

2/23/2011

Adelman v. Boy Scouts of America, et al. Frank Reigelman

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

CASE NO. 10-CV-22236-ASG

HOWARD ADELMAN AND JUDITH  
SCLAWY-ADELMAN, AS CO-PERSONAL  
REPRESENTATIVES OF THE  
ESTATE OF MICHAEL SCLAWY-ADELMAN,

Plaintiffs,

VS

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.

ORAL VIDEOTAPED 30(b)(6) DEPOSITION OF  
FRANK REIGELMAN  
FEBRUARY 23, 2011  
VOLUME 1

ORAL AND VIDEOTAPED 30(b)(6) DEPOSITION OF  
FRANK REIGELMAN, produced as a witness at the instance  
of the Plaintiffs, taken in the above-styled and  
numbered cause on February 23, 2011, from 9:18 a.m. to  
7:14 p.m., before Holly Bishop, Certified Shorthand  
Reporter in and for the State of Texas, at the offices  
of Continental Court Reporters, 1412 Main Street,  
Suite 900, in the City of Dallas, State of Texas,  
pursuant to the Federal Rules of Civil Procedure.

Alpha & Omega Reporting Services, Inc  
954-523-6422

4d468420-4



1 leader's authorization to continue as a troop leader?

2 MR. LEVIN: Form.

3 MR. SUMMERS: Objection to form.

4 A. No.

5 Q. (By Mr. Peltz) If it was -- strike that.

6 Never mind.

7 If you'd go to Page 67 of the Guide To  
8 Safe Scouting. It's captioned, Reporting Death Or  
9 Serious Injury?

10 A. Yes.

11 Q. Okay. Under the Guide To Safe Scouting, is an  
12 activity leader required to report either a death or  
13 serious injury as set forth in the manner as set forth  
14 in the guide?

15 MR. LEVIN: Form.

16 A. Yes.

17 Q. (By Mr. Peltz) And do they do this through the  
18 use of the forms that are included with the guide?

19 MR. LEVIN: Form.

20 MR. PELTZ: You're objecting to the form  
21 of the form?

22 MR. LEVIN: What was the question? Can  
23 you read it back, please?

24 (Reporter read back requested text.)

25 Q. (By Mr. Peltz) Is there a reporting form in

1 here?

2 A. There is not.

3 Q. Okay. Is there an official Boy Scout incident  
4 reporting form?

5 A. Yes.

6 Q. Just so we're clear on this, there is a form  
7 that the Boy Scouts of America have developed for  
8 reporting -- strike that.

9 Is there a form that the Boy Scouts of  
10 America have developed for reporting serious injuries  
11 and deaths that occur during Boy Scout of America  
12 activities?

13 A. Yes.

14 Q. And this would apply during -- to incidents  
15 occurring during activities at the troop level?

16 A. Yes.

17 Q. Generally speaking, what information is  
18 requested in the form?

19 MR. LEVIN: For the record, we don't have  
20 it in front of us right now, correct? Nobody does; is  
21 that correct?

22 MR. GAEBE: That is correct.

23 MR. LEVIN: Is that correct?

24 MR. PELTZ: Sir?

25 MR. LEVIN: Do you have it?

1 MR. PELTZ: I'm asking questions.

2 MR. LEVIN: I just want to know if  
3 somebody is reading off of a form that I don't have in  
4 front of me.

5 MR. PELTZ: No.

6 MR. LEVIN: Okay.

7 Q. (By Mr. Peltz) Can you tell me generally what  
8 type of information is elicited by the form?

9 MR. LEVIN: Form.

10 A. Date, time, place, description. Beyond that,  
11 I'm not -- I'm not sure.

12 Q. (By Mr. Peltz) Okay. Are these forms, then,  
13 sent to -- well, where are these forms sent?

14 MR. LEVIN: Form.

15 A. They're -- they're completed by the local  
16 council and then probably transmitted to health and  
17 safety.

18 Q. (By Mr. Peltz) Okay. So the reporting form  
19 would be completed by the local council rather than the  
20 troop activity leader?

21 MR. LEVIN: Form. Asked and answered.

22 A. Yes. The -- the local council is going to take  
23 the information from the troop leaders and complete that  
24 form.

25 MR. LEVIN: Nonresponsive, move to

1 strike.

2 Q. (By Mr. Peltz) I'm sorry. Were you  
3 finished?

4 A. Yes.

5 Q. Okay. The -- under the Boy Scout of America  
6 policies and procedures, what does the local council do  
7 with the form once it's completed?

8 A. Submit it to health and safety.

9 Q. That would be the health and safety group of  
10 the Boy Scouts of America here in Texas?

11 A. Yes.

12 Q. Now, is the local council required to, under  
13 the Boy Scouts of America policies and procedures,  
14 required to prepare one of these forms anytime there is  
15 a serious injury or fatality?

16 A. Yes.

17 Q. Okay. So the preparation of this form is not  
18 dependent upon whether or not it is like -- it's an  
19 event that's likely to lead to litigation; it's required  
20 to be done in the ordinary course of business every time  
21 that there is an incident?

22 MR. GAEBE: Objection to form.

23 MR. LEVIN: Form.

24 A. Yes.

25 Q. (By Mr. Peltz) Do you know what health and