

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN
AND FOR DADE COUNTY, FLORIDA

CRIMINAL DIVISION

STATE OF FLORIDA,
PLAINTIFF,

-vs-

EDUARDO LUIS GALIANA,
DEFENDANT.

COPY

CASE NO.: F00-17128

EXCERPT OF TRIAL

Metropolitan Justice Building
1351 Northwest 12th Street
Miami, Florida 33125
March 21, 2002
Thursday, 1:00 p.m.

Trial of the above-entitled case was resumed before the
Honorable PETER R. LOPEZ, Circuit Judge, and a jury, pursuant to
adjournment.

APPEARANCES:

KATHERINE FERNANDEZ-RUNDLE, STATE ATTORNEY, BY
COLLEEN KAY, Assistant State Attorney, AND,
LAURA ADAMS, Assistant State Attorney,
on behalf of the State.

MAY CAIN, Esq., AND,
MICHAEL CATALANO, Esq.,,
on behalf of the Defendant.

GOLDMAN NACCARATO PATTERSON VELA & ASSOCIATES
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I N D E X

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
RICK SWOPE	4			

E X H I B I T S

FOR IDENT. IN EVIDENCE

State

Defendant

Exhibits A-2 and A-3	36	
Exhibit D		37
Exhibit E		38
Exhibit F		61

1 (Thereupon, the following proceedings were had:)

2 *****

3 THE COURT: Okay. Let's go. Get the jury.

4 THE BAILIFF: ALL rise for the jury.

5 (Thereupon, the jury entered the courtroom at 6:15
6 p.m., after which the following proceedings were had.)

7 THE COURT: Please be seated, ladies and gentlemen and
8 Counsel.

9 Let the record reflect the presence of our eight
10 jurors, the Defendant, his attorneys and Assistant State
11 Attorneys.

12 Welcome back, ladies and gentlemen of the jury. We
13 have broken and taken our five-minute recess.

14 The State of Florida had rested its case in chief. At
15 this moment, as per my preliminary instructions, it is the
16 opportunity of the Defense to present any case they so
17 desire.

18 Mr. Catalano, is the Defense ready to proceed?

19 MR. CATALANO: We sure are.

20 At this time we call Mr. Rick Swope.

21 (Thereupon, the witness entered the courtroom.)

22 THE COURT: Come up and raise your right hand.

23 (Thereupon, the witness was duly sworn by the Clerk.)

24 THE COURT: Make yourself comfortable.

25 Speak into the microphone, please.

1 THEREUPON:

2

RICK SWOPE

3 was called as a witness, and after having been first duly sworn,
4 was examined and testified as follows:

5

DIRECT EXAMINATION

6 BY MR. CATALANO:

7 Q Will you please state your name and occupation and
8 where you are from?

9 A My name is Rick Swope.

10 I do primarily accident reconstruction; it's my
11 primary business. And I live in Davie, Florida.

12 Q Broward County?

13 A That's Broward County. Correct.

14 Q Could you please-- first of all, I will now show you
15 what is marked as Defense's Exhibit A-1 for Identification.

16 Would you take a look at that document, please?

17 A (Looking at Exhibit.) Yes, sir.

18 Q What is that document?

19 A That's my current CV. A list of my classes and
20 background experience, those kinds of things.

21 Q Same thing as a resume?

22 A Yes.

23 Q Is that, in fact, your personal resume you personally
24 prepared?

25 A Yes, sir. It is.

1 Q Does it outline your experience, practical
2 experience, education, and so forth, professional experience,
3 training and education?

4 A Yes, sir. It does.

5 Q And how many pages does it contain?

6 A Twelve.

7 Q And it is also true as to "Seminars Conducted,"
8 "Teaching Experience"--

9 MS. ADAMS: Objection. Commenting on a document not
10 in evidence.

11 THE COURT: Overruled.

12 Q --"Publications/Training," "membership and
13 associations"?

14 A Yes. It does.

15 At this time the Defense moves into evidence A-1 for
16 Identification.

17 MS. ADAMS: Objection. Hearsay.

18 THE COURT: Sustained until you have any other
19 evidence.

20 MR. CATALANO: Request a side bar.

21 (Thereupon, counsel for the respective parties
22 approached the bench with the court reporter, and the
23 following proceedings were had outside of the hearing of
24 the jury.)

25 THE COURT: Yes, sir. Mr. Catalano, it's hearsay.

1 MR. CATALANO: It is not hearsay. He is here and
2 subject to cross examination.

3 Second of all, it is also admissible as a business
4 record. He sends it out on a regular basis for his
5 business. He is the records custodian. I haven't done it
6 yet, but I will discuss it with you now.

7 Third of all, with all due respect, this is a waste of
8 time. The man can read the whole thing to the jury.

9 Why not give them a copy and let them look at it?

10 THE COURT: Different issue as to whether or not the
11 objection is properly sustainable.

12 He is an accident reconstruction expert; is that
13 correct?

14 MR. CATALANO: Correct.

15 THE COURT: You are sitting here and are trying to
16 tell me the course of his business, his business is to make
17 resumes?

18 MS. ADAMS: And that this document was generated at or
19 near the time he is consulted as an accident
20 reconstructionist.

21 MS. CAIN: That's what we're trying to tell you, that
22 this is something he would prepare and send out to me to
23 help me know about him so I would know whether to use him
24 as an expert. Generated on or about the time I would be
25 using it.

1 THE COURT: Doesn't qualify for business itself.
2 Doesn't tell you what the business is.

3 MS. CAIN: Tells us exactly what his business is.

4 THE COURT: His business is not making resumes.

5 He's in the business of reconstruction expertise
6 testimony.

7 At this point in time, and I'm looking at--

8 MR. CATALANO: Judge, I don't see how this is hearsay.

9 THE COURT: --statements other than made by him while
10 testifying, right?

11 That's obviously a statement made by him other than
12 while testifying.

13 MR. CATALANO: He is capable of testifying and be
14 cross examined about the whole thing.

15 THE COURT: You can question ad nauseam about
16 everything in there. He can recite every page. I'm not
17 disagreeing with you. It's a waste of time.

18 The State is right, it's hearsay. You have other ways
19 to ask him questions about it.

20 MR. CATALANO: We will be here late.

21 THE COURT: Move on. Dr. Fogarty had one page for
22 obvious purposes.

23 MS. ADAMS: In anticipation of what I hoped would not
24 happen, Mr. Catalano will not say to the jury, well, I
25 guess we have to go through this now because the State is

1 not stipulating.

2 I hope he won't do that.

3 MR. CATALANO: I respectfully suggest they are
4 assuming.

5 I will do it in a professional way. Fine, I will ask
6 him questions.

7 THE COURT: Don't read off it.

8 Let's talk about your history. Just 'cause you are
9 looking at it doesn't mean you are reading.

10 MR. CATALANO: By the way, I don't think it's right
11 that the State objects when I look at what I have at the
12 podium. It's none of your business.

13 THE COURT: You're not supposed to read from a
14 deposition; you can ask any questions. We got to that
15 issue last time.

16 (Thereupon, the side bar conference was concluded, and
17 the following proceedings were had within the hearing of
18 the jury:)

19 BY MR. CATALANO:

20 Q I will ask you a lot of questions on your education,
21 experience, and all those things discussed a moment ago.

22 A Sure.

23 Q Where is the main office of Swope Reconstruction?

24 A The main office is in Davie, Florida.

25 Q And you have another office somewhere else?

- 1 A Yes, I do.
- 2 Q Where is that?
- 3 A An office in Atlanta, Georgia.
- 4 Q What's your educational background?
- 5 A I have a Bachelor degree from St. Thomas University,
6 a BA Degree.
- 7 A Master of Science Degree from University of Miami.
- 8 That is it as far as initial education for degrees.
- 9 Q Tell me a little about the Master degree of
10 University of Miami.
- 11 What year and what was the subject matter of the
12 degree?
- 13 A That was called a Master of Science Degree.
- 14 The degree reads Master of Science, MOT Program, which
15 is management technology, which encompasses a dual-degree
16 program.
- 17 One half of that degree has to do with Engineering,
18 the other half is Management. Really, basically, that's a
19 degree course by University of Miami.
- 20 Q Are you working on other degrees right now?
- 21 A Yes. PhD program on Engineering Management.
- 22 Q As far as practical experience, were you ever in the
23 service?
- 24 A Yes.
- 25 Q And what rank did you have, and what did you do?

1 A I was in the military for three years. I was
2 Military Police. I was a Sergeant. And I did initially
3 road-patrol duty and then administrative duties.

4 Q What years?

5 A '74 to '77; it's been a while ago.

6 Q If there's anything you need to refresh your memory
7 in greater detail, you are welcome to look at it.

8 A Yes.

9 Q Were you ever a police officer?

10 A Yes.

11 Q When was the first time you were a police officer?
12 Where, what year, and what kind of cases?

13 A After I left the military, I joined Monroe City
14 Police Department in Monroe, Michigan.

15 I was an officer from 1979 to 1984. And I did
16 primarily accident investigations, traffic homicide, those kinds
17 of things. It was a rather small Department, about 50 of us in
18 that Department.

19 Q And then did you work as a police officer anywhere
20 else?

21 A Yes.

22 Q Tell us about that.

23 A From 1984 to 1990, I worked at the Broward County
24 Sheriff's Office in Fort Lauderdale.

25 For six years I was the Administrative Coordinator for

1 the DUI Task Force and Traffic Homicide Unit.

2 During that period of time I instructed at Broward
3 County Community College, at the Police Academy, and taught
4 there from 1984 to 1995.

5 Also taught for the National Traffic Highway
6 Administration and taught for several Government agencies, and
7 hold certifications to teach for them.

8 Q What subjects?

9 A Taught primarily Accident Investigation and DUI
10 Detection and Apprehension.

11 I've taught some other things at the Academy; but,
12 basically, those were the two main subjects.

13 Then became certified in 1987 by the State to teach
14 accident reconstruction to police officers. And I taught that
15 in the State of Florida and certified approximately 400 officers
16 during that period of time.

17 I believe my last class was 1995. I actually taught
18 full time.

19 Q The last year you were a sworn police officer was
20 1990 actually?

21 A That I was actually sworn, my certificate was good
22 for four years.

23 After that, when an officer, if you want to keep your
24 certification, you have to take 40 hours of mandatory retraining
25 during a four-year period to take that certificate.

1 I taught, like I said, at the Academy until 1995.

2 Q Did you do accident reconstruction work and
3 investigate DUI-type homicides and other accidents for the
4 Broward Sheriff's Office?

5 A Yes.

6 Q Did you do it on a regular basis?

7 A Pretty much nightly.

8 Q Could you describe for me your personal, actually
9 your professional experiences, if you can summarize that?

10 A As I indicated, probably handled or been on the scene
11 of 7,000, several thousand traffic accidents in the time I was a
12 police officer. 700 traffic fatalities.

13 The unit I was in during that period of time would
14 actually go to 150 fatalities per year. I would probably go to
15 75 percent of those and 20 percent myself actually in court and
16 to oversee reports and those kinds of things. I had to do all
17 of the reports, made sure the reports were made to State
18 standards when they were turned in.

19 Assisted the State Attorney's Office in prosecuting
20 cases criminal in nature. Civil cases I actually, as a police
21 officer, closed out after the reconstruction analysis was done.

22 And worked with several different agencies and taught
23 with the State of Florida during that time.

24 Q Have you been a consultant to any particular State
25 Attorney since you left?

1 A Yes.

2 Q To the Broward Sheriff's Office?

3 A Yes.

4 Q Since you left the Broward Sheriff's Office, you've
5 been a civilian person working on your own?

6 A Yes, I have.

7 Q Since you left BSO, have you worked on any cases on
8 behalf of the State Attorney and any State Attorney in Florida?

9 A Yes.

10 Q About how many?

11 A I've worked about 17 cases for the Broward State
12 Attorney's Office over the past, I guess, 10 or 12 years,
13 something like that.

14 And, obviously, criminal cases, I have done probably
15 about 15 or 16 cases with the Federal Government, U.S.
16 Attorney's Office.

17 Q Are they prosecutors, U.S. Attorneys?

18 A Yes, they are.

19 Q And that's all around the country?

20 A Several in different places in the country.

21 Primarily, I have done Miami and some in Atlanta. I
22 forget the District. Each Federal Court has a different
23 District.

24 Q Have you worked as a consultant in the South District
25 of Florida, U.S. Attorney's Office in Florida?

- 1 A Yes.
- 2 Q More than one time?
- 3 A Yes.
- 4 Q Consultant for investigation of accident
5 reconstruction and automobile type cases?
- 6 A Yes.
- 7 Q Have you also worked with criminal defense lawyers?
- 8 A Yes.
- 9 Q Have you worked with me before?
- 10 A Yes, I have.
- 11 Q About how many times?
- 12 A Probably in the past 10 or 12 years, four or five
13 times actually worked with you on cases that I can recall.
- 14 Q Were they all accident cases?
- 15 A No.
- 16 Q Okay. Do you have any training and certifications?
- 17 A Yes.
- 18 Q Could you please tell the jury about that?
- 19 A Well, obviously, the training I have is, to be a
20 police officer, you actually have to be certified.
- 21 I am certified in the State of Kansas, State of
22 Michigan and State of Florida. That would be initial
23 certification.
- 24 Also, certification for DUI instruction for the
25 Federal Government and Criminal Justice Institute. Substantial

1 certifications to be able to teach Law Enforcement in the State
2 of Florida.

3 The one that I received from the Federal Government is
4 good anywhere in the country. You can teach in any one of the
5 50 states in the country or territories.

6 Also hold certification with Society of Automotive
7 Engineers and the International Association for Management of
8 Technology; I believe that's probably the main ones.

9 Q And have you been teaching in reconstruction of DUI
10 accidents?

11 A I do lectures. I do several different lectures a
12 year for organizations, whether it would be State of Florida,
13 meaning the Florida Bar and those type of things.

14 And I've also worked with an individual named John
15 Tousson (phonetic), one of the coordinators for the Miami Dade
16 Police Academy, assisting him in doing an evaluation and report
17 to-- actually, their school is trying to be able to teach police
18 officers on accident reconstruction.

19 I'm helping with the outlines, the terminology, and
20 background information to get that Academy, if they so desire,
21 to teach that subject.

22 Q Have you attended courses at the Institute of Police
23 Technology and Management at the University of North Florida in
24 Jacksonville, Florida, out there with all the mosquitoes?

25 A Yes. I have taken--

1 Q What kind of courses have you attended?

2 A I have taken initially pretty much all the courses
3 dealing with accident investigation, accident reconstruction.

4 They have courses that are called special problem
5 courses. Those deal with what is called odd type of accidents,
6 such as pedestrian accidents, trucking accidents, motorcycle,
7 those type of things.

8 I have taken those courses, probably taken roughly
9 about 1,100 hours of courses from that Institute that I can
10 recall. Many, many different courses there.

11 Q Any other schools or courses you have taken that we
12 would discuss in a case like this, that goes to expertise in a
13 case like this?

14 A Reconstruction courses, as indicated, for University
15 of North Florida. I actually taught for that school, taught
16 four or five courses for that school.

17 Taught reconstruction characteristics for the State of
18 Florida. I took additional courses with the Society of
19 Automotive Engineers in braking, trucking, motor vehicle
20 technology, those kind of things.

21 And I actually did crash testing myself; meaning,
22 during the class, we'd set up situations where cars would crash
23 into each other. I drove those cars.

24 In most occasions they were not high speed collisions.
25 They were collisions, I believe, up to 25; I'm not sure about

1 the exact mileage. I would be involved in that to see how a
2 person would react belted in a motor vehicle, what type of
3 damage the cars would take.

4 I've been, as I indicated, to ATA school, actually
5 crashed and conducted crash testing of trucks. I've been to one
6 trucking school where a truck was actually crashed. I've been
7 present when a train crashed into a car.

8 Q On purpose or by accident?

9 A On purpose. Actually staged collisions so that kind
10 of gives you an idea how the collision occurs and what to look
11 for when investigating an accident from the police's
12 perspective, what they should look for and what type of
13 information they should verify on the scene.

14 Q Dr. Fogarty talked about ACTAR.

15 Are you familiar with that?

16 A I've heard of that program. Yes.

17 Q He discussed something about three levels of
18 investigators. The first level being the least experienced, and
19 the third level the most experienced.

20 A For that organization, I'm not entirely certain of
21 the level for that organization. I go with the information on
22 the CV.

23 In Dr. Rudy Limpert's book, there's three levels;
24 Level I would be the least.

25 Q According for Dr. Limpert--

1 A Dr. Limpert, yes.

2 Q --do you meet or qualify as a Level III according to
3 Dr. Limpert, above the ACTAR organization, above and beyond?

4 A Yes. That's correct. Yes.

5 Q Now, you discussed the courses you've attended.
6 Tell us about the courses you taught.

7 A Well, I believe I've covered some of them.
8 Primarily, I taught courses that first time
9 investigators would get all the way up through an accident
10 reconstruction.

11 Some different agencies deal with their officers as
12 corporals, they handle that type of investigation. And then
13 there are other police departments they actually assign it to
14 traffic and that's what they would do.

15 I've certified approximately 400 people for the State
16 of Florida and a couple of other states as well, Georgia and
17 Carolina send people to classes.

18 I've also taught, as I indicated, crash testing and
19 all this information involving motor vehicles, seat belt
20 analysis, crash analysis, using different types of formulas,
21 skid tests, those types of things. Those are used in the
22 classes I've taught.

23 Q How long did you teach police officers at the
24 Academy, and about how many have you taught?

25 A I taught eleven years at the Police Academy, and I

1 have taught approximately 4,000 police officers. And, again,
2 that would be in traffic investigation and DUI investigation.
3 400 for accident investigation or accident reconstruction, they
4 would be separate.

5 Q At what locations did you teach police officers?

6 A I've taught primarily in the State of Florida.

7 I've taught in Dade County, Palm Beach County, Broward
8 County, University of North Florida, and in different locations
9 around the State.

10 I don't recall right now. I believe Newport Ritchie
11 was one, Jacksonville, St. Augustine, all different locations
12 somewhere within the State of Florida.

13 Q To teach accident reconstruction to police officers
14 you have to be qualified and/or certified?

15 A Yes. You do.

16 Q And are you?

17 A Yes.

18 Q Any particular reason why you are not teaching now?

19 A I taught eleven years. That's what I considered to
20 be enough.

21 Teaching hours are actually odd. Most of the officers
22 take classes 6:00 to 10:00 at night, and they go for a long
23 period of time; eight-hour courses actually go for a month.

24 As I indicated, I did several of those courses for
25 eleven years. It was enough to teach; I was burnt down to be

1 honest.

2 Now, as I indicated, I help doing additional things,
3 give officers information, things like that. I've taught at the
4 university. A few officers have called me that have been my
5 students, done a lot of that kind of work.

6 As far as teaching, I've had enough.

7 Q Do you have kids of your own?

8 A Yes.

9 Q You have other things to do besides work?

10 A Right.

11 Q Have you been tendered as an expert in accident
12 reconstruction issues in court in Dade, Broward and Palm Beach
13 Counties?

14 A Yes.

15 Q And other Counties?

16 A Yes.

17 Q Other places around the State?

18 A Yes.

19 Q Other places around the country?

20 A Yes.

21 Q Other places around the world?

22 A No, just the United States.

23 Q Big country.

24 A That's enough.

25 Q About how many times have you been tendered as an

1 expert witness in a courtroom?

2 A Well, in this kind of work, approximately 500 times.
3 Doing additional things, over a thousand.

4 Q Do you have many open cases you are working on right
5 now of accident reconstruction in nature?

6 A Yes.

7 Q About how many, approximately?

8 A Probably in the neighborhood of about 200, maybe 210
9 open cases. Some of those cases probably not much doing with
10 the case or I will evaluate it with the attorney at some other
11 point. I have that many open cases right now.

12 Q Do you sometimes give opinions to attorneys they
13 don't want to hear?

14 A The majority of the time, probably over fifty percent
15 of the time, really nothing doing, or give the attorney an
16 opinion that's not helpful to him or her.

17 Q Do you have any open cases with the Broward State
18 Attorney's Office?

19 A I have two I'm aware of, the Rutherford case; and the
20 other, I'm not sure.

21 Q Any open pending cases with the United States
22 Government, working with the United States Government, the U.S.
23 Attorneys?

24 A Yes.

25 Q About how many?

1 A I have three that I'm aware of. I don't recall
2 exactly what the activity is on the file.

3 Three with the U.S. Attorney's Office. Two of them
4 are postal-type accidents, and one involves a Marshall's service
5 car.

6 Q Do you consider yourself an Engineer?

7 A Yes. Absolutely.

8 Q What kind?

9 A Well, basically, an Industrial Engineer. There's
10 many different kinds of engineers, probably 200, 220. I
11 consider the activities I do engineering in nature.

12 I've been doing that as a police officer for the time
13 I was an officer as well.

14 Q Do you feel qualified to speak as an Engineer?

15 A In my field. Certainly wouldn't get outside my
16 field. I wouldn't talk about electrical engineering or fluid
17 dynamics, that's not my field. I stick to my field.

18 Q In this particular case, have you had a chance to
19 review the diagrams and mathematical formulas propounded by
20 Dr. Fogarty?

21 A I reviewed everything I could read in this case.

22 MS. ADAMS: May I voir dire?

23 THE COURT: Voir dire on what he has reviewed?

24 MR. CATALANO: This is not the time for that.

25 THE COURT: Overruled right now.

1 Q (BY MR. CATALANO.) Have you reviewed them?

2 A Yes, I have.

3 Q Is your education in Physics, all that complicated
4 math, all those symbols?

5 A Again, the field that I do work in. As I've
6 maintained, I don't do fluid dynamics, couldn't probably get the
7 space shuttle off the ground.

8 In my field, the calculations I use in my work are the
9 calculations I'm familiar with.

10 Q Have you written any publications and training
11 outlines?

12 A Yes. I've written both.

13 Q About how many?

14 A Training outlines probably for the State and for
15 police, hundreds. Hundreds of them over the eleven years.

16 For each particular class I had to have an outline
17 that had to be approved by the State.

18 Publications, five or six publications; outlines,
19 many, many.

20 Q Are you a member of any associations involved in
21 traffic reconstruction and so forth?

22 A Yes.

23 Q And which ones, if you could give us?

24 A I believe the Society of Automotive Engineers and
25 National Association of Traffic Accident Reconstructionists are

1 the main ones.

2 Q I want to ask you some questions about this
3 particular case.

4 Have you had an opportunity to evaluate the
5 photographs and diagrams involved in this case?

6 A Yes.

7 Q Now, before you came in to testify today, while the
8 jury was in the other room, did you have a chance to look over
9 all the photographs, and diagrams, and charts already in
10 evidence?

11 A Yes, I did.

12 Q Except for the fact some of these were blown up
13 recently, you basically have seen all that?

14 A As far as I know, I've seen everything.

15 Q On the Galiana case, did you personally go to the
16 accident scene in 99th Place and Southwest Eighth Street in
17 Miami, Dade County?

18 A Yes, I did.

19 Q About when did you first get involved in this case?

20 A I first became involved in September 22nd of 2001. I
21 believe that's when I received some material.

22 I assume, I spoke with you some time prior to that.

23 Q Are you being paid to work on this case?

24 A Well, I don't know.

25 I'm billing. I put in a bill to your office. It's an

1 indigent case; so, I assume some time in the next seven or eight
2 years I'll probably get paid.

3 Q Paid by Dade County?

4 A Being paid by Dade County.

5 Q At County rate?

6 A That's right.

7 Q Which is how much an hour?

8 A I don't even know. I think \$75 an hour. I could be
9 mistaken.

10 Q You submit the bill and you wait?

11 A I wait years. Generally years, and years, and years
12 generally, four sometimes.

13 Q Okay. You've had a chance to look over the
14 photographs and had a chance to go to the scene, right?

15 A Yes.

16 Q You don't know my client, do you?

17 A Never met your client.

18 Q You know Mrs. Cain, met her for the first time in
19 this case?

20 A I did.

21 Q You understand she's actually lead Counsel?

22 A That's my understanding.

23 Q You know me from some other cases?

24 A I knew you from previous cases.

25 Q And did you meet me when I was a State Attorney years

1 ago?

2 A Yes.

3 MS. ADAMS: Objection to Counsel testifying on that
4 fashion.

5 THE COURT: Ask open-ended questions.

6 Q When did you first meet me?

7 A A long time ago. You were a State Attorney. I don't
8 recall the year. Some time ago I first met you.

9 Q Have you ever met me in any seminar or meeting of
10 experts in the field?

11 A Yes, I have.

12 Q Now, did you also go out and take your own
13 photographs in this case?

14 A I took some photos. Yes, sir.

15 And I also took, I did actually measurements of the
16 case to do a scene diagram.

17 Q How did you do the measurements?

18 A Used in-site survey station.

19 That's what I've used previously with one of my
20 assistants.

21 Q What does that mean?

22 A A fancy name for when you see people in the road
23 surveying, see them with a stick basically measuring
24 point-to-point and basically constructing a diagram or
25 constructing the scene; and that's really what I did.