

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ARON LEE BOYD-NICHOLSON,

Plaintiff,

vs.

SCOTT FRAKES, Director of Nebraska  
State of Corrections Medical  
Department et al; DR. RANDY KOHL,  
Chief Medical Director, M.D.; DR.  
HUSTON, Staff Physician of Records;  
MARIO PEART, Warden; JANE OR  
JOHN DOE 1-12, Both state and  
Agency Medical Nurses; TANA  
KENLEY, PAC; STEPHANIE  
SNODGRASS, LpN; APRIL ROLLINS,  
RN; and CAROLYN MOORE, RN;

Defendants.

**8:15CV424**

**ORDER TO ALBERTO VASQUEZ  
SETTING FORTH THE  
QUESTIONS FOR A  
DEPOSITION BY WRITTEN  
QUESTIONS PURSUANT TO  
FEDERAL RULE OF CIVIL  
PROCEDURE 31**

ALBERTO VASQUEZ, you have been identified as a possible witness in this case.

IT IS ORDERED that you follow the instructions set forth below.

Dated this 11th day of July, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge

## *INSTRUCTIONS AND QUESTIONS*

You are herewith ordered to answer the following written questions but only if you have personal knowledge of the facts responsive to the question.

If you do not have personal knowledge of the facts do not answer any question for which you lack personal knowledge. Simply leave the space for your answer blank and answer the other questions. When answering the questions, do not seek assistance from any other person including, but not limited to, ARON LEE BOYD-NICHOLSON. The answers must be your own.

Answer the questions in your own handwriting. Please print your answers carefully and legibly.

Once your case manager or other official serves this document upon you, you have **seven calendar days** to complete the document. After you are done, notify your case manager or other official. You will then appear before a notary public at the prison, and sign the document under oath. Please remember that your answers must be truthful and will be given under penalty of perjury.

1. How long have you had diabetes?

2. How long have you been going to medical for your diabetic checks?

3. How long have you been going to diabetics here at LCC?

4. Is it your recollection that the LCC medical staff would possess records of your visits as a diabetic to medical? **[If you can answer this question, you must also write the basis for your answer.]**

5. From your experience of going to diabetics at LCC, are there unscheduled visits by inmates to the medical clinic that have been sent to medical in the past with the diabetics? **[If you can answer this question, you must also write the basis for your answer.]**

6. Were you present in the LCC medical office on August 12, 2015?

7. If you were at the LCC medical office on August 12, 2015, what time did you arrive?

8. What time did you leave the LCC medical office on August 12, 2015?

9. Who else was at the LCC medical office on August 12, 2015?

10. Who else did you talk to at the LCC medical office on August 12, 2015?

11. How did you get to the LCC medical office on August 12, 2015?

12. Did you have any exchange or interaction with medical staff while at diabetics on August 12, 2015?

13. From what you could see, what was the medical staff's demeanor like? **[If you can answer this question, you must also write the basis for your answer.]**

14. Can you name the nurse or nurses that were attending the diabetics on August 12, 2015? **[If you can answer this question, you must also write the basis for your answer.]**

15. Did Aron Boyd go with the diabetics on August 12, 2015? **[If you can answer this question, you must also write the basis for your answer.]**

16. How was Mr. Boyd transported to medical? **[If you can answer this question, you must also write the basis for your answer.]**

17. Who sent him or gave him authorization to go to diabetics? **[If you can answer this question, you must also write the basis for your answer.]**

18. What was your understanding of the reason why Mr. Boyd was going to medical with the diabetics? **[If you can answer this question, you must also write the basis for your answer.]**

19. Was Mr. Boyd in medical to seek diabetic treatment?

20. How big is the medical room where the diabetics receive their shots?

21. Could a person in a wheelchair be easily missed if he was in that medical room where the diabetics receive their shots? **[If you can answer this question, you must also write the basis for your answer.]**

22. From what you could see, where were you in relation to Mr. Boyd while waiting in medical?

23. From what you could see, while in medical getting treatment for your diabetes on August 12, 2015, could you describe what condition Mr. Boyd was in?

24. From what you could see, did you witness any interaction take place between medical staff and Mr. Boyd?

25. From what you could see, did any staff offer to help or inquire about Mr. Boyd's presence in medical since he's not a regular?

26. Did the nurses make an attempt to find out what Mr. Boyd was doing in medical with diabetics? **[If you can answer this question, you must also write the basis for your answer.]**

27. Did the nurses offer to help Mr. Aron Boyd? **[If you can answer this question, you must also write the basis for your answer.]**

28. From what you could hear, did Mr. Boyd ask for help?

29. Did you hear Mr. Boyd ask the nurses for help?

30. How many times?

31. If so, what was the response?

32. From what you could see, was Mr. Boyd given any aid?

33. When were you transferred to Tecumseh?

34. Have you spoken with Mr. Aron Boyd about his lawsuit?

35. What did Mr. Aron Boyd tell you about this lawsuit?

36. Are you in possession of any documents proving you were at the LCC medical office on August 12, 2015?

37. Do you know of any documents which would prove that you were at the LCC medical office on August 12, 2015?

38. Are you in possession of any documents regarding Mr. Aron Boyd's lawsuit?

39. Since you were in the medical office on August 12, 2015, could you tell the court your version of events?

***AFFIDAVIT, SIGNATURE AND NOTARIZATION***

State of Nebraska            )  
County of Johnson         )

Before me, the undersigned notary public, this day, personally, appeared ALBERTO VASQUEZ to me known or otherwise identified to my satisfaction, who being duly sworn according to law, signed this document in my presence and deposes and states the following:

The foregoing deposition upon written questions was answered by me in my own hand writing. I have signed this document in the presence of the notary. My answers are and were given without the assistance of any other person. I declare under penalty of perjury that my statements are my own and are true and correct to the best of my knowledge, information and belief after careful consideration. If I could not answer one or more questions for lack of personal knowledge, I have, as instructed, left the space for that particular answer blank. I have signed this Affidavit in the presence of the notary.

\_\_\_\_\_  
(Signature of Affiant)  
ALBERTO VASQUEZ

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Signature of Notary Public)

Seal of Notary Public

My Commission Expires: \_\_\_\_\_