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A P P E A R A N C E S :

NATHANIEL B. SMITH, ESQ.
Attorneys for Plaintiff
111 Broadway
New York, New York 10006

JOHN LENOIR, ESQ.
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Attorneys for Defendant
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IVONE, DEVINE & JENSEN, LLP
Attorneys for Defendant
DR. ISAK ISAKOV
2001 Marcus Avenue
Lake Success, New York 11042
BY: BRIAN LEE, ESQ.

(Continued.)

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CALLAN, KOSTER, BRADY & BRENNAN, LLP
Attorneys for Defendant

DR. LILIAN ALDANA-BERNIER
One Whitehall Street
New York, New York 10004

BY: PAUL CALLAN, ESQ.

MARTIN CLEARWATER & BELL, LLP
Attorneys for Defendant
JAMAICA HOSPITAL MEDICAL CENTER

220 East 42nd Street
New York, New York 10017

BY: GREGORY J. RADOMISLI, ESQ.

Also Present: Magdalena Bauza

1 S T I P U L A T I O N S :

2 IT IS HEREBY STIPULATED AND AGREED by
3 and between the attorneys for the respective
4 parties hereto, that this examination may be
5 sworn to before any Notary Public.

6
7 IT IS FURTHER STIPULATED AND AGREED
8 that the filing and certification of the said
9 examination shall be waived.

10
11 IT IS FURTHER STIPULATED AND AGREED
12 that all objections to questions, except as to
13 the form of the question, shall be reserved
14 for the time of trial.

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MR. RADOMISLI: Pursuant to federal rules we reserve the right to review and correct the deposition transcript.

MR. SMITH: We are going on the record, it's 10:24 and we're going to begin the deposition of Ms. Marquez.

THE WITNESS: Yes.

MR. SMITH: At my office 111 Broadway. It's the 14th of May. I have an E-mail from Shoni, S-h-o-n-i, Williams, saying that she is Mr. Paul Callan's secretary and he is going to be a little late and we can start without him and so based that we are going to go ahead and do that.

Would you mind swearing in the witness, please.

J E S S I C A M A R Q U E Z, a Witness herein, having been first duly sworn by a Notary Public within and for the State of New York, was examined and testified as follows:

JESSICA MARQUEZ

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EXAMINATION BY
MR. SMITH:

Q. Will you state your name and address for the record, please.

A. Jessica Marquez, 5901 Central Avenue, second floor, Glendale, New York 11385.

Q. Is that a work or home address?

A. Home address.

Q. Good morning, Ms. Marquez. My name is Nathaniel Smith. I represent Adrian Schoolcraft. He has brought a lawsuit against several parties pertaining to a lot of things and I am going to ask you some questions this morning and maybe for a part of this afternoon and there is a few ground rules I just want to go over with you. I'm sure your counsel has discussed them with you, but I just want to make sure that some of the basic fundamentals are clear; okay?

A. Yes.

Q. The first thing is that if I ask you a question and you're not sure what I am

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JESSICA MARQUEZ

asking you or you're not sure what the question means or if there's anything about that you're not sure about, please let me know; okay?

A. Okay.

Q. Because you've just been sworn to tell the truth --

A. Right.

Q. -- and it's important for you and for me and for the record, for everybody else that the record be clear and that we get accurate and clear information from you; okay?

A. Yes.

Q. All right, so I will repeat myself, if there's anything that's unclear about my questions, let me know and I will rephrase it.

A. Okay.

Q. If I can; okay?

A. Hmm-mm.

Q. You have ever been deposed before?

A. Yes.

JESSICA MARQUEZ

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MR. LEE:

Q. I'm Brian Lee, I represent Dr. Isakov. When you get to the hospital, this report marked as Exhibit 125, is given to the triage nurse?

A. Yes.

Q. And did you provide any information to the triage nurse, other than the information contained on this form?

A. No.

Q. Did you speak to any other nurse or any other medical personnel about Mr. Schoolcraft?

A. Just the registrar, so that they could register him into the system for the triage nurse.

Q. Did you provide any information about the incident at Mr. Schoolcraft's home?

A. No.

Q. Did you ever speak with a Dr. Isakov about Mr. Schoolcraft?

A. No.

Q. Did you ever speak with Dr.

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

**CERTIFIED
TRANSCRIPT**

3 -----X
4 ADRIAN SCHOOLCRAFT,
5 Plaintiff,

Case No:
10 CV 06005

6 - against -

7 THE CITY OF NEW YORK, ET AL.,

8 Defendants.
9

10 -----X
11 111 Broadway
12 New York, New York

13 May 15, 2014
14 10:28 a.m.

15
16 DEPOSITION OF SALVATORE SANGENITI, pursuant to
17 Notice, taken at the above place, date and
18 time, before DENISE ZIVKU, a Notary Public
19 within and for the State of New York.
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JAMAICA HOSPITAL MEDICAL CENTER
220 East 42nd Street
New York, New York 10017
BY: GREGORY J. RADOMISLI, ESQ.

1 S T I P U L A T I O N S :

2 I T I S H E R E B Y S T I P U L A T E D A N D A G R E E D b y
3 a n d b e t w e e n t h e a t t o r n e y s f o r t h e r e s p e c t i v e
4 p a r t i e s h e r e t o , t h a t t h i s e x a m i n a t i o n m a y b e
5 s w o r n t o b e f o r e a n y N o t a r y P u b l i c .

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7 I T I S F U R T H E R S T I P U L A T E D A N D A G R E E D
8 t h a t t h e f i l i n g a n d c e r t i f i c a t i o n o f t h e s a i d
9 e x a m i n a t i o n s h a l l b e w a i v e d .

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11 I T I S F U R T H E R S T I P U L A T E D A N D A G R E E D
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Q. This is the videotaped deposition of Sal Sangeniti.

A. Yes.

MR. SMITH: And we are at the my office at 111 Broadway. It's May 15, 2014.

MR. RADOMISLI: I just want to state pursuant to the Federal Rules, we reserve the right to review and correct the deposition transcript and also, it's a videotaped deposition. The deposition just happens to be you're videotaping it.

MR. SMITH: Right. Understood. I am videotaping the deposition and the court reporter is here taking the deposition.

Would you mind swearing in the witness.

S A L V A T O R E S A N G E N I T I, a Witness herein, having been first duly sworn by a Notary Public within and for the State of New York, was examined and testified as follows:

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S. SANGENITI

EXAMINATION BY

MR. SMITH:

Q. Will you state your name and address for the record, please.

A. Salvatore Sangeniti, S-a-n-g-e-n-i-t-i and the address 8 Vining, "V" as in Victor, i-n-i-n-g, Street and that's in Centereach, C-e-n-t-e-r-e-a-c-h, New York 11720.

Q. Centereach is -- where is that?

A. Suffolk County.

Q. Suffolk County?

A. In the town of Brookhaven.

Q. Good morning.

A. Good morning.

Q. My name is Nathaniel Smith, I represent Officer Adrian Schoolcraft in a lawsuit he's brought against several defendants relating to some events that occurred before, after and on October 31, 2009.

I am going to be asking you some questions this morning and there is a few

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S. SANGENITI

rules I just want to go over with you before we start; okay?

A. Hmm-mm.

Q. One of the rules is that it's best that you answer a question with a yes or a no, because an uh-huh, uh-uh or a nod of the head can be ambiguous and you don't want to be ambiguous, because you're under oath; okay?

A. Yes.

Q. And if you do say uh-huh or uh-uh, I will or maybe the court reporter will ask you to say is that a yes or a no, because everybody does it, it's pretty normal; okay?

A. Okay. Sure.

Q. One of the other really important rules is that you let me know if there is anything about my question that's unclear; is that okay?

A. Sure.

Q. The reason why that's important is like I said, you're under oath, if I ask you a question and you answer it, the record

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S. SANGENITI

is going to assume and I'm going to assume that you understood the question you were answering. So if you have any kind of concerns or questions about it, please let me know and I will do my best to try and rephrase it; okay?

A. For you to clarify it?

Q. Yeah. That's right. If I ask a question, just because I'm wearing a tie and I tell you I'm a lawyer, doesn't mean I can ask a clear question, sometimes I do, sometimes I don't.

So what I'm asking you is that if I do ask a question which you believe is unclear, let me know and I will do my best to clarify it; okay?

A. That's fine.

Q. Where are you currently working?

A. I currently work for Jamaica Hospital.

Q. What do you do for Jamaica Hospital?

A. I'm an emergency medical technician.

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S. SANGENITI

Q. How long have you worked at Jamaica Hospital?

A. Approximately, since 2008.

Q. Have you been an emergency medical technician at Jamaica Hospital since 2008?

A. Yes.

Q. Have you had any other forms of employment since then?

A. I have.

Q. What?

A. I work for the New York City Fire Department Emergency Medical Service.

Q. How often do you work for them?

A. Five days a week.

Q. What's your position there?

A. Emergency medical technician.

Q. Do you consider yourself as being dually employed by Jamaica Hospital and the fire department?

MR. RADOMISLI: Objection to form. You can answer.

MS. PUBLICKER METHAM: Objection.

1 S. SANGENITI

2 A. No. They said that they were
3 extended period. They were extended. So we
4 wouldn't wait.

5 Q. So it was going to take too long
6 for them to arrive?

7 MR. SMITH: Objection to form.

8 A. Yes.

9 MR. PUBLICKER METTHAM: I have
10 no further questions.

11 EXAMINATION BY

12 MR. LEE:

13 Q. I represent Dr. Isakov. Did you
14 ever speak to Dr. Isakov about Mr.
15 Schoolcraft?

16 A. No.

17 Q. Did you ever speak to Dr.
18 Aldana-Bernier about Mr. Schoolcraft?

19 A. No.

20 Q. Did you speak to any medical
21 personnel about Officer Schoolcraft?

22 A. No.

23 MR. RADOMISLI: At Jamaica
24 Hospital?

25 Q. At Jamaica Hospital?

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S. SANGENITI

A. No.

Q. When you went with the patient to the triage area, did you speak to the triage nurse about Officer Schoolcraft?

A. No, actually.

Q. Did you give any instructions to anyone at the hospital concerning the care and treatment of Officer Schoolcraft?

A. No.

Q. What is mask that you mentioned earlier, the computer terminal?

A. Oh, the MDT mask, it's mobile data terminal. It's when any ambulance within the 911 system will receive an assignment, they receive it through the mobile data terminal.

Q. And is that a terminal that's in the ambulance itself?

A. Yes.

Q. Is that data recorded someplace?

A. Yes.

Q. Was that on the sheet -- would that be on this PCR?

A. No.

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S. SANGENITI

Q. In this case, did the mask tell you to take the patient to 34?

MR. SMITH: Objection to form.

A. To the closest 911 receiving hospital.

Q. And that was 34?

A. Yes.

Q. And did the mask computer tell you that?

MR. SMITH: Objection to form.

A. Yes.

Q. Mr. Smith asked you some questions about whether the terminal could differentiate if it was a psych call or some other type of call. In this case, do you know was the mask terminal showing that it was a psych call or something else?

A. No. It would just tell you that the closest hospital for psych would be 34 or it would tell you the closest speciality unit would be 77, whichever, whichever hospital you need to go to, it would designate for you.

Q. In this case, how was it

1 S. SANGENITI

2 designated for you?

3 MR. SMITH: Objection to form.

4 A. Just closest 911 receiving for
5 the general, you know, for general practice.

6 Q. So the general practice hospital
7 that it told you that the patient should go
8 to was 34?

9 MR. SMITH: Objection to form.

10 A. Yes.

11 Q. Did anyone at the scene say that
12 they wanted a psychiatric evaluation for
13 Schoolcraft?

14 A. No.

15 MR. LEE: That's it. Thank you
16 very much.

17 EXAMINATION BY

18 MS. MILLER:

19 Q. When you accompanied plaintiff
20 into Jamaica, did you overhear any
21 conversations regarding plaintiff between
22 the medical personnel there?

23 A. No.

24 EXAMINATION BY

25 MR. KRETZ:

CONFIDENTIAL

Page 146

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ADRIAN SCHOOLCRAFT,
Plaintiff,

Case No:
- against - 10 CV 06005

THE CITY OF NEW YORK, ET AL.,
Defendants.

-----X
111 Broadway
New York, New York

May 29, 2014
10:19 a.m.

(CONFIDENTIAL EXCERPT)

DEPOSITION OF STEVEN WEISS, pursuant to
Notice, taken at the above place, date and
time, before DENISE ZIVKU, a Notary Public
within and for the State of New York.

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EXAMINATION BY

MR. OSTERMAN:

Q. Brian Osterman, counsel for the

1 CONFIDENTIAL - S. WEISS

2 hospital.

3 A. Okay.

4 Q. You testified that you never
5 went to Jamaica Hospital?

6 A. Correct.

7 Q. And you ever directed anyone to
8 say anything to anyone at Jamaica Hospital?

9 A. No.

10 Q. Are you familiar with Dr.
11 Isakov?

12 A. No.

13 Q. You ever have any conversations
14 or contact with Dr. Isakov?

15 A. No.

16 Q. Are you familiar with Dr.
17 Aldana-Bernier?

18 A. No.

19 Q. Did you ever have any
20 conversations or contact with Dr.
21 Aldana-Bernier?

22 A. No.

23 MR. OSTERMAN: I have nothing
24 further.

25 MR. SHAFFER: Anybody else?

CERTIFIED TRANSCRIPT

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ADRIAN SCHOOLCRAFT,

Plaintiff,

Case No:

- against -

10 CV 06005

THE CITY OF NEW YORK, ET AL.,

Defendants.
-----X

111 Broadway
New York, New York

June 23, 2014
10:21 a.m.

CONTINUED DEPOSITION OF KURT DUNCAN,
pursuant to Notice, taken at the above
place, date and time, before DENISE ZIVKU, a
Notary Public within and for the State of
New York.

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A P P E A R A N C E S :

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BY: BRIAN LEE, ESQ.

(Continued.)