 speak with Miss Zalantis?

9 A. No.

10 Q. Did you ever have occasion to
11 speak to anybody about this deposition?

12 A. No.

13 MS. ZALANTIS: Can you just
14 explain who Miss Zalantis is? I'm
15 not sure if he knows.

16 Q. Mr. Sanchez, when I refer to
17 Miss Zalantis, I was referring to Kathy
18 Zalantis who is the lawyer for Mr. La
19 Rocca. So, with that explanation, did you
20 ever have occasion to speak with Miss
21 Zalantis before today?

22 A. No.

23 Q. When I ask the question did you
24 ever speak with her, I'm including all
25 communications such as a telephone call or

1 M. SANCHEZ

2 a meeting in person. Are you certain that
3 you've never spoken to her?

4 A. No.

5 Q. When you say no, do you mean
6 that you never spoke to her?

7 A. No, I have not spoken to her.

8 MS. ZALANTIS: Can you ask if
9 a Zoom conference would be included
10 in the list of ways that we spoke?

11 Q. Mr. Sanchez, did you ever have
12 a Zoom conference with Miss Zalantis which
13 something like what we're doing now where
14 people were speaking to each other through
15 the computers?

16 A. Yes.

17 Q. Do you recall when that was?

18 A. Yes.

19 Q. I'm not asking you for what you
20 said to each other, but did you learn that
21 you would have this deposition today?

22 A. Yes.

23 Q. What did you understand this
24 deposition was about?

25 A. Some garbage that they said my

1 M. SANCHEZ

2 boss threw out but he didn't throw out
3 anything.

4 Q. So, you understood that the
5 deposition would be about your boss having
6 thrown out garbage; is that right?

7 A. About some trees that were cut
8 down but we don't do that.

9 Q. So, you understood that the
10 deposition would be about trees that got
11 cut down; is that right?

12 A. Yes.

13 Q. Is there any reason that you
14 would have difficulty answering my
15 questions today?

16 A. I don't understand.

17 Q. I'm going to ask you questions.
18 Will you have a problem understanding my
19 questions?

20 A. No.

21 Q. Will you have a problem
22 answering the questions?

23 A. No.

24 Q. Are you taking any medication
25 today?

1 M. SANCHEZ

2 A. No, not today.

3 Q. Did you take any medication
4 yesterday?

5 A. Yesterday afternoon I took two
6 pills, Aleve.

7 Q. Am I correct that you have
8 worked for Mr. La Rocca for 15 years?

9 A. Yes.

10 Q. What kind of work have you done
11 for Mr. La Rocca over those 15 years?

12 A. I drive for him and I do some
13 carpentry work for him and I do joiners for
14 the blue stone. I make the joiners for the
15 blue stone. It's made out of sand and
16 cement.

17 Q. Mr. Sanchez, does that mean
18 that you actually make the joiners that are
19 used when blue stone is installed on the
20 job?

21 A. Yes.

22 Q. Do you install the blue stone?

23 A. Yes.

24 Q. Mr. Sanchez, did you go to
25 public school?

1 M. SANCHEZ

2 A. In my country I went until
3 sixth grade of elementary school.

4 Q. What country do you come from?

5 A. I'm from Mexico.

6 Q. So, am I correct that you came
7 from Mexico and you attended up to the
8 sixth grade?

9 A. Yes.

10 Q. Did you complete the sixth
11 grade?

12 A. I started working in the fields
13 then.

14 Q. Did you start working in the
15 fields after the sixth grade or during the
16 sixth grade?

17 A. After I left sixth grade.

18 Q. In Mexico when you go to the
19 sixth grade, how old would you be?

20 A. About 15 years.

21 Q. Are you literate in Spanish?

22 A. Yes.

23 Q. I'm calling your attention to
24 May of 2015. Do you recall what kind of
25 work you were doing for Mr. La Rocca in May

1 M. SANCHEZ

2 of 2015?

3 A. So we do all different kinds of
4 work. So, we do some pavements like I
5 mentioned, we do walkways, we fix
6 driveways.

7 Q. Do you ever have to cut down
8 trees to do your job?

9 A. No, when a tree has to be cut
10 down then the owner of the house gets in
11 contact with the company to cut down trees.

12 Q. In 2015 where were you living?

13 A. I live now at the same address
14 368 North Avenue, Apartment 1, New
15 Rochelle.

16 Q. Do you work at Mr. La Rocca's
17 yard on East Street?

18 A. Yes.

19 Q. How do you get from your house
20 to your job?

21 A. I have a car.

22 Q. So, you drive?

23 A. Yes.

24 Q. Where do you park your car at
25 work?

1 M. SANCHEZ

2 A. I park it in the city lot.

3 Q. Is that the city lot that's
4 part of Flowers Park?

5 A. A lot of people park there.

6 Q. But my question was do you park
7 at the city lot in Flowers Park?

8 A. In the park by the skating.

9 Q. When you say in the park by the
10 skating, do you mean near the skate park?

11 A. Yes, next to it below.

12 Q. I'm going to show you a short
13 video and see what parts of it you're able
14 to describe for us. This video has been
15 marked as Plaintiff's Exhibit 13 for
16 identification.

17 Mr. Sanchez, are you able to
18 see that picture?

19 A. Yes.

20 Q. I'm particularly referring to
21 the video at 11 seconds. Can you tell me
22 what is fairly and accurately depicted in
23 that photograph?

24 A. Yes.

25 Q. Please explain what's shown.

1 M. SANCHEZ

2 A. I can see a machine and some
3 people. I can't see the rest very well.

4 Q. Do you remember having seen
5 this back in May of 2015?

6 A. No, I don't remember.

7 Q. Back in May of 2015, did you
8 work on a project to clear the gravel in
9 the area where you see the machine?

10 A. Some guys were sent to work on
11 that but I stayed in the yard to fix some
12 tools that had broken.

13 Q. Do you remember which guys were
14 sent to work on it?

15 A. I don't remember because the
16 guys who had worked here before have left.

17 Q. Do you remember Mr. Maya
18 working on it?

19 A. No, no, I don't know about him.

20 Q. Did you see any of the work
21 that those guys were doing?

22 A. I just know that they were
23 working and cleaning up the gravel because
24 when it rains a lot of gravel comes down
25 the road and a lot of potholes are there

1 M. SANCHEZ

2 and they were filling them in.

3 Q. And did you see them do that?

4 A. Yes, because the boss sent them
5 them to do that to rake the gravel so that
6 everything would be smoother.

7 Q. Did you see them do that?

8 A. Yes, because you can see the
9 whole street from there.

10 Q. When you say the whole street,
11 do you mean East Street?

12 A. Yes.

13 Q. Looking at that photograph
14 again, do you recall seeing this?

15 A. No.

16 Q. The yellow machine that you see
17 in the picture, do you know who owns that
18 machine?

19 A. No, I don't know because all of
20 Flavio La Rocca's vehicles and machinery
21 have his name on it and on this one I don't
22 see that.

23 Q. Do you recognize any of the
24 people in the photograph?

25 A. No, you can't see them very

Page 16

1 M. SANCHEZ

2 well. They're very far away in the photo.

3 Q. Mr. Sanchez, now are you able
4 to recognize any of the workers in the
5 photograph?

6 A. No, I see them even further
7 away.

8 Q. Mr. Sanchez, am I correct that
9 the yellow truck on the left belongs to Mr.
10 La Rocca?

11 A. Yes.

12 Q. Am I correct that the yellow
13 truck on the right belongs to Mr. La Rocca?

14 A. Yes.

15 Q. Mr. Sanchez, are you now able
16 to recognize any of the people shown in the
17 photograph?

18 A. All I can see is the tractor
19 but I can't see the people well.

20 MS. ZALANTIS: For the record,
21 you're asking about 29 seconds into
22 the video.

23 MR. MEISELS: Yes, that's
24 correct.

25 Q. Mr. Sanchez, do you see the

1 M. SANCHEZ

2 piles of wood chips in the middle of the
3 photograph?

4 A. Yes.

5 Q. Did you see who put them there?

6 A. No.

7 THE INTERPRETER: If one of the
8 attorneys can instruct the gentleman
9 I need to interpret the whole thing
10 for him because otherwise the whole
11 thing gets lost.

12 A. No, we didn't bring that there.
13 I don't know how that got there. I wasn't
14 there. That's at the other end of the
15 street. I'm at the other end of the
16 street. No, I don't know how that got
17 there.

18 Q. Do you know what happened to
19 those piles of wood chips?

20 A. No, I didn't notice that.

21 Q. Mr. Sanchez, how old are you?

22 A. 64 years old.

23 Q. Mr. Sanchez, now are you able
24 to recognize any of the men in the picture?

25 A. Those are some workers from

1 M. SANCHEZ

2 there but, as I said, they've gone.

3 Q. Were they workers for Mr. La
4 Rocca?

5 A. Yes, because he had sent them
6 there to rake the gravel that had fallen
7 from the rain.

8 Q. Do you recall what they were
9 doing?

10 A. They were raking the gravel
11 because a lot had come down there.

12 Q. Mr. Sanchez, when you say a lot
13 had come down there, where did it come
14 from?

15 A. From up there where the garbage
16 is thrown out.

17 Q. Mr. Sanchez, do you recognize
18 the gentleman in the photograph? I'm
19 referring to 43 seconds on the video.

20 A. No, no, I don't remember him.

21 Q. Do you recognize the gentleman
22 with the beige shirt?

23 A. No, I don't remember him.

24 Q. Were they working for Mr. La
25 Rocca at that time?

1 M. SANCHEZ

2 A. Yes.

3 Q. Have they left the job since
4 then?

5 A. Some people go to work and
6 they're there for a month or two months and
7 then they leave.

8 Q. Did these two people leave?

9 A. Yes.

10 Q. Mr. Sanchez, do you recognize
11 what's shown in this photograph?

12 A. Yes.

13 Q. Tell us what it is.

14 A. You can see some piles of
15 garbage that was thrown there.

16 MS. ZALANTIS: For the record,
17 can we reflect that you're asking
18 about the video at a minutes and two
19 seconds?

20 MR. MEISELS: Yes.

21 Q. Mr. Sanchez, as I understand
22 your testimony these workers are cleaning
23 up garbage?

24 A. No, they're raking the dirt.

25 Q. Do you know who told them to

1 M. SANCHEZ

2 rake the dirt?

3 A. Flavio has two yards and one of
4 them has gravel inside.

5 Q. Did the gravel that's shown in
6 this photograph come from Mr. La Rocca's
7 yard?

8 A. No, it came from the area where
9 the garbage is thrown out and when it rains
10 it gets carried down there.

11 Q. Is it your testimony that all
12 the gravel that we see in this photograph
13 was carried there by the rain?

14 A. Yes.

15 Q. Mr. Sanchez, I'm referring to
16 the same video but at 128 seconds. It's
17 actually 1.28 minutes. Is the yellow truck
18 shown in the picture Mr. La Rocca's truck?

19 A. Yes.

20 Q. Do you see that there's a metal
21 gate that is shown in the photograph?

22 A. Yes.

23 Q. Does that gate lead to Mr. La
24 Rocca's yard?

25 A. Yes.

1 M. SANCHEZ

2 Q. Is that the yard where he keeps
3 his gravel?

4 A. There we have gravel dirt.

5 Q. Does Mr. La Rocca ever use wood
6 chips on his jobs?

7 A. No.

8 Q. Mr. Sanchez, do you see the
9 truck that's shown in this photograph which
10 in the same video and it's actually at two
11 minutes and 15 seconds? Do you see the
12 truck?

13 A. Yes.

14 Q. I'm not talking about the
15 yellow truck, I'm talking about the black
16 truck. Do you see the black truck?

17 A. Yes.

18 Q. Does that black truck belong to
19 one of the contractors who has a yard on
20 East Street?

21 A. Yes.

22 Q. Do you remember the name of
23 that contractor?

24 A. His name is Bernie.

25 Q. Mr. Sanchez, did you mean

1 M. SANCHEZ

2 Bernie or Benny?

3 A. Benny.

4 Q. Does Benny still have a yard on
5 East Street?

6 A. Yes.

7 Q. Do you know what the name of
8 Benny's business is?

9 A. I just heard that they call him
10 Benny.

11 Q. Is Benny in the landscaping
12 business?

13 A. I don't know exactly what they
14 do. I think they're gardeners. I'm not
15 sure.

16 Q. Did you ever see Benny's trucks
17 loaded with wood chips?

18 A. No, I never seen them.

19 Q. When Mr. La Rocca's workers
20 were cleaning up that gravel area, did
21 anyone who worked for Benny help out?

22 A. No.

23 Q. Referring to the black truck in
24 the photograph, do you know if that truck
25 belonged to Benny?

1 M. SANCHEZ

2 A. That's his vehicle but he sold
3 it and bought another one.

4 Q. Mr. Sanchez, I'm showing you
5 the same video but now we're at two minutes
6 and 42 seconds. Do you recognize what's
7 shown in the video?

8 A. Yes.

9 Q. Can you explain to us what you
10 recognize from the video?

11 A. A roller that is rolling over
12 the gravel that's being raked.

13 Q. Can you identify the person
14 whose driving the roller?

15 A. The roller is only driven by a
16 guy named Felipe.

17 Q. Is that Felipe Maya?

18 A. Yes, he's the only one who
19 drives the machines.

20 Q. Am I correct that Mr. Maya was
21 employed by Mr. La Rocca?

22 A. Yes.

23 Q. Do you recognize the other
24 workers in that photograph?

25 A. No, I can't see them well.

1 M. SANCHEZ

2 Q. Do you know whether or not they
3 were working for Mr. La Rocca?

4 A. As I said, some of the people
5 only work for a month or two and then they
6 leave the work.

7 Q. But do you know whether those
8 other men were working for Mr. La Rocca
9 when they were raking this gravel?

10 A. Yes.

11 Q. Do you know what these workers
12 were told to do?

13 A. No, I don't but they were just
14 raking the dirt.

15 Q. Mr. Sanchez, I'm going to show
16 you a photograph that was marked as Exhibit
17 GG and this is the first photograph in a
18 group that's been marked as GG. Can you
19 see the photograph?

20 A. Yes.

21 Q. Mr. Sanchez, do you see the
22 white car in the middle of the photograph?

23 A. Yes.

24 Q. Do you recognize what's shown
25 in the photograph?

1 M. SANCHEZ

2 A. Yes.

3 Q. Can you explain to us what's
4 fairly and accurately depicted in that
5 photograph?

6 A. There's a fence around one part
7 of the white car.

8 Q. Mr. Sanchez, when you refer to
9 the fence, do you mean the black metal
10 fence that is located on the right-hand
11 side of the car?

12 A. Yes, it's a black fence.

13 Q. Are we talking about the black
14 fence that would be on the front passenger
15 side of the white car?

16 A. Yes.

17 Q. Do you remember when that fence
18 was installed?

19 A. No, I didn't notice that.

20 Q. Do you know who installed it?

21 A. No, I don't know.

22 Q. Mr. Sanchez, do you remember in
23 the video we saw pictures of workers raking
24 gravel?

25 A. Yes.

1 M. SANCHEZ

2 Q. Was the gravel that they were
3 raking inside this fence?

4 A. Yes.

5 Q. Am I correct that the fence was
6 erected after they raked the gravel?

7 A. Yes.

8 Q. Mr. Sanchez, do you remember a
9 time when there were trees in the place
10 where the men were raking the gravel?

11 A. Yes, I had noticed that there
12 had been trees there.

13 Q. Do you remember when those
14 trees were removed?

15 A. No, I didn't notice that.

16 Q. Do you remember who removed the
17 trees?

18 A. No, I don't know who.

19 MR. MEISELS: I have no
20 further questions of this.

21 MS. ZALANTIS: I have a few
22 questions.

23 EXAMINATION BY

24 MS. ZALANTIS:

25 Q. The picture that's on the

1 M. SANCHEZ

2 screen now that you're looking at, the area
3 that's now enclosed by the black fence, do
4 you see that?

5 A. Yes.

6 Q. You referred a few times to
7 basura in that area. Can you explain why?

8 A. There had been a lot of garbage
9 there.

10 Q. Is it fair to say that people
11 would dump garbage in the area that's now
12 enclosed by the black fence?

13 A. Yes, because a lot of children
14 go there because there are fields for
15 playing.

16 Q. And people would use that area
17 as a garbage dump?

18 A. They would walk there where the
19 white car is.

20 Q. I'm asking the area that's
21 enclosed by the black fence. There would
22 be garbage dumped in the area that's now
23 enclosed by the black fence; is that what
24 you're saying?

25 MR. MEISELS: Objection as to

1 M. SANCHEZ

2 form.

3 MS. ZALANTIS: You can answer.

4 A. Yes.

5 Q. What kind of garbage?

6 A. People threw just about
7 everything there.

8 Q. Would you see mattresses there?

9 A. No, not mattresses, but smaller
10 garbage. I never saw mattresses there.

11 Q. Do you remember you just saw a
12 video that Mr. Meisels showed you?

13 A. Yes.

14 Q. There's an area where the
15 workers were raking. Do you remember that
16 area?

17 A. Yes.

18 Q. Were there ever living trees in
19 that area?

20 A. Yes, there had been trees
21 there.

22 Q. How many years ago?

23 A. I don't remember.

24 Q. Were there trees in that area
25 in 2015?

1 M. SANCHEZ

2 MR. MEISELS: Objection as to
3 form.

4 A. Around that date is when they
5 were taken down but I didn't see who did
6 that.

7 Q. Did Flavio La Rocca's company
8 take down any trees?

9 MR. MEISELS: Objection to
10 form.

11 A. No.

12 Q. Did you see anyone from Mr. La
13 Rocca's company, any employee or Mr. La
14 Rocca himself take down any trees from that
15 area where the people were working in the
16 video?

17 A. No, I didn't see any coworkers
18 there.

19 Q. Did you see anyone from Flavio
20 La Rocca's company cut down or remove trees
21 in the area that the people work raking?

22 A. No.

23 Q. In the area that's enclosed by
24 the black fence in the picture that you're
25 looking at on the screen right now,

1 M. SANCHEZ

2 Defendant's GG, do you see that picture?

3 A. Yes.

4 Q. I'm talking about the first
5 page of Defendant's GG in the area that is
6 enclosed by the black fence. Have you ever
7 seen anyone from Flavio La Rocca's company
8 remove any trees from that area?

9 A. No, none of us took down any
10 trees.

11 Q. As part of your work at Flavio
12 La Rocca's company, have you ever seen
13 anybody take down trees for any project?

14 A. No, we don't do that.

15 Q. You previously testified before
16 that the gravel was in the area that the
17 people were working because of the rain.
18 Can you explain your statement?

19 A. Yes.

20 Q. Can you explain that?

21 A. At the end where the fence ends
22 it goes down and the gravel is washed down
23 that way.

24 Q. So, is it fair to say that the
25 gravel washes onto East Street?

1 M. SANCHEZ

2 A. Yes, because a lot of the rain
3 water washes down there to the end of the
4 street.

5 Q. So, is it fair to say that the
6 area that's now enclosed by the black fence
7 had gravel in it so that when it would rain
8 would wash into the street?

9 A. Yes.

10 Q. Then is it fair to say what you
11 were doing was taking the gravel that had
12 washed into the street and pushing it back
13 into the area that is now enclosed by the
14 black fence?

15 A. Yes.

16 MS. ZALANTIS: I have nothing
17 further.

18 MR. MEISELS: I just have one
19 or two follow-up questions.

20 EXAMINATION BY

21 MR. MEISELS:

22 Q. Mr. Sanchez, does the gravel
23 still wash onto East Street after the fence
24 was installed?

25 A. Yes.

1 M. SANCHEZ

2 Q. Since the fence was installed,
3 what is done with the gravel that washes
4 onto the street?

5 A. We no longer go down to that
6 yard anymore. It's just where Flavio keeps
7 some machines.

8 Q. After that fence was installed
9 did gravel continue to wash onto East
10 Street?

11 A. Yes, the gravel still goes down
12 the street.

13 Q. Since the fence was installed,
14 does anybody try to clean up the gravel
15 that washes onto the street?

16 A. No, not anymore. We used to
17 but Flavio doesn't use that yard anymore.

18 Q. Do I understand correctly that
19 as of today there is gravel that washed
20 onto East Street that nobody has cleaned
21 up?

22 A. No, nobody cleans it up.

23 Q. Mr. Sanchez, does Mr. La Rocca
24 ever hire tree removal services as part of
25 his projects?

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M. SANCHEZ

A. No, he never contracts extra people.

MR. MEISELS: We have no further questions.

For the record, can we agree that on both depositions standard stips would apply?

MS. ZALANTIS: Yes.

(Whereupon, at 2:10 P.M., the Examination of this witness was concluded.)

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M. SANCHEZ

D E C L A R A T I O N

I hereby certify that having been first duly sworn to testify to the truth, I gave the above testimony.

I FURTHER CERTIFY that the foregoing transcript is a true and correct transcript of the testimony given by me at the time and place specified hereinbefore.

MARTIN SANCHEZ

Subscribed and sworn to before me
this _____ day of _____ 20____.

NOTARY PUBLIC

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M. SANCHEZ

E X H I B I T S

EXHIBIT	EXHIBIT	PAGE
NUMBER	DESCRIPTION	
(None)		

I N D E X

EXAMINATION BY	PAGE
MR. MEISELS	6, 31
MS. ZALANTIS	26

INFORMATION AND/OR DOCUMENTS REQUESTED	PAGE
INFORMATION AND/OR DOCUMENTS	
(None)	

QUESTIONS MARKED FOR RULINGS
PAGE LINE QUESTION
(None)

1
2
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M. SANCHEZ

C E R T I F I C A T E

STATE OF NEW YORK)
: SS.:
COUNTY OF NEW YORK)

I, EDITH TIRADO-PLAZA, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose examination is hereinbefore set forth was duly sworn and that such examination is a true record of the testimony given by that witness.

I further certify that I am not related to any of the parties to this action by blood or by marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of June, 2021.



EDITH TIRADO-PLAZA

[& - communicating]

Page 1

&	43 18:19	31:6,13	c
& 1:7,7,16 2:4	5	article 3:10	c 2:2 3:4 5:22 34:2 36:2,2
1	5/28/2021 37:3 54190/2016 1:6	asking 6:6 8:19 16:21 19:17 27:20	call 7:25 22:9
1 12:14	6	attendance 3:15	called 5:23
1.28 20:17	6 35:12	attended 11:7	calling 11:23
10591 2:10	64 17:22	attention 11:23	car 12:21,24 24:22 25:7,11,15 27:19
10604 2:6	a	attorney 3:12,21 4:4	carpentry 10:13
10th 36:20	able 13:13,17 16:3 16:15 17:23	attorneys 2:5,9 4:20,22 17:8	carried 20:10,13
11 13:21	accompanied 3:23	avenue 2:5 12:14	case 37:2
1133 2:5	accurately 13:22 25:4	b	cause 3:20
120 2:10	action 36:16	b 3:4,10 35:2	cement 10:16
128 20:16	address 12:13	back 14:5,7 31:12	certain 8:2
13 13:15	afternoon 10:5	basis 3:13,23	certify 34:4,8 36:9 36:14
15 7:2 10:8,11 11:20 21:11	ago 28:22	basura 27:7	change 37:5
1:00 1:12	agree 33:6	beige 18:22	charge 4:22
2	agreed 4:10,13,16 4:20	belong 21:18	children 27:13
20 34:19 37:22	aleve 10:6	belonged 22:25	chips 17:2,19 21:6 22:17
2015 7:5 11:24 12:2,12 14:5,7 28:25	answer 3:8,12,17 3:17,21,22,23,24 28:3	belongs 16:9,13	city 1:3 13:2,3,7 37:2
2021 1:11 36:20	answered 3:20 4:6	benny 22:2,3,4,10 22:11,21,25	civil 3:5
221 3:2 4:2	answering 9:14,22	benny's 22:8,16	clean 32:14
221.1 3:3	answers 5:20	bernie 21:24 22:2	cleaned 32:20
221.2 3:17 4:7	anybody 7:11 30:13 32:14	black 21:15,16,18 22:23 25:9,12,13 27:3,12,21,23 29:24 30:6 31:6 31:14	cleaning 14:23 19:22 22:20
221.3 4:3	anymore 32:6,16 32:17	blood 36:16	cleans 32:22
24594 36:23	apartment 12:14	blue 10:14,15,19 10:22	clear 3:13,23 6:7 14:8
26 35:13	apply 3:9 33:8	boss 6:15,16 9:2,5 15:4	clearly 4:8
28 1:11	appropriate 3:9 4:18	bought 23:3	clerk 4:11
29 16:21	area 14:9 20:8 22:20 27:2,7,11,16 27:20,22 28:14,16 28:19,24 29:15,21 29:23 30:5,8,16	bring 17:12	come 11:4 18:11 18:13,13 20:6
2:10 33:10		broken 14:12	comes 14:24
3		business 22:8,12	comments 3:16
305 2:10			commission 37:25
31 3:10 35:12			communicating 4:4
3115 3:5,14,22			
368 12:14			
4			
42 23:6			

[communication - foregoing]

Page 2

communication 4:3,5,8 communications 7:25 company 12:11 29:7,13,20 30:7,12 complete 3:25 11:10 compliance 3:6 computers 8:15 concluded 33:12 conduct 3:2 4:2 conference 5:10 8:9,12 confidentiality 3:18 consent 4:5 contact 12:11 continue 32:9 contractor 21:23 contractors 21:19 contracts 33:2 controlling 4:18 copy 4:21 correct 10:7 11:6 16:8,12,24 23:20 26:5 34:9 correctly 32:18 country 11:2,4 county 1:2 36:5 course 3:15 court 1:2,18 3:19 4:12 5:3,8 coworkers 29:17 cplr 3:10,14,22 4:15,17,18 cut 9:7,11 12:7,9 12:11 29:20	d d 3:5 34:2 35:9 date 1:11 29:4 37:3 day 34:19 36:20 37:22 deemed 4:17 defect 3:13 defendant 1:16 defendant's 30:2,5 defendants 1:9 2:9 depicted 13:22 25:4 deponent 3:12,17 3:21,24 4:3,5 deposition 3:4,7,8 3:8,11,18,25 4:4 5:4 6:11,14,19,22 7:11 8:21,24 9:5 9:10 37:3 depositions 3:2,3 4:2 33:7 describe 13:14 description 35:6 determining 4:6 dicker 2:4 different 12:3 difficulty 9:14 direct 3:21 direction 3:22 dirt 19:24 20:2 21:4 24:14 distancing 5:7 documents 35:15 35:16 doing 8:13 11:25 14:21 18:9 31:11 drive 10:12 12:22 driven 23:15 drives 23:19	driveways 12:6 driving 23:14 due 5:3 duly 5:23 34:5 36:11 dump 27:11,17 dumped 27:22	expires 37:25 explain 7:14 13:25 23:9 25:3 27:7 30:18,20 explanation 7:19 extent 3:14 extra 33:2
		e e 2:2,2 3:6 5:17,22 34:2 35:2,9 36:2,2 east 12:17 15:11 21:20 22:5 30:25 31:23 32:9,20 edelman 2:4 edith 1:19 36:7,23 effect 4:11 elementary 11:3 elite 2:15 elser 2:4 employed 23:21 employee 29:13 enclosed 27:3,12 27:21,23 29:23 30:6 31:6,13 ends 30:21 enforce 3:19 english 5:19,21 erected 26:6 errata 37:1 error 3:13 esq 2:6,7,11 event 4:7 exactly 22:13 examination 1:15 3:15 4:14,21 6:3 26:23 31:20 33:11 35:11 36:10,12 examined 6:2 examining 3:24 exhibit 13:15 24:16 35:5,5	f f 1:7 36:2 fact 5:12 fair 27:10 30:24 31:5,10 fairly 13:22 25:4 fallen 18:6 far 16:2 felipe 23:16,17 fence 25:6,9,10,12 25:14,17 26:3,5 27:3,12,21,23 29:24 30:6,21 31:6,14,23 32:2,8 32:13 fields 11:12,15 27:14 filling 15:2 find 6:10 first 5:23 24:17 30:4 34:5 fix 12:5 14:11 flavio 1:7,7,16 6:17 15:20 20:3 29:7,19 30:7,11 32:6,17 37:2 flowers 13:4,7 fmlr 1:8 follow 31:19 following 5:19 follows 6:2 force 4:11 foregoing 34:8

[form - m]

Page 3

<p>form 3:13 28:2 29:3,10 forth 3:19 4:7 36:11 framed 3:11 front 25:14 furnished 4:21 further 4:10,13,16 4:20 16:6 26:20 31:17 33:5 34:8 36:14</p>	<p>32:14,19 grounds 4:7 group 24:18 guy 23:16 guys 14:10,13,16 14:21</p>	<p>interfere 3:16 interposed 3:6 interpret 17:9 interpreter 2:15 5:14,18,24 17:7 interrupt 4:4 irregularity 3:14</p>	<p>24:8 29:7,12,13,20 30:7,12 32:23 landscaping 22:11 language 2:15 larocca 37:2 law 3:5 lawyer 7:18 lead 20:23 learn 8:20 leave 19:7,8 24:6 left 11:17 14:16 16:9 19:3 limitation 3:19 line 35:20 37:5 list 8:10 literate 11:21 live 12:13 living 12:12 28:18 llc 1:8 2:9 37:1 llp 2:4 loaded 22:17 located 25:10 long 6:24 longer 32:5 looking 15:13 27:2 29:25 lost 17:11 lot 13:2,3,5,7 14:24,25 18:11,12 27:8,13 31:2</p>
<p>g</p>	<p>h</p>	<p>j</p>	<p>m</p>
<p>g 5:17,17 gallaher 2:15 garbage 8:25 9:6 18:15 19:15,23 20:9 27:8,11,17,22 28:5,10 gardeners 22:14 gate 20:21,23 general 3:3 gentleman 17:8 18:18,21 gg 24:17,18 30:2,5 given 3:8 34:10 36:13 go 10:24 11:18 19:5 27:14 32:5 goes 30:22 32:11 going 6:6,11 9:17 13:12 24:15 government's 5:6 grade 11:3,8,11,15 11:16,17,19 gravel 14:8,23,24 15:5 18:6,10 20:4 20:5,12 21:3,4 22:20 23:12 24:9 25:24 26:2,6,10 30:16,22,25 31:7 31:11,22 32:3,9,11</p>	<p>h 5:17,22 35:2 hand 25:10 36:20 happened 17:18 heard 22:9 held 1:18 help 22:21 hereinbefore 34:11 36:11 hereto 4:18,21 hereunto 36:19 hire 32:24 house 12:10,19</p>	<p>job 10:20 12:8,20 19:3 jobs 21:6 joiners 10:13,14 10:18 judge 4:12 june 36:20</p>	<p>m 4:1 5:22 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1</p>
	<p>i</p>	<p>k</p>	
	<p>identification 13:16 identify 23:13 ii 3:18 iii 3:19 improper 3:20 include 3:13 included 8:9 including 7:24 index 1:5 information 35:15 35:16 inside 20:4 26:3 install 10:22 installed 10:19 25:18,20 31:24 32:2,8,13 instruct 17:8 interested 36:17</p>	<p>k 1:7 5:17 kara 2:15 kathy 2:11 7:17 keeps 21:2 32:6 kind 10:10 11:24 28:5 kinds 12:3 know 6:23 14:19 14:22 15:17,19 17:13,16,18 19:25 22:7,13,24 24:2,7 24:11 25:20,21 26:18 knows 7:15 koke 2:6,14</p>	
		<p>l</p>	
		<p>l 5:17,17 34:2 la 1:7,7,7,16 6:17,25 7:3,4,18 10:8,11 11:25 12:16 15:20 16:10 16:13 18:3,24 20:6,18,23 21:5 22:19 23:21 24:3</p>	

[m - questioning]

Page 4

36:1 machine 14:2,9 15:16,18 machinery 15:20 machines 23:19 32:7 management 1:8 maria 1:7 marked 13:15 24:16,18 35:19 marriage 36:16 martin 1:17 5:12 34:15 37:3,21 matter 36:18 mattresses 28:8,9 28:10 maya 14:17 23:17 23:20 mean 8:5 10:17 13:10 15:11 21:25 25:9 medication 9:24 10:3 meeting 8:2 meisels 2:7 5:15 6:4,6 16:23 19:20 26:19 27:25 28:12 29:2,9 31:18,21 33:4 35:12 men 17:24 24:8 26:10 mentioned 12:5 metal 20:20 25:9 mexico 11:5,7,18 middle 17:2 24:22 minutes 19:18 20:17 21:11 23:5 month 19:6 24:5 months 19:6 moskowitz 2:4	n n 2:2 5:22,22 34:2 35:9 name 6:5 15:21 21:22,24 22:7 37:2,3 named 23:16 near 13:10 need 5:4 17:9 never 8:3,6 22:18 28:10 33:2 new 1:2,3,21 2:6 2:10 5:25 12:14 36:4,5,8 37:1,2 north 12:14 notary 1:20 4:11 5:24 34:22 36:7 37:25 noted 3:7 notice 17:20 25:19 26:15 noticed 26:11 number 35:6	p p 2:2,2 p.m. 1:12 33:10 page 30:5 35:5,11 35:16,20 37:5 park 12:24 13:2,4 13:5,6,7,8,9,10 part 13:4 25:6 30:11 32:24 particularly 13:20 parties 4:5,17,21 5:7 36:15 parts 13:13 party 3:24 passenger 25:14 pavements 12:4 people 8:14 13:5 14:3 15:24 16:16 16:19 19:5,8 24:4 27:10,16 28:6 29:15,21 30:17 33:3 permitted 3:14 person 3:9,21 8:2 23:13 persons 3:15 peter 2:7 6:5 peter.meisels 2:8 phone 5:9 photo 16:2 photograph 13:23 15:13,24 16:5,17 17:3 18:18 19:11 20:6,12,21 21:9 22:24 23:24 24:16 24:17,19,22,25 25:5 picture 13:18 15:17 17:24 20:18 26:25 29:24 30:2	pictures 25:23 piles 17:2,19 19:14 pills 10:6 place 5:5 26:9 34:11 plainly 3:20 plains 2:6,10 plaintiff 1:4,17 2:5 plaintiff's 13:15 playing 27:15 plaza 1:20 36:7,23 please 6:7 13:25 potholes 14:25 practice 3:5 prejudice 3:20 present 2:13 preserve 3:18 previously 30:15 privilege 3:18 problem 9:18,21 proceed 3:8 project 14:8 30:13 projects 32:25 provided 3:21 4:14,17 public 1:20 4:11 5:25 10:25 34:22 36:8 37:25 purpose 4:4,6 purposes 4:14 pursuant 1:18 3:4 3:10 pushing 31:12 put 17:5
	o o 5:22 34:2 objection 3:11,17 27:25 29:2,9 objections 3:3,3,3 3:7,9,10 occasion 7:7,10,20 officer 3:7 okay 6:8 old 11:19 17:21,22 order 1:18 3:19 5:6 outcome 36:17 owner 12:10 owns 15:17		q question 3:20,24 4:6 7:23 13:6 35:20 questioning 3:12 3:16

[questions - specified]

Page 5

questions 3:17 5:19 6:7 9:15,17 9:19,22 26:20,22 31:19 33:5 35:19 quiroz 5:12	remember 14:4,6 14:13,15,17 18:20 18:23 21:22 25:17 25:22 26:8,13,16 28:11,15,23 remotely 5:5 removal 32:24 remove 29:20 30:8 removed 26:14,16 rephrase 6:8 reporter 5:3,8 reporting 37:1 representing 4:22 request 3:12 requested 35:15 respect 4:18 respective 4:21 rest 14:3 restricted 3:10 right 3:9,18,24 9:6 9:11 16:13 25:10 29:25 rights 4:17 road 2:10 14:25 rocca 1:7,7,7,7,16 6:17,25 7:3,5,19 10:8,11 11:25 16:10,13 18:4,25 21:5 23:21 24:3,8 29:14 32:23 rocca's 12:16 15:20 20:6,18,24 22:19 29:7,13,20 30:7,12 rochelle 1:3 12:15 37:2 roland 2:6,14 roland.koke 2:7 roller 23:11,14,15 rolling 23:11	rule 3:5,6,14,15,22 rules 3:2,5 4:2,7 rulings 35:19 s s 2:2 5:22 35:2 37:5 sanchez 1:17 4:1 5:12 6:1,5 7:1,16 8:1,11 9:1 10:1,17 10:24 11:1 12:1 13:1,17 14:1 15:1 16:1,3,8,15,25 17:1,21,23 18:1,12 18:17 19:1,10,21 20:1,15 21:1,8,25 22:1 23:1,4 24:1 24:15,21 25:1,8,22 26:1,8 27:1 28:1 29:1 30:1 31:1,22 32:1,23 33:1 34:1 34:15 35:1 36:1 37:3,21 sand 10:15 saw 25:23 28:10 28:11 saying 27:24 school 10:25 11:3 screen 27:2 29:25 seconds 13:21 16:21 18:19 19:19 20:16 21:11 23:6 section 4:7 sections 4:18 see 13:13,18 14:2 14:3,9,20 15:3,7,8 15:16,22,25 16:6 16:18,19,25 17:5 19:14 20:12,20 21:8,11,16 22:16 23:25 24:19,21 27:4 28:8 29:5,12	29:17,19 30:2 seeing 15:14 seen 14:4 22:18 30:7,12 sent 14:10,14 15:4 18:5 services 1:19 2:15 32:24 set 3:19 4:7 36:11 36:20 sheet 37:1 shirt 18:22 short 13:12 show 13:12 24:15 showed 28:12 showing 23:4 shown 13:25 16:16 19:11 20:5,18,21 21:9 23:7 24:24 side 25:11,15 signature 36:23 signed 4:10,11 significant 3:20 silverberg 2:9 sixth 11:3,8,10,15 11:16,17,19 skate 13:10 skating 13:8,10 smaller 28:9 smoother 15:6 social 5:6 sold 23:2 solemnly 5:18 sons 1:7,8,16 spanish 2:15 5:13 5:17,20,20 11:21 speak 7:8,11,20,24 speaking 3:10 8:14 specified 34:11
r r 2:2 5:17,17,22,22 34:2 36:2 rain 18:7 20:13 30:17 31:2,7 rains 14:24 20:9 raised 3:11 rake 15:5 18:6 20:2 raked 23:12 26:6 raking 18:10 19:24 24:9,14 25:23 26:3,10 28:15 29:21 realty 1:8 reason 4:7 9:13 37:5 recall 8:17 11:24 15:14 18:8 recognize 15:23 16:4,16 17:24 18:17,21 19:10 23:6,10,23 24:24 record 4:8 16:20 19:16 33:6 36:12 refer 7:16 25:8 referred 27:6 referring 7:17 13:20 18:19 20:15 22:23 reflect 19:17 refusal 3:17,22 related 36:15 relief 3:9 remainder 3:25			

[spoke - workers]

Page 6

spoke 8:6,10 spoken 8:3,7 ss 36:4 standard 33:7 start 11:14 started 11:12 state 1:2,20 5:25 36:4,8 stated 3:11 4:8 statement 3:13,23 30:18 statements 3:16 stayed 14:11 stips 33:8 stipulate 5:7 stipulated 4:10,13 4:16,20 stone 10:14,15,19 10:22 street 12:17 15:9 15:10,11 17:15,16 21:20 22:5 30:25 31:4,8,12,23 32:4 32:10,12,15,20 subdivision 3:4,6 3:22 subject 3:9 subscribed 34:18 37:22 succinct 3:23 succinctly 3:11 4:8 suggest 3:12 suite 2:10 supreme 1:2 sure 7:15 22:15 swear 5:8,13 swore 5:18 sworn 5:24 34:5 34:18 36:11 37:22	t t 5:22 34:2 35:2 36:2,2 take 5:4 10:3 29:8 29:14 30:13 taken 1:17 3:8 29:5 talking 21:14,15 25:13 30:4 tarrytown 2:10 telephone 7:25 tell 6:8,18 13:21 19:13 testified 6:2 30:15 testify 34:5 testifying 4:22 testimony 19:22 20:11 34:6,10 36:13 therefor 3:23 thing 17:9,11 think 22:14 threw 9:2 28:6 throw 9:2 thrown 9:6 18:16 19:15 20:9 time 1:12 18:25 26:9 34:10 times 27:6 tirado 1:20 36:7 36:23 today 6:11,12,14 7:21 8:21 9:15,25 10:2 32:19 told 6:13 19:25 24:12 tools 14:12 tractor 16:18 transcript 4:10 34:9,9	translate 5:18 tree 12:9 32:24 trees 9:7,10 12:8 12:11 26:9,12,14 26:17 28:18,20,24 29:8,14,20 30:8,10 30:13 trial 1:15 4:14 truck 16:9,13 20:17,18 21:9,12 21:15,16,16,18 22:23,24 trucks 22:16 true 34:9 36:12 truth 34:5 try 32:14 two 10:5 19:6,8,18 20:3 21:10 23:5 24:5 31:19	18:19 19:18 20:16 21:10 23:5,7,10 25:23 28:12 29:16 virtual 1:19 5:10
		u u 5:22 understand 6:21 8:23 9:16 19:21 32:18 understanding 9:18 understood 9:4,9 uniform 3:2 4:2 use 21:5 27:16 32:17 utilized 4:14	w waived 3:5 4:17 walk 27:18 walkways 12:5 wash 31:8,23 32:9 washed 30:22 31:12 32:19 washes 30:25 31:3 32:3,15 water 31:3 way 30:23 36:17 ways 8:10 went 11:2 westchester 1:2 2:5 whereof 36:19 white 2:6,10 24:22 25:7,15 27:19 wilson 2:4 wilsonelser.com 2:7,8 witness 4:22 5:9 5:11,14,23 33:11 36:10,13,19 witnesses' 37:3 wood 17:2,19 21:5 22:17 work 10:10,13 11:25 12:4,16,25 14:8,10,14,20 19:5 24:5,6 29:21 30:11 worked 6:24 10:8 14:16 22:21 workers 16:4 17:25 18:3 19:22 22:19 23:24 24:11
v v 37:2 vehicle 23:2 vehicles 15:20 verified 5:11 veritext 1:19 5:9 37:1 video 5:10 13:13 13:14,21 16:22			

[workers - zoom]

Page 7

25:23 28:15 working 7:2,4 11:12,14 14:18,23 18:24 24:3,8 29:15 30:17
x
x 1:3,9 35:2,9
y
yard 12:17 14:11 20:7,24 21:2,19 22:4 32:6,17 yards 20:3 years 7:2 10:8,11 11:20 17:22 28:22 yellow 15:16 16:9 16:12 20:17 21:15 yesterday 10:4,5 york 1:2,21 2:6,10 5:25 36:4,5,9 37:1
z
z 5:22,22 zalantis 2:9,11 5:16 7:8,13,14,17 7:18,21 8:8,12 16:20 19:16 26:21 26:24 28:3 31:16 33:9 35:13 zoom 8:9,12

New York Code

Civil Practice Law and Rules

Article 31 Disclosure, Section 3116

(a) Signing. The deposition shall be submitted to the witness for examination and shall be read to or by him or her, and any changes in form or substance which the witness desires to make shall be entered at the end of the deposition with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness before any officer authorized to administer an oath. If the witness fails to sign and return the deposition within sixty days, it may be used as fully as though signed. No changes to the transcript may be made by the witness more than sixty days after submission to the witness for examination.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

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