

## AGREN BLANDO COURT REPORTING &amp; VIDEO INC

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No.: 08-CV-02423-CMA-BNB

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DEPOSITION OF PENNY LYNN COMPOSTO      May 26, 2009  
Volume II

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PENNY COMPOSTO,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY,

Defendant.

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APPEARANCES:

WADE H. ELDRIDGE, ESQ.

1471 Stuart Street  
Denver, Colorado 80204  
(303) 861-4222

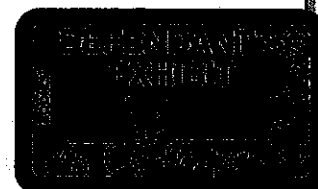
Appearing on behalf of Plaintiff

WELLS, ANDERSON & RACE, LLC

By Sheryl L. Anderson, Esq.  
Sarah Smyth O'Brien, Esq.  
1700 Broadway, Suite 1020  
Denver, Colorado 80290  
(303) 830-1212

Appearing on behalf of Defendant

Also Present: Tiffany Beck



1 Pursuant to Notice, and the Colorado Rules  
 2 of Civil Procedure, Volume II of the deposition of  
 3 PENNY LYNN COMPOSTO, called by the Defendant, was taken  
 4 on Tuesday, May 26, 2009, commencing at 10 a.m., at  
 5 1700 Broadway, Suite 1020, Denver, Colorado 80290,  
 6 before Patricia S. Newton, Registered Professional  
 7 Reporter and Notary Public within and for the State of  
 8 Colorado.

9 INDEX

10 DEPOSITION OF PENNY LYNN COMPOSTO	PAGE
11 Ms. Anderson	230

13 EXHIBITS PREVIOUSLY MARKED	INITIAL REFERENCE
14 Exhibit 3 1/9/09 Penny Composto's Rule 26(a)(1) Disclosures, Certificate of Service	254
15 Exhibit 11 6/4/08 Motion to Compel, with attachments	244

18 EXHIBITS	INITIAL REFERENCE
19 Exhibit 12 5/6/09 Notice of Continued Deposition of Plaintiff Penny Composto, Certificate of Service, with attachments	244
20 Exhibit 13 Numerous letters, top one dated 1/2/08 to Wade Eldridge from Chris Aue (Bates Nos. PL DISCL 0811-0816)	248

1 relevant, have nothing to do with the accident, but we  
 2 gave them to you anyway.  
 3 And, also, today's deposition -- we didn't  
 4 quite get finished last time -- so I'm certainly hopeful  
 5 that you're not going to go over whole areas you've  
 6 already gone into.  
 7 MS. ANDERSON: I am not.  
 8 Let me take one break and let me get the  
 9 request for production, just to make sure everything's  
 10 here.  
 11 MR. ELDRIDGE: You certainly can do that.  
 12 Off the record.  
 13 (Discussion off the record.)  
 14 MS. ANDERSON: Let me ask on the record:  
 15 These are all medical authorizations. Is Ms. Composto  
 16 executing any authorizations in addition to the medical  
 17 authorizations that we tendered?  
 18 MR. ELDRIDGE: I think every authorization  
 19 that you asked for, they're all there.  
 20 MS. ANDERSON: Let me just ask one question  
 21 while I have it right here: One of them is, we did not  
 22 have a first name for a doctor: Dr. --  
 23 MR. ELDRIDGE: I don't know who that is.  
 24 MS. ANDERSON: -- Bresnoff --  
 25 MR. ELDRIDGE: Bresnoff?

1 PROCEEDINGS  
 2 PENNY LYNN COMPOSTO,  
 3 being again first duly sworn in the above cause, was  
 4 examined and testified as follows:  
 5 MR. ELDRIDGE: So before we get rolling,  
 6 here, so I don't know; I took a look at those cases.  
 7 I still think I'm right, but just out of an excess of  
 8 caution --  
 9 And I presume that you will make copies of  
 10 all the records you receive.  
 11 MS. ANDERSON: Absolutely.  
 12 MR. ELDRIDGE: So we're giving you all these  
 13 releases you asked for.  
 14 MS. ANDERSON: Excellent. Thank you. Thank  
 15 you very much.  
 16 MR. ELDRIDGE: So my response to your request  
 17 for production will be, when I file it tomorrow or the  
 18 next day, that we've given you all the documents you  
 19 asked for.  
 20 MS. ANDERSON: Okay. And these are  
 21 everything?  
 22 MR. ELDRIDGE: That's every one of them.  
 23 MS. ANDERSON: Okay.  
 24 MR. ELDRIDGE: And that's without waiver of  
 25 our position that a lot of these things are not

1 MS. ANDERSON: B-r-e-s-n-o-f-f.  
 2 THE DEPONENT: Craig.  
 3 MS. ANDERSON: Craig. Okay. Thank you.  
 4 I'll tell you what: Could you write the word  
 5 "Craig" in the line there, just so it's in your writing  
 6 and there's no question.  
 7 (The deponent complies.)  
 8 MS. ANDERSON: Thank you. All right.  
 9 And thank you for reconsidering your --  
 10 MR. ELDRIDGE: Well, I thought I was right to  
 11 begin with, but this will make it easier.  
 12 MS. ANDERSON: Well, we have a difference of  
 13 opinion, but that's not the first time.  
 14 EXAMINATION  
 15 BY MS. ANDERSON:  
 16 Q Ma'am, would you state your full name for the  
 17 record, please.  
 18 A Penny Lynn Composto.  
 19 Q And, Ms. Composto, let me just go briefly  
 20 through the rules, because we went through them last  
 21 time.  
 22 I'll be asking you questions. If I ask you a  
 23 question you don't understand, please let me know. If I  
 24 ask you a question you don't hear, please let me know.  
 25 I don't want you to guess or to speculate; on

Page 231

1 the other hand, if I ask you a question and you can give  
 2 me an estimate or an approximation, I would ask that you  
 3 do that. All right?  
 4 A Okay.  
 5 Q Let me ask you the same question I asked you  
 6 at the beginning of the first session of your  
 7 deposition: Have you taken any medication, drugs, or  
 8 alcohol in the last 24 hours?  
 9 A Yes.  
 10 Q And what have you taken?  
 11 A 100 milligrams of Lamictal, 100 milligrams of  
 12 Zoloft, and 50 milligrams of Wellbutrin.  
 13 Q And were these the same medications that you  
 14 were taking last time?  
 15 A Yes.  
 16 Q And in the same dosage?  
 17 A Yes.  
 18 Q And, again, I recognize you're not a medical  
 19 doctor, but do you have any reason to believe that your  
 20 taking of those medications will affect your ability to  
 21 understand my questions or to give answers that are  
 22 accurate today?  
 23 A No.  
 24 Q Let me ask you next what I believe is a broad  
 25 question, but -- your deposition began on April 23; a

Page 232

1 transcript was made. Have you reviewed that deposition  
 2 transcript before coming here today?  
 3 A Sort of. I didn't understand it.  
 4 Q Okay. What do you mean by that?  
 5 A It was written in such a way, I couldn't.  
 6 MR. ELDRIDGE: For the record, I don't waive  
 7 any objection to work product about my notes.  
 8 A I didn't understand it, the way he wrote it  
 9 out.  
 10 Q (By Ms. Anderson) No, but my -- and I'm not  
 11 asking about what your attorney sent you, but did you  
 12 actually -- did you get -- did you see the transcript --  
 13 A No.  
 14 Q -- of your deposition?  
 15 A No.  
 16 Q Do you know now whether you have -- strike  
 17 that. Let me start over.  
 18 Have you made any changes to your testimony  
 19 from April 23?  
 20 A Not that I can recall.  
 21 Q Okay. And then let me ask what I admit is a  
 22 broad question, and that is, is there anything that you  
 23 recall having testified to in your April 23 deposition  
 24 that in thinking about it later or reviewing it,  
 25 anything that you believe is inaccurate or incorrect?

Page 233

1 MR. ELDRIDGE: Object to the form.  
 2 But go ahead.  
 3 A I don't think so. I would have to read it to  
 4 see.  
 5 Q (By Ms. Anderson) Is that something, as you  
 6 sit here today, that you intend to do?  
 7 A Yes.  
 8 Q Do you feel fine today to give testimony?  
 9 How are you feeling?  
 10 A I have a migraine, but -- and it's just been  
 11 a hard week.  
 12 Q All right. Would you like to have your  
 13 deposition continued to another date?  
 14 A I'd really rather get it over with.  
 15 Q I mean, do you feel well enough -- even given  
 16 your testimony that you have a migraine, do you feel  
 17 well enough --  
 18 A Yes.  
 19 Q -- to give testimony today?  
 20 And, again, you'll have the opportunity to  
 21 review the transcript if you believe you said anything  
 22 that was inaccurate or incorrect.  
 23 You indicated at your first session that Kat,  
 24 K-a-t, Hunt would be leaving Boulder County Mental  
 25 Health Services and you would be getting a new

Page 234

1 therapist. Has that happened yet?  
 2 A Yes. Her name is Lindsay. I met with her  
 3 once. I don't have her last name yet.  
 4 Q And is it L-i-n-d-s- --  
 5 A y, I think.  
 6 Q And do you expect and intend to continue to  
 7 see Lindsay?  
 8 A Yes.  
 9 Q You testified last time that you broke your  
 10 wrist; you fell down and you tripped over a wire. Do  
 11 you recall that?  
 12 A Yes.  
 13 Q Where was that wire?  
 14 A In the front yard of the place I was living.  
 15 Q And whose home was that?  
 16 A Leslie and Rockney Bachofer.  
 17 Q Since your first session of your deposition,  
 18 has anything happened new on the appeal of your Social  
 19 Security benefits claim?  
 20 A Well, we're in appeal right now; that's all.  
 21 We're waiting for a date.  
 22 Q When you were terminated by JCPenney in  
 23 August 2007, did you receive a written letter giving you  
 24 the reasons for your termination?  
 25 A I -- I received a letter, but I don't know

Page 235

1 that it stated a reason. I can't remember.  
 2 Q Did anyone give you a reason for your  
 3 termination of employment at JCPenney?  
 4 A I was told that it -- it's at the manager's  
 5 discretion whether or not to let a person have an  
 6 extended leave of absence; and he denied it; and so,  
 7 therefore, I had just so many more weeks left to be  
 8 paid.  
 9 Q Well, were you terminated or did you quit  
 10 after the short-term disability?  
 11 A Well, I tried to work with him; and he  
 12 wouldn't work with me as far as finding some position  
 13 there. He said, "You know, Jean's in the office and  
 14 that's the only office help I need. You know, you'd  
 15 have to be out there on the floor." And I couldn't do  
 16 it. So it was kind of like a mutual thing, I guess.  
 17 But I got the letter that said, You're being  
 18 terminated July 12th, or whatever it was.  
 19 Q And was there someone -- a supervisor at  
 20 JCPenney -- who told you why you were being terminated?  
 21 MR. ELDRIDGE: Asked and answered.  
 22 Objection.  
 23 But go ahead.  
 24 A Mark Haynes.  
 25 Q (By Ms. Anderson) And what did he tell you?

Page 236

1 MR. ELDRIDGE: Asked and answered.  
 2 But go ahead.  
 3 A He said that they couldn't meet my  
 4 requirements for my disability.  
 5 Q (By Ms. Anderson) Did you show Mark Haynes  
 6 or anyone at JCPenney any written prescription, written  
 7 note from a doctor identifying what your requirements  
 8 from your disability were?  
 9 A I believe I showed him, a couple of different  
 10 times, letters written by Dr. Shell.  
 11 Q And what were the prescrip- -- the written  
 12 disability notes? What were the restrictions?  
 13 A The -- that I couldn't work at the time.  
 14 Q That you couldn't work at all?  
 15 A Right. Correct.  
 16 Q And did that change? Did that restriction  
 17 change at all while you were at JCPenney's?  
 18 A No.  
 19 Q So in fact there really was no job they could  
 20 find for you?  
 21 A No.  
 22 MR. ELDRIDGE: Object to the form.  
 23 Q (By Ms. Anderson) After your October 4, 2005  
 24 vehicle accident, you went back to JCPenney's, at work,  
 25 correct?

Page 237

1 A Yes.  
 2 Q Did you ever work, during that period of time  
 3 that you were at JCPenney, where you were on pain  
 4 medication during your work hours?  
 5 A There would have to be times when I had  
 6 migraines. He wouldn't let us off. It was one you work  
 7 no matter what.  
 8 Q And what pain medications would you have  
 9 worked while taking (sic)?  
 10 A Fioricet would be the most. . .  
 11 Q Any others?  
 12 A Probably different migraine medications. I  
 13 can't recall the names of them; I've been on so many.  
 14 Q Anything else?  
 15 A No.  
 16 Q So is it your testimony that after the  
 17 vehicle accident, you did not work at JCPenney's when,  
 18 during work hours, you were taking Ativan or Valium?  
 19 MR. ELDRIDGE: Object to the form.  
 20 A I don't understand what . . .  
 21 Q (By Ms. Anderson) Sure. During work hours,  
 22 had you -- when you worked at JCPenney's after the  
 23 vehicle accident, had you ever taken Valium during those  
 24 workdays?  
 25 A After the accident . . .

Page 238

1 Yeah: I believe I took a half in the  
 2 morning, a half at noon, and a half one in the evening,  
 3 and then one before I'd go to bed.  
 4 Q And then how about the Ativan: Is that  
 5 medication you would have taken also?  
 6 A At bedtime.  
 7 Q Did Mark Haynes or anyone at JCPenney's ever  
 8 talk with you about your working while taking  
 9 medications?  
 10 A No.  
 11 Q Did any of your treating doctors ever tell  
 12 you that you could not work -- after the vehicle  
 13 accident, at any time from 2005 up to the present, that  
 14 you could not work as a nail technician?  
 15 A No.  
 16 Q Have you ever tried?  
 17 A Yes, I have. I've tried to do nails a couple  
 18 of times.  
 19 Q Have you ever tried to do it at a salon or a  
 20 retail establishment?  
 21 A No.  
 22 Q Has it been for friends?  
 23 A It was for a wedding. I didn't know the  
 24 people, but I was referred to them, and I thought, well,  
 25 let me try it.

1 I have -- I have the setup at home, or I did  
 2 have, and I just -- I couldn't get through it. I  
 3 couldn't get through doing the -- the nails. They  
 4 wanted pedicures. There was no way I could bend over to  
 5 do those.  
 6 Q How long can you sit in one position before  
 7 needing to move?  
 8 A About 20 minutes.  
 9 Q Do you have any scarring from the vehicle  
 10 accident?  
 11 A No.  
 12 Q Have you -- other than the new therapist,  
 13 Lindsay, at Boulder County Mental Health Services, have  
 14 you seen any health-care treaters or any doctors since  
 15 the first session of your deposition?  
 16 A No.  
 17 Q Have you seen any --  
 18 A Well, I saw Dr. Kabot, I believe.  
 19 Q And was that a regularly scheduled visit?  
 20 A A med check, yes.  
 21 Q Have you set any future appointments, as we  
 22 sit here today?  
 23 A With Lindsay and with Dr. Kabot.  
 24 Q Okay. And anyone else?  
 25 A No.

1 Q Did you attend your scheduled medical  
 2 examination with Dr. Wunder last Friday?  
 3 A Yes, I did.  
 4 Q And as far as you're aware of, did you  
 5 complete that exam?  
 6 A Yes --  
 7 MR. ELDRIDGE: Object to the form.  
 8 A -- I did.  
 9 Q (By Ms. Anderson) And did you remember  
 10 having seen him before?  
 11 A Yes.  
 12 Q Are you critical in any respect of the  
 13 examination that Dr. Wunder did: either the physical  
 14 examination, any questions he asked you, anything?  
 15 MR. ELDRIDGE: Form and foundation objection.  
 16 A No.  
 17 Q (By Ms. Anderson) Is there anything that you  
 18 recall today, something that you said to Dr. Wunder that  
 19 wasn't true?  
 20 A No.  
 21 Q Is there anything that you recall today that  
 22 you failed to tell Dr. Wunder about that he asked you  
 23 about?  
 24 MR. ELDRIDGE: Form and foundation objection.  
 25 A No. I think I answered all his questions.

1 Q (By Ms. Anderson) At your first session, we  
 2 discussed how you intentionally threw yourself down your  
 3 stairs in April 2007 in an attempt to kill yourself,  
 4 correct?  
 5 A Yes.  
 6 Q Is it your testimony that you did that  
 7 because of the injuries and your medical condition as a  
 8 result of this October 2005 vehicle accident?  
 9 MR. ELDRIDGE: We went over that the last  
 10 deposition.  
 11 MS. ANDERSON: Not that particular question,  
 12 we didn't.  
 13 A Yes.  
 14 Q (By Ms. Anderson) Who was the name of your  
 15 husband's friend who came to the scene of the October  
 16 2005 vehicle accident and drove your vehicle home?  
 17 A Oh, my gosh. Scott -- and I do not remember  
 18 his last name.  
 19 Q Is it still a friend of your husband's?  
 20 A Yes.  
 21 Q Have you had any accidents of any kind, falls  
 22 of any kind, injuries of any kind since the last session  
 23 of your deposition in April?  
 24 A No.  
 25 Q Your workers' comp, your employment injury in

1 July 2004 where the shelf unit fell forward onto your  
 2 left shoulder, I asked you about that, and we discussed  
 3 it, in part, at your last deposition.  
 4 A Yes.  
 5 Q You remember the event? Okay.  
 6 And you testified that you took Vicodin after  
 7 that injury. Can you tell me how long after that July  
 8 2004 injury you continued to take Vicodin?  
 9 A I don't recall. Maybe a week or so. I don't  
 10 know. I don't remember.  
 11 Q Okay. When you say "week or so," are you  
 12 guessing or is that your best estimate?  
 13 A That's my best estimate. I -- I don't know  
 14 -- I don't know how many was in the bottle, and I don't  
 15 remember if I used it all or not.  
 16 Q So it was for a very brief period of time?  
 17 A Yes.  
 18 Q Why were you taking -- you had testified that  
 19 you were taking Wellbutrin back in July 2004. Why were  
 20 you taking Wellbutrin then?  
 21 A Mild depression.  
 22 Q The Fioricet that you were taking back when  
 23 you worked at JCPenney's, were you taking it for any  
 24 pain condition other than migraines or in addition to  
 25 migraines?

Page 243

1 MR. ELDRIDGE: Object to the form.  
 2 A For something else other than migraines?  
 3 Q (By Ms. Anderson) Yes.  
 4 A No.  
 5 Q Is there any individual, any supervisor, any  
 6 co-employee that you can identify to me, at work while  
 7 you worked at JCPenney, who knew you were in pain when  
 8 you worked after the October 2005 vehicle accident?  
 9 A Yes.  
 10 Q And who would that be?  
 11 A Oh, boy, it's been a while since I've been  
 12 there, but Terri London -- I can't remember last names  
 13 -- Nancy Kohler, Jean Flanagan; of course Mark Haynes,  
 14 Irma Gonzales -- well, maybe Gonzales isn't her last  
 15 name. I can't remember. It's been a while.  
 16 Q Okay. Anyone else you can think of?  
 17 A Not -- not that I can think of right now.  
 18 Q Okay. And you identified Mark Haynes and his  
 19 position earlier.  
 20 Were the other individuals -- Terri, Nancy,  
 21 Jean, and Irma -- were they coworkers or were any of  
 22 them managers or supervisors?  
 23 A Terri was supervisor of the men's department;  
 24 Nancy was supervisor of jewelry; and Jean was -- is  
 25 office manager.

Page 244

1 Q And Irma?  
 2 A Irma was in charge of schedules and that sort  
 3 of thing.  
 4 Q And do you know whether Terri, Nancy, Jean,  
 5 and Irma are still employed at JCPenney's?  
 6 A Terri is not. I think -- I believe Nancy is.  
 7 Jean is. Irma still is, but she works in Greeley.  
 8 Q At your first session of your examination --  
 9 deposition, I had asked you about your responses to the  
 10 interrogatories in the prior lawsuit against  
 11 Ms. Juergens-Bow and Mr. Wilson and Ms. Bow; and there  
 12 was the possibility that I might get a signature page to  
 13 those discovery responses. I have not received that.  
 14 So I guess I would like you to take a look at  
 15 Exhibit B to Exhibit 11 of your deposition from last  
 16 time and I'd like to ask you, if you haven't reviewed  
 17 those interrogatories, if you could, and let me know if  
 18 they're accurate.  
 19 We had talked about it on the record, and I  
 20 think you were going to look for a signature page and  
 21 tender it and -- but I haven't gotten anything, so I  
 22 don't know if -- you know, I just want to make sure  
 23 they're accurate.  
 24 (Exhibit 12 was marked.)  
 25 MS. ANDERSON: While Ms. Composto is

Page 245

1 reviewing that, I did mark Exhibit 12 -- as Exhibit 12  
 2 the notice for today's deposition, along with proof of  
 3 service.  
 4 MR. ELDRIDGE: I'm sorry; I didn't understand  
 5 that. Exhibit 12 is the --  
 6 MS. ANDERSON: The depo notice. I just  
 7 wanted to make a record that it's been marked, because I  
 8 marked it and didn't refer to it.  
 9 Q (By Ms. Anderson) Okay. Ms. Composto, have  
 10 you had the chance to look at Exhibit B to what has been  
 11 marked in your prior deposition session as Exhibit 11?  
 12 A Yes.  
 13 Q And do you see that these were represented to  
 14 be your answers to written discovery that was directed  
 15 to you in that prior lawsuit?  
 16 A Yes.  
 17 Q And in reviewing those questions directed to  
 18 you, were all of the answers shown as answers from you,  
 19 were they all accurate?  
 20 A Not quite.  
 21 Q Okay. Can you look at that document, then,  
 22 Exhibit B, and indicate where the answers may not quite  
 23 be accurate.  
 24 A This --  
 25 Q I tell you what: Why don't we take a yellow

Page 246

1 -- take a yellow highlighter.  
 2 A Okay. Right here (indicating), Casper  
 3 College: I was enrolled there but I never finished --  
 4 I never finished it.  
 5 Q Okay.  
 6 A And I didn't get a high school; I got a GED.  
 7 Q Okay. And you're referring to Interrogatory  
 8 No. 4. And you marked in yellow highlight where it was  
 9 not quite accurate.  
 10 Any other questions?  
 11 A Not that I could tell. It looked pretty  
 12 good.  
 13 Q Okay. So otherwise, the answers were  
 14 accurate?  
 15 MR. ELDRIDGE: Asked and answered objection.  
 16 A As far -- as far as I could tell, yes.  
 17 Q (By Ms. Anderson) Okay. Thank you.  
 18 Can you give me your best estimate of when  
 19 you last were examined or treated by Dr. Scott Stanley.  
 20 A I would guess May of that year, 2000 -- was  
 21 it 2007?  
 22 Q Okay. And can you give me your best estimate  
 23 of when you were last examined or treated by Dr. James  
 24 Thacker.  
 25 A 2006. I don't know what -- it was in the

1 summer, so maybe June.  
 2 Q And can you give me your best estimate of  
 3 when you were last examined or treated by Dr. Elizabeth  
 4 Yurth.  
 5 A January of '07.  
 6 Q And when were you last examined or treated by  
 7 Dr. David Roter, R-o-t-e-r?  
 8 A Same time.  
 9 Q And when were you last examined or treated by  
 10 Dr. Michael Shell?  
 11 A The last time I was examined by Michael  
 12 Shell?  
 13 Q Examined or treated.  
 14 A Or treated? Whew. Probably almost a year  
 15 ago -- let's see -- no, year and a half ago. He gives  
 16 me the examination so that I don't have to go to Boulder  
 17 County Workforce in order to get my money from the  
 18 County.  
 19 Q So a year and a half ago would have been late  
 20 2007?  
 21 A Yeah. I'm thinking around August or  
 22 September. I'm not sure.  
 23 Q You had surgery done to your neck?  
 24 A Yes.  
 25 Q Has that surgery improved your -- the

1 condition of your neck as you expected it would?  
 2 A Yes.  
 3 (Exhibit 13 was marked.)  
 4 Q (By Ms. Anderson) Let me show you a group of  
 5 letters marked as Exhibit 13. And these were letters  
 6 that your attorney submitted. Have you seen those  
 7 letters before?  
 8 A Yes, I've read those.  
 9 Q Okay. Looking at the first letter, Chris,  
 10 and the last name is A-u-e, Aue?  
 11 A Aue.  
 12 Q Are you still friends with Chris?  
 13 A Yes, I am.  
 14 Q Did you pay anyone, after the vehicle  
 15 accident, to perform any personal or household services  
 16 for you?  
 17 A I did not.  
 18 Q Did anyone pay anyone?  
 19 A I had a friend that did hire her maid as a  
 20 Christmas present to come over and clean my house.  
 21 Q And Chris's letter -- Chris Aue's letter,  
 22 part of Exhibit 13, mentions that she came over to help  
 23 you with laundry and shopping needs; is that right?  
 24 A Correct.  
 25 Q Was that after the accident or after the

1 surgery?  
 2 A It was after the surgery, that was.  
 3 Q Are you a motorcycle rider?  
 4 A Not anymore.  
 5 Q Okay. And when was the last time you rode a  
 6 motorcycle either as a passenger or as an operator?  
 7 A Don't operate them.  
 8 Q Never?  
 9 A Never.  
 10 Q So you were always a passenger?  
 11 A Correct. Probably 2004 I think was when we  
 12 gave up the last Harley.  
 13 Q Okay. Did your husband -- ex-husband, Rick,  
 14 have a Harley?  
 15 A Yes.  
 16 Q And did he belong to a club?  
 17 MR. ELDRIDGE: Don't answer that.  
 18 How is that relevant to the discovery of  
 19 relevant evidence?  
 20 MS. ANDERSON: Because I'm going to ask what  
 21 kind of events they did, long-term driving,  
 22 cross-country driving.  
 23 MR. ELDRIDGE: That's okay. I don't have any  
 24 objection to that.  
 25 MS. ANDERSON: And they usually do that, or

1 often do that, in the context of clubs.  
 2 A The Christian Motorcycle Association.  
 3 Q (By Ms. Anderson) Okay. And did you,  
 4 through friends in the club, take road trips on the  
 5 motorcycle?  
 6 A Yes.  
 7 Q And did you do that up to and including in  
 8 2004?  
 9 A Not long trips, no.  
 10 Q How long would be one of -- the longest trip,  
 11 let's say, in the three or four years before the  
 12 accident that you took?  
 13 A 1100 miles.  
 14 Q Okay. And where was that to?  
 15 A Up to Sturgis, and then into Montana, up to  
 16 the Canadian border.  
 17 Q And what year was that?  
 18 A '93, maybe. I'm not positive.  
 19 Q Did you take any trips more than a hundred  
 20 miles in 2002, 2003, 2004, 2005?  
 21 A I'm sure. We were always riding to raise  
 22 money.  
 23 Q And when was the last ride you took before  
 24 your motor-vehicle -- or before -- yeah, before your  
 25 motor-vehicle accident in October 2005?

Page 251

1 MR. ELDRIDGE: Form and foundation objection.  
 2 Go ahead.  
 3 A I don't know. I really don't. It was  
 4 probably in 2004.  
 5 Q (By Ms. Anderson) Have you tried at all to  
 6 ride or have you ridden since the motor-vehicle  
 7 accident?  
 8 A No.  
 9 Q As part of Exhibit 13, there's a letter from  
 10 Rick Composto, and he indicates that there would be  
 11 limited letters from your coworkers at JCPenney's due to  
 12 the fact that your manager told everybody not to write  
 13 letters.  
 14 As far as you know, is that true?  
 15 A Yes, it is.  
 16 Q And who was the manager that told coworkers  
 17 not to write letters?  
 18 A Mark Haynes.  
 19 Q And has anyone told you why he did not want  
 20 people to write letters?  
 21 A They were told that -- something to do with  
 22 company standards: It was -- it was illegal or somebody  
 23 could get in trouble or something to that effect. I  
 24 don't remember exactly what was said to them, but they  
 25 were told at a morning meeting not to write the letters.

Page 252

1 Q The letter from Nikole, N-i-k-o-l-e, Stoker,  
 2 S-t-o-k-e-r, how do you know Nikole?  
 3 A I met her in AA.  
 4 Q And it indicates that she has known you  
 5 extremely well since the summer of 2005.  
 6 A Yes.  
 7 Q Did you -- is that when you met her?  
 8 A Yes. Actually, I met her in, it seems like,  
 9 the spring.  
 10 Q She indicates in her letter that before the  
 11 accident in October of 2005, you were constantly on the  
 12 go with your supervising position at JCPenney's nail  
 13 business, church, family, and friends.  
 14 Did you still have your nail business in  
 15 2005?  
 16 A I would do nails here and there for people at  
 17 home. I believe I had a few clients that had standing  
 18 appointments every two weeks.  
 19 Q In her letter, she indicates that you use --  
 20 and this is, I guess, of January 2007; that's the date  
 21 of her letter -- that you use a walker to get around.  
 22 Is that true?  
 23 A I did.  
 24 Q And for what period of time?  
 25 A Hmm. Try -- I -- I don't remember. I know

Page 253

1 it was from November 20th -- or whatever day I was  
 2 released from the hospital, after that stay -- when I  
 3 couldn't use my leg; and I don't know. I was down to  
 4 using a cane by the time I had my surgery in April.  
 5 So . . .  
 6 Q So between that time, you used a walker and  
 7 then a cane?  
 8 A Yes.  
 9 Q And then Nikole's letter indicates that you  
 10 had a hospital bed in your living room that you would  
 11 use.  
 12 A Yes.  
 13 Q And for what period of time?  
 14 A From November 20th until I left the house in  
 15 April to go to detox.  
 16 Q And that would be November 20, I want to say,  
 17 2006?  
 18 A For detox? No, that's -- oh, from the  
 19 hospital, yeah.  
 20 Q November 20, 2006.  
 21 A Yeah. Yes.  
 22 Q And did any doctor prescribe the walker, the  
 23 cane, the hospital bed for you?  
 24 A The hospital -- Boulder County Hospital, the  
 25 walker; and Dr. Shell, the hospital bed.

Page 254

1 Q And did you use a cane, a walker, or a  
 2 hospital bed at any other times after your October 2005  
 3 vehicle accident other than what you've just told us  
 4 about?  
 5 MR. ELDRIDGE: Object to the form.  
 6 A No. I spent a lot of time on the couch  
 7 downstairs, though.  
 8 Q (By Ms. Anderson) Did you rent the hospital  
 9 bed?  
 10 A Yes.  
 11 Q And who paid for it?  
 12 A The insurance.  
 13 Q And what insurance?  
 14 A What did I have? UnitedHealthcare.  
 15 Q Was it Healthcare versus the insurer for  
 16 JCPenney?  
 17 A It was UnitedHealthcare.  
 18 Q And the walker: Did you rent that, as well?  
 19 A No. We had a neighbor that had one.  
 20 Q Let me refer you to pages 5 and 6 of Exhibit  
 21 3, which is your disclosures in this case that was filed  
 22 or served by your lawyer. There is a section called  
 23 "Computation of Damages." Have you seen that page  
 24 before?  
 25 A I believe I have.



Page 255

1 Q Have you suffered any other damages that you  
 2 are attributing or you claim are caused by this accident  
 3 of October 2005 that are not shown on those two pages?  
 4 MR. ELDRIDGE: Object to the form.  
 5 Excuse me.  
 6 A Now, what was the question?  
 7 MS. ANDERSON: Could you read it back.  
 8 (The pending question was read.)  
 9 MR. ELDRIDGE: Same objection.  
 10 A I don't think so.  
 11 Q (By Ms. Anderson) Dr. Wunder's initial  
 12 report in connection with the medical examination that  
 13 he did back in 2008, have you seen that report that  
 14 Dr. Wunder had done back in --  
 15 A I don't know. I don't remember.  
 16 Q When -- well, he lists in "Past Medical  
 17 History: bipolar disorder."  
 18 MR. ELDRIDGE: Excuse me; the document you're  
 19 referring to, I'm just wondering: Did we produce that  
 20 in disclosures?  
 21 MS. ANDERSON: No. It was a public record,  
 22 actually. It was attached to one of the documents we  
 23 obtained from the pleadings from the underlying  
 24 litigation. We had asked for it, but to my knowledge,  
 25 you have never produced it in disclosures.

Page 256

1 MR. ELDRIDGE: I was just wondering.  
 2 MS. ANDERSON: If you look on the prior  
 3 litigation, that's the only way we could get it.  
 4 Q (By Ms. Anderson) Okay. Let me -- back to  
 5 my question.  
 6 One of the statements made under "Past  
 7 Medical History" from that medical examination indicates  
 8 "bipolar disorder."  
 9 Have you ever been diagnosed with bipolar  
 10 disorder?  
 11 A Yes.  
 12 Q And was that before or after your October  
 13 2005 vehicle accident?  
 14 A After.  
 15 Q And who diagnosed you with bipolar disorder?  
 16 A Dr. Pearson at -- whew -- I want to say  
 17 Mountain Crest.  
 18 Q Do you attribute or blame the October 2005  
 19 vehicle accident for causing your bipolar disorder?  
 20 MR. ELDRIDGE: Object to the form -- form and  
 21 foundation.  
 22 A Indirectly.  
 23 Q (By Ms. Anderson) Can you explain how?  
 24 A The pain medications that I was on can  
 25 contribute to bipolar.

Page 257

1 Q So is that an element of damages that you are  
 2 seeking in this lawsuit from State Farm?  
 3 MR. ELDRIDGE: Object to the form.  
 4 A I would think that goes along with the mental  
 5 part of it that's in here.  
 6 Q (By Ms. Anderson) Were you ever diagnosed by  
 7 any doctor before Dr. Pearson for having bipolar  
 8 disorder?  
 9 A No.  
 10 Q What are your -- how would you describe what  
 11 your symptoms of bipolar disorder have been since the  
 12 October 2005 vehicle accident?  
 13 A Whew. I get severely depressed for days on  
 14 end where I don't -- I don't care about anything, I  
 15 don't shower, I don't get out of bed, I don't -- I don't  
 16 do anything. I want to be alone.  
 17 And then it will go into a manic state where  
 18 I just have all kinds of energy. I -- I can't think  
 19 clearly because my thoughts are racing, and they won't  
 20 -- they don't come clear. I can't get the thought from  
 21 my brain out of my mouth. It's -- it's just a hard  
 22 thing to describe. It's --  
 23 This is the way I described it to the doctor,  
 24 and he said it was perfect: It's like there's all these  
 25 files in your head, and you have this little cart, and

Page 258

1 you're trying to find that certain file to remember it,  
 2 and you're just running around in your brain trying to  
 3 find this certain file to pull it out. Because it's  
 4 like reaching for something that you know is there and  
 5 you can't find it, and it's very confusing.  
 6 And I've been known to spend a lot of money  
 7 while I'm manic.  
 8 Q Money that you believe you would not have  
 9 spent otherwise?  
 10 A Definitely.  
 11 Q Like, on what?  
 12 A Clothes.  
 13 Q Anything else?  
 14 A Pretty much just clothes.  
 15 Q And is that something you've done from 2005  
 16 up to the present?  
 17 A I've done it a couple of times. And I know I  
 18 figured -- went back and figured out that I was probably  
 19 in a manic state; because I had no way of paying for  
 20 them.  
 21 Q Has that -- did that put you in financial  
 22 distress?  
 23 A Yeah.  
 24 Q When you were later not manic, did you go and  
 25 return them?

Page 259

1 A Yes.  
 2 MR. ELDRIDGE: I'm sorry; I didn't hear your  
 3 answer.  
 4 THE DEPONENT: Yes.  
 5 Q (By Ms. Anderson) Any other symptoms that  
 6 you would attribute to your bipolar disorder?  
 7 A My anxiety and -- it gets -- gets over the  
 8 top sometimes. I can't be in a crowded room, period.  
 9 I have a hard time in school. I always have to sit at  
 10 the front of the class, because if I can't see all the  
 11 kids behind me -- if I can't see all the people sitting  
 12 behind me, then it -- I can imagine that they're not  
 13 there.  
 14 Panic attacks while driving. I just can't do  
 15 crowds.  
 16 Q Anything else?  
 17 A I think that's all.  
 18 Q Has anyone other than -- strike that.  
 19 Have you been treated at Boulder County  
 20 Mental Health also for the bipolar?  
 21 A Yes, that's what he was treating.  
 22 Q So it was diagnosed by Dr. Pearson at  
 23 Mountain Crest after the accident?  
 24 A Yes.  
 25 Q And then you've also been treated at Boulder

Page 260

1 County?  
 2 A Yes. And they treated me for it at Cedar  
 3 Springs.  
 4 Q Okay. And anywhere else?  
 5 A I don't think so.  
 6 Q Do you currently take prescription  
 7 medications for your bipolar disorder?  
 8 A Yes.  
 9 Q And what is that?  
 10 A Lamictal.  
 11 Q How do you spell that?  
 12 A L-a-m-i-c-t-a-l.  
 13 Q Okay. And anything else?  
 14 A Zoloft.  
 15 Q And anything else?  
 16 A Wellbutrin.  
 17 Q And anything else?  
 18 A No.  
 19 Q And do you believe all three of those are for  
 20 your bipolar disorder?  
 21 A I know they are, yes.  
 22 Q And since the vehicle accident, who has  
 23 prescribed those for you?  
 24 A Dr. Kabot.  
 25 Q Okay. And anyone else?

Page 261

1 A The hospital, the Cedar Springs, Mountain  
 2 Crest. I believe, yeah, that's it.  
 3 Q And are you still taking the Lamictal?  
 4 A Yes.  
 5 Q How often do you take it?  
 6 A Once a day.  
 7 Q And who pays for all of your medications?  
 8 A I get them free.  
 9 Q And, again, that's through Boulder County --  
 10 A Yes.  
 11 Q -- Mental Health?  
 12 A Yes.  
 13 Q Do you recall having ever signed any  
 14 documents or papers at Boulder County Mental Health that  
 15 -- where they are asking you or someone else to  
 16 reimburse them if you recover money from somebody in a  
 17 lawsuit or because of an accident?  
 18 A No.  
 19 Q Again -- and I'm referring to Dr. Wunder's  
 20 earlier report -- you also indicate depression. And  
 21 have you been diagnosed as depressed?  
 22 A Yes.  
 23 Q Had you ever been diagnosed with depression  
 24 before the October 2005 vehicle accident?  
 25 A Yes.

Page 262

1 Q And when?  
 2 A I don't remember. Do not remember.  
 3 Q Do you have any estimate?  
 4 A Sometime in the '90s, probably.  
 5 Q And did you ever before the October 2005  
 6 vehicle accident take medication for depression?  
 7 A Yes.  
 8 Q And were you still taking medication for  
 9 depression at the time of the October 2005 accident?  
 10 A No.  
 11 Q When had you last taken medication for  
 12 depression before the vehicle accident?  
 13 MR. ELDRIDGE: Form and foundation objection.  
 14 A I don't know.  
 15 Q (By Ms. Anderson) And are you claiming that  
 16 depression -- that you -- strike that.  
 17 Are you claiming that you have suffered from  
 18 depression since the October 2005 vehicle accident  
 19 because of the accident?  
 20 MR. ELDRIDGE: Object to the form.  
 21 A Severe depression, yes.  
 22 Q (By Ms. Anderson) And do you take different  
 23 medications for the severe depression different from the  
 24 medications you take for the bipolar disorder?  
 25 MR. ELDRIDGE: Object to the form.

Page 263

1 A They have them -- I suppose for depression  
 2 you just have an antidepressant.  
 3 Q (By Ms. Anderson) And what has your -- the  
 4 antidepressant been that you've taken?  
 5 A I've taken Prozac and Effexor. I don't -- I  
 6 don't think -- I don't know if there was any others. I  
 7 don't remember.  
 8 Q And are you taking them now?  
 9 A No.  
 10 Q And when did you stop taking each of them?  
 11 A I do not know.  
 12 MR. ELDRIDGE: Form and foundation objection.  
 13 A I don't know.  
 14 Q (By Ms. Anderson) Do you recall when you  
 15 stopped taking either Prozac or Effexor?  
 16 A I don't know.  
 17 Q No estimate or approximation?  
 18 A No, I can't remember.  
 19 Q Did you take either of those medications for  
 20 depression before the October 2005 vehicle accident?  
 21 A On the day?  
 22 Q No, before. At any time before October 2005.  
 23 A Yeah, that's when I took them: before.  
 24 Q Well, let's make sure we have accurate  
 25 testimony.

Page 264

1 My understanding is, you suffered from  
 2 depression before the accident and severe depression  
 3 after the accident.  
 4 So the two drugs you mentioned Prozac and  
 5 Effexor, did you take both of those before and after the  
 6 accident?  
 7 A Well, I would imagine one of them. Effexor,  
 8 I think, is the one I was on.  
 9 Q What do you mean the one you were on?  
 10 A They only prescribed one at a time, and I  
 11 don't remember -- I remember Effexor was the last one  
 12 that I was on.  
 13 Q Were you still getting a prescription for  
 14 Effexor as of the date of the accident in October 2005?  
 15 A Probably.  
 16 Q And then the Prozac: Did you take that  
 17 before or after the accident?  
 18 MR. ELDRIDGE: Object to the form.  
 19 A It was before, many years before.  
 20 Q (By Ms. Anderson) And you're still taking  
 21 the Effexor now?  
 22 A No.  
 23 Q Why did you stop taking it?  
 24 A Because they switched my plan at Mountain  
 25 Crest and put me on Zoloft instead, or something.

Page 265

1 Q Dr. Wunder's "Past Surgical History"  
 2 indicates that you had Morton's, M-o-r-t-o-n-s, neuroma  
 3 excision, e-x-c-i-s-i-o-n. What is that?  
 4 MR. ELDRIDGE: That's really way beyond the  
 5 scope of this case.  
 6 MS. ANDERSON: It's in his report. I don't  
 7 know.  
 8 MR. ELDRIDGE: I know, but because it's in  
 9 the report doesn't mean that you get to inquire about  
 10 it. That really is -- I'm going to let her answer,  
 11 but --  
 12 MS. ANDERSON: Because I don't know what it  
 13 is, and I just want to make sure.  
 14 MR. ELDRIDGE: Okay.  
 15 A It's where they remove tissue from kind of --  
 16 say, this is your foot, and they do an incision right  
 17 there and excise some kind of nodule or something that's  
 18 growing in there that's causing pain.  
 19 Q (By Ms. Anderson) Okay.  
 20 A I thought that was a rather strange name for  
 21 it too.  
 22 Q Now, we discussed last time, you know, to  
 23 some extent, treatment you had at Cedar Crest, Mountain  
 24 Vista, some of those facilities.  
 25 Have you ever been treated as an inpatient at

Page 266

1 any psychiatric institution or facility?  
 2 A No.  
 3 Q Let me ask you a question; and then after you  
 4 answer, I'm going to take a break, check notes, and then  
 5 I think we're just about done here. And I'm going to  
 6 ask what I admit, again, is a broad question: Is there  
 7 anything about your injuries, your damages from this  
 8 October 2005 vehicle accident that you think is  
 9 important about -- something you want State Farm to  
 10 consider in connection with your injuries or damages in  
 11 this case and that I haven't asked you about?  
 12 MR. ELDRIDGE: Form and foundation. I think  
 13 that's really an improper question.  
 14 But if you can answer it, go ahead.  
 15 A I don't know how to answer it. I think it --  
 16 it's just my whole life was turned upside down by the  
 17 accident, you know; it just was. It just seemed like it  
 18 was a domino effect all the way through my life, and I'm  
 19 having a hard time recovering from it.  
 20 Q (By Ms. Anderson) Are you better at all now  
 21 in 2009 than you were in 2006, the year after it  
 22 happened?  
 23 A Well, I -- yes, I -- I am better.  
 24 Q I mean, your pain in your neck has --  
 25 A The pain in my neck is -- is better since the

1 operation, surgery.  
 2 My back hurts me all the time, so does my  
 3 leg. But I manage to do what I need to do, which  
 4 sometimes isn't very much, but . . .  
 5 Q As you go forward, do you anticipate any  
 6 future treatment of any kind, whether it be therapies,  
 7 surgery, anything for your back --  
 8 A Yes --  
 9 Q -- or for your leg?  
 10 A -- I do.  
 11 Q What do you anticipate?  
 12 A I would at first like to get some injections  
 13 that I know help, and see about surgery down the line.  
 14 But I want something done about the pain.  
 15 Q Have you seen anything regarding recommen-  
 16 dations from any of your treating doctors that you  
 17 should or will need surgery in the future?  
 18 A Dr. Yurth and Dr. Shell and Dr. Roter -- no,  
 19 not Roter. Never mind. Those are the two that -- oh,  
 20 and Dr. Thacker.  
 21 Q And what have you seen that -- regarding  
 22 surgery from them?  
 23 A I don't know the name of the surgery, but  
 24 Dr. Yurth was going to do a rather relatively new kind  
 25 of surgery on me, go in and see if the disc was viable.

1 how much the injections are?  
 2 A No. Dr. Shell just looked at me and said,  
 3 "They're expensive."  
 4 Q And who did the one that you did have?  
 5 A I've had two, actually: One was done at  
 6 Boulder County Hospital in November when I was in the  
 7 hospital -- I don't know who the doctor was -- and the  
 8 other one was done by Dr. Thacker.  
 9 Q Both were for your back?  
 10 A Yes.  
 11 Q And both gave you relief?  
 12 A Yes.  
 13 Q And do you have any estimate or approximation  
 14 of what the costs were?  
 15 MR. ELDRIDGE: Asked and answered objection.  
 16 A No.  
 17 Q (By Ms. Anderson) Has any -- have any of  
 18 your other health-care doctors or treaters recommended  
 19 anything else for you in terms of future medical  
 20 treatment or surgery?  
 21 A No, not that I can recall.  
 22 Q Do you still drive?  
 23 A When I have to.  
 24 MS. ANDERSON: Let's take a short break, and  
 25 then I think I'm just either done or close to it.

1 If it is, there was a solution they could put in there  
 2 and -- and plump it back up and hopefully make it work.  
 3 I don't know what that's called.  
 4 Then there's shots of -- of steroids,  
 5 cortisone. I had one of those done by Dr. Thacker, and  
 6 it seemed to help quite a bit for a while.  
 7 Q And which disc were you talking about?  
 8 A S1 -- I don't remember. It's been -- there's  
 9 been so many of -- it's S1 and the one above it.  
 10 Q Would it be your desire to try additional  
 11 cortisone injections before surgery?  
 12 A Yes.  
 13 Q And why have you not had more?  
 14 A No insurance.  
 15 Q And have you looked into the availability of  
 16 those injections without insurance?  
 17 A I have. They're very expensive. I think I'm  
 18 on a list at Salud to be considered by a surgeon to be  
 19 looked at.  
 20 Q And does Salud have surgeons there?  
 21 A No. They have -- they have outside surgeons  
 22 that they refer people to.  
 23 Q So they wouldn't do the injections there?  
 24 A No.  
 25 Q Do you have any estimate or approximation of

1 (Recess from 11:15 to 11:24 a.m.)  
 2 MS. ANDERSON: Let me just mention one thing,  
 3 Ms. Composto: I have no further questions now. I mean,  
 4 I'll leave the deposition open to the extent that there  
 5 are new records -- medical records that I would need to  
 6 ask you further questions on. I'm certainly hoping that  
 7 isn't the case and that we're done here.  
 8 Your -- we can --  
 9 Let's go off the record.  
 10 (The deposition concluded at 11:24 a.m.,  
 11 May 26, 2009.)  
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1 I, PENNY LYNN COMPOSTO, do hereby certify that  
2 I have read the foregoing transcript and that the same  
3 and accompanying amendment sheets, if any, constitute a  
4 true and complete record of my testimony.

5  
6  
7 \_\_\_\_\_  
Signature of Deponent

8  
9  
10 ( ) No amendments  
( ) Amendments attached

11  
12  
13  
14 Subscribed and sworn to before me this  
15 \_\_\_\_\_ day of \_\_\_\_\_, 2009.

16  
17 Notary Public: \_\_\_\_\_

18 Address: \_\_\_\_\_

19 My commission expires: \_\_\_\_\_

20 Seal:

21  
22  
23  
24 PSN  
25

1 AGREN BLANDO COURT REPORTING & VIDEO, INC.  
2 216 - 16th Street, Suite 650  
3 Denver, Colorado 80202  
4 4450 Arapahoe Avenue, Suite 100  
5 Boulder, Colorado 80303  
6 June 4, 2009  
7 Ms. Penny Lynn Composto  
8 1030 Kane Drive  
9 Longmont, Colorado 80501-6621

10 Re: Deposition of PENNY LYNN COMPOSTO, Volume II  
11 Penny Composto v. State Farm Mutual Automobile  
12 Insurance Company  
13 08-CV-02423-CMA-BNB  
14 The aforementioned deposition is ready for  
15 reading and signing. Please attend to this  
16 matter by following BOTH of the items indicated  
17 below:

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1 STATE OF COLORADO )  
2 )ss. REPORTER'S CERTIFICATE  
3 COUNTY OF DENVER )

4 I, Patricia S. Newton, do hereby certify that  
5 I am a Registered Professional Reporter and Notary  
6 Public within the State of Colorado; that previous to  
7 the commencement of the examination, the deponent was  
8 again duly sworn to testify to the truth.

9 I further certify that this deposition was  
10 taken in shorthand by me at the time and place herein  
11 set forth, that it was thereafter reduced to typewritten  
12 form, and that the foregoing constitutes a true and  
13 correct transcript.

14 I further certify that I am not related to,  
15 employed by, nor of counsel for any of the parties or  
16 attorneys herein, nor otherwise interested in the result  
17 of the within action.

18 In witness whereof, I have affixed my  
19 signature and seal this 4th day of June, 2009.  
20 My commission expires December 6, 2012.

21  
22  
23  
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25

1 AGREN BLANDO COURT REPORTING & VIDEO, INC.  
2 216 - 16th Street, Suite 650  
3 Denver, Colorado 80202  
4 4450 Arapahoe Avenue, Suite 100  
5 Boulder, Colorado 80303

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8 The original deposition was filed with Sheryl L.  
9 Anderson, Esq., approximately the 4th day of  
10 June, 2009.

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19 Thank you.  
20 AGREN BLANDO COURT REPORTING & VIDEO, INC.

21 cc: All Counsel  
22  
23  
24  
25

1 AMENDMENT SHEET  
 2 Deposition of PENNY LYNN COMPOSTO  
 3 Tuesday, May 26, 2009  
 Penny Composto v.  
 4 State Farm Mutual Automobile Insurance Company  
 08-CV-02423-CMA-BNB

5 The deponent wishes to make the following  
 6 changes in the testimony as originally given:

7	Page	Line	Should Read	Reason
8	_____	_____	_____	_____
9	_____	_____	_____	_____
10	_____	_____	_____	_____
11	_____	_____	_____	_____
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16	_____	_____	_____	_____
17	_____	_____	_____	_____
18	_____	_____	_____	_____
19	_____	_____	_____	_____

20 \_\_\_\_\_  
 Signature of Deponent  
 21 Subscribed and sworn to before me this \_\_\_\_\_ day  
 22 of \_\_\_\_\_, 2009.  
 23 (seal) Notary's signature \_\_\_\_\_  
 24 Notary's address \_\_\_\_\_  
 25 My commission expires \_\_\_\_\_

<p><b>A</b></p> <p>AA 252:3  <b>ability</b> 231:20  <b>absence</b> 235:6  <b>Absolutely</b> 228:11  <b>accident</b> 229:1 236:24  237:17,23,25 238:13  239:10 241:8,16  243:8 248:15,25  250:12,25 251:7  252:11 254:3 255:2  256:13,19 257:12  259:23 260:22  261:17,24 262:6,9,12  262:18,19 263:20  264:2,3,6,14,17  266:8,17  <b>accidents</b> 241:21  <b>accompanying</b> 271:3  <b>accurate</b> 231:22 244:18  244:23 245:19,23  246:9,14 263:24  <b>action</b> 226:2 272:17  <b>addition</b> 229:16 242:24  <b>additional</b> 268:10  <b>address</b> 271:17 275:24  <b>admit</b> 232:21 266:6  <b>affect</b> 231:20  <b>affixed</b> 272:18  <b>aforementioned</b> 273:10  <b>ago</b> 247:15,15,19  <b>Agren</b> 273:1,21,23  274:1,16,20  <b>ahead</b> 233:2 235:23  236:2 251:2 266:14  <b>alcohol</b> 231:8  <b>amendment</b> 271:3  273:14,16,20 274:12  274:15 275:1  <b>amendments</b> 271:10,10  <b>Anderson</b> 226:15,16  227:11 228:11,14,20  228:23 229:7,14,20  229:24 230:1,3,8,12  230:15 232:10 233:5  235:25 236:5,23  237:21 240:9,17  241:1,11,14 243:3  244:25 245:6,9  246:17 248:4 249:20  249:25 250:3 251:5  254:8 255:7,11,21  256:2,4,23 257:6  259:5 262:15,22  263:3,14 264:20  265:6,12,19 266:20</p>	<p>269:17,24 270:2  274:9  <b>and/or</b> 274:15  <b>answer</b> 249:17 259:3  265:10 266:4,14,15  <b>answered</b> 235:21 236:1  240:25 246:15  269:15  <b>answers</b> 231:21 245:14  245:18,18,22 246:13  <b>anticipate</b> 267:5,11  <b>antidepressant</b> 263:2,4  <b>anxiety</b> 259:7  <b>anymore</b> 249:4  <b>anyway</b> 229:2  <b>appeal</b> 234:18,20  <b>APPEARANCES</b>  226:11  <b>Appearing</b> 226:14,18  <b>applicable</b> 273:15,17  <b>appointments</b> 239:21  252:18  <b>approximately</b> 274:9  <b>approximation</b> 231:2  263:17 268:25  269:13  <b>April</b> 231:25 232:19,23  241:3,23 253:4,15  <b>Arapahoe</b> 273:2 274:2  <b>areas</b> 229:5  <b>arrange</b> 273:12  <b>asked</b> 228:13,19  229:19 231:5 235:21  236:1 240:14,22  242:2 244:9 246:15  255:24 266:11  269:15  <b>asking</b> 230:22 232:11  261:15  <b>Association</b> 250:2  <b>Ativan</b> 237:18 238:4  <b>attached</b> 255:22 271:10  273:15,17 274:16  <b>attachments</b> 227:16,20  <b>attacks</b> 259:14  <b>attempt</b> 241:3  <b>attend</b> 240:1 273:10  <b>attorney</b> 232:11 248:6  <b>attorneys</b> 272:16  <b>attribute</b> 256:18 259:6  <b>attributing</b> 255:2  <b>Aue</b> 227:22 248:10,11  <b>Aue's</b> 248:21  <b>August</b> 234:23 247:21  <b>authorization</b> 229:18  <b>authorizations</b> 229:15</p>	<p>229:16,17  <b>Automobile</b> 226:9  273:8 274:5 275:3  <b>availability</b> 268:15  <b>Avenue</b> 273:2 274:2  <b>aware</b> 240:4  <b>A-u-e</b> 248:10  <b>a.m</b> 227:4 270:1,10</p> <hr/> <p><b>B</b></p> <p><b>B</b> 244:15 245:10,22  <b>Bachofer</b> 234:16  <b>back</b> 236:24 242:19,22  255:7,13,14 256:4  258:18 267:2,7 268:2  269:9  <b>Bates</b> 227:22  <b>Beck</b> 226:19  <b>bed</b> 238:3 253:10,23,25  254:2,9 257:15  <b>bedtime</b> 238:6  <b>began</b> 231:25  <b>beginning</b> 231:6  <b>behalf</b> 226:14,18  <b>believe</b> 231:19,24  232:25 233:21 236:9  238:1 239:18 244:6  252:17 254:25 258:8  260:19 261:2  <b>belong</b> 249:16  <b>bend</b> 239:4  <b>benefits</b> 234:19  <b>best</b> 242:12,13 246:18  246:22 247:2  <b>better</b> 266:20,23,25  <b>beyond</b> 265:4  <b>bipolar</b> 255:17 256:8,9  256:15,19,25 257:7  257:11 259:6,20  260:7,20 262:24  <b>bit</b> 268:6  <b>blame</b> 256:18  <b>Blando</b> 273:1,21,23  274:1,16,20  <b>border</b> 250:16  <b>bottle</b> 242:14  <b>Boulder</b> 233:24 239:13  247:16 253:24  259:19,25 261:9,14  269:6 273:3 274:3  <b>Bow</b> 244:11  <b>boy</b> 243:11  <b>brain</b> 257:21 258:2  <b>break</b> 229:8 266:4  269:24  <b>Bresnoff</b> 229:24,25</p>	<p><b>brief</b> 242:16  <b>briefly</b> 230:19  <b>broad</b> 231:24 232:22  266:6  <b>Broadway</b> 226:17  227:5  <b>broke</b> 234:9  <b>business</b> 252:13,14  <b>B-r-e-s-n-o-f-f</b> 230:1</p> <hr/> <p><b>C</b></p> <p><b>C</b> 228:1  <b>Call</b> 273:12  <b>called</b> 227:3 254:22  268:3  <b>Canadian</b> 250:16  <b>cane</b> 253:4,7,23 254:1  <b>care</b> 257:14  <b>cart</b> 257:25  <b>case</b> 254:21 265:5  266:11 270:7  <b>cases</b> 228:6  <b>Casper</b> 246:2  <b>cause</b> 228:3  <b>caused</b> 255:2  <b>causing</b> 256:19 265:18  <b>caution</b> 228:8  <b>cc</b> 273:24 274:21  <b>Cedar</b> 260:2 261:1  265:23  <b>certain</b> 258:1,3  <b>certainly</b> 229:4,11  270:6  <b>Certificate</b> 227:15,20  272:1  <b>certify</b> 271:1 272:4,9  272:14  <b>chance</b> 245:10  <b>change</b> 236:16,17  <b>changes</b> 232:18 273:21  275:6  <b>charge</b> 244:2  <b>check</b> 239:20 266:4  <b>Chris</b> 227:22 248:9,12  248:21  <b>Christian</b> 250:2  <b>Christmas</b> 248:20  <b>Chris's</b> 248:21  <b>church</b> 252:13  <b>Civil</b> 226:2 227:2  <b>claim</b> 234:19 255:2  <b>claiming</b> 262:15,17  <b>class</b> 259:10  <b>clean</b> 248:20  <b>clear</b> 257:20  <b>clearly</b> 257:19</p>	<p><b>clients</b> 252:17  <b>close</b> 269:25  <b>clothes</b> 258:12,14  <b>club</b> 249:16 250:4  <b>clubs</b> 250:1  <b>College</b> 246:3  <b>Colorado</b> 226:1,13,17  227:1,5,8 272:1,6  273:2,3,6 274:2,3  <b>come</b> 248:20 257:20  <b>coming</b> 232:2  <b>commencement</b> 272:7  <b>commencing</b> 227:4  <b>commission</b> 271:20  272:20 275:25  <b>comp</b> 241:25  <b>company</b> 226:9 251:22  273:8 274:5 275:3  <b>Compel</b> 227:16  <b>complete</b> 240:5 271:4  <b>complies</b> 230:7  <b>Composto</b> 226:4,6  227:3,10,20 228:2  229:15 230:18,19  244:25 245:9 251:10  270:3 271:1 273:5,7  273:8 274:4,5 275:2  275:3  <b>Composto's</b> 227:14  <b>Computation</b> 254:23  <b>concluded</b> 270:10  <b>condition</b> 241:7 242:24  248:1  <b>confusing</b> 258:5  <b>connection</b> 255:12  266:10  <b>consider</b> 266:10  <b>considered</b> 268:18  <b>constantly</b> 252:11  <b>constitute</b> 271:3  <b>constitutes</b> 272:12  <b>context</b> 250:1  <b>continue</b> 234:6  <b>continued</b> 227:19  233:13 242:8  <b>contribute</b> 256:25  <b>copies</b> 228:9  <b>copy</b> 273:14,16,21  <b>correct</b> 236:15,25  241:4 248:24 249:11  272:13  <b>cortisone</b> 268:5,11  <b>costs</b> 269:14  <b>couch</b> 254:6  <b>counsel</b> 272:15 273:22  273:24 274:21</p>
---	--	--	---	--

<p><b>County</b> 233:24 239:13 247:17,18 253:24 259:19 260:1 261:9 261:14 269:6 272:2 <b>couple</b> 236:9 238:17 258:17 <b>course</b> 243:13 <b>COURT</b> 226:1 273:1 273:23 274:1,20 <b>coworkers</b> 243:21 251:11,16 <b>co-employee</b> 243:6 <b>Craig</b> 230:2,3,5 <b>Crest</b> 256:17 259:23 261:2 264:25 265:23 <b>critical</b> 240:12 <b>cross-country</b> 249:22 <b>crowded</b> 259:8 <b>crowds</b> 259:15 <b>currently</b> 260:6 <b>C.R.C.P</b> 274:14</p> <hr/> <p style="text-align: center;"><b>D</b></p> <p><b>D</b> 227:9 228:1 <b>damages</b> 254:23 255:1 257:1 266:7,10 <b>date</b> 233:13 234:21 252:20 264:14 273:18,19 <b>dated</b> 227:22 <b>datations</b> 267:16 <b>David</b> 247:7 <b>day</b> 228:18 253:1 261:6 263:21 271:15 272:19 274:9 275:21 <b>days</b> 257:13 273:18 <b>December</b> 272:20 <b>Defendant</b> 226:10,18 227:3 <b>Definitely</b> 258:10 <b>denied</b> 235:6 <b>Denver</b> 226:13,17 227:5 272:2 273:2 274:2 <b>department</b> 243:23 <b>depo</b> 245:6 <b>deponent</b> 230:2,7 259:4 271:7 272:7 273:14 275:5,20 <b>deposition</b> 226:4 227:2 227:10,19 229:3 231:7,25 232:1,14,23 233:13 234:17 239:15 241:10,23 242:3 244:9,15 245:2 245:11 270:4,10</p>	<p>272:9 273:7,10,13,16 273:21 274:8 275:2 <b>depressed</b> 257:13 261:21 <b>depression</b> 242:21 261:20,23 262:6,9,12 262:16,18,21,23 263:1,20 264:2,2 <b>describe</b> 257:10,22 <b>described</b> 257:23 <b>desire</b> 268:10 <b>detox</b> 253:15,18 <b>diagnosed</b> 256:9,15 257:6 259:22 261:21 261:23 <b>difference</b> 230:12 <b>different</b> 236:9 237:12 262:22,23 <b>directed</b> 245:14,17 <b>disability</b> 235:10 236:4 236:8,12 <b>disc</b> 267:25 268:7 <b>DISCL</b> 227:23 <b>disclosures</b> 227:14 254:21 255:20,25 <b>discovery</b> 244:13 245:14 249:18 <b>discretion</b> 235:5 <b>discussed</b> 241:2 242:2 265:22 <b>Discussion</b> 229:13 <b>disorder</b> 255:17 256:8 256:10,15,19 257:8 257:11 259:6 260:7 260:20 262:24 <b>distress</b> 258:22 <b>DISTRICT</b> 226:1,1 <b>doctor</b> 229:22 231:19 236:7 253:22 257:7 257:23 269:7 <b>doctors</b> 238:11 239:14 267:16 269:18 <b>document</b> 245:21 255:18 <b>documents</b> 228:18 255:22 261:14 <b>doing</b> 239:3 <b>domino</b> 266:18 <b>dosage</b> 231:16 <b>downstairs</b> 254:7 <b>Dr</b> 229:22 236:10 239:18,23 240:2,13 240:18,22 246:19,23 247:3,7,10 253:25 255:11,14 256:16 257:7 259:22 260:24</p>	<p>261:19 265:1 267:18 267:18,18,20,24 268:5 269:2,8 <b>drive</b> 269:22 273:5 <b>driving</b> 249:21,22 259:14 <b>drove</b> 241:16 <b>drugs</b> 231:7 264:4 <b>due</b> 251:11 273:19 <b>duly</b> 228:3 272:8</p> <hr/> <p style="text-align: center;"><b>E</b></p> <p><b>E</b> 227:9 228:1,1 <b>earlier</b> 243:19 261:20 <b>easier</b> 230:11 <b>effect</b> 251:23 266:18 <b>Effexor</b> 263:5,15 264:5 264:7,11,14,21 <b>either</b> 240:13 249:6 263:15,19 269:25 <b>Eldridge</b> 226:12 227:22 228:5,12,16 228:22,24 229:11,18 229:23,25 230:10 232:6 233:1 235:21 236:1,22 237:19 240:7,15,24 241:9 243:1 245:4 246:15 249:17,23 251:1 254:5 255:4,9,18 256:1,20 257:3 259:2 262:13,20,25 263:12 264:18 265:4,8,14 266:12 269:15 <b>element</b> 257:1 <b>Elizabeth</b> 247:3 <b>employed</b> 244:5 272:15 <b>employment</b> 235:3 241:25 <b>enclosed</b> 273:16 <b>energy</b> 257:18 <b>enrolled</b> 246:3 <b>envelope</b> 274:16 <b>Esq</b> 226:12,16,16 274:9 <b>establishment</b> 238:20 <b>estimate</b> 231:2 242:12 242:13 246:18,22 247:2 262:3 263:17 268:25 269:13 <b>evening</b> 238:2 <b>event</b> 242:5 <b>events</b> 249:21 <b>everybody</b> 251:12 <b>everything's</b> 229:9 <b>evidence</b> 249:19 <b>exactly</b> 251:24</p>	<p><b>exam</b> 240:5 <b>examination</b> 230:14 240:2,13,14 244:8 247:16 255:12 256:7 272:7 <b>examined</b> 228:4 246:19 246:23 247:3,6,9,11 247:13 <b>Excellent</b> 228:14 <b>excess</b> 228:7 <b>excise</b> 265:17 <b>excision</b> 265:3 <b>Excuse</b> 255:5,18 <b>executing</b> 229:16 <b>Exhibit</b> 227:14,16,19 227:21 244:15,15,24 245:1,1,5,10,11,22 248:3,5,22 251:9 254:20 <b>EXHIBITS</b> 227:13,18 <b>expect</b> 234:6 <b>expected</b> 248:1 <b>expensive</b> 268:17 269:3 <b>expires</b> 271:20 272:20 275:25 <b>explain</b> 256:23 <b>extended</b> 235:6 <b>extent</b> 265:23 270:4 <b>extremely</b> 252:5 <b>ex-husband</b> 249:13 <b>e-x-c-i-s-i-o-n</b> 265:3</p> <hr/> <p style="text-align: center;"><b>F</b></p> <p><b>facilities</b> 265:24 <b>facility</b> 266:1 <b>fact</b> 236:19 251:12 <b>failed</b> 240:22 <b>falls</b> 241:21 <b>family</b> 252:13 <b>far</b> 235:12 240:4 246:16,16 251:14 <b>Farm</b> 226:9 257:2 266:9 273:8 274:5 275:3 <b>feel</b> 233:8,15,16 <b>feeling</b> 233:9 <b>fell</b> 234:10 242:1 <b>figured</b> 258:18,18 <b>file</b> 228:17 258:1,3 <b>filed</b> 254:21 274:8,13 274:16 <b>files</b> 257:25 <b>filing</b> 273:21 <b>financial</b> 258:21 <b>find</b> 236:20 258:1,3,5 <b>finding</b> 235:12</p>	<p><b>fine</b> 233:8 <b>finished</b> 229:4 246:3,4 <b>Floriset</b> 237:10 242:22 <b>first</b> 228:3 229:22 230:13 231:6 233:23 234:17 239:15 241:1 244:8 248:9 267:12 <b>Flanagan</b> 243:13 <b>floor</b> 235:15 <b>following</b> 273:11 275:5 <b>follows</b> 228:4 <b>foot</b> 265:16 <b>foregoing</b> 271:2 272:12 <b>form</b> 233:1 236:22 237:19 240:7,15,24 243:1 251:1 254:5 255:4 256:20,20 257:3 262:13,20,25 263:12 264:18 266:12 272:12 <b>forth</b> 272:11 <b>forward</b> 242:1 267:5 <b>forwarded</b> 273:22 274:16 <b>foundation</b> 240:15,24 251:1 256:21 262:13 263:12 266:12 <b>four</b> 250:11 <b>free</b> 261:8 <b>Friday</b> 240:2 <b>friend</b> 241:15,19 248:19 <b>friends</b> 238:22 248:12 250:4 252:13 <b>front</b> 234:14 259:10 <b>full</b> 230:16 <b>further</b> 270:3,6 272:9 272:14 <b>future</b> 239:21 267:6,17 269:19</p> <hr/> <p style="text-align: center;"><b>G</b></p> <p><b>G</b> 228:1 <b>GED</b> 246:6 <b>getting</b> 233:25 264:13 <b>give</b> 231:1,21 233:8,19 235:2 246:18,22 247:2 <b>given</b> 228:18 233:15 275:6 <b>gives</b> 247:15 <b>giving</b> 228:12 234:23 <b>go</b> 229:5 230:19 233:2 235:23 236:2 238:3 247:16 251:2 252:12 253:15 257:17</p>
---	---	--	--	---



<p>258:24 266:14 267:5 267:25 270:9 goes 257:4 going 229:5 244:20 249:20 265:10 266:4 266:5 267:24 Gonzales 243:14,14 good 246:12 gosh 241:17 gotten 244:21 Greeley 244:7 group 248:4 growing 265:18 guess 230:25 235:16 244:14 246:20 252:20 guessing 242:12</p> <hr/> <p><b>H</b></p> <p>H 226:12 half 238:1,2,2 247:15 247:19 hand 231:1 happened 234:1,18 266:22 hard 233:11 257:21 259:9 266:19 Harley 249:12,14 Haynes 235:24 236:5 238:7 243:13,18 251:18 head 257:25 Health 233:25 239:13 259:20 261:11,14 Healthcare 254:15 health-care 239:14 269:18 hear 230:24 259:2 help 235:14 248:22 267:13 268:6 high 246:6 highlight 246:8 highlighter 246:1 hire 248:19 History 255:17 256:7 265:1 Hmm 252:25 home 234:15 239:1 241:16 252:17 hopeful 229:4 hopefully 268:2 hoping 270:6 hospital 253:2,10,19,23 253:24,24,25 254:2,8 261:1 269:6,7 hours 231:8 237:4,18</p>	<p>237:21 house 248:20 253:14 household 248:15 hundred 250:19 Hunt 233:24 hurts 267:2 husband 249:13 husband's 241:15,19</p> <hr/> <p><b>I</b></p> <p>identified 243:18 identify 243:6 identifying 236:7 I 226:4 227:2 273:7 illegal 251:22 imagine 259:12 264:7 important 266:9 improper 266:13 improved 247:25 inaccurate 232:25 233:22 incision 265:16 including 250:7 incorrect 232:25 233:22 indicate 245:22 261:20 indicated 233:23 273:11 indicates 251:10 252:4 252:10,19 253:9 256:7 265:2 indicating 246:2 Indirectly 256:22 individual 243:5 individuals 243:20 initial 227:13,18 255:11 injections 267:12 268:11,16,23 269:1 injuries 241:7,22 266:7 266:10 injury 241:25 242:7,8 inpatient 265:25 inquire 265:9 institution 266:1 insurance 226:9 254:12 254:13 268:14,16 273:8 274:5 275:3 insurer 254:15 intend 233:6 234:6 intentionally 241:2 interested 272:16 interrogatories 244:10 244:17 Interrogatory 246:7 Irma 243:14,21 244:1,2</p>	<p>244:5,7 items 273:11</p> <hr/> <p><b>J</b></p> <p>James 246:23 January 247:5 252:20 JCPenney 234:22 235:3,20 236:6 237:3 243:7 254:16 JCPenney's 236:17,24 237:17,22 238:7 242:23 244:5 251:11 252:12 Jean 243:13,21,24 244:4,7 Jean's 235:13 jewelry 243:24 job 236:19 Juergens-Bow 244:11 July 235:18 242:1,7,19 June 247:1 272:19 273:4 274:10</p> <hr/> <p><b>K</b></p> <p>Kabot 239:18,23 260:24 Kane 273:5 Kat 233:23 kids 259:11 kill 241:3 kind 235:16 241:21,22 241:22 249:21 265:15,17 267:6,24 kinds 257:18 knew 243:7 know 228:6 229:23 230:23,24 232:16 234:25 235:13,14 238:23 242:10,13,14 244:4,17,22,22 246:25 251:3,14 252:2,25 253:3 255:15 258:4,17 260:21 262:14 263:6 263:11,13,16 265:7,8 265:12,22 266:15,17 267:13,23 268:3 269:7 knowledge 255:24 known 252:4 258:6 Kohler 243:13 K-a-t 233:24</p> <hr/> <p><b>L</b></p> <p>L 226:16 274:8 Lamictal 231:11</p>	<p>260:10 261:3 late 247:19 laundry 248:23 lawsuit 244:10 245:15 257:2 261:17 lawyer 254:22 leave 235:6 270:4 leaving 233:24 left 235:7 242:2 253:14 leg 253:3 267:3,9 Leslie 234:16 letter 234:23,25 235:17 248:9,21,21 251:9 252:1,10,19,21 253:9 273:18 letters 227:21 236:10 248:5,5,7 251:11,13 251:17,20,25 let's 247:15 250:11 263:24 269:24 270:9 life 266:16,18 limited 251:11 Lindsay 234:2,7 239:13,23 line 230:5 267:13 275:7 list 268:18 lists 255:16 litigation 255:24 256:3 little 257:25 living 234:14 253:10 LLC 226:15 London 243:12 long 239:6 242:7 250:9 250:10 longest 250:10 Longmont 273:6 long-term 249:21 look 228:6 244:14,20 245:10,21 256:2 looked 246:11 268:15 268:19 269:2 Looking 248:9 lot 228:25 254:6 258:6 Lynn 226:4 227:3,10 228:2 230:18 271:1 273:5,7 274:4 275:2 L-a-m-i-c-t-a-l 260:12 L-i-n-d-s 234:4</p> <hr/> <p><b>M</b></p> <p>maid 248:19 manage 267:3 manager 243:25 251:12,16 managers 243:22 manager's 235:4</p>	<p>manic 257:17 258:7,19 258:24 mark 235:24 236:5 238:7 243:13,18 245:1 251:18 marked 227:13 244:24 245:7,8,11 246:8 248:3,5 matter 237:7 273:11 Ma'am 230:16 mean 232:4 233:15 264:9 265:9 266:24 270:3 med 239:20 medical 229:15,16 231:18 240:1 241:7 255:12,16 256:7,7 269:19 270:5 medication 231:7 237:4 238:5 262:6,8 262:11 medications 231:13,20 237:8,12 238:9 256:24 260:7 261:7 262:23,24 263:19 meet 236:3 meeting 251:25 mental 233:24 239:13 257:4 259:20 261:11 261:14 mention 270:2 mentioned 264:4 mentions 248:22 men's 243:23 met 234:2 252:3,7,8 Michael 247:10,11 migraine 233:10,16 237:12 migraines 237:6 242:24,25 243:2 Mild 242:21 miles 250:13,20 milligrams 231:11,11 231:12 mind 267:19 minutes 239:8 money 247:17 250:22 258:6,8 261:16 Montana 250:15 morning 238:2 251:25 Morton's 265:2 Motion 227:16 motorcycle 249:3,6 250:2,5 motor-vehicle 250:24 250:25 251:6</p>
--	---	---	--	--

<p><b>Mountain</b> 256:17 259:23 261:1 264:24 265:23 <b>mouth</b> 257:21 <b>move</b> 239:7 <b>mutual</b> 226:9 235:16 273:8 274:5 275:3 <b>M-o-r-t-o-n-s</b> 265:2</p> <hr/> <p style="text-align: center;"><b>N</b></p> <p><b>N</b> 227:9 228:1 <b>nail</b> 238:14 252:12,14 <b>nails</b> 238:17 239:3 252:16 <b>name</b> 229:22 230:16 234:2,3 241:14,18 243:15 248:10 265:20 267:23 <b>names</b> 237:13 243:12 <b>Nancy</b> 243:13,20,24 244:4,6 <b>neck</b> 247:23 248:1 266:24,25 <b>need</b> 235:14 267:3,17 270:5 <b>needing</b> 239:7 <b>needs</b> 248:23 <b>neighbor</b> 254:19 <b>neuroma</b> 265:2 <b>never</b> 246:3,4 249:8,9 255:25 267:19 <b>new</b> 233:25 234:18 239:12 267:24 270:5 <b>Newton</b> 227:6 272:4,22 <b>Nikole</b> 252:1,2 <b>Nikole's</b> 253:9 <b>nodule</b> 265:17 <b>noon</b> 238:2 <b>Nos</b> 227:22 <b>Notary</b> 227:7 271:16 272:5 273:20 <b>Notary's</b> 275:23,24 <b>note</b> 236:7 <b>notes</b> 232:7 236:12 266:4 <b>notice</b> 227:1,19 245:2,6 <b>November</b> 253:1,14,16 253:20 269:6 <b>Numerous</b> 227:21 <b>N-i-k-o-l-e</b> 252:1</p> <hr/> <p style="text-align: center;"><b>O</b></p> <p><b>O</b> 228:1 <b>Object</b> 233:1 236:22 237:19 240:7 243:1 254:5 255:4 256:20</p>	<p>257:3 262:20,25 264:18 <b>objection</b> 232:7 235:22 240:15,24 246:15 249:24 251:1 255:9 262:13 263:12 269:15 <b>obtained</b> 255:23 <b>October</b> 236:23 241:8 241:15 243:8 250:25 252:11 254:2 255:3 256:12,18 257:12 261:24 262:5,9,18 263:20,22 264:14 266:8 <b>office</b> 235:13,14 243:25 273:13 <b>oh</b> 241:17 243:11 253:18 267:19 <b>okay</b> 228:20,23 230:3 231:4 232:4,21 239:24 242:5,11 243:16,18 245:9,21 246:2,5,7,13,17,22 248:9 249:5,13,23 250:3,14 256:4 260:4 260:13,25 265:14,19 <b>once</b> 234:3 261:6 <b>open</b> 270:4 <b>operate</b> 249:7 <b>operation</b> 267:1 <b>operator</b> 249:6 <b>opinion</b> 230:13 <b>opportunity</b> 233:20 <b>order</b> 247:17 <b>original</b> 273:20,21 274:8,15,17 <b>originally</b> 275:6 <b>outside</b> 268:21 <b>O'Brien</b> 226:16</p> <hr/> <p style="text-align: center;"><b>P</b></p> <p><b>P</b> 228:1 <b>page</b> 227:10 244:12,20 254:23 273:14,15,16 273:17,20 274:12 275:7 <b>pages</b> 254:20 255:3 274:16 <b>paid</b> 235:8 254:11 <b>pain</b> 237:3,8 242:24 243:7 256:24 265:18 266:24,25 267:14 <b>Panic</b> 259:14 <b>papers</b> 261:14 <b>part</b> 242:3 248:22</p>	<p>251:9 257:5 <b>particular</b> 241:11 <b>parties</b> 272:15 <b>passenger</b> 249:6,10 <b>Patricia</b> 227:6 272:4,22 <b>pay</b> 248:14,18 <b>paying</b> 258:19 <b>pays</b> 261:7 <b>Pearson</b> 256:16 257:7 259:22 <b>pedicures</b> 239:4 <b>pending</b> 255:8 <b>Penny</b> 226:4,6 227:3,10 227:14,19 228:2 230:18 271:1 273:5,7 273:8 274:4,5 275:2 275:3 <b>people</b> 238:24 251:20 252:16 259:11 268:22 <b>perfect</b> 257:24 <b>perform</b> 248:15 <b>period</b> 237:2 242:16 252:24 253:13 259:8 <b>person</b> 235:5 <b>personal</b> 248:15 <b>physical</b> 240:13 <b>PL</b> 227:22 <b>place</b> 234:14 272:10 <b>Plaintiff</b> 226:7,14 227:19 <b>plan</b> 264:24 <b>pleadings</b> 255:23 <b>please</b> 230:17,23,24 273:10,20 <b>plump</b> 268:2 <b>position</b> 228:25 235:12 239:6 243:19 252:12 <b>positive</b> 250:18 <b>possibility</b> 244:12 <b>prescribe</b> 253:22 <b>prescribed</b> 260:23 264:10 <b>prescrip</b> 236:11 <b>prescription</b> 236:6 260:6 264:13 <b>present</b> 226:19 238:13 248:20 258:16 <b>presume</b> 228:9 <b>pretty</b> 246:11 258:14 <b>previous</b> 272:6 <b>PREVIOUSLY</b> 227:13 <b>prior</b> 244:10 245:11,15 256:2 <b>probably</b> 237:12 247:14 249:11 251:4</p>	<p>258:18 262:4 264:15 <b>Procedure</b> 227:2 <b>produce</b> 255:19 <b>produced</b> 255:25 <b>product</b> 232:7 <b>production</b> 228:17 229:9 <b>Professional</b> 227:6 272:5,23 <b>proof</b> 245:2 <b>Prozac</b> 263:5,15 264:4 264:16 <b>PSN</b> 271:24 <b>psychiatric</b> 266:1 <b>public</b> 227:7 255:21 271:16 272:6 273:21 <b>pull</b> 258:3 <b>pursuant</b> 227:1 274:14 <b>put</b> 258:21 264:25 268:1</p> <hr/> <p style="text-align: center;"><b>Q</b></p> <p><b>question</b> 229:20 230:6 230:23,24 231:1,5,25 232:22 241:11 255:6 255:8 256:5 266:3,6 266:13 <b>questions</b> 230:22 231:21 240:14,25 245:17 246:10 270:3 270:6 <b>quit</b> 235:9 <b>quite</b> 229:4 245:20,22 246:9 268:6</p> <hr/> <p style="text-align: center;"><b>R</b></p> <p><b>R</b> 228:1 <b>RACE</b> 226:15 <b>racing</b> 257:19 <b>raise</b> 250:21 <b>reaching</b> 258:4 <b>read</b> 233:3 248:8 255:7 255:8 271:2 273:12 273:14,16 275:7 <b>reading</b> 273:10 274:14 <b>ready</b> 273:10 <b>really</b> 233:14 236:19 251:3 265:4,10 266:13 <b>reason</b> 231:19 235:1,2 275:7 <b>reasons</b> 234:24 <b>recall</b> 232:20,23 234:11 237:13 240:18,21 242:9 261:13 263:14 269:21</p>	<p><b>receive</b> 228:10 234:23 <b>received</b> 234:25 244:13 <b>Recess</b> 270:1 <b>recognize</b> 231:18 <b>recommen</b> 267:15 <b>recommended</b> 269:18 <b>reconsidering</b> 230:9 <b>record</b> 229:12,13,14 230:17 232:6 244:19 245:7 255:21 270:9 271:4 273:22 <b>records</b> 228:10 270:5,5 <b>recover</b> 261:16 <b>recovering</b> 266:19 <b>reduced</b> 272:11 <b>refer</b> 245:8 254:20 268:22 <b>REFERENCE</b> 227:13 227:18 <b>referred</b> 238:24 <b>referring</b> 246:7 255:19 261:19 <b>regarding</b> 267:15,21 <b>Registered</b> 227:6 272:5 272:23 <b>regularly</b> 239:19 <b>reimburse</b> 261:16 <b>related</b> 272:14 <b>relatively</b> 267:24 <b>released</b> 253:2 <b>releases</b> 228:13 <b>relevant</b> 229:1 249:18 249:19 <b>relief</b> 269:11 <b>remember</b> 235:1 240:9 241:17 242:5,10,15 243:12,15 251:24 252:25 255:15 258:1 262:2,2 263:7,18 264:11,11 268:8 <b>remove</b> 265:15 <b>rent</b> 254:8,18 <b>report</b> 255:12,13 261:20 265:6,9 <b>Reporter</b> 227:7 272:5 272:23 <b>REPORTER'S</b> 272:1 <b>REPORTING</b> 273:1 273:23 274:1,20 <b>represented</b> 245:13 <b>request</b> 228:16 229:9 <b>requested</b> 274:14 <b>requirements</b> 236:4,7 <b>respect</b> 240:12 <b>response</b> 228:16 <b>responses</b> 244:9,13</p>
--	--	---	--	---

restriction 236:16 restrictions 236:12 result 241:8 272:16 retail 238:20 return 258:25 returned 273:21 review 233:21 reviewed 232:1 244:16 reviewing 232:24 245:1 245:17 Rick 249:13 251:10 ridden 251:6 ride 250:23 251:6 rider 249:3 riding 250:21 right 228:7 229:21 230:8,10 231:3 233:12 234:20 236:15 243:17 246:2 248:23 265:16 road 250:4 Rockney 234:16 rode 249:5 rolling 228:5 room 253:10 259:8 Roter 247:7 267:18,19 Rule 227:14 274:14 rules 227:1 230:20 running 258:2 R-o-t-e-r 247:7	267:15,21 sent 232:11 September 247:22 served 254:22 service 227:15,20 245:3 services 233:25 239:13 248:15 session 231:6 233:23 234:17 239:15 241:1 241:22 244:8 245:11 set 239:21 272:11 setup 239:1 severe 262:21,23 264:2 severely 257:13 SHEET 275:1 sheets 271:3 273:14,16 273:20 274:13,15 shelf 242:1 Shell 236:10 247:10,12 253:25 267:18 269:2 Sheryl 226:16 274:8 shopping 248:23 short 269:24 shorthand 272:10 short-term 235:10 shots 268:4 shoulder 242:2 show 236:5 248:4 showed 236:9 shower 257:15 shown 245:18 255:3 sic 237:9 sign 273:13,14,16 signature 244:12,20 271:7 272:19 273:14 273:15,16,17,20 274:11,12,16 275:20 275:23 signed 261:13 273:20 274:12 signing 273:10 274:14 sit 233:6 239:6,22 259:9 sitting 259:11 Smyth 226:16 Social 234:18 solution 268:1 somebody 251:22 261:16 sorry 245:4 259:2 sort 232:3 244:2 speculate 230:25 spell 260:11 spend 258:6 spent 254:6 258:9	spring 252:9 Springs 260:3 261:1 ss 272:1 stairs 241:3 standards 251:22 standing 252:17 Stanley 246:19 start 232:17 state 226:9 227:7 230:16 257:2,17 258:19 266:9 272:1,6 273:8 274:5 275:3 stated 235:1 statements 256:6 STATES 226:1 stay 253:2 steroids 268:4 Stoker 252:1 stop 263:10 264:23 stopped 263:15 strange 265:20 Street 226:13 273:1 274:1 strike 232:16 259:18 262:16 Stuart 226:13 Sturgis 250:15 submitted 248:6 Subscribed 271:14 275:21 suffered 255:1 262:17 264:1 Suite 226:17 227:5 273:1,2 274:1,2 summer 247:1 252:5 supervising 252:12 supervisor 235:19 243:5,23,24 supervisors 243:22 suppose 263:1 sure 229:9 237:21 244:22 247:22 250:21 263:24 265:13 273:20 surgeon 268:18 surgeons 268:20,21 surgery 247:23,25 249:1,2 253:4 267:1 267:7,13,17,22,23,25 268:11 269:20 Surgical 265:1 switched 264:24 sworn 228:3 271:14 272:8 275:21 symptoms 257:11 259:5	S-t-o-k-e-r 252:2 S1 268:8,9 <hr/> T <hr/> take 229:8 242:8 244:14 245:25 246:1 250:4,19 260:6 261:5 262:6,22,24 263:19 264:5,16 266:4 269:24 taken 227:3 231:7,10 237:23 238:5 262:11 263:4,5 272:10 talk 238:8 talked 244:19 talking 268:7 technician 238:14 tell 230:4 235:25 238:11 240:22 242:7 245:25 246:11,16 tender 244:21 tendered 229:17 terminated 234:22 235:9,18,20 termination 234:24 235:3 terms 269:19 Terri 243:12,20,23 244:4,6 testified 228:4 232:23 234:9 242:6,18 testify 272:8 testimony 232:18 233:8 233:16,19 237:16 241:6 263:25 271:4 275:6 Thacker 246:24 267:20 268:5 269:8 thank 228:14,14 230:3 230:8,9 246:17 273:22 274:19 therapies 267:6 therapist 234:1 239:12 thing 235:16 244:3 257:22 270:2 things 228:25 think 228:7 229:18 233:3 234:5 240:25 243:16,17 244:6,20 249:11 255:10 257:4 257:18 259:17 260:5 263:6 264:8 266:5,8 266:12,15 268:17 269:25 thinking 232:24 247:21 thought 230:10 238:24	257:20 265:20 thoughts 257:19 three 250:11 260:19 threw 241:2 Tiffany 226:19 time 229:4 230:13,21 231:14 234:9 236:13 237:2 238:13 242:16 244:16 247:8,11 249:5 252:24 253:4,6 253:13 254:6 259:9 262:9 263:22 264:10 265:22 266:19 267:2 272:10 times 236:10 237:5 238:18 254:2 258:17 tissue 265:15 today 231:22 232:2 233:6,8,19 239:22 240:18,21 today's 229:3 245:2 told 235:4,20 251:12 251:16,19,21,25 254:3 tomorrow 228:17 top 227:21 259:8 transcript 232:1,2,12 233:21 271:2 272:13 treated 246:19,23 247:3,6,9,13,14 259:19,25 260:2 265:25 treaters 239:14 269:18 treating 238:11 259:21 267:16 treatment 265:23 267:6 269:20 trial 273:19 274:13 tried 235:11 238:16,17 238:19 251:5 trip 250:10 tripped 234:10 trips 250:4,9,19 trouble 251:23 true 240:19 251:14 252:22 271:4 272:12 truth 272:8 try 238:25 252:25 268:10 trying 258:1,2 Tuesday 227:4 275:2 turned 266:16 two 252:18 255:3 264:4 267:19 269:5 typewritten 272:11
<hr/> S <hr/> S 227:6 228:1 272:4,22 salon 238:19 Salud 268:18,20 Sarah 226:16 saw 239:18 scarring 239:9 scene 241:15 scheduled 239:19 240:1 schedules 244:2 school 246:6 259:9 scope 265:5 Scott 241:17 246:19 seal 271:21 272:19 275:23 sealed 274:17 section 254:22 Security 234:19 see 232:12 233:4 234:7 245:13 247:15 259:10,11 267:13,25 seeking 257:2 seen 239:14,17 240:10 248:6 254:23 255:13	267:15,21 sent 232:11 September 247:22 served 254:22 service 227:15,20 245:3 services 233:25 239:13 248:15 session 231:6 233:23 234:17 239:15 241:1 241:22 244:8 245:11 set 239:21 272:11 setup 239:1 severe 262:21,23 264:2 severely 257:13 SHEET 275:1 sheets 271:3 273:14,16 273:20 274:13,15 shelf 242:1 Shell 236:10 247:10,12 253:25 267:18 269:2 Sheryl 226:16 274:8 shopping 248:23 short 269:24 shorthand 272:10 short-term 235:10 shots 268:4 shoulder 242:2 show 236:5 248:4 showed 236:9 shower 257:15 shown 245:18 255:3 sic 237:9 sign 273:13,14,16 signature 244:12,20 271:7 272:19 273:14 273:15,16,17,20 274:11,12,16 275:20 275:23 signed 261:13 273:20 274:12 signing 273:10 274:14 sit 233:6 239:6,22 259:9 sitting 259:11 Smyth 226:16 Social 234:18 solution 268:1 somebody 251:22 261:16 sorry 245:4 259:2 sort 232:3 244:2 speculate 230:25 spell 260:11 spend 258:6 spent 254:6 258:9	spring 252:9 Springs 260:3 261:1 ss 272:1 stairs 241:3 standards 251:22 standing 252:17 Stanley 246:19 start 232:17 state 226:9 227:7 230:16 257:2,17 258:19 266:9 272:1,6 273:8 274:5 275:3 stated 235:1 statements 256:6 STATES 226:1 stay 253:2 steroids 268:4 Stoker 252:1 stop 263:10 264:23 stopped 263:15 strange 265:20 Street 226:13 273:1 274:1 strike 232:16 259:18 262:16 Stuart 226:13 Sturgis 250:15 submitted 248:6 Subscribed 271:14 275:21 suffered 255:1 262:17 264:1 Suite 226:17 227:5 273:1,2 274:1,2 summer 247:1 252:5 supervising 252:12 supervisor 235:19 243:5,23,24 supervisors 243:22 suppose 263:1 sure 229:9 237:21 244:22 247:22 250:21 263:24 265:13 273:20 surgeon 268:18 surgeons 268:20,21 surgery 247:23,25 249:1,2 253:4 267:1 267:7,13,17,22,23,25 268:11 269:20 Surgical 265:1 switched 264:24 sworn 228:3 271:14 272:8 275:21 symptoms 257:11 259:5	S-t-o-k-e-r 252:2 S1 268:8,9 <hr/> T <hr/> take 229:8 242:8 244:14 245:25 246:1 250:4,19 260:6 261:5 262:6,22,24 263:19 264:5,16 266:4 269:24 taken 227:3 231:7,10 237:23 238:5 262:11 263:4,5 272:10 talk 238:8 talked 244:19 talking 268:7 technician 238:14 tell 230:4 235:25 238:11 240:22 242:7 245:25 246:11,16 tender 244:21 tendered 229:17 terminated 234:22 235:9,18,20 termination 234:24 235:3 terms 269:19 Terri 243:12,20,23 244:4,6 testified 228:4 232:23 234:9 242:6,18 testify 272:8 testimony 232:18 233:8 233:16,19 237:16 241:6 263:25 271:4 275:6 Thacker 246:24 267:20 268:5 269:8 thank 228:14,14 230:3 230:8,9 246:17 273:22 274:19 therapies 267:6 therapist 234:1 239:12 thing 235:16 244:3 257:22 270:2 things 228:25 think 228:7 229:18 233:3 234:5 240:25 243:16,17 244:6,20 249:11 255:10 257:4 257:18 259:17 260:5 263:6 264:8 266:5,8 266:12,15 268:17 269:25 thinking 232:24 247:21 thought 230:10 238:24	257:20 265:20 thoughts 257:19 three 250:11 260:19 threw 241:2 Tiffany 226:19 time 229:4 230:13,21 231:14 234:9 236:13 237:2 238:13 242:16 244:16 247:8,11 249:5 252:24 253:4,6 253:13 254:6 259:9 262:9 263:22 264:10 265:22 266:19 267:2 272:10 times 236:10 237:5 238:18 254:2 258:17 tissue 265:15 today 231:22 232:2 233:6,8,19 239:22 240:18,21 today's 229:3 245:2 told 235:4,20 251:12 251:16,19,21,25 254:3 tomorrow 228:17 top 227:21 259:8 transcript 232:1,2,12 233:21 271:2 272:13 treated 246:19,23 247:3,6,9,13,14 259:19,25 260:2 265:25 treaters 239:14 269:18 treating 238:11 259:21 267:16 treatment 265:23 267:6 269:20 trial 273:19 274:13 tried 235:11 238:16,17 238:19 251:5 trip 250:10 tripped 234:10 trips 250:4,9,19 trouble 251:23 true 240:19 251:14 252:22 271:4 272:12 truth 272:8 try 238:25 252:25 268:10 trying 258:1,2 Tuesday 227:4 275:2 turned 266:16 two 252:18 255:3 264:4 267:19 269:5 typewritten 272:11

<p><b>U</b></p> <p>underlying 255:23  understand 230:23  231:21 232:3,8  237:20 245:4  understanding 264:1  unit 242:1  UNITED 226:1  UnitedHealthcare  254:14,17  Unsigned 274:12,15  upside 266:16  use 252:19,21 253:3,11  254:1  usually 249:25</p>	<p>week 233:11 242:9,11  weeks 235:7 252:18  Wellbutrin 231:12  242:19,20 260:16  WELLS 226:15  went 230:20 236:24  241:9 258:18  we're 228:12 234:20,21  266:5 270:7  we've 228:18  whereof 272:18  whew 247:14 256:16  257:13  Wilson 244:11  wire 234:10,13  wishes 275:5  witness 272:18  wondering 255:19  256:1  word 230:4  work 232:7 235:11,12  236:13,14,24 237:2,4  237:6,17,18,21  238:12,14 243:6  268:2  workdays 237:24  worked 237:9,22  242:23 243:7,8  workers 241:25  Workforce 247:17  working 238:8  works 244:7  wouldn't 235:12 237:6  268:23  wrist 234:10  write 230:4 251:12,17  251:20,25  writing 230:5  written 232:5 234:23  236:6,6,10,11 245:14  wrote 232:8  Wunder 240:2,13,18  240:22 255:14  Wunder's 255:11  261:19 265:1</p>	<p>year 246:20 247:14,15  247:19 250:17  266:21  years 250:11 264:19  yellow 245:25 246:1,8  Yurth 247:4 267:18,24</p> <p><b>Z</b></p> <p>Zoloft 231:12 260:14  264:25</p>	<p>266:21  2007 234:23 241:3  246:21 247:20  252:20  2008 255:13  2009 226:4 227:4  266:21 270:11  271:15 272:19 273:4  274:10 275:2,22  2012 272:20  216 273:1 274:1  23 231:25 232:19,23  230 227:11  24 231:8  244 227:16,19  248 227:21  254 227:14  26 226:4 227:4 270:11  275:2  26(a)(1) 227:14</p>	
<p><b>V</b></p> <p>v 273:8 274:5 275:3  Valium 237:18,23  vehicle 236:24 237:17  237:23 238:12 239:9  241:8,16,16 243:8  248:14 254:3 256:13  256:19 257:12  260:22 261:24 262:6  262:12,18 263:20  266:8  versus 254:15  viable 267:25  Vicodin 242:6,8  VIDEO 273:1,23 274:1  274:20  visit 239:19  Vista 265:24  Volume 226:4 227:2  273:7  vs 226:8</p>	<p><b>W</b></p> <p>Wade 226:12 227:22  waiting 234:21  waive 232:6  waived 274:11  waiver 228:24  walker 252:21 253:6  253:22,25 254:1,18  want 230:25 244:22  251:19 253:16  256:16 257:16  265:13 266:9 267:14  wanted 239:4 245:7  wasn't 240:19  way 232:5,8 239:4  256:3 257:23 258:19  265:4 266:18  wedding 238:23</p>	<p><b>0</b></p> <p>07 247:5  08-CV-02423-CMA-...  226:2 273:9 274:6  275:4  0811-0816 227:23</p> <p><b>1</b></p> <p>1/2/08 227:22  1/9/09 227:14  10 227:4  100 231:11,11 273:2  274:2  1020 226:17 227:5  1030 273:5  11 227:16 244:15  245:11  11:15 270:1  11:24 270:1,10  1100 250:13  12 227:19 244:24 245:1  245:1,5  12th 235:18  13 227:21 248:3,5,22  251:9  1471 226:13  16th 273:1 274:1  1700 226:17 227:5</p>	<p><b>3</b></p> <p>3 227:14 254:21  30 273:18  30(e) 274:14  303 226:14,18  303-296-0017 273:12</p> <p><b>4</b></p> <p>4 236:23 246:8 273:4  4th 272:19 274:9  4450 273:2 274:2</p>	
<p><b>W</b></p> <p>Wade 226:12 227:22  waiting 234:21  waive 232:6  waived 274:11  waiver 228:24  walker 252:21 253:6  253:22,25 254:1,18  want 230:25 244:22  251:19 253:16  256:16 257:16  265:13 266:9 267:14  wanted 239:4 245:7  wasn't 240:19  way 232:5,8 239:4  256:3 257:23 258:19  265:4 266:18  wedding 238:23</p>	<p><b>X</b></p> <p>X 227:9  XXX 273:12,18 274:15</p> <p><b>Y</b></p> <p>y 234:5  yard 234:14  yeah 238:1 247:21  250:24 253:19,21  258:23 261:2 263:23</p>	<p><b>2</b></p> <p>20 239:8 253:16,20  20th 253:1,14  2000 246:20  2002 250:20  2003 250:20  2004 242:1,8,19 249:11  250:8,20 251:4  2005 236:23 238:13  241:8,16 243:8  250:20,25 252:5,11  252:15 254:2 255:3  256:13,18 257:12  258:15 261:24 262:5  262:9,18 263:20,22  264:14 266:8  2006 246:25 253:17,20</p>	<p><b>5</b></p> <p>5 254:20  5/6/09 227:19  50 231:12</p> <p><b>6</b></p> <p>6 254:20 272:20  6/4/08 227:16  650 273:1 274:1</p> <p><b>8</b></p> <p>80202 273:2 274:2  80204 226:13  80290 226:17 227:5  80303 273:3 274:3  80501-6621 273:6  830-1212 226:18  861-4222 226:14</p> <p><b>9</b></p> <p>90s 262:4  93 250:18</p>	