

4/4/2011

Adelman v. Boy Scouts of America, et al. Kevin O'Neill

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION
CASE NO.: 10-CV-22236-ASG

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

Plaintiffs,

**CERTIFIED
COPY**

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,

VIDEOTAPED DEPOSITION OF

KEVIN O'NEILL

Upon oral examination, taken by counsel for
Plaintiffs on April 4, 2011, commencing at
10:09 a.m., at 2373 East Horseshoe Drive,
Naples, Florida, before Joseph F. Sineno,
Court Reporter and Notary Public, State of
Florida at Large.

- - -

1 A Yeah.

2 Q [By Mr. Hasty] Okay. Now, on the next page of
3 the same note, it says: I told him we drew blood and will
4 test for drugs. He also asked Michelle for two disks with
5 the pictures, one for the SO, I guess Sheriff's Office, and
6 one for the federal agent. Det. O'Neill is concerned the
7 parents will later want to sue the Scout Master or want him
8 prosecuted criminally and we may not have enough
9 information without an autopsy to determine certain things.
10 I told him that his concerns were valid and that while that
11 may become an issue, at this point in time I had no
12 statutory right to hold the body further or to perform an
13 autopsy above the family's objections, and he understood.

14 Do you remember that conversation with Dr.
15 Coburn?

16 MR. PELTZ: Object to the form and predicate

17 A I remember having that conversation with Dr.
18 Coburn that I preferred to have the autopsy done to answer
19 many questions.

20 Q [By Mr. Hasty] Did you specifically tell her
21 that you were concerned that the parents will later want to
22 sue the Scout Master?

23 MR. PELTZ: Object to the --

24 Q [By Mr. Hasty] Did you discuss that with him?

25 MR. PELTZ: Object to the form and predicate.

1 A I mentioned to her that there was civil --
2 possible civil end to this and my main concern was finding
3 out exactly what happened in any criminal -- pending
4 criminal case that I had.

5 Q [By Mr. Hasty] Now, the civil issue about
6 litigation, was that something that the parents had spoken
7 to you about, or you were raising on your own?

8 MR. PELTZ: Object to the form and predicate.

9 Q [By Mr. Hasty] On May 11th.

10 A I didn't speak to the parents.

11 Q That was your idea.

12 A Correct.

13 Q Okay. Did there come a time when you contacted
14 anybody at the Park Service, the parents, anybody, another
15 deputy or detective, the Medical Examiner's Office,
16 anybody, where you and someone else discussed the
17 possibility of civil litigation?

18 MR. PELTZ: Object to the form.

19 Q [By Mr. Hasty] Or that someone said there's
20 going to be a suit or someone said there might be a suit.
21 Did you ever have that conversation with anybody else?

22 MR. PELTZ: Object to the form.

23 A No. Just the Medical Examiner, we discussed the
24 criminal end and civil end of the no autopsy.

25 Q [By Mr. Hasty] In your conversations with the