

EXHIBIT A
PORTIONS OF GIZYNISKI DEPOSITION

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

WEST BEND MUTUAL INSURANCE COMPANY,)

Plaintiff,)

vs.)

No. 09 C 354

BELMONT STATE CORPORATION,)

JAN GAD, MARK GIZYNSKI, KIRK)

FORBES, and PETER WALA,)

Defendants.)

The deposition of MARK GIZYNSKI, called by the Plaintiff for examination, pursuant to notice and pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before Liana Rivera, Certified Shorthand Reporter and Notary Public, at 20 North Wacker Drive, Suite 910, Chicago, Illinois commencing at 12:00 p.m. on the 7th day of January, A.D., 2010.



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APPEARANCES:

RIORDAN, McKEE & PIPER, LLC
MR. WILLIAM S. PIPER
MS. STEPHANIE M. KEDDY
20 North Wacker Drive
Suite 910
Chicago, Illinois 60606
Phone: (312) 663-9400
E-mail: wpiper@rmp-llc.com

On behalf of the Plaintiff;

LAW OFFICES OF DONALD McRAE THOMPSON
MR. DONALD McRAE THOMPSON
55 West Monroe Street
Suite 3950
Chicago, Illinois 60603
Phone: (312) 782-0844

On behalf of the Defendant Mark Gizynski.

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I N D E X

WITNESS

MARK GIZYNSKI

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Direct Examination by Mr. Piper 4

E X H I B I T S

GIZYNSKI DEPOSITION EXHIBIT

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1 (Witness sworn.)

2 WHEREUPON:

3 MARK GIZYNSKI,
4 called as a witness herein, having been first duly
5 sworn, was examined and testified as follows:

6 DIRECT EXAMINATION

7 BY MR. PIPER:

8 Q. Would you please state your name for the
9 record.

10 A. Mark G I Z Y N S K I.

11 Q. And how do you pronounce that? Gizynski or
12 Gizynski?

13 A. Gizynski.

14 Q. Mr. Gizynski, my name is William Piper. And
15 you're here in response to a citation to discover
16 assets because a judgment has been entered against you.
17 The Court has allowed the examination to be done by way
18 of deposition. And so we're going to do those pursuant
19 to the Federal rules and our local rules for
20 depositions which are adopted by the Federal Court.
21 All of my questions and all of your answers have to be
22 out loud and loud enough for our court reporter to
23 hear. She's transcribing everything we say. She can
24 only transcribe words. She cannot transcribe gestures.

1 She cannot transcribe some slang utterance that we may
2 use at times in conversing with one another because
3 they are not English words. So you have to answer yes
4 or no; and the court reporter will take that down.

5 I'm going to ask questions. If you don't
6 understand a question, please let me know. We'll try
7 and find out what you don't understand about the
8 question. If necessary, I'll try to rephrase it. If
9 you answer a question, I'm going to assume you
10 understood the question as presented to you and that
11 the answer you gave is the answer you intended to give.
12 Do you understand everything so far?

13 A. Yes.

14 Q. Thank you. And be sure to keep your voice up
15 so that the court reporter hears.

16 Where do you currently live?

17 A. 4944 West Belmont, Chicago, Illinois 60641.

18 Q. Is there a unit number?

19 A. It's No. 1. No. 2. I'm sorry. No. 2.

20 Q. Where in the building is that located? The
21 front or back --

22 A. Front.

23 Q. -- or in the middle?

24 A. Front.

1 A. Empty.

2 MR. THOMPSON: That was which number? 8?

3 BY MR. PIPER:

4 Q. And what's shown on Exhibit No. 9, this
5 tenant Justyna Wajda, is she still in that apartment?

6 A. Yes.

7 Q. Is she still paying rent?

8 A. Yes.

9 Q. How does she pay you?

10 A. Cash.

11 Q. Cash. When is the last time she paid you?

12 A. December.

13 Q. Has she paid you for January yet?

14 A. Yeah, paid.

15 Q. She did?

16 A. Yes.

17 Q. When did she pay you?

18 A. A couple of days ago.

19 Q. Do you understand that under the citation,
20 you are prohibited from transferring any of the assets
21 you receive; is that correct?

22 A. Yes.

23 Q. Where is the money that she paid you?

24 A. I spent for living.