

Summary of Demo summary

Abstract

This deposition pertains to a personal injury case involving [redacted], who was involved in a head-on vehicle collision in February 2003 on Point Pleasant Road in Maryland. The accident resulted in injuries to [redacted]'s right knee, chest, lower back, and head. He was transported to the University of Maryland Shock Trauma Center for treatment, which included stitches for a right knee laceration.

In the months following the accident, [redacted] underwent physical therapy and eventually right knee surgery in May 2003. Despite ongoing treatment, he continues to experience knee pain and limitations in his daily activities and work. The accident led to the closure of [redacted]'s barber shop, where he had difficulty working due to his knee condition, resulting in a period of unemployment.

Prior to the 2003 accident, [redacted] had a history of right knee injuries, including a 1998 car accident and a slip and fall at a previous job, which required surgeries and resulted in a permanent partial disability assessment. The witness provided details about his personal life, education, and employment history. He is not pursuing a lost wage claim in this case.

The deposition concluded with [redacted] waiving his right to read the transcript for errors, relying on the court reporter's certification of accuracy.

Timeline

Date	Description
1998	Injured right knee in a car accident, underwent physical therapy and arthroscopic surgery
2001/2002	Co-owned a barber shop with a partner for nearly two years
2003	Sought treatment from Dr. Shepherd and Dr. O'Hearn, underwent physical therapy
2003-02	Transported by ambulance to University of Maryland Shock Trauma Center after the accident
2003-02	Accident occurred on Point Pleasant Road, sustained injuries to right knee, chest, lower back,

	and head
2003-03	Barber shop closed about a month after the accident
2003-05	Underwent right knee surgery performed by Dr. Shepherd and Dr. O'Hearn
2003-10	Started job at [redacted] as a chemical technician
2003-11	Started job at [redacted] as a chemical technician
2004-05	Deposition conducted
Unknown date	Slip and fall injury at [redacted], underwent two surgeries and assessed with 65% permanent partial disability of the right knee

Summary

Witness Background

Personal Information

The witness, [redacted], resides in [redacted], Maryland. [\[4:9–4:12\]](#)

He is separated and living with his girlfriend of 8 years, [\[5:18–5:19\]](#) [\[6:4–6:6\]](#)

Niki. They have three children [\[5:20–6:3\]](#) [\[6:10–6:15\]](#)

together - a 14-year-old stepson, a 6-year-old son, and a 9-month-old daughter. [\[6:10–6:15\]](#)

Education and Employment

[redacted] completed 10th grade at Chelsea Vocational High School before being expelled in the early 1990s. [\[22:5–22:12\]](#)

He later obtained his GED. [\[22:17–22:17\]](#)

His employment history includes working at a supermarket, as an electrician's assistant, and in sales roles at [redacted], [redacted], and [redacted]. [\[22:20–23:2\]](#) [\[24:2–24:12\]](#) [\[23:13–23:21\]](#) [\[23:4–23:11\]](#)

He also worked as a front desk receptionist at West Side Federation for Senior Housing in New York for about a year. [\[24:13–24:17\]](#)

Current Employment

At the time of the deposition, [redacted] was employed as a chemical technician at [redacted], an environmental company specializing in hazardous waste disposal and oil spill cleanup. [\[7:3-7:4\]](#) [\[11:7-11:10\]](#) [\[7:12-7:13\]](#)

His duties involve light work, with lifting limited to 30-40 pounds. [\[7:14-7:16\]](#) [\[10:20-11:1\]](#)

He has been with the company since October/November 2003. [\[11:7-11:10\]](#)

Barber Shop and Grocery Store

Prior to his current job, [redacted] co-owned a barber shop with a partner for nearly two years. [\[14:1-14:6\]](#) [\[15:6-15:8\]](#)

He was the primary barber while his partner managed the business. The shop closed about a month after [redacted]'s February 2003 [\[14:14-14:15\]](#)

accident. His girlfriend also owned a grocery store next to the barber shop, where [redacted] occasionally helped out. [\[14:17-15:5\]](#) [\[17:5-17:19\]](#)

Side Work as a Barber

In addition to his full-time job at [redacted], [redacted] continues to cut hair out of his garage about six times a week, usually for one or two customers per day, as his work schedule allows. [\[16:1-16:8\]](#)

Accident Details

Date, Time, and Location

The accident occurred on a winter night in February 2003, around 7:05-7:10 PM, on Point Pleasant Road between Sunny Brook and Genine. The ground was wet from snow that had fallen about two weeks prior. [\[26:12-26:16\]](#)

Accident Description

[redacted] was traveling home from the grocery store at 15-20 mph, under the 25 mph speed limit due to the wet conditions. As he was coming down a sloped curve, he saw the other vehicle's lights coming towards him in his lane. The vehicles collided head-on, with the impact occurring on the front driver's side of both vehicles. [\[26:17-27:17\]](#)

Vehicle Damage

The front end of [redacted]'s vehicle sustained significant damage, with most of the windows shattering from the impact. The frame buckled underneath the rear passenger seat, causing it to collapse. Photographs of the vehicle damage were introduced as exhibits during the deposition. [\[32:1-32:15\]](#)

Injuries Sustained

As a result of the accident, [redacted] suffered injuries to his right knee (cuts and pain), chest (seat belt bruising), lower back, and head. He also had bruising and scratches on his left knee, chest, left arm, and a bruise on the left side of his head where it struck a portion of the vehicle interior. [\[32:16–33:4\]](#)

Photographs of some of these injuries were also introduced as exhibits. [\[33:5–34:12\]](#)

Immediate Aftermath

The other driver, a woman, approached [redacted]'s vehicle and expressed concern. [redacted] asked her to call an ambulance. A piece of the dashboard was embedded in his right knee, which the other driver noticed before running back to her car. [redacted] removed the piece himself. No witnesses came forward claiming to have seen the accident. [redacted] called his girlfriend, who came to the scene. [\[39:18–40:2\]](#)

Towing of Vehicles

When the tow trucks arrived, [redacted] had his girlfriend instruct them to tow his vehicle to their house. [\[38:5–38:13\]](#)

Medical Treatment

Emergency Room Visit

[redacted] was transported by ambulance to the University of Maryland Shock Trauma Center. He underwent X-rays, possibly a CAT scan, and received stitches for his right knee laceration. He was given morphine for the pain and discharged home in the early morning hours. [\[42:11–43:4\]](#)

Post-Accident Treatment

In the days following the accident, [redacted] continued to experience pain. He sought treatment from Dr. Shepherd, who referred him to Dr. O'Hearn. [redacted] underwent physical therapy, primarily for his right knee, as well as some electrical stimulation and heat pads for short-term lower back pain. [\[43:5–44:2\]](#)

Knee Surgery and Recovery

When physical therapy failed to adequately improve [redacted]'s knee condition, he underwent surgery in May 2003, performed by Dr. Shepherd and Dr. O'Hearn. Post-surgery, he continued with physical therapy and later transitioned to aquatic therapy once his surgical wounds had healed. The recovery process lasted 3-4 months. [\[63:8–63:16\]](#)

Current Symptoms and Limitations

[redacted] continues to experience knee pain 4-5 times per week, depending on his activity level. Prolonged standing, walking, and driving a manual transmission vehicle exacerbate the pain. He uses over-the-counter topical analgesics (Aspercreme, Flexall) for relief and occasionally takes Aleve for severe pain. [redacted] no longer rides a bicycle or engages in sports like jogging or playing catch with his children due to his knee condition. [\[64:21–65:8\]](#)

He also reports some limitations in sexual activity. [\[68:7–68:14\]](#)

Ongoing Pain and Future Treatment

[redacted] has not reached a point where he can sit without any knee pain since the accident. He plans to schedule a one-year post-surgical follow-up with Dr. O'Hearn but does not anticipate needing further treatment unless advised otherwise. [\[73:19–74:3\]](#)

Prior Knee Injuries

1998 Car Accident

In 1998, while living in New York, [redacted] injured his right knee in a car accident. He underwent physical therapy followed by arthroscopic surgery to address a meniscus issue. The treatment providers are unknown. A personal injury claim was filed, but details are unclear. [\[45:4–45:15\]](#)

Slip and Fall at Work

While employed at [redacted], [redacted] suffered a slip and fall injury to his right knee. He fell 8-10 feet from a piece of machinery, landing on his side and injuring his knee. Treatment included X-rays, an MRI, and two surgeries (one open, one arthroscopic) performed by Dr. Brouillet to reconstruct the anterior cruciate ligament (ACL). [redacted] underwent post-surgical physical therapy and was assessed as having a 65% permanent partial disability of the right knee by Dr. Macht. A workers' compensation claim was filed and settled for approximately \$14,000. [\[48:6–48:18\]](#)

Recovery and Limitations

Following the surgeries related to the work injury, [redacted] regained some function but continued to experience occasional pain and took precautions to avoid aggravating his knee. He was able to engage in light recreational activities like swimming and playing catch with his son. The knee felt stable but would become painful with overuse or prolonged activity. [\[49:18–50:4\]](#)

Ability to Ride a Bike

About a year to a year and a half after the second surgery related to the work injury, [redacted] was able to ride a bike. He continued riding until the February 2003 accident. [\[69:17–70:3\]](#)

Impact on Work and Daily Life

Inability to Continue as a Barber

After the February 2003 accident, [redacted] attempted to return to work at the barber shop but found it too difficult due to his knee condition. He tried using a tall stool to cut hair while seated but was unable to tolerate the strain on his leg. The barber shop closed about a month after the accident. [\[21:4–21:14\]](#)

Period of Unemployment

Between the closure of the barber shop and beginning his job at [redacted] in October/November 2003, [redacted] was unemployed for approximately 8 months. [\[61:6–61:11\]](#)

Accommodations at Current Job

At [redacted], [redacted] informed his employer about his physical limitations, and they have accommodated him by not requiring heavy lifting or tasks that would excessively strain his knee. He occasionally has to shovel at work but compensates by using his left leg more than his right. [\[10:16–11:1\]](#)

Impact on Recreational Activities

Since the 2003 accident, [redacted] has given up cycling and no longer jogs or plays sports with his children as he did before. [\[68:7–68:14\]](#)

He avoids activities that could potentially aggravate his knee condition out of fear of reinjury, even if he may be physically capable of participating to some degree. [\[69:10–69:18\]](#)

Home Exercise Program

For about 1-2 months after completing physical therapy, [redacted] continued doing home exercises to strengthen his knee. He no longer does any specific exercises for his knee. [\[80:10–80:18\]](#)

Ongoing Medical Care and Legal Matters

Future Medical Appointments

[redacted] plans to schedule a one-year post-surgical follow-up appointment with Dr. O'Hearn but has not done so yet. He does not anticipate needing further treatment unless advised otherwise by the doctor. [\[74:4–74:8\]](#)

Potential Witnesses

[redacted]'s girlfriend and brother are aware of how the accident and resulting injuries have impacted his life. [\[75:12-75:14\]](#)

No Lost Wage Claim

[redacted] is not pursuing a lost wage claim related to this accident. [\[81:7-82:5\]](#)

He is unsure if his barber shop was run under a corporate name or how taxes were handled, as his partner managed those aspects of the business. [\[80:19-81:6\]](#)

Deposition Conclusion

The deposition concluded with [redacted] waiving his right to read the transcript for errors, relying on the court reporter's accuracy. The transcript was certified as a true and accurate record by the court reporter, Jeff M. Hook. [\[81:7-82:5\]](#)

Witness impression

Credibility

The witness's testimony appears generally credible and consistent. There are no notable contradictions or inconsistencies in his statements. He provides a detailed account of the accident and his injuries that aligns with the facts presented.

Demeanor

The witness's demeanor is cooperative and straightforward in answering questions. There are no significant instances of evasiveness or defensiveness noted. He admits when he is unsure or does not recall certain details.

Likability

The witness comes across as a hardworking individual who has faced challenges due to his injuries. His background as a barber and chemical technician, along with his family responsibilities, may make him relatable and likable to a jury. However, his work history is somewhat sporadic which could impact perceptions.

Sympathy

The witness's testimony regarding the impact of his knee injury on his daily life and ability to engage in activities with his children is likely to evoke some sympathy from a jury. He describes ongoing pain and limitations years after the accident. However, his pre-existing knee issues and surgeries may temper the level of sympathy to an extent.