

THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

HOWARD ADELMAN and JUDITH
SCLAWY-ADELMAN, as
Co-Personal Representatives
Of the ESTATE OF MICHAEL
SCLAWY-ADELMAN,
Plaintiffs,

COPY

vs. No. 10-CV-22236-ASG
BOY SCOUTS OF AMERICA;
THE SOUTH FLORIDA COUNCIL,
INC., BOY SCOUTS OF AMERICA;
PLANTATION UNITED METHODIST
CHURCH; HOWARD K. CROMPTON,
Individually; and ANDREW L.
SCHMIDT, Individually,
Defendants.

Wicker Smith, O'Hara,
McCoy, Graham & Ford,
2800 Ponce de Leon Boulevard,
Coral Gables, Florida,
Monday, 10:26 a.m.,
March 7, 2011.

VIDEOTAPED DEPOSITION

of

ANDREW L. SCHMIDT

taken on behalf of the Plaintiffs
pursuant to a Notice of Taking Deposition

FRIEDMAN, LOMBARDI & OLSON
C O U R T R E P O R T E R S



1 AFTERNOON SESSION

2 THE VIDEOGRAPHER: We're back on the record
3 at 1:34.

4 Q. When you fill out the permit at the
5 self-service kiosk, does anyone stamp it in any way,
6 or do you just fill it out and put it in the slot?

7 A. No. You just -- just record; put your
8 information and put it in the slot.

9 Q. And is there -- is there any fee for this?

10 A. There wasn't for this one.

11 Q. Is there a fee to use the trail at all?

12 A. No. Not this segment, no.

13 Q. Do you need a park service --you know, like
14 a card, or like if you go to Shark Valley or the
15 Everglades, where you pay a fee?

16 A. Not for this -- not for this part that we
17 do.

18 Q. You said you didn't have a cell phone with
19 you. Did you have a BlackBerry or I-Phone or
20 anything like that?

21 A. No.

22 Q. Do you know whether Mr. Crompton did?

23 A. He had his phone.

24 Q. Was it a BlackBerry or I-Phone or just a
25 regular phone?

1 A. I'm not sure.

2 Q. Did any of you have any radios or other
3 devices that you could use to check on the weather
4 and see what was going on?

5 A. No, we did not.

6 Q. Do you know what type of cell phone
7 Mr. Crompton had other than the fact that it was --
8 he had Verizon service and it was more expensive than
9 yours, so that he could get service?

10 A. I believe his had like, you know, the
11 e-mail capability and all these other features; one
12 of the flat models. I don't know the brands.

13 Q. Okay. Do you have any idea what the
14 temperature or humidity was when you first started
15 the hike?

16 A. No, I don't.

17 Q. Okay. The e-mail which we've marked as
18 Exhibit Number 4, was that the only e-mail that you
19 sent out or that anyone in the troop sent out with
20 regard to this particular hike?

21 A. I believe so.

22 Q. Was there any other written material that
23 went out with regard to this hike other than the
24 e-mail which is marked as Exhibit 4 and the hiking
25 schedule which has been marked as Exhibit 2?

1 A. No.

2 Q. So that was it as far as written
3 communications from the troop with regard to this
4 particular hike; those two documents, Exhibits 2
5 and 4?

6 A. Yes, I believe so.

7 Q. Okay. Have you brought documents today
8 pursuant to the subpoena or the notice?

9 A. I think we have them here someplace.

10 MR. PELTZ: Are these for me?

11 MR. HASTY: This is what we're producing,
12 yes.

13 MR. PELTZ: Okay.

14 [Thereupon, Richard D. Schevis, Esq., enters the
15 deposition room.]

16 Q. Can you tell me what this document is?

17 A. This is -- the first one is a general --
18 just some general information that if people are
19 interested in the troop, we hand this out.

20 I believe this was used like, for example,
21 at, on Scout Sunday, it might be put in the church
22 bulletin that day.

23 Do you want to know about all of these or
24 just the top one?

25 Q. Just what are they?