

O'Leary Admission

1 Q That is from your assistant, Bev Carlson?

2 A Yes, it is.

3 Q You guys didn't have the supplement a year
4 after the repairs were done, correct?

5 A I can only surmise in saying that I believed
6 the amount that shows paid in previous date was consistent
7 with a supplement that was produced.

8 Q Sir, just answer my question.

9 THE COURT: That's it. Finished.

10 MR. MAYERSON: Yes. I'm finished. I'm not done.

11 BY MR. MAYERSON:

12 Q Sir, there has been a lot of talk about
13 Nationwide purchasing this vehicle. I just like -- the
14 purchase was done to secure the evidence pending the
15 inspection you all claimed necessary, correct?

16 A I can't answer that.

17 Q At the time that you guys purchased the vehicle
18 you were still denying that there were any defects to the
19 repairs, correct?

20 A I was not part of that decision making.

21 Q Well when I took your deposition in the year
22 2003 isn't it true you told me you were unaware of any
23 structural defects?

24 MR. COHEN: Objection.

25 THE COURT: Overruled.

1 THE WITNESS: I said that I was personally unaware of
2 any structural defects.

3 BY MR. MAYERSON:

4 Q And the part of your deposition in the year
5 2003 was as a corporate designee of Nationwide to tell me
6 what Nationwide had done for the Bergs, correct?

7 A Would like to, yes, that's true.

8 Q Thank you. And isn't it true when Nationwide
9 couldn't get exclusive control of the vehicle and the Bergs
10 tried to buy the vehicle before Nationwide took exclusive
11 control that Nationwide threatened to sue Summit Bank if
12 Summit Bank doesn't give the vehicle to Nationwide instead of
13 the Bergs?

14 MR. COHEN: Objection.

15 THE COURT: Sustained. Next question.

16 MR. COHEN: Objection.

17 THE COURT: This is the last piece of paper, Mr.
18 Mayerson.

19 MR. MAYERSON: Yes, it is, Your Honor.

20 THE COURT: Exhibit 27. How old on a minute.

21 MR. COHEN: Objection.

22 THE COURT: All right. Ask your questions.

23 MR. COHEN: Your Honor, we have an objection to the
24 exhibit.

25 THE COURT: It may not be admitted into evidence.