

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

Case No. 10-CV-22236-ASG

|                                |   |          |
|--------------------------------|---|----------|
| HOWARD ADELMAN, et al.,        | ) |          |
|                                | ) |          |
| Plaintiffs,                    | ) |          |
|                                | ) |          |
| vs.                            | ) | VOLUME I |
|                                | ) |          |
| BOY SCOUTS OF AMERICA, et al., | ) |          |
|                                | ) |          |
| Defendants.                    | ) |          |
|                                | ) |          |

COPY

2350 South Dixie Highway  
Miami, Florida  
February 7, 2011  
11:25 a.m. to 5:45 p.m.

Videotaped Deposition of JUDITH SCLAWY

Taken before Victor Selvaggi, Jr., Certified  
Shorthand Reporter and Notary Public in and for the State of  
Florida at Large, pursuant to Notice of Taking Deposition  
filed in the above cause.

- - - - -

1 A He started in Pack 404 in his elementary school.

2 Q And that was sponsored where?

3 A Nova Eisenhower was his elementary school.

4 Q Okay.

5 A And we stayed there for two years, and then in  
6 fourth grade we switched over to Pack 151.

7 Q And where did you meet to do Pack 151?

8 A That was, to the best of my recall, it was in the  
9 Presbyterian church that was next door to PUMC.

10 Q Which is Plantation United Methodist Church?

11 A Yes.

12 Q Okay. And did they have a Boy Scout program at  
13 the Presbyterian church?

14 A They told me where the pack was and that's where I  
15 went.

16 Q Okay.

17 A I don't know the details.

18 Q All right. But when he got older and as they  
19 become age determined, they move on to Boy Scouts,  
20 correct?

21 A Yes.

22 Q All right. So my question was, did the  
23 Presbyterian church also have a Boy Scout troop, if you  
24 know?

25 A I don't know.

1 Q Okay. How did you find out about Troop 111?

2 A Because when they graduated from the packs, they  
3 cross over.

4 Q Right.

5 A And that's where everyone else was crossing over.

6 Q His friends?

7 A His friends.

8 Q Okay. So the idea was that to keep him involved  
9 with the friends he made in Cub Scouts.

10 A Right, that's why we switched to Pack 151, and  
11 then we continued with them to Troop 111.

12 Q Right. Now, when he began his scouting career as  
13 a Boy Scout, tell me about your activities as a mom.

14 A I wanted to stay as involved as I had been.

15 Q Okay. Did there come a time when you were  
16 actually on what's called a troop committee?

17 A Yes.

18 Q Okay. What is a troop committee, as you  
19 understand it to be?

20 A As I understand it, they meet once a month and  
21 they review or -- the finances and the scout master gives  
22 a report of what they have been doing. If there are any  
23 questions or problems, that's how it's resolved.

24 Q How long did you stay on the troop committee?

25 A Well, every parent, as you sign up, is officially

1 part of the committee. I attended meetings for several  
2 years as often as I could.

3 Q And when did you first meet Andy Schmidt?

4 A When we went to Troop 111 and he became a scout  
5 master.

6 Q Did the troop committee have a say so in who  
7 became scout masters for the troop?

8 A Yes.

9 Q Did the troop committee basically accept  
10 nominations or make appointments to the people who became  
11 scout masters for the troop?

12 A I mostly recall voting.

13 Q Okay.

14 A The preliminaries I don't recall.

15 Q All right. Did you vote for Andy Schmidt to  
16 become a scout master?

17 A If I was at that particular meeting, I would of,  
18 as far as I remember.

19 Q Okay. Other than Andy being -- strike that.

20 Were the scout masters or scout leaders done on  
21 an annual basis or were they elected and they served for  
22 a number of years until they decided or the troop decided  
23 they didn't want to do it anymore? How did it work?

24 First of all, do you understand my question?

25 Tell me if you don't, I'll try to rephrase it.

1           A     Rephrase it, please.

2           Q     Okay. I don't know because I wasn't there. I'm  
3     trying to find out.

4                     When you voted for someone as a committee --

5           A     A-ha.

6           Q     -- were they appointed for any specific length of  
7     time or was it just they were appointed as scout leader  
8     or scout master unless or until they decided they didn't  
9     want to do it anymore?

10          A     I don't know. I just really recall that when the  
11     votes came up, that's when we voted. I was not as  
12     involved in those kind of details.

13          Q     Okay. Do you know specifically with respect to  
14     Andy Schmidt, if you voted for him to become a scout  
15     leader?

16          A     I don't think I was as involved with the committee  
17     when I became a leader.

18          Q     When was the last time you went to a Troop 111  
19     troop committee?

20          A     Probably sometime in the school year of 2008,  
21     2009.

22          Q     Okay.

23          A     But which actual month, I couldn't tell you.

24          Q     Fair enough. As a troop committee member, when  
25     you went to these monthly meetings, what kinds of things

1           **were discussed at the monthly meetings in 2008 to 2009?**

2           A     I was not as involved then, but it would have  
3 followed along the same lines as all the previous years  
4 when I was much more involved, which was the convene to  
5 order, the treasurer would give his report, the scout  
6 master would give his report. The others who were in  
7 charge of their various aspects, departments, whichever  
8 you want to call it, would give their report, such as the  
9 Life to Eagle or the person who was in charge of the  
10 first year scouts.

11           **Q     Among the troop committee members, were there like**  
12 **subcommittees?**

13                     **In other words, did different members of the**  
14 **troop committee volunteer to serve on the financial**  
15 **aspect, or some volunteered to do a particular project,**  
16 **like the spaghetti dinner or that type of thing?**

17           A     Yes.

18           **Q     Okay. And what kinds of things did you personally**  
19 **either be asked to participate in or volunteered to do in**  
20 **terms of the actual working of the committee for the**  
21 **benefit of the troop?**

22           A     I signed up people to become merit badge  
23 counselors.

24           **Q     Okay. Were you a merit badge counselor?**

25           A     Yes.

1 by someone from, I guess the district or council on his  
2 Eagle project and supervise the construction, but the  
3 Eagle project was all planned out.

4 **Q None of the construction for the Eagle project had**  
5 **started. Is that correct?**

6 A It's done generally one day or within a few days,  
7 depending upon the needs of it, but it was possible to do  
8 it.

9 **Q Okay. But I'm not talking about if it was**  
10 **possible. I'm just asking what had to be done to even**  
11 **complete the requirements.**

12 **So we have the 20-mile hike, he had to finish**  
13 **his log, his personal --**

14 A His personal fitness log.

15 **Q Fitness. I can't read my own handwriting.**

16 **The emergency preparedness. What was that?**

17 A He had to meet with his counselor to get it signed  
18 off.

19 **Q Okay. Who was his counselor?**

20 A For that it was Doug Beals.

21 **Q And who was going to talk to him about his Eagle**  
22 **project?**

23 A I don't remember the name of the person we had, or  
24 I had attended a roundtable and I was -- someone was  
25 pointed out to me who was in charge of approving them,

1 and I was told -- and I spoke to the man and I was told  
2 that we can do it quickly to sort of to get it done, the  
3 approvals done very quickly.

4 Q All right. But was it officially approved as of  
5 the day that Michael went on his hike?

6 A No.

7 Q And the person in charge of approving it would  
8 have been who?

9 A I don't recall the name. I'm not that great on  
10 names.

11 Q Okay.

12 A It was someone, I believe, I believe from the  
13 council.

14 Q Okay. Now, the hiking merit badge had not been  
15 completed because he needed to do the 20-mile hike,  
16 right?

17 A Right.

18 Q Were there any other merit badges that Michael  
19 lacked to finish the requirements for Eagle Scout?

20 A Just those three that I mentioned. Personal  
21 fitness, hiking and emergency preparedness.

22 Q And the deadline to get all that would have been  
23 his 18th birthday.

24 A Yes, sir.

25 Q The name of his high school was what?



1           A    Nova High School.

2           Q    And it's located where?

3           A    On College Avenue.  It's the public Nova High  
4   School.

5           Q    In what city or town?

6           A    Davie, Florida.

7           Q    Sometimes families have, they hire people to help  
8   the kids do their college applications.

9                    Have you ever heard of that?

10          A    I've heard of that.  We did not do that.

11          Q    You did not do that.

12          A    We did not need to.

13                   MR. HASTY:  Let's mark this as our next exhibit.

14                           (The document referred to  
15                           was thereupon marked as  
16                           Defendant's Exhibit Number  
17                           3 for Identification,  
18                           a copy of which is attached  
19                           hereto.)

20   BY MR. HASTY:

21           Q    Do you recognize this document that we've marked  
22   as Exhibit 3?

23          A    Yes, it says parent permission form.

24          Q    Okay.  Is that your signature on it?

25          A    Yes.

1           Q    Were all the scouts and their parents given this  
2 form for them to sign?

3           A    Yes. If you wanted your kid to participate in the  
4 activity, you had to sign it.

5           Q    Okay. Do you know how many of these forms you  
6 would have signed? This says from 2008 to 2009.

7           A    It was an annual thing.

8           Q    Okay. So every year you were in the troop, you,  
9 as a parent, had to sign a permission form for that  
10 school year, if we use that terminology?

11          A    Yes.

12          Q    Okay. The form says by my signature below, I, the  
13 parent or legal guardian of the above-named boy,  
14 authorizes any necessary medical treatment for him while  
15 participating in the Boy Scouts of America Troop 111  
16 activity listed above.

17                    So by virtue of your signature here, you were  
18 authorizing Michael to be treated if he needed medical  
19 treatment.

20                   MR. PELTZ: Why don't you show her the form.

21                   THE WITNESS: That's what it says.

22 BY MR. HASTY:

23           Q    Okay. And you read the form before you signed it,  
24 did you not?

25           A    Presumably you get a flurry of forms for this

1 school and all other activities for more than one kid and  
2 you just sign them all in to get them all in.

3 Q Okay. Well, that's not really what I asked.

4 Did you read the form before you signed it?

5 A I'm not a lawyer, but I read the gist of it.

6 Q Okay. The next sentence says, I also release and  
7 hold harmless the Boy Scouts of America Troop 111, its  
8 leaders, committee members and chaperones or drivers, and  
9 Plantation United Methodist Church from liability or  
10 mishaps or injury to him while participating in this  
11 activity.

12 Did you sign this form with that printing on  
13 it?

14 MR. PELTZ: Object to form and predicate.

15 Just answer the question.

16 THE WITNESS: Okay. Can you repeat it?

17 BY MR. HASTY:

18 Q Did you sign that form?

19 A That's my signature.

20 Q With the printing on it, the sentence I just read  
21 you.

22 MR. PELTZ: Same objection.

23 THE WITNESS: Yes.

24 BY MR. HASTY:

25 Q Okay. And the scout leaders, the Boy Scouts Troop

Mike Selawy Adelman

**BOY SCOUTS OF AMERICA  
TROOP 111  
PLANTATION, FLORIDA**

**PARENT PERMISSION FORM  
2008-09**

My son, (please print) MICHAEL SELAWY-ADELMAN has my permission to participate in the ALL ACTIVITIES OF TROOP 111, BOY SCOUTS OF AMERICA BEGINNING AUGUST 20, 2008 AND ENDING AUGUST 31, 2008, AND HAS MY PERMISSION TO RIDE TO THE EVENTS WITH THE LEADERS WHO ARE DRIVING OR BY OTHER MEANS AS ARRANGED BY THE TROOP LEADERSHIP.

I consider him to be in good physical health. Medications must be turned into the Scoutmaster or other designated adult to be dispensed. Listed are any allergies or health precautions to be taken with the above:

ALLERGIC TO PEDIAZOLE  
\* WEARS GLASSES

By my signature below, I, the parent or legal guardian of the above named boy, authorizes any necessary medical treatment for him while participating in the Boy Scouts of America, Troop 111 activity listed above. I also release and hold harmless, Boy Scouts of America, Troop 111, it's leaders, committee members and chaperones or drivers and Plantation United Methodist Church from liability for mishaps or injury to him while participating in this activity. I expect him to conduct himself properly and conform to all Boy Scouts of America and Leadership safety policies. IF MY SON NEEDS TO BE SENT HOME DUE TO POOR CONDUCT OR INAPPROPRIATE BEHAVIOR, I WILL PROVIDE FOR HIS IMMEDIATE TRANSPORTATION FROM THE ACTIVITY TO HIS HOME.

Parent/Guardian Signature Judith Selawy Date 8/20/08  
Address 1262 CROSSBILL CT City WESTON Zip 33327  
Home Phone (954) 389-5587 Alternate Phone (cell) (954) 554-4281  
Emergency Contact HOWARD ADELMAN Phone (954) 554-4668 (cell)  
(954) 389-5587 (home)

**TRANSPORTATION**

Can you provide transportation for activities: YES  No  Yes-Local Trips Only

If yes: AUTO  VAN  SUV  TRUCK  (no passengers in pick up bed)

Passenger Capacity: 5-6 Do Not include driver as a passenger, all must be belted)

Do you have a trailer hitch? YES  NO  Towing capacity  lbs.

Luggage Rack (for canoe)? Yes  No  Bike Rack? Yes  No

Do you have liability insurance: YES  NO  Carrier/Agent: GEICO

If you drive, we must have a copy. COPY RECEIVED: YES  NO  Expires

[attach copy of card here]  
or staple to this form

