

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

-----x

ANGEL PERALTA ORDONEZ,

Plaintiff,

Index No.

505984/

2023

-against-

BOERUM HILL 82 LLC, KLEIN'S  
SAFETY, INC., and TARGET  
CONSTRUCTION LLC,

Defendants.

-----x

BOERUM HILL 82 LLC, and TARGET  
CONSTRUCTION LLC,

Third-Party Plaintiffs,

-against-

SHH MANAGEMENT a/k/a  
SPARKLEENING,

Third-Party Defendants.

Zoom Meeting

DATE: October 31, 2024

TIME: 10:00 a.m.

EXAMINATION BEFORE TRIAL of ANGEL PERALTA

1

2     ORDONEZ, the Plaintiff in the above-entitled  
3     action, taken by the Defendant, held at the above  
4     time and place before Janine Alto, a Notary Public  
5     within and for the State of New York, pursuant to  
6     Order.

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

IT IS STIPULATED AND AGREED by and  
between the attorneys for the respective parties  
herein, and in compliance with Rule 221 of the  
Uniform Rules for the Trial Courts:

THAT the parties recognize the provision  
of Rule 3115 subdivisions (b), (c) and/or (d).  
All objections made at a deposition shall be noted  
by the officer before whom the deposition is  
taken, and the answer shall be given and the  
deposition shall proceed subject to the objections  
and to the right of a person to apply for  
appropriate relief pursuant to Article 31 of the  
CPLR.

THAT every objection raised during a  
deposition shall be stated succinctly and framed  
so as not to suggest an answer to the deponent  
and, at the request of the questioning attorney,  
shall include a clear statement as to any defect  
in form or other basis or error or irregularity.  
Except to the extent permitted by CPLR Rule 3115  
or by this rule, during the course of the  
examination persons in attendance shall not make  
statements or comments that interfere with the

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2 questioning.

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4 THAT a deponent shall answer all  
5 questions at a deposition, except (i) to preserve  
6 a privilege or right of confidentiality, (ii) to  
7 enforce a limitation set forth in an order of a  
8 court, or (iii) when the question is plainly  
9 improper and would, if answered, cause significant  
10 prejudice to any person. An attorney shall not  
11 direct a deponent not to answer except as provided  
12 in CPLR Rule 3115 or this subdivision. Any  
13 refusal to answer or direction not to answer shall  
14 be accompanied by a succinct and clear statement  
15 of the basis therefore. If the deponent does not  
16 answer a question, the examining party shall have  
17 the right to complete the remainder of the  
18 deposition.

19 THAT an attorney shall not interrupt the  
20 deposition for the purpose of communicating with  
21 the deponent unless all parties consent or the  
22 communication is made for the purpose of  
23 determining whether the question should not be  
24 answered on the grounds set forth in section 221.2  
25 or these rules and, in such event, the reason for  
the communication shall be stated for the record

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succinctly and clearly.

THAT failure to object to any question or to move to strike any testimony at this examination shall not be a bar or waiver to make such objection or motion at the time of the trial of this action, and is hereby reserved; and

THAT this examination may be signed and sworn to by the witness examined herein before any Notary Public, but failure to do so or to return the original of the examination to the attorney on whose behalf the examination is taken shall not be deemed a waiver of the rights provided by Rules 3116 and 3117 of the CPLR, and shall be controlled thereby, and

THAT certification and filing of the original of this examination are waived; and

THAT the questioning attorney shall provide counsel for the witness examined herein with a copy of this examination at no charge.

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

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HARMON LINDER &amp; ROGOWSKY, ESQS.

Attorneys for Plaintiff

5

3 Park Avenue, 23rd Floor, Suite 2300

New York, New York 10016

6

BY: MAX S. SVERDLOVE, ESQ.

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8

GARTNER + BLOOM P.C.

Attorneys for Defendants

9

BOERUM HILL 82 LLC and TARGET  
CONSTRUCTION LLC.

10

801 Second Avenue, 11th Floor

New York, New York 10017

11

BY: NICOLA DUFFY, ESQ.

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13

GOETZ, SCHENKER, BLEE &amp; WIEDERHORN

Attorneys for Defendant

14

KLEIN'S SAFETY INC

101 Greenwich Street

15

New York, New York 10006

BY: ADAM KIPNIS, ESQ.

16

17

CORNELL GRACE, P.C.

18

Attorneys for Defendant

SHH MANAGEMENT a/k/a

19

SPARKLEENING

111 Broadway

20

New York, New York 10006

BY: JASON MENESES, ESQ.

21

22

Also Present:

23

Pedro Jimenez

Legal World Interpreting

24

Spanish Interpreter

25

1 Angel Peralta Ordonez

7

2 THE REPORTER: Good morning.

3 Since we are holding this deposition  
4 virtually, via Zoom, do all Counsel  
5 stipulate on the record that the witness  
6 can be sworn in virtually and the  
7 testimony can be taken down virtually?

8 MR. SVERDLOVE: So stipulated.

9 MS. DUFFY: So stipulated.

10 MR. KIPNIS: So stipulated.

11 MR. MENESES: So stipulated.

12 THE REPORTER: Mr. Kipnis and Mr.  
13 Meneses, will you be ordering copies of  
14 the transcript?

15 MR. KIPNIS: Yes.

16 MR. MENESES: Yes.

17 THE REPORTER: Pursuant to the  
18 new New York Notary Law, I will ask the  
19 witness to produce identification for the  
20 record.

21 (Whereupon, at this time, the  
22 witness produced his Republic of Ecuador  
23 identification.)

24 P E D R O J I M I N E Z, the interpreter herein,  
25 having been duly sworn to translate from

1                   Angel Peralta Ordóñez                   8  
2           Spanish to English and English to Spanish by a  
3           Notary Public in and for the State of New York,  
4           translated as follows:

5   A N G E L   P E R A L T A   O R D O Ñ E Z, called as  
6           a witness, having been first sworn through the  
7           interpreter, was examined and testified as  
8           follows:

9   EXAMINATION BY  
10   MS. DUFFY:

11           Q.           Would you please state your full  
12           name for the record?

13           Though Interpreter..

14           A.           Angel Peralta Ordóñez.

15           Q.           What is your current address?

16           A.           479 William Floyd, Shirley, New  
17           York 11967.

18           Q.           Good morning, sir. My name is  
19           Nicola Duffy and I represent some of the  
20           defendants in this case. I'm going to ask you a  
21           series of questions today concerning the  
22           accident on November 8th of 2022. I'm just  
23           going to ask that you answer the questions  
24           verbally and that you wait for the question to  
25           be translated to you before answering, okay?



1 Angel Peralta Ordóñez

9

2 A. Yes.

3 Q. Sir, have you had any medication,  
4 any drugs or alcohol, that may affect your  
5 ability to testify today?

6 A. Yes. I've been taking medicine,  
7 but I don't know the name.

8 Q. Does that affect your ability to  
9 testify?

10 A. No.

11 Q. The medicine that you took, what  
12 was it for?

13 A. For the pains in my body.

14 Q. Was that prescribed to you by any  
15 doctor?

16 A. The doctors from the therapy.

17 Q. What's the name of the doctor  
18 that prescribed this medication?

19 A. I do not know his name.

20 Q. When did you take this  
21 medication?

22 A. I take it every day.

23 Q. Did you take it today?

24 A. No, I did not take it today. I  
25 always take it around 2:00 p.m.

1                   Angel Peralta Ordóñez                   10  
2           Q.           So would I be correct in assuming  
3   that the last time that you took this medication  
4   was 2:00 p.m. yesterday?

5           A.           Yes.

6           Q.           Other than any conversations with  
7   your attorney, did you do anything to prepare  
8   for the deposition today?

9           A.           I'm sorry, I did not hear you  
10 properly.

11          Q.           Did you review any documents in  
12 preparation for today's deposition?

13          A.           No.

14          Q.           Did you speak to anybody other  
15 than your attorney about the deposition today?

16          A.           I have not spoken with anybody;  
17 just with my lawyer.

18          Q.           Sir, do you speak any English at  
19 all?

20          A.           No.

21          Q.           Are you able to understand  
22 English at all?

23          A.           (No verbal response given).

24          Q.           Sir, you must keep all your  
25 answers verbal.

1 Angel Peralta Ordenez 11

2 A. No, that's what I said. I don't  
3 know how to speak English.

4 Q. Can you give me your full name,  
5 please?

6 A. Angel Fernando Peralta Ordenez.

7 Q. Do you have any nicknames?

8 A. No.

9 Q. Sir, are you currently married?

10 A. No.

11 Q. Earlier you said that your wife  
12 was going to send you a photograph of your ID?

13 A. She's my girlfriend.

14 Q. Okay. Have you ever been  
15 married?

16 A. No.

17 Q. Sir, do you have a Social  
18 Security number?

19 A. No.

20 Q. What is your birthday? We will  
21 only put the year on the record.

22 A. 2004.

23 Q. Where were you born?

24 A. Ecuador. Guayaquil.

25 Q. When did you come to the United

1 Angel Peralta Ordóñez

12

2 States?

3 A. 2022.

4 Q. Sir, do you know the month that  
5 you came?

6 A. September.

7 Q. How did you come to the United  
8 States?

9 MR. SVERDLOVE: Note my  
10 objection. I'm going to direct him not  
11 to answer that.

12 MR. KIPNIS: She's not asking  
13 about immigration status. She's asking  
14 how he came to the United States. It's a  
15 completely appropriate question.

16 MR. MENESES: I agree.

17 MR. SVERDLOVE: I will allow that  
18 question.

19 THE INTERPRETER: I'm sorry,  
20 Counsel, I didn't hear that. Are you  
21 allowing him to answer?

22 MR. SVERDLOVE: Yes, he can  
23 answer that question.

24 A. Through the border. I have no  
25 documents.

1 Angel Peralta Ordóñez

13

2 Q. Have you been in New York since  
3 September of 2022?

4 A. Yes.

5 Q. The address that you gave, 479  
6 William Floyd, how long have you been residing  
7 at that address?

8 A. Five months ago.

9 Q. Prior to living at William Floyd,  
10 where did you live?

11 A. Before living there, I lived  
12 somewhere else where I don't remember the  
13 address very well. It was, like, around 112.

14 Q. Sir, how many addresses have you  
15 lived at in New York?

16 A. Like, three.

17 Q. When you first came to New York,  
18 do you recall the address that you lived at?

19 A. Yes.

20 Q. What is that address?

21 A. 110-36 Corona Avenue.

22 Q. How long did you live at that  
23 address?

24 A. Three months.

25 Q. Did you live there with anybody?

1 Angel Peralta Ordonez

14

2 A. Yes, with my father.

3 Q. When you left there, do you  
4 recall where you went?

5 A. Yes. I went to 112-03 College  
6 Point.

7 Q. How long did you live at the  
8 College Point address?

9 A. I lived there, like, two months.

10 Q. Did you live there with anybody?

11 A. With my father.

12 Q. Do you recall where you were  
13 living at the time of this accident in November  
14 of 2022?

15 A. Yes. In Corona, Queens.

16 Q. Have you ever lived at 114-45  
17 180th Street Jamaica?

18 A. Yes.

19 Q. When did you live there?

20 A. When?

21 Q. Yes.

22 A. Like, seven, eight, months ago.  
23 My father lived there with me.

24 Q. Have you lived at any other  
25 address in New York?

1                                   Angel Peralta Ordóñez                                   15

2                   A.               No.   Only 469 William Floyd where

3   I'm currently living today.

4                   Q.               Does anyone live at William Floyd

5   with you?

6                   A.               Yes, my girlfriend, nobody else.

7                   Q.               What's your girlfriend's name?

8                   A.               Maria Ingracia.   I-N-G-R-A-C-I-A.

9                                   MR. KIPNIS:   What is the town of

10                   the William Floyd address?

11                                   MS. DUFFY:   Shirley.

12                  Q.               Sir, have you ever been deposed

13   before?

14                  A.               No.

15                  Q.               The address at William Floyd, is

16   that an apartment or a house or something else?

17                  A.               It's a house.

18                  Q.               Are there stairs to get into the

19   house?

20                  A.               No.

21                  Q.               Are there stairs in the house?

22                  A.               No.

23                  Q.               So it's a single-story house,

24   correct?

25                  A.               Yes.

1 Angel Peralta Ordóñez 16

2 Q. Do you own or rent that house?

3 A. I rent.

4 Q. What is your monthly rent?

5 A. Like, \$900.

6 Q. Sir, what is your highest level

7 of education?

8 A. 'Til what grade I reached, right?

9 Q. Yes.

10 A. Ninth grade.

11 Q. Is that approximately age 12 or

12 13?

13 A. No, that's when I was, like, 16,

14 17.

15 Q. Have you undertaken any courses

16 in construction?

17 A. Only the OSHA courses.

18 Q. Have you done any

19 apprenticeships?

20 A. Only the OSHA courses.

21 Q. What OSHA courses have you done?

22 A. Related to construction. For

23 instance, like, the clothing you're supposed to

24 wear, all of that.

25 Q. Where did you take these courses?



1 Angel Peralta Ordóñez 17

2 A. When I first arrived.

3 Q. My question is where did you take

4 these courses?

5 A. There in Corona in Queens.

6 Q. Was this in a classroom?

7 A. Yes.

8 Q. Were the courses in Spanish?

9 A. Yes.

10 Q. Can you approximate how many

11 hours of courses that you did?

12 A. I did 32.

13 Q. Did the courses include fall

14 protection?

15 A. Yes.

16 Q. Safety equipment?

17 A. Yeah, all of that.

18 Q. Okay. Sir, what is your height?

19 A. I would not be able to say.

20 Q. Do you know what height you are?

21 A. Approximately 1 meter 60

22 centimeters.

23 Q. What is your weight?

24 A. Weight is 170.

25 Q. Has your weight changed since the

1 Angel Peralta Ordóñez

18

2 date of the accident?

3 A. Yes.

4 Q. Have you lost weight or gained  
5 weight?

6 A. I've gained.

7 Q. Are you claiming that you've  
8 gained weight as a result of your injuries?

9 A. I don't know really.

10 Q. Are you right-handed or  
11 left-handed?

12 A. Righty.

13 Q. Sir, do you wear any type of  
14 glasses or contact lenses ever?

15 A. When I was more little, yes, I  
16 used glasses.

17 Q. Do you have to use glasses now?

18 A. No.

19 Q. Sir, when you came to New York in  
20 September of 2022, did you begin working  
21 immediately?

22 A. I started to work, like, two  
23 months after, more or less.

24 Q. When you first started working,  
25 who were you employed by?

1 Angel Peralta Ordóñez

19

2 A. I started in a construction  
3 company.

4 Q. Do you know the name of that  
5 company?

6 A. I do not know the name.

7 Q. What was your role with that  
8 company?

9 A. How do I explain? Helper.

10 MS. DUFFY: Can I get that answer  
11 read back?

12 (Whereupon, the record was read  
13 as requested.)

14 Q. How long were you working for  
15 this company?

16 A. I worked for them for, like,  
17 about three months.

18 Q. Was this the company that you  
19 were working for at the time of your accident?

20 THE INTERPRETER: I'm sorry, can  
21 I get a read back?

22 (Whereupon, the record was read  
23 as requested.)

24 A. No.

25 Q. As a helper for this company,

1 Angel Peralta Ordóñez

20

2 what did you do?

3 A. Pass material, pick up garbage,  
4 things like that.

5 Q. Were you located at one  
6 particular job site?

7 A. What do you mean, more or less?  
8 I did not understand that part.

9 Q. When you were working for this  
10 company, did you go to the same job site every  
11 day?

12 A. Yes.

13 Q. Where was this job site?

14 A. I'm sorry. Which company are you  
15 talking about? Where I suffered my accident or  
16 where I worked before my accident?

17 Q. Where you were working before  
18 your accident.

19 A. I don't remember the location.

20 Q. Did you receive any training with  
21 that company?

22 A. No.

23 Q. When did you leave that company?

24 A. When did I leave?

25 Q. Yes.

1 Angel Peralta Ordóñez

21

2 A. I don't remember, to tell you the  
3 truth.

4 Q. The company that you were working  
5 for at the time of your accident, do you know  
6 what that company was called?

7 A. Yes.

8 Q. What was the name of that  
9 company?

10 A. Sparkleening.

11 Q. What type of company was  
12 Sparkleening?

13 A. A cleaning company for buildings  
14 that were under construction.

15 Q. How long were you working for  
16 Sparkleening?

17 A. I worked for them for, like, two  
18 weeks, and then I suffered my accident.

19 Q. When you began working for  
20 Sparkleening, did you undergo any training?

21 A. No.

22 Q. What was your role with  
23 Sparkleening?

24 A. Cleaning.

25 Q. Can you explain?

1 Angel Peralta Ordóñez

22

2 A. Cleaning the garbage that the  
3 other workers would leave, cleaning the floors,  
4 things like that.

5 Q. Did you have someone that you  
6 reported to?

7 A. Yes.

8 Q. What was that person's name?

9 A. Chris.

10 Q. Do you know his last name?

11 A. No.

12 Q. Do you know if Chris had a title?

13 A. I don't know.

14 Q. Do you know if there was a  
15 foreman for Sparkleening at this company?

16 A. Foreman?

17 Q. Yes.

18 A. All I know is that Chris was  
19 manager.

20 Q. Were you working at the same job  
21 site for the two weeks prior to your accident?

22 A. Yes.

23 Q. And, did Chris tell you what to  
24 do at this job site?

25 A. Yes, they would tell us what we

1 Angel Peralta Ordóñez

23

2 needed to do.

3 Q. And, that would involve cleaning  
4 the floors and taking out garbage I think you  
5 said; is that correct?

6 A. Yes.

7 Q. What time did you begin work at  
8 this particular job site for Sparkleening?

9 A. What time?

10 Q. Yes, what time did you start  
11 work?

12 A. At 8:00, 7:00.

13 Q. And, what time did you typically  
14 finish work?

15 A. At 5:00.

16 Q. How many days a week did you  
17 work?

18 A. From Monday through Friday.

19 Q. When you first came to this job  
20 site, was it 82 4th Avenue?

21 A. Yes.

22 Q. When you first presented to 82  
23 4th Avenue, did you undergo any type of  
24 orientation?

25 A. No, they just made me fill out

1 Angel Peralta Ordóñez

24

2 some papers, they made me sign, and they put me  
3 to work.

4 Q. Did Sparkleening have an office  
5 at this job site?

6 A. No.

7 Q. Did you attend any types of  
8 meetings at this job site with Sparkleening?

9 A. No.

10 Q. Can you describe a typical day at  
11 this job site?

12 A. I'm sorry, I don't understand  
13 that part.

14 Q. Okay. You would get to work at  
15 7:00 or 8:00 a.m.; is that correct?

16 A. Yes.

17 Q. When you would first get to work,  
18 what would you do?

19 A. They would just send me to pick  
20 up the garbage.

21 Q. Who would send you to pick up the  
22 garbage?

23 A. The manager.

24 Q. Was that Chris?

25 A. Yes.



1 Angel Peralta Ordóñez

25

2 Q. When you first got to the job  
3 site, did you look for Chris or did you know  
4 where he would be or something else?

5 A. No, we didn't look for him. He  
6 would send us through text messages what we  
7 needed to do.

8 Q. Was Chris at the job site?

9 A. Yes, sometimes he would go.

10 Q. If Chris was not there, was there  
11 someone else that you would report to?

12 A. There was another coworker who  
13 they would call. She was in charge of the  
14 groups.

15 Q. Do you recall her name?

16 A. No, I do not remember her name.

17 Q. Did she work for Sparkleening?

18 A. Yes.

19 Q. Are you able to describe what she  
20 looks like?

21 A. She was short, dark-skinned.

22 Q. Can you approximate what age she  
23 was?

24 A. 23 years old.

25 Q. After you would take out the

1 Angel Peralta Ordóñez

26

2 garbage, would you then speak to either this  
3 lady or Chris about what else you needed to do?

4 A. No.

5 Q. After you took out the garbage,  
6 what would you do?

7 A. After we took out the garbage, we  
8 would go to our break.

9 Q. What time did you typically take  
10 a break at?

11 A. Between 12:00 and 12:30.

12 Q. After your break, what would you  
13 do?

14 A. Chris would go to the boss of the  
15 group, and then she would write to us telling us  
16 what we needed to do.

17 MS. DUFFY: Janine, can I get  
18 that answer read back?

19 (Whereupon, the record was read  
20 as requested.)

21 Q. Would she write to you in  
22 Spanish?

23 A. Yes.

24 Q. And, what type of things would  
25 you do after your break that Chris or this lady

1 Angel Peralta Ordonez

27

2 would be telling you to do?

3 A. We would go clean the remaining  
4 floors that still needed cleaning.

5 Q. What time did you finish work?

6 A. At 5:00 we would be.

7 Q. Did you have to sign in or out of  
8 this job site?

9 A. Yes.

10 Q. Your accident occurred on  
11 November 8th of 2022; is that correct?

12 A. Yes.

13 Q. Do you know what day of the week  
14 that was?

15 A. No.

16 Q. Do you know the time that your  
17 accident took place on that day?

18 A. Around 10:00; around there.

19 Q. So when the accident took place,  
20 were you taking out garbage?

21 A. Yes.

22 Q. Do you know what stage of  
23 construction this building was at?

24 A. On what floor?

25 Q. Was the building enclosed?

1 Angel Peralta Ordóñez

28

2 A. Inside, for instance, they were  
3 just putting up the wood.

4 Q. Were there windows installed?

5 A. Yes.

6 Q. Were there staircases installed?

7 A. Yes, everything was constructed.  
8 The stairways, everything.

9 Q. Were there elevators in this  
10 building?

11 A. There were elevators, but they  
12 were still not functioning.

13 Q. Do you know how many stories this  
14 building was?

15 A. I don't remember how many floors  
16 it had.

17 Q. Do you recall where in the  
18 building your accident took place?

19 A. In which building?

20 Q. Was there more than one building  
21 at this job site?

22 A. Around it there were other  
23 buildings.

24 Q. Were you working at the other  
25 buildings also?

1 Angel Peralta Ordonez

29

2 A. No.

3 Q. Do you remember where in the  
4 building you were working at when you had your  
5 accident?

6 MR. SVERDLOVE: Note my objection  
7 to form.

8 A. On what floor I was in?

9 Q. Yes.

10 A. I was on the third floor going  
11 down to the second.

12 Q. Were you on a staircase?

13 A. I'm sorry?

14 Q. Were you on a staircase?

15 A. Yes, I was going down the  
16 stairway.

17 Q. What were you wearing on the day  
18 of the accident?

19 A. Hard hat, my work boots with  
20 steel toe. I had a shirt on, green shirt; and  
21 pants, long pants.

22 Q. Do you recall if Chris was on the  
23 site on the day of your accident?

24 A. Yes.

25 Q. Had Chris directed your work that

1 Angel Peralta Ordóñez

30

2 morning?

3 MR. MENESES: Note my objection.

4 A. Yes.

5 Q. What did he tell you to do?

6 A. That we had to clean all the  
7 floors and at the end, we needed to bring down  
8 the garbage bags.

9 Q. I believe you said that the  
10 accident happened at around 10:00 a.m.?

11 A. 10:00 to 11:00.

12 Q. Had you taken out any garbage  
13 prior to your accident happening?

14 A. No, we hadn't taken out garbage  
15 yet. We were just bringing the garbage bags  
16 down.

17 Q. Where were you bringing the  
18 garbage bags from?

19 A. We were coming down from, like,  
20 the terrace. Like, the part that's really high  
21 up, like, from the last floor.

22 Q. Do you know how many floors you  
23 came down?

24 A. I came down, like, four floors.

25 Q. Were you carrying the garbage

1                                   Angel Peralta Ordóñez

31

2       down all four floors?

3                   A.           Yes. We had to bring down the  
4       garbage to bring it out.

5                   Q.           When you were directed to take  
6       the garbage out on this particular day, did you  
7       take it from a specific floor all the way to the  
8       ground floor?

9                                   MR. MENESES: Note my objection.

10                  A.           We had to bring down the garbage  
11       from all the floors.

12                  Q.           Sir, did you bring it down from  
13       one floor to the floor below, and then collect  
14       the garbage from the floor below, and then bring  
15       down the garbage to the next floor, or something  
16       else? Can you explain how it was done, please?

17                  A.           We would start with the highest  
18       floor down, and we would go cleaning downwards.  
19       We would bring the bags, like, two floors down  
20       each time, and clean the floor above, and clean  
21       the floor that way.

22                  Q.           How many people were working for  
23       Sparkleening on this job on that date?

24                  A.           Um, five.

25                  Q.           Do you recall their names?

1 Angel Peralta Ordóñez

32

2 A. No.

3 Q. Prior to the accident happening,  
4 had you taken any garbage from the third floor  
5 to the second floor?

6 A. No, it was the last one.

7 Q. Had anyone else from Sparkleening  
8 taken garbage from the third floor to the second  
9 floor?

10 A. Yes.

11 Q. Do you know when they had taken  
12 the garbage from the third floor to the second  
13 floor?

14 A. I'm sorry, what?

15 Q. Do you know when they had taken  
16 the garbage from the third floor to the second  
17 floor?

18 A. When?

19 Q. When.

20 A. When we had finished cleaning the  
21 floor above. We only need to, like, finish  
22 taking that garbage out to finish the day.

23 Q. Had they taken the garbage out  
24 right before you took the garbage down those  
25 stairs?



1 Angel Peralta Ordóñez

33

2 A. No.

3 Q. How long prior to you taking the  
4 garbage out had they taken the garbage out?

5 A. I'm sorry, how long what?

6 Q. You said that other people from  
7 Sparkleening had taken garbage out prior to you  
8 taking the garbage from the third floor to the  
9 second floor; is that correct?

10 A. No. We were all bringing down  
11 garbage because there was a lot.

12 Q. Did all five Sparkleening  
13 employees take the garbage out around the same  
14 time?

15 A. Yes.

16 Q. And, you were the last to come  
17 down those stairs between the third floor and  
18 the second floor?

19 A. No.

20 Q. Do you know how many people took  
21 the garbage out prior to you going down those  
22 stairs?

23 A. Yeah. Behind me there was, like,  
24 two more people coming down.

25 Q. Okay. Where did you get the

1 Angel Peralta Ordóñez

34

2 garbage bags from?

3 A. Those were garbage bags that we  
4 were bringing down from the third floor to  
5 finish.

6 Q. Were the garbage bags kept in a  
7 particular location at the job site and you  
8 would then fill them up?

9 A. Yes.

10 Q. Where were they kept?

11 A. We would leave them, like, one  
12 floor before the floor that we were going to  
13 clean.

14 Q. Did Chris or this lady give them  
15 to you at the beginning of each day?

16 A. Yes.

17 Q. The staircase between the third  
18 and the second floor, how was the lighting in  
19 this area?

20 A. The light; yes, you could see it.

21 Q. Was there anything on the stairs  
22 that you saw prior to walking down the stairs?

23 A. They were dirty.

24 Q. When you say they were dirty --

25 A. They had, like, debris.

1 Angel Peralta Ordóñez

35

2 Q. What type of debris was on the  
3 stairs?

4 A. It had, like, pieces of wood  
5 thrown around; pieces of blocks. It was the  
6 things that they would cut.

7 Q. Is this the type of thing that  
8 Sparkleening would clean up?

9 A. Yes.

10 Q. Was someone from Sparkleening  
11 supposed to clean the stairs prior to you guys  
12 using the stairs?

13 MR. MENESES: Note my objection.

14 A. I would not be able to say.

15 Q. When your accident happened, how  
16 many garbage bags were you carrying?

17 A. Two.

18 Q. Was it one in each hand?

19 A. Yes.

20 Q. Can you approximate the weight of  
21 each of those garbage bags?

22 A. Approximate weight, I wouldn't be  
23 able to say, but they were heavy.

24 MR. MENESES: I'm sorry, I missed  
25 how many bags he was carrying.

1 Angel Peralta Ordóñez

36

2 MS. DUFFY: Two.

3 Q. Was that answer they were not  
4 heavy?

5 THE INTERPRETER: Interpreter  
6 speaking, I believe he said they were.

7 Q. They were heavy. Sir, on your  
8 way down the stairs from the third floor to the  
9 second floor, do you recall what step you were  
10 on when you had your accident?

11 A. I was, like, going down, like, on  
12 the third step. I was going down on the third  
13 step.

14 Q. You were on the third step from  
15 the top?

16 A. Yes.

17 Q. Were you holding onto anything  
18 other than the garbage bags?

19 A. No, nothing else. Just the  
20 garbage bag.

21 Q. Was there a banister on the  
22 staircase?

23 A. I don't remember.

24 Q. Were the garbage bags trailing on  
25 the floor?

1 Angel Peralta Ordóñez

37

2 MR. KIPNIS: Can you repeat that  
3 question?

4 MS. DUFFY: I'll withdraw it.

5 Q. Sir, as you were walking down the  
6 stairs, were the garbage bags on the ground in  
7 any way?

8 A. I'm sorry, what?

9 Q. As you walked down the stairs,  
10 did the garbage bags touch the floor in any  
11 fashion?

12 A. No.

13 Q. Did you have both garbage bags in  
14 your arms?

15 A. Yes.

16 Q. Did any portion of the garbage  
17 bags tear as you walked down the stairs?

18 A. Yes.

19 Q. Do you know what caused them to  
20 tear?

21 A. The, like, pieces of wood that  
22 had nails on them and all that.

23 Q. Were these pieces of wood inside  
24 the garbage bags?

25 A. Yes.

1 Angel Peralta Ordóñez

38

2 Q. And, as you walked down the  
3 stairs, did anything fall out of these garbage  
4 bags?

5 A. Yeah, it would break, like, part  
6 of the garbage would stay on the floor.

7 Q. Can you read that answer back?  
8 (Whereupon, the record was read  
9 as requested.)

10 Q. Did any of these pieces of  
11 garbage or wood hit you as they fell?

12 A. I'm sorry, what?

13 Q. Did anything that fell out of the  
14 garbage bag hit you as it fell out?

15 A. No.

16 Q. Did you trip over anything that  
17 fell out of the garbage bag?

18 A. Yes.

19 Q. What did you trip over?

20 A. A piece of wood.

21 Q. Was this piece of wood on the  
22 third step?

23 A. Yeah, it was there. The whole  
24 stairway was dirty.

25 Q. Sir, did you not just say that

1 Angel Peralta Ordóñez

39

2 something fell out of the bag and that was what  
3 you tripped on?

4 MR. MENESES: I just want to note  
5 for the record that I'm going to move to  
6 strike the portions that were not  
7 responsive to that question.

8 A. Yes.

9 Q. When you fell, did you fall  
10 forwards?

11 A. Yes.

12 Q. Did any part of your body hit the  
13 stairs?

14 A. Yes.

15 Q. What part of your body hit the  
16 stairs?

17 A. Both knees, neck, and back.

18 Q. Did you slide down the stairs in  
19 any fashion?

20 A. Yes. Yes, I slid. I fell all  
21 the way down.

22 Q. Did you drop the garbage bags?

23 A. Yes.

24 Q. Did the garbage bags hit you as  
25 you dropped them?

1                                   Angel Peralta Ordóñez                                   40

2                   A.               No, they fell, like, to the side.

3                   Q.               Were you wearing a tool belt?

4                   A.               No, just the belt for my pants.

5                   Q.               Did your hard hat fall off?

6                   A.               Yes.

7                   Q.               Sir, have you ever heard of

8   Target Construction?

9                   A.               No.

10                  Q.               So it would be fair to say that

11   you don't know if anyone from Target

12   Construction was at this job site; would that be

13   correct?

14                  A.               No, I couldn't say.

15                  Q.               Have you ever heard of a company

16   called Boerum Hill 82?

17                  A.               No.

18                  Q.               After this accident occurred, was

19   there anyone that saw you fall?

20                  A.               Yeah, one of my coworkers saw how

21   I fell.

22                  Q.               Do you know the name of that

23   coworker?

24                  A.               I do not know his name.

25                  Q.               Are you able to describe him?



1 Angel Peralta Ordenez

41

2 A. Colombian, white.

3 Q. Do you know what age,  
4 approximately, he was?

5 A. He was, like, around 25.

6 Q. Did you report this accident to  
7 Chris or the lady or anybody else from  
8 Sparkleening?

9 A. Yeah, a bit after I suffered my  
10 accident, Chris came over.

11 Q. What did Chris say to you? If  
12 anything.

13 A. She's the one that called the  
14 ambulance and everything for them to go see me.

15 Q. Did they ask you what happened?

16 A. Yes.

17 Q. And, what did you tell them?

18 A. I told them that during the time  
19 that I was going down with the garbage bags, and  
20 from the debris and the stairs being not  
21 cleaned, so I told them with the debris since  
22 the stairways were not cleaned, that I fell  
23 because of that debris that was there.

24 Q. Did they say anything to you?

25 A. They told me to stay there, to

1                                   Angel Peralta Ordóñez                                   42

2       not move, that the ambulance would arrive.

3                   Q.           Did you ever fill out an accident  
4       report about the accident?

5                   A.           Not that I remember, no.

6                   Q.           Did you ever return to this job  
7       site?

8                   A.           No.

9                   Q.           Did anyone ever tell you that you  
10      took too much garbage down the stairs?

11                  A.           No.

12                  Q.           Have you returned to work at all?

13                  A.           No.

14                               THE INTERPRETER:   Counsel, I'm  
15      sorry, any chance we can take a break?

16                               MS. DUFFY:    Sure.

17                               MR. SVERDLOVE:   Ten minutes.

18                               (Whereupon, a break was held.)

19   BY MS. DUFFY:

20                  Q.           Sir, after your accident  
21      occurred, do you know if anyone took any  
22      photographs of the stairway?

23                  A.           No, I do not know.

24                  Q.           How much were you earning with  
25      Sparkleening?

1 Angel Peralta Ordóñez

43

2 A. How much was I earning?

3 Q. Yes.

4 A. Like, 600.

5 Q. Was that 600 a week?

6 A. Yes.

7 Q. And, how did you get paid?

8 A. They deposit it directly to my  
9 account.

10 Q. I just want to ask you again  
11 about your address, you said 479 William Place,  
12 Shirley, New York, was that correct?

13 A. 479 William Floyd, Long Island.

14 Q. And, other than your girlfriend,  
15 does anybody else live at 479 William Floyd?

16 A. The owner of the house.

17 Q. What is the owner's name?

18 A. Jose.

19 Q. Do you know his last name?

20 A. No.

21 Q. Is there anyone else that lives  
22 there?

23 A. No.

24 Q. Sir, I don't have any other  
25 questions for you right now. I might have a

1 Angel Peralta Ordóñez

44

2 couple of follow-ups when Jason and Adam are  
3 done, thank you.

4 EXAMINATION BY

5 MR. KIPNIS:

6 Q. Good afternoon, sir, my name is  
7 Adam Kipnis. I represent one of the defendants  
8 in this case and I'm going to ask you a couple  
9 follow up questions. I'm going to bounce around  
10 a little bit, so just try to bear with me, okay?

11 A. Okay.

12 Q. Sir, other than the reason why  
13 we're here today, have you been involved in any  
14 other personal injury lawsuits?

15 A. No.

16 Q. Other than the workers'  
17 compensation claim that you filed as a result of  
18 the accident that you spoke about, have you  
19 filed any other workers' compensation claims  
20 since you've been living in the United States?

21 A. No.

22 Q. How long have you and your  
23 girlfriend Maria been together for?

24 A. For six months.

25 Q. And, the address that you

1 Angel Peralta Ordóñez

45

2 mentioned in Shirley, New York, has Maria been  
3 living with you the entire five-month period of  
4 time that you've been living there?

5 A. Yes.

6 Q. What does she do for a living?

7 A. She also works in a company.

8 Q. What is the name of the company  
9 that she works for?

10 A. I do not know the name of the  
11 company.

12 Q. What is the type of work that she  
13 does for this company?

14 A. That company, they make the  
15 windows, the glass, for the Walmart.

16 Q. Did you know Maria prior to  
17 dating her about six months ago?

18 A. Yes.

19 Q. Did you know Maria at or about  
20 the time of this accident that you've been  
21 speaking about?

22 A. Yes.

23 Q. What was the nature of your  
24 relationship with Maria at or about the time of  
25 this accident?

1 Angel Peralta Ordóñez

46

2 A. She was in Ecuador.

3 Q. I'm sorry, what was that?

4 A. She was in Ecuador.

5 Q. Did she come from Ecuador into  
6 the United States and then come to live with  
7 you?

8 A. Yes. First, she lived with a  
9 cousin of hers.

10 Q. Were you with Maria in Ecuador  
11 before you came to the United States?

12 A. Yes.

13 Q. You mentioned that you had been  
14 living at the William Floyd address for about  
15 five months, do you have any plans in the near  
16 or foreseeable future to move out of that  
17 address?

18 A. Yes.

19 Q. Are you moving to a specific  
20 location?

21 A. Yes, there in Shirley.

22 Q. Do you have a specific address  
23 that you've going to be moving to?

24 A. Yeah, but I don't know it  
25 honestly.

1 Angel Peralta Ordóñez

47

2 Q. When are you moving?

3 A. In a month, more or less.

4 Q. What is the reason that you're  
5 moving out of the address on William Floyd?

6 A. Because we want to rent a home  
7 with more rooms.

8 Q. You mentioned previously that you  
9 came from Ecuador in September of 2022; is that  
10 correct?

11 A. Yes.

12 Q. When you came to the United  
13 States, did you come on your own or did you come  
14 with other people?

15 A. With my father.

16 Q. What was the first state that you  
17 came into when you first came to the United  
18 States?

19 A. New York.

20 Q. How did you get into the United  
21 States; did you walk, did you drive, did you  
22 fly, or something else?

23 A. Through the border.

24 Q. What border did you come in?

25 A. I'm sorry, what?

1 Angel Peralta Ordóñez 48

2 Q. What was the border that you came

3 across?

4 A. Texas, Houston.

5 Q. How long a period of time did you

6 stay in Texas for?

7 A. Like, four days.

8 Q. How did you get from Texas to New

9 York?

10 A. My car.

11 Q. Did somebody drive you?

12 A. I'm sorry, what?

13 Q. Did somebody drive you?

14 A. Yes.

15 Q. Who drove you?

16 A. I did not know that person who

17 was driving.

18 Q. Did you and your father go in a

19 vehicle with this person?

20 A. There in Texas where we were, my

21 father left first and I left afterwards. We

22 were in different cars.

23 Q. Did you pay this person to drive

24 you from Texas to New York?

25 A. Yes.



1 Angel Peralta Ordóñez

49

2 Q. How many other people were in the  
3 vehicle that you were in when you were driven  
4 from Texas to New York?

5 A. Like, six.

6 Q. Were all of these people, people  
7 that crossed the border with you at or about the  
8 same time?

9 A. Yes.

10 Q. Did all of you pay the driver to  
11 drive you from Texas to New York?

12 A. Yes.

13 Q. Why did you come to New York?

14 A. Find a better future.

15 Q. Did you know anybody that lived  
16 in New York?

17 A. An aunt of mine.

18 Q. Where did your aunt live?

19 A. I don't remember the address.

20 Q. What was the first address that  
21 you lived in when you came to New York?

22 A. 11036 Corona Avenue.

23 Q. Was your father living at that  
24 address when you arrived?

25 A. Yes.

1                                   Angel Peralta Ordonez                                   50

2                   Q.            How did you come to that address?

3                   A.            Because my father wrote it down

4   on a piece of paper.

5                   Q.            And, you mentioned that about two

6   months after you came to New York is when you

7   first started working as a helper for this

8   unknown company; is that correct?

9                   A.            Yes.

10                  Q.            What did you do during that

11   two-month period before you got this job?

12                  A.            I would keep on looking for work.

13                  Q.            The job that you worked at as a

14   helper, how did you get that job?

15                  A.            Through a friend.

16                  Q.            Did your friend work for this

17   company?

18                  A.            Yes.

19                  Q.            What is the name of that friend?

20                  A.            The name is Franklin.

21                  Q.            What's Franklin's last name?

22                  A.            I do not know it. I just know

23   him as Franklin.

24                  Q.            When you started working for this

25   company, did you work there full-time, part-time

1 Angel Peralta Ordóñez

51

2 or something else?

3 A. Yes, full-time.

4 Q. Was that Monday through Friday?

5 A. Yes.

6 Q. Did you have to provide any  
7 paperwork or fill out any paperwork for this  
8 company that you worked at during this  
9 three-month period of time?

10 A. No.

11 Q. Did you have to provide an  
12 identification?

13 A. Yes, the OSHA.

14 Q. You had mentioned the OSHA. When  
15 did you take that OSHA course that you spoke  
16 about?

17 A. When did I take that?

18 Q. Correct.

19 A. The OSHA course. I took it when  
20 I first got here. I would say, like, a month  
21 in.

22 Q. How did you know to take an OSHA  
23 course?

24 A. Because my friend told me.

25 Q. What was that friend's name?

1 Angel Peralta Ordóñez

52

2 A. Franklin.

3 Q. The same Franklin?

4 A. Yes.

5 Q. And, did you only take one OSHA  
6 course or more than one OSHA course?

7 A. One course only.

8 Q. Did Franklin tell you that you  
9 needed to take an OSHA course so that you could  
10 work in construction?

11 A. Yes.

12 Q. Did you ever work in construction  
13 prior to coming to the United States?

14 A. Yes.

15 Q. What did you do?

16 A. In Ecuador -- I would do, for  
17 instance, things like putting down cement, put  
18 up walls, things like that.

19 Q. Where specifically was this OSHA  
20 course that you took? I know you mentioned it  
21 was in Corona, what I want to know is the  
22 specific address where you took this course.

23 A. The exact location, I do not know  
24 it.

25 Q. Did you receive any written

1 Angel Peralta Ordóñez

53

2 materials when you attended this course?

3 A. Yeah. They gave me signup paper.

4 They made me put my name down.

5 Q. You had to pay a certain amount

6 of money in order to take this course, correct?

7 A. Yes.

8 Q. How much did you pay?

9 A. Four hundred.

10 Q. Did you receive an OSHA card?

11 A. Yes.

12 Q. Do you still have that OSHA card?

13 A. Yeah, but I don't know where I

14 left it, honestly.

15 Q. So are you telling me that you

16 don't have that OSHA card?

17 A. I have it, but I lost it. I do

18 have a photo of it.

19 Q. Is that photo in your phone like

20 the photo of the identification that you showed

21 us before?

22 A. Yes.

23 MR. KIPNIS: All right. I'll

24 call for production of the OSHA card.

25 I'll follow up in writing.

1                               Angel Peralta Ordóñez                               54

2                               MR. SVERDLOVE:   Okay.

3                   Q.           When you worked for this company

4   as a helper for three months, were you paid by

5   cash, check or something else?

6                   A.           Cash.

7                   Q.           Were you paid on an hourly basis

8   or were you paid on a weekly basis?

9                   A.           When I worked for the company --

10   before I suffered my accident you're referring

11   to?

12                  Q.           Correct.

13                  A.           They would pay me cash.

14                  Q.           I understand.   What was the total

15   amount that you received either on an hourly

16   basis or a weekly basis?

17                  A.           The hour.   They paid me, like,

18   18.

19                  Q.           Why did you leave that company?

20                  A.           I left because time was up.

21                  Q.           Was it only a limited period of

22   time that you were supposed to work at that

23   company?

24                  A.           Yes.

25                  Q.           Was there any gap of time between

1 Angel Peralta Ordóñez

55

2 that company and when you first started working  
3 for Sparkleening?

4 A. Yes, it was, like, 15 days  
5 without working.

6 Q. How did you find the job at  
7 Sparkleening?

8 A. A gentlemen gave me that number.

9 Q. I'm sorry, what was that?

10 A. A gentleman gave me that number.

11 Q. What was the gentleman's name?

12 A. I don't know the name of that  
13 gentleman.

14 Q. How did you come to speak to this  
15 gentleman at Sparkleening?

16 A. Because one time we got together  
17 with some friends, and then one of those friends  
18 introduced us.

19 Q. Do you know if this individual  
20 worked for Sparkleening?

21 A. I would not know if he worked for  
22 Sparkleening.

23 Q. So just so I understand, it's a  
24 random guy recommending a company for you to  
25 perform work for, that he never performed work

1 Angel Peralta Ordóñez

56

2 for; is that correct?

3 A. Yes.

4 Q. And, did he provide you with a  
5 name or telephone number of somebody from  
6 Sparkleening for you to get in contact with to  
7 see if there was a job available?

8 A. Yeah.

9 Q. Did he give you the name of a  
10 person specifically?

11 A. No, he didn't give me the number.

12 Q. Who did you call?

13 A. I just wrote to them asking if  
14 they needed workers, and then they responded,  
15 they said yes.

16 Q. Did you text or did you email or  
17 something else?

18 A. I sent them, like, a text  
19 message.

20 Q. Did they write you back and tell  
21 you that there was a job available for you?

22 A. Yeah. They asked me what I knew  
23 how to do, so then they made me fill out some  
24 paperwork.

25 Q. Was this all via text message?



1 Angel Peralta Ordóñez

57

2 A. Yes.

3 Q. Do you still have those text  
4 messages on your phone?

5 A. No, I changed phones.

6 Q. When did you change the phone?

7 A. Like, six months ago.

8 Q. What's your cellphone number now?

9 For the purposes of the record, we'll put all  
10 X's.

11 A. XXX-XXX-XXXX.

12 Q. Was this the same cellphone  
13 number that you had when you were working for  
14 Sparkleening?

15 A. No.

16 Q. You changed your cellphone number  
17 as well?

18 A. Yes.

19 Q. You changed your cellphone  
20 carrier as well?

21 A. That's also another company.

22 Q. Why did you change your cellphone  
23 number as well as your cellphone carrier?

24 A. Because the other company was  
25 charging me too much money.

1 Angel Peralta Ordóñez

58

2 Q. So you changed your cellphone  
3 number, your cellphone carrier, and your  
4 cellphone?

5 A. Yes.

6 Q. When you were having these text  
7 messages with this person that you told me  
8 about, did he provide you an address for you to  
9 show up to in order for you to perform work?

10 A. Yes.

11 Q. And, that was the address where  
12 you had your accident, correct?

13 A. Yes.

14 Q. And, you remember working at that  
15 address for a period of about two weeks before  
16 your accident; is that correct?

17 A. Yes.

18 Q. So in total since you've lived in  
19 the United States, you've worked a total of four  
20 weeks, correct?

21 A. Yes.

22 Q. You haven't worked since this  
23 accident in November of 2022; is that correct?

24 A. No, I have not worked.

25 Q. Okay. You spoke before that your

1 Angel Peralta Ordóñez

59

2 boss at this job was Chris. When you first  
3 arrived at this job, was Chris at the job site?

4 A. No. Chris wasn't there when I  
5 got there the first time.

6 Q. When you first got there, how did  
7 you know what your job was going to be?

8 A. The other coworkers told me.

9 Q. You mentioned that you were paid  
10 \$600 from Sparkleening; was this by cash, by  
11 check, or something else?

12 A. No, they would pay me directly  
13 towards my account.

14 Q. Meaning you got direct deposit?

15 A. Yes.

16 Q. Were taxes taken out of the  
17 checks that were direct deposited into your bank  
18 account?

19 A. Yes.

20 Q. Have you filed tax returns since  
21 you've been living in the United States?

22 A. No.

23 Q. At the time that you arrived at  
24 this building, was it fully erected or fully  
25 constructed?

1                                   Angel Peralta Ordóñez                                   60

2                   A.               It was built. It was constructed

3 completely.

4                   Q.               And, how many stories was this

5 building?

6                   A.               I don't remember very well.

7                   Q.               If I told you four stories, would

8 that help to refresh your memory or refresh your

9 recollection at all?

10                  A.               I'm sorry.

11                  Q.               Let me withdraw. So your job

12 each day was to clean up at this job site; is

13 that correct?

14                  A.               Yes.

15                  Q.               Were you cleaning from the top

16 down, the bottom up, or something else?

17                  A.               Top to bottom.

18                  Q.               So when you first arrived, you

19 would have to walk upstairs in order to clean

20 the highest floor of this building, correct?

21                  A.               Yes.

22                  Q.               And, there was only one stairwell

23 or one staircase in this building; is that

24 correct?

25                  A.               Yes.

1 Angel Peralta Ordóñez

61

2 Q. And, when you would get up to the  
3 highest floor, would you go with the other  
4 Sparkleening cleaning people?

5 A. Yes, and every floor we would go  
6 with the other people.

7 Q. Would you all clean the same  
8 floor at or about the same time?

9 A. Yes.

10 Q. I think you mentioned there were  
11 five or six other cleaning people from  
12 Sparkleening who were working at the same time  
13 as you; is that correct?

14 A. Yeah, but three would stay with  
15 me and the rest would go to other floors.

16 Q. You don't know the names of any  
17 of the people that you worked with at  
18 Sparkleening at this project up until the time  
19 of your accident; is that correct?

20 A. No, I don't know their names.

21 Q. Did you fully clean the top floor  
22 before your accident?

23 A. Yes.

24 Q. Would you do that by sweeping up  
25 and cleaning up as well?

1 Angel Peralta Ordóñez

62

2 A. I'm sorry, what?

3 Q. Would you do that by sweeping up  
4 and cleaning up each floor?

5 A. Yes.

6 Q. You're putting the debris that  
7 you were sweeping up and cleaning up into  
8 garbage bags, correct?

9 A. Yes.

10 Q. And, you're carrying those  
11 garbage bags from whatever floor you were  
12 cleaning up down to the first floor, correct?

13 A. Yes.

14 Q. And, prior to your accident, you  
15 had no problem going up and down the stairs; is  
16 that also correct?

17 A. I had no problem going up or down  
18 stairs.

19 Q. And, if you did have any problems  
20 going up or down stairs, would you bring that to  
21 Chris's attention?

22 A. No.

23 Q. If you observed any debris or  
24 material on the stairs, was part of your job, as  
25 well as the other Sparkleening laborers, to

1 Angel Peralta Ordonez

63

2 clean up that material?

3 MR. SVERDLOVE: Note my  
4 objection.

5 MR. MENESES: I join that  
6 objection.

7 Q. Did you clean up debris in the  
8 stairwell at any point in time before your  
9 accident?

10 A. Yes.

11 Q. Did other Sparkleening laborers  
12 also clean in the stairwell that you observed?

13 A. Yes.

14 Q. Your job, and not only you, but  
15 also the other Sparkleening laborers, was to  
16 clean the entirety of the building including the  
17 stairwell where your accident happened; is that  
18 correct?

19 A. Yes, but one question; you're  
20 asking me if those stairs were clean before I  
21 fell or after when the accident happened?

22 Q. I'm saying at any point in time  
23 that you were there, was it part of your job,  
24 and the other Sparkleening employee's job, to  
25 clean the stairwell when you were there?

1                                   Angel Peralta Ordóñez                                   64

2                   A.               Yes. It was our responsibility.

3                   Q.               Okay. Now I think you mentioned

4   that your accident happened when you were coming

5   down from the third floor to the second floor;

6   is that correct?

7                   A.               Yes.

8                   Q.               I think you also mentioned that

9   your accident happened at about 10:00 or 11:00

10   o'clock in the morning; is that also correct?

11                  A.               Yes.

12                  Q.               When you arrived that morning at

13   or about 7:00 a.m., did Chris tell you what

14   floor to clean?

15                  A.               He told us to go cleaning the

16   rooms from above, all the way down, and for us

17   to take the garbage out.

18                  Q.               What was the specific floor that

19   Chris told you to clean that morning?

20                  A.               The part that was, like, way

21   above the last part above.

22                  Q.               If you were coming from the third

23   floor to the second floor, how many floors up

24   from the third floor were you are supposed to

25   clean? Were you cleaning the third floor or



1 Angel Peralta Ordóñez

65

2 were you cleaning the floor above that?

3 A. No, the other floors we had  
4 already cleaned them. We were cleaning the  
5 third floor and we were bringing the garbage  
6 down.

7 Q. At 7:00 a.m., do you walk up the  
8 stairs to get to the third floor?

9 A. I'm sorry?

10 Q. I said at 7:00 a.m., do you walk  
11 up the stairs to the third floor in order to  
12 start cleaning?

13 A. Yes.

14 Q. And, the two other laborers walk  
15 with you; is that also correct?

16 A. Yes.

17 Q. And, before your accident, did  
18 you bring any bags of garbage down the stairs  
19 and then walk back up?

20 A. No.

21 Q. From the time that you walked up  
22 to the third floor until the time that you  
23 walked down when your accident occurred, were  
24 you only cleaning on the third floor?

25 A. There's not only the third floor.

1 Angel Peralta Ordóñez

66

2 We were cleaning from all the way on the top,  
3 all the way down. We are working there on the  
4 third floor and then we had to continue on going  
5 town.

6 Q. Did you walk up and down the same  
7 flight of stairs?

8 A. Yes.

9 Q. How many times did you walk up  
10 and how many times did you walk down again  
11 before your accident?

12 MR. MENESES: From the top or  
13 between specific floors?

14 MR. KIPNIS: That's a good  
15 question. I will rephrase my question.

16 Q. Had you walked between the second  
17 and third floor prior to your accident?

18 A. Yes.

19 Q. How many times did you walk that  
20 same stairway, meaning between the second floor  
21 and the third floor before your accident? How  
22 many times did you walk up and how many times  
23 did you walk down that same staircase?

24 A. Two to three times.

25 Q. When was the last time you either

1 Angel Peralta Ordóñez

67

2 walked up that same stairwell or down that same  
3 stairwell prior to your accident?

4 MR. MENESES: Again, between the  
5 second and third floor, right?

6 MR. KIPNIS: Yes.

7 A. When was the last time?

8 Q. When was the last time before  
9 your accident that you walked on that same  
10 stairwell where your accident happened; that  
11 being between the second and third floor. When  
12 was the last time that you walked up or down it?

13 A. Half an hour before.

14 Q. So about a half hour before, did  
15 you walk down that same stairwell between the  
16 second and third floor or up that same  
17 stairwell?

18 A. Through the top.

19 Q. My question is, that 30-minute  
20 period that you told me about, did you walk down  
21 the stairwell between the second and third floor  
22 or did you walk up the stairwell between the  
23 second and third floor?

24 MR. MENESES: Mr. Interpreter,  
25 can you specify between the second and

1 Angel Peralta Ordóñez

68

2 third floor because I'm not hearing you  
3 say that, and that might be what the  
4 confusion is.

5 MR. KIPNIS: I'm saying second  
6 and third floors.

7 MR. MENESES: Not you, Adam, the  
8 interpreter. I'm not hearing him specify  
9 second and third floor when he's  
10 interpreting it into Spanish, and I want  
11 to make sure that it's communicated  
12 clearly.

13 A. I would go up and down.

14 Q. During this 30-minute period  
15 before your accident, did you observe any debris  
16 or any material on that same stairwell between  
17 the second and the third floor?

18 A. Some type of debris, no. I would  
19 just go up to check on garbage bag.

20 MR. MENESES: I'm going to move  
21 to strike as nonresponsive.

22 Q. My question was, when you walked  
23 up these stairs 30 minutes before your accident,  
24 did you observe any debris or material on the  
25 stairs between the second and the third floor;

1 Angel Peralta Ordóñez

69

2 yes or no?

3 A. Yes, they were dirty. They had  
4 debris.

5 Q. Part of your job was to clean up  
6 the stairs, correct?

7 A. Yes.

8 Q. And, part of job of the other  
9 cleaning laborers was to clean up the stairwell  
10 as well, correct?

11 A. Yes.

12 Q. So when you observed this debris  
13 or material on the stairs 30 minutes before your  
14 accident, did you clean it up?

15 A. I'm sorry. You're saying when I  
16 saw this debris, if I cleaned it?

17 Q. Correct. Before your accident,  
18 when you saw debris on the stairs, did you clean  
19 it up?

20 A. No, because we were working from  
21 the top to the bottom.

22 Q. Were there any other trades or  
23 any other laborers that were working in the  
24 building at the time you were cleaning on this  
25 day?

1 Angel Peralta Ordóñez

70

2 A. Yes, there were other companies  
3 who are also working there.

4 Q. Do you know the names of any of  
5 those companies?

6 A. No.

7 Q. Do you know the type of work that  
8 they were doing on this day?

9 A. No. Construction.

10 Q. Your job was to clean up behind  
11 them, correct?

12 A. Yes.

13 Q. So you mentioned that at the time  
14 of your accident you were carrying two bags of  
15 garbage, correct?

16 A. Yes.

17 Q. These were garbage bags that you  
18 filled yourself having cleaned up the third  
19 floor; is that also correct?

20 A. Yeah. My coworkers would fill  
21 them up; I was bringing them down.

22 Q. Did you fill these two bags?

23 A. No, my coworkers would fill them  
24 up, and I was bringing them down.

25 Q. And, you were carrying both bags,

1 Angel Peralta Ordóñez

71

2 one with your right hand and one with your left  
3 hand, correct?

4 A. Yes.

5 Q. The lights in the stairwell where  
6 the accident happened, you were able to see what  
7 was in front of you, correct?

8 A. Yes.

9 Q. Why didn't you hold both bags  
10 with one hand over your shoulder as you were  
11 walking down the stairs?

12 A. Because I was able to carry them  
13 like that in my hands.

14 Q. And, you had mentioned that one  
15 of the bags ripped before your accident,  
16 correct?

17 MR. SVERDLOVE: Objection.

18 A. At the moment when I fell, the  
19 bag ripped and everything came out.

20 Q. Just before your fall, one of the  
21 bags that you were holding ripped, the debris  
22 came out, and then you fell; is that what  
23 happened?

24 A. No. When I fell -- after I fell,  
25 the bag fell as well and it ripped.

1                                   Angel Peralta Ordóñez                                   72  
2                   Q.            Okay. When you would walk up the  
3                   stairs, would you walk up the stairs and then  
4                   there would be a landing, and then you would  
5                   walk up another set of stairs to get to the next  
6                   floor or something else?

7                   A.            Yes, you would have one flight of  
8                   stairs, then there was, like, this flat area,  
9                   and then there was another set of stairs.

10                  Q.            How many steps down from the  
11                  landing on the third floor did your accident  
12                  occur?

13                  A.            You're asking me how many steps I  
14                  fell down?

15                  Q.            How many steps from the landing  
16                  on the third floor did your accident happen?

17                  A.            I fell from the eighth step.

18                  Q.            Was it the eighth step from the  
19                  landing on the third floor, meaning eight steps  
20                  down from the landing on the third floor or  
21                  something else?

22                  A.            From the bottom up, eight.

23                  Q.            And, as you were walking down the  
24                  stair, were you looking down at the stairs to  
25                  see if there was any debris or material on the



1 Angel Peralta Ordóñez

73

2 stairs?

3 A. Yes, you could see the debris.

4 Q. Did you see the debris on the  
5 stairs before your accident?

6 A. Yes.

7 Q. Did you see the debris on the  
8 specific stair that you fell from before your  
9 accident?

10 A. Yes.

11 Q. Did you try to avoid it?

12 A. Yes.

13 Q. What was the debris that you  
14 observed?

15 A. There were, like, pieces of  
16 Sheetrock. Like, pieces of Sheetrock, wood,  
17 things like that.

18 Q. What did you do to avoid these  
19 pieces of Sheetrock or pieces of wood?

20 A. I tried not to go by there; I  
21 tried not to step on them.

22 Q. How did you do that? Did you  
23 step on a different part of the stair, did you  
24 skip that stair and go to the next stair, or  
25 something else?

1 Angel Peralta Ordóñez

74

2 A. I would try to not step on the  
3 debris, to step on the step.

4 Q. Did you step on the same step  
5 where there was debris, but in a different area  
6 of where the debris was located?

7 A. Yes.

8 Q. So what actually caused you to  
9 fall?

10 A. That I did not see one of the  
11 pieces of wood that was there, and I tripped on  
12 that, and I fell.

13 Q. You specifically saw that  
14 specific stair before your accident, and you  
15 also specifically saw Sheetrock and pieces of  
16 wood on that same stair, correct?

17 A. Yes, I saw them, but I did not  
18 realize, notice it, when I stepped on it.

19 Q. Do you know how long that debris  
20 was on that specific stair before your accident?

21 A. Fifteen minutes.

22 Q. How do you know that?

23 A. Because on those floors they were  
24 working in the area inside.

25 Q. Did you see that debris

1 Angel Peralta Ordóñez

75

2 15 minutes before your accident?

3 A. No, I didn't see it. When we  
4 were going down, I saw it.

5 Q. I'm a little bit confused, so let  
6 me clarify. You told me before that the last  
7 time that you walked up or down the stairs, the  
8 same stairwell, was 30 minutes before your  
9 accident. How do you know that the debris got  
10 there within 15 minutes?

11 A. Because the people that were  
12 working inside, they would bring their debris  
13 outwards, so that my coworkers would clean and  
14 put in bags.

15 Q. Did you see somebody specifically  
16 drop debris or place debris or put debris on  
17 that stair before the accident?

18 A. Yes, the ones that were working  
19 and all that.

20 Q. So when you observed the person  
21 or people dropping the debris or putting the  
22 debris on this same stair 15 minutes before your  
23 accident, did you do anything during that period  
24 of time to clean it up?

25 A. No, because I had to go get the

1 Angel Peralta Ordóñez

76

2 other bags.

3 Q. But at the minimum, you knew that  
4 the debris was there 15 minutes before your  
5 accident, correct?

6 A. Yes.

7 Q. And, you also knew to avoid it by  
8 trying to step to a different part of the stair;  
9 is that correct?

10 A. Yes.

11 Q. And, you're telling us that your  
12 accident happened as a result of debris, and not  
13 as a result of the two bags that you were  
14 carrying being too heavy; is that correct?

15 A. No, the garbage bags were not  
16 heavy. I was able to carry them in my hands.

17 Q. You mentioned that there was  
18 somebody else from Sparkleening that was a  
19 witness to your accident; do you recall that?

20 A. Yeah, a friend of mine. Well, a  
21 coworker of mine who worked with me; he saw when  
22 I fell.

23 Q. Where was he when he saw you  
24 fall?

25 A. He was on the second floor on the

1 Angel Peralta Ordóñez

77

2 lower area.

3 Q. So he was below you as you were  
4 going down the stairs from the third floor to  
5 the second floor; is that correct?

6 A. He was, like, in the landing  
7 resting area.

8 Q. Before your accident, did he  
9 carry garbage down from the third floor to the  
10 second floor?

11 A. Yes.

12 Q. The same way, carrying garbage  
13 bags?

14 A. I'm sorry?

15 Q. The same way, meaning that he was  
16 carrying garbage bags?

17 A. Yes.

18 Q. How long before your accident did  
19 that person walk down the stairs?

20 A. Like, when I would be going up,  
21 he would be going down with bags.

22 Q. Before your accident, did you  
23 observe that person walking from the third floor  
24 to the second floor carrying garbage bags?

25 A. Yeah, like, five minutes before.

1 Angel Peralta Ordóñez

78

2 Q. We're at five minutes before your  
3 accident, and you see this person carrying  
4 garbage bags from the third floor to that second  
5 floor, and he's standing on that landing just  
6 before your accident; is that correct?

7 A. Yes, but he had dropped off his  
8 bags already; he was coming back.

9 Q. During this five-minute period  
10 before your accident when you observed this  
11 person walked down the stairs holding the  
12 garbage bags, did you see him step on that same  
13 step which you claim caused your fall?

14 A. I did not notice if he stepped  
15 there.

16 Q. You did observe him walking down  
17 that same stairwell five minutes before your  
18 accident, correct?

19 A. Yes.

20 Q. When you observed him walking  
21 down that same stairwell, where were you  
22 standing? In other words, were you on the third  
23 floor landing or were you someplace else?

24 A. Yes, for him to be able to keep  
25 going down and I could keep going upwards.

1 Angel Peralta Ordóñez

79

2 Q. Were you standing on that third  
3 floor landing just before this person walked  
4 down the stairs to allow him to walk down the  
5 stairs before you did?

6 A. He was coming down and I was  
7 waiting for him in the resting landing area in  
8 the middle. I waited there for him to go down,  
9 and then I went up for the other bags.

10 Q. During this five-minute period of  
11 time when you observed him walking down the  
12 stairs, did you see the debris on the stair that  
13 you claim eventually caused your accident?

14 A. Well, I didn't see it. The  
15 stairway was dirty.

16 Q. Sorry, I'm confused.

17 MR. MENESES: I'm going to move  
18 to strike as nonresponsive.

19 Q. Did you see the debris on the  
20 same stair where you claimed your accident  
21 happened during this five-minute period that you  
22 were standing on the landing between the third  
23 and second floors?

24 A. No, I did not see the debris that  
25 caused my accident.

1 Angel Peralta Ordóñez

80

2 Q. Did the person who walked down  
3 the stairs before you say anything to you such  
4 as be careful, watch out, or something to that  
5 effect?

6 A. No, he didn't tell me anything.

7 Q. Other than this person, was there  
8 anybody else in the same stairwell at the time  
9 of your accident?

10 A. No.

11 Q. Do you know if this person whose  
12 name you don't recall, and who witnessed this  
13 accident, is still working for Sparkleeneing?

14 A. I don't know really.

15 Q. Did you ever have his telephone  
16 number?

17 A. No.

18 Q. I represent the company called  
19 Klein's Safety. Inc. Had you ever heard of that  
20 company before?

21 A. What's the name of the company?

22 Q. Klein's Safety. Inc.

23 A. No.

24 Q. So is it fair to say you don't  
25 know one way or the other whether someone from



1 Angel Peralta Ordóñez

81

2 Klein's Safety. Inc was at the job site on the  
3 date of your accident, correct?

4 A. I do not know.

5 Q. Had you ever heard of an  
6 individual by the name of Saul Horowitz?

7 A. No.

8 Q. The Chris that you mentioned, is  
9 that a man or a woman?

10 A. She's a woman.

11 Q. Did you ever have Chris's  
12 telephone number stored in your cellphone?

13 A. Her number?

14 Q. Correct.

15 A. Yes, I had it.

16 Q. I'm assuming you no longer have  
17 it because you don't have the same cellphone,  
18 the same cellphone carrier or the same cellphone  
19 number?

20 A. Yes, I don't have it any more.

21 Q. Does your dad work?

22 A. Yes.

23 Q. What does he do for a living?

24 A. He worked in the business of  
25 jalapenos.

1 Angel Peralta Ordonez

82

2 Q. Do you know of any other  
3 individuals who worked for Sparkleening and who  
4 have filed any lawsuits as a result of being  
5 involved in a personal injury?

6 MR. MENESES: Note my objection.

7 A. No.

8 Q. I'm going to throw out some names  
9 and I'm going to ask if you recognize any of  
10 them; do you understand that?

11 A. Okay.

12 Q. Ivan Hernandez Rodriguez.

13 A. No.

14 Q. Victor Moran Sosa.

15 A. No.

16 Q. Maykol. M-A-Y-K-O-L. Montilla.

17 A. No.

18 Q. John. J-O-H-N. Rodriguez.

19 A. No, none of those names sound  
20 familiar.

21 Q. Luis Fernando Nino Munos.

22 A. No.

23 Q. Yufleike. Y-U-F-L-E-I-K-E.

24 Lugo.

25 A. No.

1 Angel Peralta Ordenez

83

2 Q. Edison Pena Centeno.

3 C-E-N-T-E-N-O.

4 A. No.

5 Q. Clever Bueno Lojano.

6 L-O-J-A-N-O.

7 A. No.

8 Q. Before you retained the law firm  
9 that's representing you in this case, you had  
10 two other law firms representing you; is that  
11 correct?

12 A. Yes.

13 Q. The first firm that represented  
14 you was Wingate Russotti; does that name ring a  
15 bell to you?

16 A. Yes.

17 Q. You then left Wingate Russotti,  
18 and you were then represented by Ginarte  
19 Gonzalez; is that correct?

20 A. Yes.

21 Q. I do not want to know about any  
22 conversations you had with any lawyers, but what  
23 was the reason that you moved from Wingate  
24 Russotti to Ginarte Gonzalez?

25 MR. SVERDLOVE: I'm going to ask

1 Angel Peralta Ordóñez 84

2 him not to answer that question.

3 MR. KIPNIS: On what basis? I  
4 specifically said I'm not asking him for  
5 any conversations. It's not a privileged  
6 question.

7 MR. SVERDLOVE: Can we mark that  
8 one for a ruling?

9 MR. KIPNIS: I'm not going to  
10 accept that because this is not a  
11 privileged question. I'm asking him why  
12 he moved, not why a decision was made for  
13 him to the extent that the decision was  
14 made for him. So this has nothing to do  
15 with a privileged communication, this has  
16 nothing to do with conversations he had  
17 with a lawyer; it's what is going on in  
18 his mind.

19 MR. SVERDLOVE: Mr. Interpreter,  
20 as long as it's very clear that it's not  
21 about conversations or anything that may  
22 have been told to him by any attorneys, I  
23 guess I can accept that question. That  
24 has to be very clear though.

25 Q. Sir, I do not want to know about

1 Angel Peralta Ordóñez

85

2 any conversations you may have had with any  
3 lawyers. I do not want to know about what any  
4 lawyer may have said to you. I want to know why  
5 you made the decision to transition from Wingate  
6 Russotti to Ginarte Gonzalez?

7 A. Because they weren't responding.  
8 They didn't know anything about my case.

9 Q. Again, I do not want to know  
10 about any conversations you had with any lawyer  
11 or what a lawyer may have said to you, but why  
12 did you transition from Ginarte Gonzalez to the  
13 law firm that now represents you?

14 A. Same thing. I would call them  
15 up, ask them how my case was going, and they  
16 wouldn't pick up the phone.

17 THE INTERPRETER: Counsel, I'm  
18 sorry. Can we take a five-minute  
19 bathroom break?

20 MR. KIPNIS: That's my last  
21 question, so we can take a break before  
22 Jason begins asking his questions.

23 MR. MENESES: I do have some  
24 questions. We can take a break before I  
25 start.

1 Angel Peralta Ordóñez

86

2 (Whereupon, a break was held.)

3 EXAMINATION BY

4 MR. MENESES:

5 Q. Good afternoon, sir, my name is  
6 Jason Meneses. I'm an attorney with the law  
7 firm of Cornell Grace, and I represent  
8 Sparkleening. I'm going to be asking you some  
9 questions. We'll just be jumping around, and I  
10 will do my best to not ask the same questions  
11 that have already been asked.

12 A. Okay.

13 Q. How did you get from Ecuador to  
14 the border of Mexico and Texas?

15 A. By car.

16 Q. And, did you come with your  
17 father at that time and other people or by  
18 yourself or something else?

19 A. With my father and some other  
20 people.

21 Q. Did you have to pay that person  
22 to drive you from Ecuador to the Mexican U.S.  
23 border?

24 A. Yes.

25 Q. Do you recall how much you paid?

1 Angel Peralta Ordóñez

87

2 A. I don't remember. I remember my  
3 father was dealing with that.

4 Q. How old were you when you came to  
5 the United States?

6 A. Eighteen.

7 Q. How old was your father?

8 A. My father's 36 years old.

9 Q. Walk me through your work history  
10 back when you were in Ecuador before you came to  
11 the United States. I know you said you did some  
12 cement type work. Any work outside of the  
13 construction industry?

14 A. Yeah, I painted vehicles.

15 Q. Like in a body shop or in a  
16 collision shop?

17 A. Yes.

18 Q. Do you also have skills as a  
19 mechanic?

20 A. Yes.

21 Q. In addition to painting vehicles,  
22 would you do any other types of body work to  
23 cars?

24 A. I'm sorry?

25 Q. In addition to painting vehicles,

1 Angel Peralta Ordóñez

88

2 would you do any other types of body work to  
3 cars at this collision shop?

4 A. No, just paint them and then  
5 whatever pieces were damaged, we would change  
6 them.

7 Q. So you would also change the  
8 pieces that were damaged in addition to painting  
9 those vehicles, correct?

10 A. Yes.

11 Q. What's your father's name, sir?

12 A. Angel Peralta.

13 Q. Does he have the same middle name  
14 as you or a different middle name than you?

15 A. No, his second name is Adolfo.

16 Q. Would that be A-D-O-L-F-O, or is  
17 it a PH instead of the F?

18 A. Yes, A-D-O-L-F-O.

19 Q. You mentioned he's in the  
20 business of jalapenos; what does that mean?

21 A. It's a restaurant where they  
22 prepare spicy food.

23 Q. Okay. Earlier you were asked  
24 about the time that you retained Wingate  
25 Russotti; do you recall those questions, sir?



1 Angel Peralta Ordonez

89

2 A. Yes.

3 Q. How did you find out about the  
4 firm of Wingate Russotti?

5 A. A friend of mine took me there.

6 Q. What's the name of your friend  
7 who took you to the office of Wingate Russotti?

8 A. His name was Ivan.

9 Q. What was Ivan's last name, sir?

10 A. The last name, I don't know.

11 Q. How did you know Ivan; how did  
12 you become friends with this guy?

13 A. He's a friend of mine from  
14 Ecuador.

15 Q. Did Ivan come to the United  
16 States at the same time as you, before you,  
17 after you, something else?

18 A. No, he was here already. He had  
19 been here for a while already.

20 Q. Did Ivan also work in the  
21 construction industry when he came to New York?

22 A. I don't know honestly.

23 Q. Did Ivan work for Sparkleening?

24 A. No.

25 Q. What did Ivan do for work? If

1 Angel Peralta Ordóñez

90

2 you know.

3 A. I think he worked in Uber.

4 Q. How old is Ivan?

5 A. He is 27 years old. I believe he  
6 just turned 27.

7 Q. And, is Ivan someone you still  
8 talk to with any regularity?

9 A. No, we almost don't speak a lot.

10 Q. You were friends back in Ecuador  
11 before you both came to the United States,  
12 correct?

13 A. Yes.

14 Q. When you were involved in this  
15 accident, you asked him for a recommendation  
16 because you guys were friends?

17 A. Yeah. I asked him if he knew  
18 something for him to help me.

19 Q. What's the reason you aren't  
20 really friendly anymore, you don't speak any  
21 more?

22 A. Yes. We're friends, but we don't  
23 talk a lot.

24 Q. What's the reason that you guys  
25 don't speak much any more?

1                                   Angel Peralta Ordonez                                   91

2           A.           Because we haven't found a time.

3           Q.           Does Ivan live near you?

4           A.           No, he lives here in Queens.

5           Q.           At the time of this incident, you

6   lived in Queens, correct?

7           A.           Yes.

8           Q.           Do you have Ivan's phone number?

9           A.           No.

10          Q.           Was that on the old cellphone

11   that you had that you got rid of?

12          A.           Yes.

13          Q.           How did Ivan know Wingate

14   Russotti?

15          A.           I honestly don't know.

16          Q.           Did you ever ask him anything

17   about Wingate Russotti when he referred you to

18   them?

19          A.           No, honestly, no. I never asked

20   him that question.

21          Q.           Do you know if he had a lawsuit

22   where he was represented by Wingate Russotti?

23          A.           He worked. I don't know if he

24   had a lawsuit.

25          Q.           How did you first reach out to

1                                   Angel Peralta Ordóñez                                   92

2       Ivan about looking for a lawyer? Was that over

3       text, did you call him, did you meet him on the

4       street, something else?

5                                   THE INTERPRETER: I'm sorry,

6                   Counsel, I think I lost it. Can I have a

7                   read back?

8                                   MR. MENESES: I can ask it again.

9               Q.               How did you reach out to Ivan

10       about a recommendation for a lawyer? Was it

11       over text, a phone call, did you meet him on the

12       street, or something else?

13               A.               We met up at a park. We went to

14       the same park when I ran into him, and then I

15       told him what had happened to me, and I asked

16       him if he knew any lawyers that could help me

17       out, and that's how he recommended them to me.

18               Q.               Did he physically bring you to

19       the office of Wingate Russotti or did he bring

20       you somewhere else to meet with a lawyer from

21       Wingate Russotti?

22               A.               He sent me the address and he

23       told me to call them up to see if they would

24       take my case.

25               Q.               Did you physically go to the

1                                   Angel Peralta Ordóñez                                   93  
2       office of Wingate Russotti or did you call them  
3       first to see if they would take your case?  
4               A.            I went directly to their office.  
5               Q.            Where was their office located at  
6       that time? If you recall.  
7               A.            I think it was in Flushing.  
8               Q.            At some point, Wingate Russotti  
9       took your case; is that fair to say?  
10              A.            Yes.  
11              Q.            How many times did you talk to  
12       Ivan after that?  
13              A.            Three more times.  
14              Q.            What was the sum and substance of  
15       those conversations those three times after  
16       Wingate took your case?  
17              A.            I'm sorry, what?  
18              Q.            What was the basis of those three  
19       subsequent conversations? Was it about your  
20       case or something else?  
21              A.            No, we would never talk about  
22       that. We would talk about ourselves.  
23                           MR. MENESES: Okay. I'm going to  
24                           bring up what I'm going to mark as  
25                           Defendant's Exhibit A of today's date.

1                                   Angel Peralta Ordonez                                   94

2                                   (Whereupon, Defendant's Exhibit

3                                   A, Consent to Change Attorneys, was  
4                                   marked for identification, as of this  
5                                   date by the Reporter.)

6                                   Q.               Sir, can you see my screen?

7                                   A.               Yes.

8                                   Q.               Sir, I'm going to show you now  
9                                   what's to be deemed marked as Defendant's  
10                                  Exhibit A of today's date; Consent to Change  
11                                  Attorneys. Just take a minute to look at this  
12                                  and then I'll ask you some questions about it;  
13                                  okay, sir?

14                                  A.               Yes.

15                                  Q.               Sir, have you ever seen this  
16                                  document before?

17                                  A.               Honestly, I don't remember. I  
18                                  don't speak English.

19                                  Q.               Do you recognize any of the  
20                                  signatures on this document?

21                                  A.               There's a signature that's mine.

22                                  Q.               Would that be the signature on  
23                                  the top right hand side of the page?

24                                  A.               Yeah, the first signature.

25                                  Q.               Do you recall when this was

1 Angel Peralta Ordóñez

95

2 signed?

3 A. No, honestly.

4 Q. Do you remember where this was  
5 signed? Were you at the office of Wingate  
6 Russotti, the office of Ginarte Gonzalez, at  
7 your house, or somewhere else?

8 A. Honestly, I don't remember  
9 anything about this document.

10 Q. Did anyone provide you a Spanish  
11 version of this document so that you could read  
12 and understand what it was that you were  
13 signing?

14 A. Yeah, some people gave me a copy  
15 in Spanish.

16 Q. So you had an understanding of  
17 what you were signing; is that fair to say?

18 A. Yeah. They would read from this  
19 paper for me to remember what it was.

20 Q. Sir, I'm not asking about what  
21 you remember. Did you understand the document,  
22 this specific document, that you were signing?

23 MR. SVERDLOVE: Note my  
24 objection. Based on what he said, it's  
25 in English and he doesn't understand it.

1 Angel Peralta Ordóñez

96

2 MR. MENESES: He received a  
3 Spanish version, so I want to know if he  
4 understood the version of what he was  
5 signing. If the question was unclear, I  
6 can rephrase it.

7 Q. Sir, did you understand the  
8 Spanish version of this document that you were  
9 asked to sign?

10 A. If I understood the version in  
11 Spanish?

12 Q. Yes, sir, that is my question.

13 A. Yes, but I honestly don't  
14 remember.

15 Q. Do you have the Spanish version  
16 of this document in your possession?

17 A. No.

18 Q. Okay. How did you find out about  
19 the firm of Ginarte Gonzalez & Winograd?

20 A. I found them on Facebook.

21 Q. Did you see his advertisements on  
22 Facebook?

23 A. Yes.

24 Q. So there wasn't anyone that  
25 specifically referred you to Ginarte's office;



1 Angel Peralta Ordóñez

97

2 is that fair to say?

3 A. No, I found them on Facebook.

4 Q. How soon after the accident did  
5 you reach out to your friend Ivan to look for a  
6 recommendation for a lawyer?

7 A. Like, three days.

8 Q. At some point, you left Ginarte  
9 and you went to Harmon Linder, correct?

10 A. Yes.

11 Q. How did you find out about the  
12 firm of Harmon Linder?

13 A. Through an friend of mine.

14 Q. What's the name of the friend who  
15 referred you to Harmon Linder?

16 A. Joffre.

17 Q. I'm sorry can I have a spelling,  
18 please?

19 A. J-O-F-F-R-E.

20 Q. Okay. What's this gentleman's  
21 last name?

22 A. I do not know.

23 Q. How did you come to know Joffre?

24 A. He's friends of mine from  
25 Ecuador.

1 Angel Peralta Ordenez

98

2 Q. Did Joffre come to the United  
3 States at the same time as you, before, after,  
4 something else?

5 A. No, he was here already. He had  
6 been here a while already.

7 Q. Where does Joffre live?

8 A. He lives in College Point.

9 Q. Did he live in the same building  
10 that you lived in when you lived in College  
11 Point?

12 A. No, he lived, like, two blocks  
13 away.

14 Q. And, what did Joffre do for work  
15 at the time that he recommended you Harmon  
16 Linder?

17 A. What did he do?

18 Q. Yeah. What kind of work did he  
19 do?

20 A. He was also involved in  
21 construction.

22 Q. What type of construction work  
23 did he do or does he do?

24 A. I don't know, honestly. All I  
25 know is that he worked in construction.

1                   Angel Peralta Ordóñez                   99

2           Q.           And, did you ask Joffre for a  
3   recommendation for attorneys, did he volunteer  
4   that information to you or something else?

5           A.           Yes, I asked him if he knew a  
6   good lawyer and he recommended them.

7           Q.           Did you ask Joffre how he knew of  
8   Harmon Linder?

9           A.           I did not ask him.

10          Q.           Do you know if Joffre had a  
11   lawsuit where he was represented by Harmon  
12   Linder?

13          A.           I don't know, honestly.

14                   MR. MENESES: I'm going to show  
15   what I'm going to mark as Defendant's  
16   Exhibit B for today's date.

17                   (Whereupon, Defendant's Exhibit  
18   B, Consent to Change Attorney, was marked  
19   for identification, as of this date by  
20   the Reporter.)

21          Q.           Do you see my screen, sir?

22          A.           Yes, I see it.

23          Q.           Do you recognize what this  
24   document is, sir?

25          A.           I don't know what it is. I don't

1 Angel Peralta Ordóñez

100

2 know English.

3 Q. Does your signature appear  
4 anywhere on this document, sir?

5 A. Yes.

6 Q. Would that be where it says  
7 Plaintiff's name and signature; this would be  
8 your signature here toward the middle bottom of  
9 the page?

10 A. Yes.

11 Q. Were you ever provided a Spanish  
12 version of this document, so you could read what  
13 you were signing?

14 A. (No verbal response given).

15 Q. Sir?

16 A. I don't remember.

17 Q. You said your girlfriend's name  
18 is Maria Ingracia, correct?

19 A. Yes.

20 Q. How old is Maria?

21 A. She's 23.

22 Q. Do you drive, sir?

23 A. Yes, a car.

24 Q. Do you have a license?

25 A. Yes.

1 Angel Peralta Ordóñez

101

2 Q. Which state is that license  
3 issued from; is that New York?

4 A. I'm sorry, I have a permit.

5 Q. What state issued that permit to  
6 you, sir?

7 A. New York.

8 Q. And, did you have to take a  
9 written test in order to get that permit, sir?

10 A. Yes, a written course.

11 Q. Did the State of New York issue  
12 you a physical identification card for a permit  
13 with your picture on it?

14 A. Yes.

15 MR. MENESES: I'm going to call  
16 for the production of a copy of that New  
17 York State driver's permit; both sides  
18 from front and back, and I'll follow up  
19 in writing for that.

20 MS. DUFFY: I second that  
21 request.

22 MR. SVERDLOVE: Taken under  
23 advisement.

24 Q. When did you apply for that  
25 permit, sir?

1 Angel Peralta Ordóñez

102

2 A. I don't remember. Like two,  
3 three, months ago.

4 Q. What type of car do you drive,  
5 sir?

6 A. What type of car? A BMW.

7 Q. What type of BMW do you drive,  
8 sir?

9 A. 325.

10 Q. You have a 3 Series?

11 A. No, I think it's like a 325e,  
12 something like that.

13 Q. 325i? Is it an electric or  
14 gasoline vehicle, sir?

15 A. Gasoline.

16 Q. 325i. What's the year of that  
17 vehicle, sir?

18 A. 2011.

19 Q. What color is that BMW 325i?

20 A. Black.

21 Q. The license plates on that  
22 vehicle, New York or some other state?

23 A. New York.

24 Q. Do you know what your license  
25 plate number is, sir?

1 Angel Peralta Ordóñez

103

2 A. I don't remember.

3 Q. Did you purchase that vehicle  
4 used, sir?

5 A. Yes.

6 Q. Did you take out a loan or did  
7 you buy it in full, in cash?

8 A. I bought it cash.

9 Q. Other than the BMW 325i, do you  
10 own any other vehicles?

11 A. No.

12 Q. Does your girlfriend drive?

13 A. Yes.

14 Q. Does she own a vehicle?

15 A. Yes, she also has a vehicle.

16 Q. What's the year, make, and model  
17 of the vehicle that she owns?

18 A. Ford Focus 2005.

19 Q. That's a 2005 Ford Focus you  
20 said?

21 A. Yes.

22 Q. What color is that, you said  
23 black?

24 A. No, I think it's gray.

25 Q. Okay. New York license plates on

1 Angel Peralta Ordóñez

104

2 that car too, sir?

3 A. Yes, New York as well.

4 Q. Does she own any other vehicles  
5 other than that gray Ford Focus?

6 A. Yes, she's the owner of that Ford  
7 Focus.

8 Q. Does she own any other vehicles  
9 other than the Ford Focus, sir?

10 A. No.

11 Q. I recall that you said that you  
12 live at 479 William Floyd?

13 A. Yes.

14 Q. Jose is the owner of that home?

15 A. No.

16 Q. I'm confused, sir. I thought you  
17 mentioned that a gentleman by the name of Jose  
18 owned that house; is that true or no?

19 A. Yes.

20 Q. Okay. So Jose owns the house and  
21 you rent from Jose?

22 A. Yes.

23 Q. How did you find out about this  
24 house out in Long Island?

25 A. I looked it up on Facebook.



1 Angel Peralta Ordonez 105

2 Q. Facebook Marketplace?

3 A. Yes.

4 Q. What's the name that you use for

5 Facebook?

6 A. Angel Peralta.

7 Q. Do you still maintain and use

8 that Facebook currently?

9 A. Yeah, but I almost don't use it.

10 Q. Except when you have to find

11 apartments or things of that nature?

12 A. Yes.

13 Q. The house that you live in now,

14 is it a one-family home, a two-family home,

15 something else?

16 A. Two-family.

17 Q. How many floors are there at this

18 house?

19 A. One.

20 Q. How is the house divided between

21 where you and your girlfriend live and then

22 where Jose lives?

23 A. The rooms.

24 Q. So you don't rent out a

25 one-family portion of the two-family home, you

1                                   Angel Peralta Ordóñez                                   106

2       just rent out a room; is that fair to say?

3                   A.           Yes.

4                   Q.           How many rooms are in this home?

5                   A.           Three.

6                   Q.           And, is the third room rented out

7       as well?

8                   A.           Three rooms are rented out.

9                   Q.           What are the names of tenants in

10       the other rooms in the house?

11                  A.           Their names I do not know.

12                  Q.           Do you interact with them at all?

13                  A.           No, almost none.

14                  Q.           Do you share a kitchen and

15       bathroom with these folks?

16                  A.           Yes, the kitchen only.

17                  Q.           And, you're not related to anyone

18       else that lives in this house, correct?

19                  A.           No, nobody.

20                  Q.           And your girlfriend's not related

21       to anyone else that lives in this home, correct?

22                  A.           Correct.

23                  Q.           The people that live in this

24       home, you're not friends with them, correct?

25                  A.           No.

1                                   Angel Peralta Ordóñez                                   107

2                   Q.            You said you pay \$900 a month.

3    Is that your share or is that you and your

4    girlfriend combined?

5                   A.           Together with my girlfriend.

6                   Q.            Earlier you testified that when

7    you first came to the United States, you resided

8    at 11036 Corona Avenue, correct?

9                   A.           Yes.

10                  Q.            And, you testified that when your

11   father came, he arrived at that location before

12   you and provided you with that address, correct?

13                  A.           Yes.

14                  Q.            How did your father know about

15   11036 Corona Avenue when he arrived in the

16   United States?

17                  A.           A friend of his lived there.

18   He's the one that picked us up.

19                  Q.            Picked you up in Texas or picked

20   you up in New York?

21                  A.           No, he waited for us in New York.

22                  Q.            Where in New York did he wait for

23   you to bring you to Corona, Queens?

24                               THE INTERPRETER:   I'm sorry, can

25                               you repeat that?

1 Angel Peralta Ordóñez 108

2 Q. Where did he wait for you in New  
3 York to then bring you to Corona, Queens?

4 A. At the same house; he waited for  
5 us there.

6 Q. I'm confused. You said that this  
7 gentleman brought you somewhere once you arrived  
8 in New York; is that fair to say?

9 A. No. I didn't tell you that he  
10 took me anywhere.

11 Q. We're going to take a couple  
12 steps back. You said that this gentleman who  
13 lived at 11036 Corona Avenue in Queens picked  
14 you up; did you testify to that, sir?

15 A. Yeah, but that was the person who  
16 brought me from Texas.

17 Q. Okay. We need to make sure this  
18 is clear; we're going to take a step back. Your  
19 father knew a gentleman that lived at 11036  
20 Corona Avenue in Queens; is that correct?

21 A. Yes.

22 Q. And, you and your father then  
23 resided in that apartment with that gentleman?

24 A. Yeah, when we arrived in New  
25 York. When I got to New York, we met up with

1 Angel Peralta Ordóñez

109

2 the friend of my father.

3 Q. Okay. The person that drove you  
4 from Texas to New York is not your father's  
5 friend, right? It was somebody else?

6 A. No, he's not a friend of ours.

7 Q. Now this friend of your father's,  
8 what did he do for work?

9 A. Um, he worked at a restaurant.

10 Q. What's your father's friend's  
11 name?

12 A. I think his name was Freddy. I  
13 think that's what his name was.

14 Q. Okay. You also mentioned that  
15 you had an aunt here in New York too, correct?

16 A. Yes.

17 Q. And, is that your father's sister  
18 or your mother's sister or something else?

19 A. She's the sister of my  
20 grandfather.

21 Q. Did she also live in Queens?

22 A. No, she didn't live in Queens.  
23 She lived somewhere else.

24 Q. Earlier you mentioned that when  
25 you got paid by Sparkleening, it was direct

1 Angel Peralta Ordóñez

110

2 deposit; do you recall that testimony, sir?

3 A. Yes.

4 Q. You mentioned that taxes were  
5 taken out of that money; do you recall that  
6 testimony, sir?

7 A. Yes, the taxes.

8 Q. At any point in time from the  
9 moment you stepped foot in the United States  
10 until now, were you ever issued a TIN number or  
11 any sort of identification number for tax  
12 purposes?

13 A. No. You're asking me, for  
14 instance, if I have Social or something like  
15 that?

16 Q. Social Security number or a TIN  
17 that would identify who you are for the purpose  
18 of paying taxes?

19 A. No.

20 Q. How do you know taxes were taken  
21 out of the money that was direct deposited to  
22 your account? Would you receive any kind of pay  
23 stub or pay slip, anything like that?

24 A. Yes.

25 Q. And, would those pay slips be

1 Angel Peralta Ordóñez

111

2 mailed to you, emailed to you, be on some sort  
3 of employment portal online or something else?

4 A. It would come out there because I  
5 would get less money.

6 MR. MENESES: I'm going to move  
7 to strike as nonresponsive.

8 Q. Were you ever given any kind of  
9 documentation, pay stub, pay slip, anything like  
10 that, to demonstrate that taxes were being taken  
11 out of your paycheck?

12 A. I don't remember, honestly.

13 Q. What bank did you use at the time  
14 for the purposes of direct deposit?

15 A. Bank of America.

16 Q. Did you have to provide them with  
17 any sort of identification in order to establish  
18 an account with them?

19 A. Yes.

20 Q. What type of documentation did  
21 you give to Bank of America to set up that  
22 account?

23 A. The one from Bank of America?

24 Q. Correct.

25 A. Passport, proof of address, and

1 Angel Peralta Ordóñez

112

2 then my consular ID.

3 Q. I'm going to take you now back to  
4 those OSHA courses that you took about a month  
5 after you are arrived in the United States. Do  
6 you recall testifying about that?

7 A. Yes.

8 Q. Now during those OSHA courses,  
9 you learned about job site safety; is that fair  
10 to say?

11 A. Yes.

12 Q. Did they teach you about being  
13 aware of your surroundings on job sites?

14 A. Yes.

15 Q. Did they teach you, or at least  
16 speak about, identifying possible hazards or  
17 dangers on construction sites?

18 A. Yeah, they taught us all of that.

19 Q. Did they teach you about  
20 recognizing hazards in areas by means of egress  
21 or ingress, whether it be stairways or doorways  
22 or other areas where people walk?

23 A. Yes.

24 MR. MENESES: There's a lot of  
25 feedback, so I don't know who that's



1                   Angel Peralta Ordóñez                   113  
2           from, but can everyone except myself, the  
3           reporter, the interpreter, and the  
4           witness, mute their mics? I'm just  
5           getting a lot of feedback.

6           Q.           And, having worked in  
7           construction, you were aware that you needed to  
8           be aware of your surroundings, right?

9           A.           Yes.

10          Q.           And, would you agree with me that  
11         personal safety is important to you?

12          A.           Of course.

13          Q.           And, recognizing potential  
14         hazards that could cause injury to you is  
15         important to you, correct?

16                   THE INTERPRETER: I didn't get  
17         that.

18          Q.           It's important to you to  
19         recognize potential hazards or dangers that  
20         could injure you, correct?

21          A.           For example, things, like, not  
22         standing beneath where construction is happening  
23         above.

24          Q.           And, how about watching where  
25         you're walking on a job site; that's something

1 Angel Peralta Ordóñez

114

2 that would be important to you, right?

3 A. Yes.

4 Q. And, during those OSHA courses,  
5 were you taught to report certain things, if you  
6 saw them on a job site, that you thought might  
7 be dangerous or hazardous?

8 A. Yes.

9 Q. Earlier you testified that you  
10 saw that there was debris all over this  
11 staircase between the second and third floor at  
12 this property, correct?

13 A. Yes.

14 Q. And, you didn't do anything about  
15 that, right? Yes or no?

16 A. No.

17 Q. And, you didn't tell anyone about  
18 it, right? Yes or no?

19 A. I told the coworker who I was  
20 cleaning with.

21 Q. And, it was not someone that was  
22 higher than you in the chain; it was simply a  
23 coworker, correct?

24 A. Yeah, like, my coworker. I mean,  
25 like, the person that was in charge of our

1 Angel Peralta Ordóñez

115

2 group.

3 Q. When did you report this to that  
4 person?

5 A. Before going up to the fifth  
6 floor to get the bags.

7 Q. So is it your testimony when you  
8 first walked from the ground floor up to the  
9 fifth floor, you had walked over a staircase  
10 that had debris on it; is that your testimony,  
11 sir?

12 A. From the third floor to the fifth  
13 floor, no. We had already cleaned that, but  
14 when I went up there, I told the person who was  
15 in charge of my group that the floors between  
16 the third and second floors were dirty.

17 Q. Maybe I'm being unclear, sir, and  
18 I want to make sure we are clear here today.  
19 There's one staircase in this building, correct?

20 A. Yes.

21 Q. The morning of the incident when  
22 you got to the job site either between 7:00 or  
23 8:00 o'clock, did you have to walk up that  
24 staircase to get to the area where you were to  
25 perform your work?

1 Angel Peralta Ordóñez

116

2 A. Yes.

3 Q. And, you were scheduled to work  
4 at a floor above the third floor, correct? Yes  
5 or no?

6 A. Yes.

7 Q. That would mean that you then had  
8 to walk the staircase between the second and  
9 third floor to get where you needed to go,  
10 correct?

11 A. Yes.

12 Q. At that time, when you walked  
13 from the second floor to the third floor and  
14 above, was the staircase clean or was there  
15 debris on it?

16 A. They had debris.

17 Q. So is it your testimony here  
18 today that you climbed a staircase with debris  
19 on it when you went from the ground floor up to  
20 where you were starting to work?

21 A. Yes.

22 Q. At that specific moment when you  
23 were walking up the stairs from the second to  
24 the third floor, did you ever make a complaint  
25 to anybody about that staircase?

1 Angel Peralta Ordóñez

117

2 A. Our boss who was in charge.

3 Q. What did your boss say to you  
4 about that?

5 A. I told her that specific area of  
6 the stairway was very dirty, that you couldn't  
7 go by there in a good manner, and that I was  
8 bringing down bags.

9 Q. What did your boss say to you in  
10 response to that complaint that you made?

11 A. That they were going to clean  
12 them soon.

13 Q. That was something that was  
14 within your scope of responsibility, to clean  
15 the stairs?

16 A. It was our responsibility.

17 Q. Is there a reason why at that  
18 time, if you needed to use that staircase to get  
19 up and down to bring garbage out of the  
20 building, why you wouldn't clean the staircase?

21 A. They give me the order to bring  
22 down the garbage bags.

23 Q. I understand that, sir, but  
24 logically, why wouldn't you clean the staircase  
25 that you needed to use if it had debris on it,

1                   Angel Peralta Ordóñez                   118  
2     and you knew that it could potentially be  
3     dangerous?

4                 A.           Because they were cleaning.   What  
5     I was doing was bringing the bags down, so they  
6     could throw them out to the garbage.

7                   MR. MENESES:   I'm going to move  
8                 to strike as nonresponsive.

9                 Q.           Sir, was there a reason why you,  
10    after noticing after the stairs were dirty, you  
11    yourself did not make any efforts to clean them  
12    if that was something that was within your scope  
13    of responsibility at this job site?

14                A.           I told you already that they  
15    ordered me to bring down the bags, and the  
16    people who were cleaning, it was them.

17                Q.           At some point in time when you  
18    were coming down the stairs before the accident  
19    happened, you noticed the staircase still had  
20    debris on it, correct?

21                A.           Yes.

22                Q.           And, yet you still decided to  
23    walk down that staircase, true?

24                A.           They were the only ones.

25                Q.           Could you have put the bags down

1                                   Angel Peralta Ordóñez                                   119

2       and cleared the debris from the staircase, sir?

3                   A.           (No verbal response given).

4                   Q.           Sir?

5                   A.           Honestly, I did not do that.

6                   Q.           I know you didn't do it, sir, but

7       is there a reason why you didn't do it when it

8       was your responsibility at this job site to make

9       sure that the staircase was clean?

10                  A.           Yeah. I know it was my

11       responsibility, but the person who was my boss

12       told me to do something else, to go get the bags

13       and bring those bags down, and that they were

14       doing the cleaning.

15                  Q.           If you noticed something that

16       could be dangerous to your health and your

17       safety, did you not feel that you had some

18       responsibility to make sure that you could do

19       your work in a safe manner?

20                               MR. SVERDLOVE: Note my

21       objection.

22                  A.           Honestly, I didn't think about

23       it.

24                  Q.           Okay.

25                               MS. DUFFY: Jason, would you mind

1                                   Angel Peralta Ordonez                                   120

2                   if I ask a question similar to what  
3                   you're asking?

4                                   MR. MENESES:   Sure, that's fine.

5                                   MS. DUFFY:    Sir, could you have  
6                   waited for the people to clean the stairs  
7                   before going down with the garbage bags?

8                   A.            The thing is that I had to bring  
9                   these bags down and even my boss, the boss who  
10                  was in charge of our group, had told me  
11                  something, like, you have to bring those bags  
12                  down quickly.

13                                  MR. MENESES:   I'm going to jump  
14                  back in now after that.

15                  Q.            Where was those bags ultimately  
16                  put; were they put in a dumpster, a cart, a  
17                  truck, something else?

18                  A.            The bags would be left by the  
19                  door.   We would leave them by the door when they  
20                  were full of garbage.   I would pick them up and  
21                  bring them down.

22                  Q.            Once you brought them down, sir,  
23                  where would they go after that?   Would they go  
24                  in a dumpster, would they go into a truck, would  
25                  they go in the street; what would you do with



1 Angel Peralta Ordóñez

121

2 them once you brought them down?

3 A. A dumpster.

4 Q. Was the dumpster emptied on a  
5 daily basis, on a weekly basis, or something  
6 else?

7 A. Each week.

8 Q. At the time that your incident  
9 happened, was there a garbage truck picking up  
10 the dumpster ready to throw the bags out?

11 A. No.

12 Q. So you could have waited five  
13 minutes for someone else to clean those stairs  
14 or you could have cleaned the stairs? It wasn't  
15 that big of a rush; you would agree with me,  
16 right?

17 A. The only thing I was in agreement  
18 with is the orders I was receiving from my boss.

19 Q. Like I said, the bags were  
20 ultimately going to be put in the dumpster,  
21 right?

22 A. Yeah, but they were rushing me  
23 that I needed to bring those bags down.

24 Q. I want to be clear, sir. Your  
25 incident occurred because you tripped, correct?

1 Angel Peralta Ordóñez 122

2 A. Yes.

3 Q. You did not slip, correct?

4 A. No. I did not slip, I tripped.

5 Q. Now that staircase that you were

6 walking on, was that a permanent staircase in

7 the building?

8 A. Yes.

9 Q. What were the stairs made out of,

10 sir?

11 A. Cement.

12 Q. And, were you using those stairs

13 simply to get from the third floor to the second

14 floor?

15 A. Yes.

16 Q. So you weren't using those stairs

17 to do work in the staircase to reach a higher

18 level, correct?

19 A. Yes.

20 Q. There was nothing that fell and

21 struck you, causing you to fall down those

22 stairs, correct?

23 A. No. Nothing struck me.

24 Q. Okay. Are you aware of the term

25 general contractor, sir?

1                           Angel Peralta Ordonez                           123

2           A.           General contractor, no.

3                           THE INTERPRETER: I'm sorry,

4           Counsel, my battery is about to die, so I

5           need to plug it in. Then if possible, I

6           would like to take a break to get

7           something to eat.

8                           MR. MENESES: Let's take 15

9           minutes.

10                          (Whereupon, a break was held.)

11   BY MR. MENESES:

12           Q.           Earlier you testified that after

13   you tripped, you fell down the stairs, correct?

14           A.           Yes, I tripped and I fell down.

15           Q.           How many stairs did you fall

16   down, sir?

17           A.           Eight.

18           Q.           And, where did your body

19   ultimately come to rest? Was it on the landing

20   of the second floor or something else?

21           A.           The resting platform area.

22           Q.           When your body came to rest, what

23   position was your body in?

24           A.           Like this. Like, kind of

25   sideways. (Gesturing).

1 Angel Peralta Ordóñez 124

2 Q. Sideways on your left, on your  
3 right, something else?

4 A. Right side.

5 Q. And, earlier you testified that  
6 you were wearing a hard hat while you were  
7 working, correct?

8 A. Yes.

9 Q. Did your hard hat remain on your  
10 head when your body came to rest?

11 A. No. When I fell, the hard hat  
12 came off.

13 Q. Where did it go when it came off  
14 your head, sir?

15 A. It fell off my head; it fell to  
16 one of the sides.

17 Q. Do you know at what point in time  
18 that hard hat came off your head?

19 A. No.

20 Q. But as you sit here today, your  
21 recollection is when your body came to rest, you  
22 weren't wearing your hard hat, correct?

23 A. No, I didn't have the hard hat  
24 on.

25 Q. On the date of the incident, what

1 Angel Peralta Ordóñez

125

2 color was your hard hat?

3 A. White.

4 Q. Was that a hard hat that you  
5 owned or was it given to you by your employer?

6 A. I was the owner.

7 Q. When your body came to rest, you  
8 mentioned that you were on your right side; were  
9 you on your back, on your stomach, or something  
10 else?

11 A. When I fell, my body ended up on  
12 my right side.

13 Q. Okay. About how long did you  
14 remain on the ground after your body came to  
15 rest?

16 A. I stayed on the floor until the  
17 ambulance arrived.

18 Q. While you were on the ground, did  
19 anyone come up to you and speak to you?

20 A. My manager and this coworker.

21 Q. Were you conscious the entire  
22 time that you were on the ground up until the  
23 time the ambulance came?

24 A. Yes.

25 Q. How long were you on the ground

1                                   Angel Peralta Ordóñez                                   126

2       before the ambulance arrived; was it 5 minutes,

3       10 minutes, something else?

4                   A.           Twenty-five minutes.

5                   Q.           Is that an approximation or did

6       you look at your watch from the time you fell

7       until the time the ambulance arrived?

8                   A.           It's an approximation.

9                   Q.           Did someone stay with you the

10       entire time from the moment your body came to

11       rest up until the ambulance arrived?

12                   A.           Yeah, the manager.

13                   Q.           What did the manager do during

14       that time you were both together before the

15       ambulance arrived?

16                   A.           I'm sorry, what?

17                   Q.           What did the manager do while she

18       was in the area around you while you were

19       waiting for the ambulance to arrive?

20                   A.           (No verbal response given).

21                   Q.           We couldn't hear you.

22                   A.           Nothing.

23                   Q.           Did you take any photos before

24       you left the scene?

25                   A.           No.

1 Angel Peralta Ordóñez 127

2 Q. Do you know if anyone took any  
3 photographs of you before you left the scene?

4 A. No, I don't know if anybody took  
5 any pictures.

6 Q. Did you ask anybody to take any  
7 photos of you while you were on the ground?

8 A. No.

9 Q. Have you seen any photos of you  
10 at the scene of the incident?

11 A. If I have pictures?

12 Q. No. Have you seen any  
13 photographs of you at the scene of the incident?

14 A. Oh, no.

15 MR. MENESES: We are going to  
16 mark this photograph as Defendant's  
17 Exhibit C for today's date.

18 (Whereupon, Defendant's Exhibit  
19 C, Photograph, was marked for  
20 identification, as of this date by the  
21 Reporter.)

22 Q. This is a photograph that was  
23 exchanged during the course of discovery. Just  
24 take a moment to look at this photograph, and  
25 then I'm going to ask you some questions about

1 Angel Peralta Ordóñez

128

2 it; okay, sir?

3 A. Okay.

4 Q. Have you ever seen this photo  
5 before, sir?

6 A. No.

7 Q. Do you know who took this photo?

8 A. No, I don't know who took it.

9 Q. Is that you in the photograph?

10 A. Yes.

11 Q. What's on your head in that  
12 photo?

13 A. My hard hat.

14 Q. Does that refresh your  
15 recollection as to whether you were wearing a  
16 hard hat after your body came to rest after this  
17 incident?

18 A. The day that it happened, yeah, I  
19 had the hard hat on the whole time.

20 MR. MENESES: I'm going to move  
21 to strike that answer as nonresponsive.

22 Q. Sir, my question to you is, does  
23 the photograph refresh your recollection as to  
24 whether you were wearing your hard hat at the  
25 time your body came to rest after you allegedly



1 Angel Peralta Ordóñez

129

2 fell down the stairs?

3 A. Well, I didn't remember if I had  
4 the hard hat on, honestly.

5 Q. You've changed your testimony.  
6 Before it was that you were not wearing your  
7 hard hat, and now it's that you don't remember  
8 if you were wearing your hard hat?

9 A. Yeah. What I've said is that I  
10 was using my hard hat up to when I suffered my  
11 accident, and then when I suffered my accident,  
12 that the hard hat fell off.

13 Q. I just want to be very clear with  
14 you, sir. Looking at the photograph on your  
15 screen, what is on your head?

16 A. My hard hat.

17 Q. Is this a photo of you before  
18 your accident, after your accident, during our  
19 accident, or something else?

20 A. That photo was during my accident  
21 because that's how I was dressed.

22 Q. Does this area in the photo show  
23 where your body came to rest on the landing?

24 A. Yes.

25 Q. And, in this photo you're wearing

1                                   Angel Peralta Ordóñez

130

2       a hard hat, correct?

3                   A.           Yes.

4                   Q.           At any point in time after your  
5       body came to rest, did somebody come over to you  
6       and put your hard hat on and then take a photo  
7       of you?

8                   A.           The one that was next to me there  
9       was the Colombian guy.

10                  Q.           Is it your testimony here, sir,  
11       that the Colombian guy in this photo got your  
12       hard hat, put it back on your head, and then  
13       took this photograph?

14                  A.           Well, the guy that's standing  
15       next to me there, that's the Colombian guy.  
16       After I fell and I woke up, they first put  
17       underneath my head was, like, this rag, it was,  
18       like, something that was cushioning my head.

19                               MR. MENESES: I'm going to move  
20       to strike as nonresponsive.

21                  Q.           Sir, after the accident, did you  
22       or did you not have a hard hat on as depicted in  
23       this photograph?

24                  A.           After my accident I did not have  
25       a hard hat on.

1                                   Angel Peralta Ordóñez                                   131

2                   Q.            Do you know how the hard hat in  
3   this photo got on top of your head?

4                   A.           No, honestly, no. I remember  
5   when I came back, they had put, like, this  
6   jacket -- it was, like, this kind of jacket that  
7   was underneath my head.

8                   Q.           You said when you came back; what  
9   do you mean by that?

10                  A.           Because there was, like, this  
11   period of time, like, I kind of didn't move at  
12   all, and it was as if I had lost consciousness  
13   for some time.

14                  Q.           How do you know you lost  
15   consciousness, sir? Did someone tell you that?

16                  A.           Yeah. Like, the manager, the  
17   boss that was there, she put, like, some alcohol  
18   near my nose, and then after that, that's when  
19   they put the jacket underneath my head.

20                  Q.           Were you unconscious when this  
21   was going on, sir?

22                  A.           Yes.

23                  Q.           Okay. So you were unconscious,  
24   but you know that someone put alcohol up to your  
25   face and a jacket under your head, sir?

1 Angel Peralta Ordóñez 132

2 A. Yes. I had a jacket already  
3 underneath my head.

4 Q. Okay. You said this person with  
5 the glove on here, that's your coworker?

6 A. No, that's a girl.

7 Q. Is that the manager?

8 A. No, the manager was next to me.

9 Q. You mentioned something about a  
10 Colombian person; where is the Colombian person  
11 in this photo?

12 A. You can't see him because they  
13 only took a picture of me there.

14 Q. You said you don't know who took  
15 this photo, right?

16 A. No.

17 Q. And, do you know what this stuff  
18 is near where your legs are here?

19 A. The things that are beneath my  
20 legs?

21 Q. That's correct, sir.

22 THE INTERPRETER: He's saying, I  
23 think it's gypsum, but I'm not familiar  
24 with this word.

25 Q. Is it gypsum board, sir?

1 Angel Peralta Ordóñez

133

2 A. Yes, I believe it's that.

3 Q. Okay. Is this some of the  
4 material that you had in the garbage bag that  
5 you claimed ripped when you fell down these  
6 stairs?

7 A. No, that was already there. The  
8 stairway was full of that debris.

9 Q. At any point in time after this  
10 incident, did you fill out an incident report?

11 A. I haven't filled out anything.

12 Q. Okay. Did you make a claim for  
13 workers' compensation for this accident?

14 A. No.

15 Q. Are you receiving any sums of  
16 money in connection with any claims that you've  
17 made in this case?

18 A. Every 15 days I get payments.

19 Q. Do you know who those payments  
20 are from?

21 A. From my compensation case.

22 Q. So you have a workers'  
23 compensation case, right?

24 A. Yes.

25 Q. Are you represented by an

1 Angel Peralta Ordóñez

134

2 attorney with respect to that workers'  
3 compensation claim?

4 A. Yes.

5 Q. Is that the firm of Harmon Linder  
6 or is that a different firm?

7 A. I don't know, honestly.

8 Q. Did you ever have to fill out any  
9 documents or forms when you made your workers'  
10 compensation claim?

11 A. I don't remember, honestly.

12 MR. MENESES: I'm going pull up a  
13 document we'll mark as Defendant's  
14 Exhibit D for today's date.

15 (Whereupon, Defendant's Exhibit  
16 D, Workers' Compensation Employee Claim,  
17 was marked for identification, as of this  
18 date by the Reporter.)

19 Q. I represent to you that this is  
20 an Employee Claim form. It's a C3 for the  
21 Workers' Compensation Board. I'm going to have  
22 you take a look at this form, and then I will  
23 ask you some questions about it; okay, sir?

24 A. Okay.

25 Q. I'm going to scroll down to the

1                   Angel Peralta Ordóñez                   135  
2     bottom of Page 2 first. Do you see your  
3     signature anywhere on this document?  
4           A.       Yeah. My signature's there.  
5           Q.       Did you fill this out yourself or  
6     did an attorney fill it out for you or something  
7     else?  
8           A.       I have not filled that.  
9                   MR. MENESES: You were speaking  
10           over each other and I couldn't hear the  
11           answer.  
12          A.       No, I have not filled that.  
13          Q.       At the top, that's your name  
14     though, Angel Fernando Peralta Ordóñez?  
15          A.       Yes.  
16          Q.       And, the address 11036 Corona  
17     Avenue, Apartment 3F; that's where you lived at  
18     the time, correct?  
19          A.       Yes.  
20          Q.       There's a cellphone number here  
21     with the area code 929-789-2709; was that your  
22     cellphone number at the time?  
23          A.       Yeah, that was my phone number.  
24          Q.       Who was the carrier that you had  
25     for the phone at the time; was it Verizon,

1 Angel Peralta Ordóñez

136

2 Sprint, AT&T, T-Mobile?

3 A. Spectrum.

4 Q. Spectrum cellphone service?

5 A. Yes.

6 Q. Okay. I'm going to direct your  
7 attention now to Section B. It says date you  
8 were hired, 10/31/2022; do you see that here?

9 A. Okay.

10 Q. Is it fair to say that you were  
11 employed about seven or eight days at the time  
12 that this incident occurred?

13 A. I'm sorry, what?

14 Q. Is it fair to say that you were  
15 employed by Sparkleening for about seven or  
16 eight days at the time of this incident?

17 A. Yes.

18 Q. And, under Section C it says your  
19 job, it says removing debris, correct?

20 A. Yes.

21 Q. Down in Section D, Question 5  
22 says what were you doing while you were injured  
23 and it says removing debris; is that true?

24 A. Yes.

25 Q. Section D, Number 11, it says did



1 Angel Peralta Ordóñez

137

2 anyone see your injury happen, it says yes, and  
3 it says coworker. Do you have the name of that  
4 coworker?

5 A. No, I don't have it.

6 Q. Okay. I'm going to show you some  
7 additional photographs that were provided to us  
8 by your attorney.

9 MR. MENESES: Off the record.

10 (Whereupon, a discussion was held  
11 off the record.)

12 BY MR. MENESES:

13 MR. MENESES: I'm going to show  
14 you now a six-page document that contains  
15 six photographs that were exchanged by  
16 your attorney, and we're going to mark it  
17 as Defendant's Exhibit E for today's  
18 date.

19 (Whereupon, Defendant's Exhibit  
20 E, Photographs, was marked for  
21 identification, as of this date by the  
22 Reporter.)

23 Q. Do you recognize this photograph  
24 on Page 1 of 6, sir?

25 A. Yes.

1 Angel Peralta Ordóñez 138

2 Q. Are you shown in this photograph?

3 A. Yes, that's me.

4 Q. And, you took this photograph  
5 with a cellphone?

6 A. Yes, with mine.

7 Q. Do you know when this photograph  
8 was taken?

9 A. Days before my accident.

10 Q. What's the reason that you took a  
11 photo of yourself at this job site?

12 A. I sent a photo to my mother. She  
13 asked me to send a photo, so she could see what  
14 I was doing.

15 Q. Is your mother in New York as  
16 well or is she back in Ecuador?

17 A. Ecuador.

18 Q. How do you communicate with her;  
19 is that through WhatsApp?

20 A. Of course, with WhatsApp.

21 Q. Did you send her this photo  
22 through WhatsApp?

23 A. Yes.

24 Q. Do you know where this photograph  
25 was taken?

1 Angel Peralta Ordóñez 139

2 A. The place where I was working.

3 Q. Is that the same building where  
4 the incident is alleged to have occurred?

5 A. Yes, but that's on another floor.

6 Q. Okay. Do you still have this  
7 photograph?

8 A. I honestly don't know.

9 Q. How did your attorney get this  
10 photograph?

11 A. Because I gave it to my first  
12 lawyer.

13 Q. What was the reason that you gave  
14 this photograph of you days before your  
15 accident, in a different location at this job  
16 site, to your attorney?

17 A. 'Cause that's where my accident  
18 happened. It's not the same exact location of  
19 where my accident happened, but it's the same  
20 work site where my accident happened.

21 Q. If it's not the same area where  
22 the accident occurred, why would you send this  
23 to your attorney? Why would you send this  
24 photograph?

25 A. Because they asked for a photo

1 Angel Peralta Ordóñez 140

2 that would show where I'm working.

3 Q. But this doesn't show the  
4 staircase between the second and third floor,  
5 right?

6 A. No.

7 Q. And, it doesn't show anything  
8 that you claim to have tripped on?

9 A. Yes.

10 Q. This is that white hard hat that  
11 was on your head in the other photo that I  
12 showed you, right?

13 A. Yes.

14 Q. Now I'm going to show you Photo  
15 Number 2 of 6 on this document here. Do you  
16 recognize this photo?

17 A. Yes. Yes, that's me.

18 Q. And, you took this with your  
19 cellphone, right?

20 A. Yes.

21 Q. And, when did you take this  
22 photo?

23 A. I don't remember when I took it.

24 Q. Where did you take this photo?

25 A. It's right there at the work

1 Angel Peralta Ordóñez

141

2 site.

3 Q. And, what was the reason that you  
4 took this photograph?

5 A. Because I wanted to take it. I  
6 wanted to have it on my phone.

7 Q. Are there some hearts above your  
8 head there in that photograph?

9 A. Yes.

10 Q. Are those added by Instagram or  
11 some other app? How did you get those hearts  
12 over your head in that photograph?

13 A. That's just a filter.

14 Q. Okay. Did you send this photo to  
15 your lawyer?

16 A. I don't remember, honestly.

17 Q. This doesn't show the area where  
18 your accident occurred, right?

19 A. No, it doesn't show the area.

20 Q. I'm going to show you now  
21 Photograph 3 of 6. Do you recognize this photo?

22 A. Yes.

23 Q. And, who took this photograph?

24 A. That photo I took of myself.

25 Q. Did you ask someone to take it of

1                                   Angel Peralta Ordóñez                                   142

2       you or did you set a timer because you're

3       obviously far away from where the camera is?

4                   A.           Timer.

5                   Q.           What was the reason that you took

6       this photograph of you sitting, looking out a

7       window at this job site?

8                   A.           Because I put it on my Facebook,

9       in my Facebook history.

10                  Q.           Does this area show where the

11       accident occurred?

12                  A.           No.

13                  Q.           Picture Number 4. Again, this is

14       you in the photo, correct?

15                  A.           Yeah, that's me.

16                  Q.           And, you took another selfie with

17       that filter on?

18                  A.           Yes.

19                  Q.           Do you still have this

20       photograph, sir?

21                  A.           I don't know, honestly.

22                  Q.           Now let's go to Photo Number 5.

23       Is this you in the photo here?

24                  A.           Yeah, that's me.

25                  Q.           Did you take that photograph,

1 Angel Peralta Ordóñez

143

2 sir?

3 A. Yes.

4 Q. And, when did you take that  
5 photo?

6 A. The day of my accident.

7 Q. Why did you take that photograph,  
8 sir?

9 A. To send to my father.

10 Q. Did you use a cellphone to take  
11 this photo?

12 A. With my phone.

13 Q. I'm going to show you this last  
14 photograph here. Do you know what's depicted in  
15 this photo?

16 A. Yes.

17 Q. What's this a photograph of?

18 A. I would sign up before going into  
19 work.

20 Q. Was this something that whoever  
21 owned the building made you sign?

22 A. Yes.

23 Q. How much did you say you are  
24 getting every two weeks in workers' compensation  
25 payments?

1 Angel Peralta Ordóñez 144

2 A. They pay me like 700.

3 Q. That's every two weeks, correct?

4 So you get about \$1,400 a month?

5 A. Yes.

6 Q. Other than the worker's  
7 compensation payments, do you have any other  
8 source of income at this time?

9 A. Yes.

10 Q. What other sources of income do  
11 you have at this time?

12 A. There were letting me borrow  
13 money, but they don't let me do that any more.

14 Q. Who was letting you do that, sir?

15 A. The companies.

16 Q. Did you take out some sort of  
17 litigation loan or some sort of loan in  
18 connection with this lawsuit?

19 A. I wouldn't be able to say,  
20 honestly.

21 Q. Well, you would be able to say,  
22 sir, because a few seconds ago you said that you  
23 took a loan out, so what kind of loan are we  
24 talking about?

25 A. Well, they are the loans. I



1                                   Angel Peralta Ordóñez                                   145  
2       don't know how to explain this. The loans that  
3       they give you.  
4               Q.               When you say they, who is they?  
5               A.               The lending companies.  
6               Q.               Is this a lending company that  
7       your attorneys, whether it's Harmon Linder or  
8       Ginarte or Wingate, set you up with?  
9                               MR. SVERDLOVE: Note my  
10               objection.  
11              A.               Ginarte.  
12              Q.               Okay.  
13              A.               They helped me out with that.  
14              Q.               How many loans did you take out?  
15              A.               Like, three.  
16              Q.               Do you recall the amounts of each  
17       loan that you took out?  
18              A.               Five thousand.  
19              Q.               So it's a total of 15,000, sir?  
20              A.               Yes.  
21              Q.               Did you have to sign a contract  
22       for each loan that you took out?  
23              A.               Yes, Ginarte made me sign three.  
24              Q.               When you say made me sign three,  
25       is that a decision that you made on your own or

1 Angel Peralta Ordóñez

146

2 something else?

3 A. No, it's a decision I took out on  
4 my own.

5 Q. And, do you know what the  
6 interest rate is on those loans, sir?

7 A. No.

8 Q. Do you know how much you owe on  
9 though loans at the present time?

10 A. No, I don't know.

11 Q. You said you're not allowed to  
12 take any more loans out. Who told you that  
13 you're not allowed to take any more loans out?

14 A. I didn't take out any more.

15 Q. Okay. Do you have copies of  
16 those loan contracts that you signed, sir?

17 A. No.

18 Q. Do you know the name of the  
19 funding company that you took these loans out  
20 with?

21 A. No.

22 Q. Okay. Other than those three  
23 loans and the workers' compensation payments you  
24 get, do you have any other source of income at  
25 this time?

1 Angel Peralta Ordóñez

147

2 A. No.

3 Q. What did you do with the money  
4 that you received in connection with those loans  
5 that you took out?

6 A. I've paid the debt that I had  
7 when I came.

8 Q. When you say the debt that you  
9 had when you came, is that the amount of money  
10 that you owed to the person that assisted you  
11 with coming over the border and into New York?

12 A. Yes.

13 Q. And, how much was that debt that  
14 you owed, sir?

15 A. Twenty-one thousand dollars.

16 Q. What did you do with the  
17 remaining \$12,900 from that loan, sir?

18 A. With what \$2,900?

19 Q. You said you took a loan out for  
20 \$15,000, right?

21 A. Yes.

22 Q. The debt that you needed to pay,  
23 was that \$21,000 or \$2,100?

24 A. \$21,000.

25 Q. I want to be clear that the debt

1                                   Angel Peralta Ordóñez                                   148

2       that you owed to come over the border into New  
3       York was \$21,000, correct?

4                   A.           Yes.

5                   Q.           And, so you used the \$15,000 that  
6       you got through the loan, and then paid an  
7       additional \$6,000 in cash presumably, correct?

8                   A.           I paid all of that to him. I  
9       paid him in amounts of \$5,000.

10                  Q.           You paid him three installments  
11       of \$5,000, correct?

12                  A.           Yes.

13                  Q.           The remaining \$6,000, is that  
14       still outstanding or have you paid that too?

15                  A.           I still owe him, but I'm paying  
16       him little by little.

17                  Q.           Are you using your workers'  
18       compensation payments for that?

19                  A.           Yes.

20                  Q.           And, how much left do you owe on  
21       that \$6,000, sir?

22                  A.           Now I only owe, like, \$3,000.

23                  Q.           Sir, did anyone ever tell you  
24       that you would get a large sum of money if you  
25       started a lawsuit?

1                   Angel Peralta Ordóñez                   149

2                   THE INTERPRETER: I'm sorry, I

3                   didn't hear you.

4                   Q.           Did anyone ever tell you that you

5                   would get a large sum of money if you started a

6                   lawsuit?

7                   A.           I'm sorry, who told me that?

8                   Q.           I'm asking did anyone ever tell

9                   you that?

10                  A.           No.

11                  MR. MENESES: I'm going to pass

12                  it off to my colleagues here.

13                  MS. DUFFY: I just have a few

14                  more questions for you, sir.

15                  EXAMINATION BY

16                  MS. DUFFY:

17                  Q.           Since you've come to the United

18                  States, have you taken any type of language

19                  classes in English?

20                  A.           No.

21                  Q.           During the course of today's

22                  deposition, have you taken any medication at

23                  all?

24                  A.           Not today, I haven't taken any

25                  medicines.

1                                   Angel Peralta Ordóñez                                   150

2                   Q.            When the deposition is done, are  
3    you going to take your regular medication that  
4    you testified earlier that you typically take at  
5    2:00 p.m.?

6                   A.           Of course.

7                   Q.           I don't have any other questions.

8                                   MR. KIPNIS: I've got nothing.

9  
10                                   (Whereupon, the proceedings were  
11                   concluded at 3:20 p.m.)

12

13

ANGEL PERALTA ORDÓÑEZ

14

15

16   Subscribed and sworn to  
17   before me this           day  
18   of                           , 2024.

19

20

21

22

Notary Public

23

24

25

1 Angel Peralta Ordóñez 151

2 I N D E X

3	WITNESS	EXAMINATION BY	PAGE
4	ANGEL PERALTA ORDÓÑEZ	NICOLA DUFFY, ESQ.	8
5		ADAM KIPNIS, ESQ.	44
		JASON MENESES, ESQ.	86
6		NICOLA DUFFY, ESQ.	149

7 I N D E X O F E X H I B I T S

8	DEFENDANT	DESCRIPTION	PAGE
9	A	Consent to Change Attorneys	94
10	B	Consent to Change Attorney	99
	C	Photograph	127
11	D	Workers' Compensation Employee Claim	134
12	E	Photographs	137

13 I N D E X O F R E Q U E S T S

14	DESCRIPTION	PAGE
15	OSHA Card	53
16	Copy of New York State driver's permit	101

17

18

19

20

21

22

23

24

25

Angel Peralta Ordenez

152

## CERTIFICATION

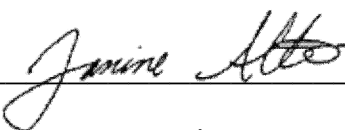
I, JANINE ALTO, a Notary Public for and  
within the State of New York, do hereby certify:

That the testimony was taken  
stenographically by myself.

That the within transcript is a true and  
accurate record.

That I am not connected by blood or  
marriage with any of the parties. I am not  
interested directly or indirectly in the matter in  
controversy.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 31st day of October, 2024.



Janine Alto





1 Angel Peralta Ordóñez

153

2 ERRATA SHEET

3  
4 Re: Angel Peralta Ordóñez v Boerum Hill 82 LLC,  
et al.

5 Page Line Error Change

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21

22 ANGEL PERALTA ORDÓÑEZ

23

24 Subscribed and sworn to before me  
this day of , 20

25

<b>A</b>	130:21,24	<b>agree</b> 12:16	67:1 68:1 69:1	<b>anybody</b> 10:14
<b>A-D-O-L-F-O</b>	133:13 138:9	113:10 121:15	70:1 71:1 72:1	10:16 13:25
88:16,18	139:15,17,19	<b>AGREED</b> 3:3	73:1 74:1 75:1	14:10 41:7
<b>a.m</b> 1:22 24:15	139:20,22	<b>agreement</b>	76:1 77:1 78:1	43:15 49:15
30:10 64:13	141:18 142:11	121:17	79:1 80:1 81:1	80:8 116:25
65:7,10	143:6	<b>al</b> 153:4	82:1 83:1 84:1	127:4,6
<b>a/k/a</b> 1:17 6:18	<b>accompanied</b>	<b>alcohol</b> 9:4	85:1 86:1 87:1	<b>anymore</b> 90:20
<b>ability</b> 9:5,8	4:13	131:17,24	88:1,12 89:1	<b>apartment</b>
<b>able</b> 10:21 17:19	<b>account</b> 43:9	<b>alleged</b> 139:4	90:1 91:1 92:1	15:16 108:23
25:19 35:14,23	59:13,18	<b>allegedly</b> 128:25	93:1 94:1 95:1	135:17
40:25 71:6,12	110:22 111:18	<b>allow</b> 12:17 79:4	96:1 97:1 98:1	<b>apartments</b>
76:16 78:24	111:22	<b>allowed</b> 146:11	99:1 100:1	105:11
144:19,21	<b>accurate</b> 152:9	146:13	101:1 102:1	<b>app</b> 141:11
<b>above-entitled</b>	<b>action</b> 2:3 5:7	<b>allowing</b> 12:21	103:1 104:1	<b>appear</b> 100:3
2:2	<b>Adam</b> 6:15 44:2	<b>Alto</b> 2:4 152:4	105:1,6 106:1	<b>apply</b> 3:13
<b>accept</b> 84:10,23	44:7 68:7	152:19	107:1 108:1	101:24
<b>accident</b> 8:22	151:5	<b>ambulance</b>	109:1 110:1	<b>apprenticeships</b>
14:13 18:2	<b>added</b> 141:10	41:14 42:2	111:1 112:1	16:19
19:19 20:15,16	<b>addition</b> 87:21	125:17,23	113:1 114:1	<b>appropriate</b>
20:18 21:5,18	87:25 88:8	126:2,7,11,15	115:1 116:1	3:14 12:15
22:21 27:10,17	<b>additional</b> 137:7	126:19	117:1 118:1	<b>approximate</b>
27:19 28:18	148:7	<b>America</b> 111:15	119:1 120:1	17:10 25:22
29:5,18,23	<b>address</b> 8:15	111:21,23	121:1 122:1	35:20,22
30:10,13 32:3	13:5,7,13,18	<b>amount</b> 53:5	123:1 124:1	<b>approximately</b>
35:15 36:10	13:20,23 14:8	54:15 147:9	125:1 126:1	16:11 17:21
40:18 41:6,10	14:25 15:10,15	<b>amounts</b> 145:16	127:1 128:1	41:4
42:3,4,20	43:11 44:25	148:9	129:1 130:1	<b>approximation</b>
44:18 45:20,25	46:14,17,22	<b>and/or</b> 3:8	131:1 132:1	126:5,8
54:10 58:12,16	47:5 49:19,20	<b>Angel</b> 1:5,25 7:1	133:1 134:1	<b>area</b> 34:19 72:8
58:23 61:19,22	49:24 50:2	8:1,14 9:1 10:1	135:1,14 136:1	74:5,24 77:2,7
62:14 63:9,17	52:22 58:8,11	11:1,6 12:1	137:1 138:1	79:7 115:24
63:21 64:4,9	58:15 92:22	13:1 14:1 15:1	139:1 140:1	117:5 123:21
65:17,23 66:11	107:12 111:25	16:1 17:1 18:1	141:1 142:1	126:18 129:22
66:17,21 67:3	135:16	19:1 20:1 21:1	143:1 144:1	135:21 139:21
67:9,10 68:15	<b>addresses</b> 13:14	22:1 23:1 24:1	145:1 146:1	141:17,19
68:23 69:14,17	<b>Adolfo</b> 88:15	25:1 26:1 27:1	147:1 148:1	142:10
70:14 71:6,15	<b>advertisements</b>	28:1 29:1 30:1	149:1 150:1,13	<b>areas</b> 112:20,22
72:11,16 73:5	96:21	31:1 32:1 33:1	151:1,4 152:1	<b>arms</b> 37:14
73:9 74:14,20	<b>advisement</b>	34:1 35:1 36:1	153:1,3,22	<b>arrive</b> 42:2
75:2,9,17,23	101:23	37:1 38:1 39:1	<b>answer</b> 3:11,18	126:19
76:5,12,19	<b>affect</b> 9:4,8	40:1 41:1 42:1	4:3,10,12,12	<b>arrived</b> 17:2
77:8,18,22	<b>afternoon</b> 44:6	43:1 44:1 45:1	4:15 8:23	49:24 59:3,23
78:3,6,10,18	86:5	46:1 47:1 48:1	12:11,21,23	60:18 64:12
79:13,20,25	<b>against-</b> 1:7,15	49:1 50:1 51:1	19:10 26:18	107:11,15
80:9,13 81:3	<b>age</b> 16:11 25:22	52:1 53:1 54:1	36:3 38:7 84:2	108:7,24 112:5
90:15 97:4	41:3	55:1 56:1 57:1	128:21 135:11	125:17 126:2,7
118:18 129:11	<b>ago</b> 13:8 14:22	58:1 59:1 60:1	<b>answered</b> 4:8,23	126:11,15
129:11,18,18	45:17 57:7	61:1 62:1 63:1	<b>answering</b> 8:25	<b>Article</b> 3:14
129:19,20	102:3 144:22	64:1 65:1 66:1	<b>answers</b> 10:25	<b>asked</b> 56:22

86:11 88:23 90:15,17 91:19 92:15 96:9 99:5 138:13 139:25 <b>asking</b> 12:12,13 56:13 63:20 72:13 84:4,11 85:22 86:8 95:20 110:13 120:3 149:8 <b>assisted</b> 147:10 <b>assuming</b> 10:2 81:16 <b>AT&amp;T</b> 136:2 <b>attend</b> 24:7 <b>attendance</b> 3:24 <b>attended</b> 53:2 <b>attention</b> 62:21 136:7 <b>attorney</b> 3:19 4:9,18 5:11,18 10:7,15 86:6 99:18 134:2 135:6 137:8,16 139:9,16,23 151:10 <b>attorneys</b> 3:4 6:4,8,13,18 84:22 94:3,11 99:3 145:7 151:9 <b>aunt</b> 49:17,18 109:15 <b>available</b> 56:7 56:21 <b>Avenue</b> 6:5,10 13:21 23:20,23 49:22 107:8,15 108:13,20 135:17 <b>avoid</b> 73:11,18 76:7 <b>aware</b> 112:13 113:7,8 122:24	<b>back</b> 19:11,21 26:18 38:7 39:17 56:20 65:19 78:8 87:10 90:10 92:7 101:18 108:12,18 112:3 120:14 125:9 130:12 131:5,8 138:16 <b>bag</b> 36:20 38:14 38:17 39:2 68:19 71:19,25 133:4 <b>bags</b> 30:8,15,18 31:19 34:2,3,6 35:16,21,25 36:18,24 37:6 37:10,13,17,24 38:4 39:22,24 41:19 62:8,11 65:18 70:14,17 70:22,25 71:9 71:15,21 75:14 76:2,13,15 77:13,16,21,24 78:4,8,12 79:9 115:6 117:8,22 118:5,15,25 119:12,13 120:7,9,11,15 120:18 121:10 121:19,23 <b>banister</b> 36:21 <b>bank</b> 59:17 111:13,15,21 111:23 <b>bar</b> 5:5 <b>Based</b> 95:24 <b>basis</b> 3:21 4:14 54:7,8,16,16 84:3 93:18 121:5,5 <b>bathroom</b> 85:19 106:15 <b>battery</b> 123:4 <b>bear</b> 44:10 <b>began</b> 21:19 <b>beginning</b> 34:15	<b>begins</b> 85:22 <b>behalf</b> 5:12 <b>believe</b> 30:9 36:6 90:5 133:2 <b>bell</b> 83:15 <b>belt</b> 40:3,4 <b>beneath</b> 113:22 132:19 <b>best</b> 86:10 <b>better</b> 49:14 <b>big</b> 121:15 <b>birthday</b> 11:20 <b>bit</b> 41:9 44:10 75:5 <b>black</b> 102:20 103:23 <b>BLEE</b> 6:13 <b>blocks</b> 35:5 98:12 <b>blood</b> 152:10 <b>BLOOM</b> 6:8 <b>BMW</b> 102:6,7 102:19 103:9 <b>board</b> 132:25 134:21 <b>body</b> 9:13 39:12 39:15 87:15,22 88:2 123:18,22 123:23 124:10 124:21 125:7 125:11,14 126:10 128:16 128:25 129:23 130:5 <b>Boerum</b> 1:8,12 6:9 40:16 153:3 <b>boots</b> 29:19 <b>border</b> 12:24 47:23,24 48:2 49:7 86:14,23 147:11 148:2 <b>born</b> 11:23 <b>borrow</b> 144:12 <b>boss</b> 26:14 59:2 117:2,3,9 119:11 120:9,9 121:18 131:17 <b>bottom</b> 60:16,17	69:21 72:22 100:8 135:2 <b>bought</b> 103:8 <b>bounce</b> 44:9 <b>break</b> 26:8,10 26:12,25 38:5 42:15,18 85:19 85:21,24 86:2 123:6,10 <b>bring</b> 30:7 31:3 31:4,10,12,14 31:19 62:20 65:18 75:12 92:18,19 93:24 107:23 108:3 117:19,21 118:15 119:13 120:8,11,21 121:23 <b>bringing</b> 30:15 30:17 33:10 34:4 65:5 70:21,24 117:8 118:5 <b>Broadway</b> 6:19 <b>brought</b> 108:7 108:16 120:22 121:2 <b>Bueno</b> 83:5 <b>building</b> 27:23 27:25 28:10,14 28:18,19,20 29:4 59:24 60:5,20,23 63:16 69:24 98:9 115:19 117:20 122:7 139:3 143:21 <b>buildings</b> 21:13 28:23,25 <b>built</b> 60:2 <b>business</b> 81:24 88:20 <b>buy</b> 103:7	<b>C-E-N-T-E-N...</b> 83:3 <b>C3</b> 134:20 <b>call</b> 25:13 53:24 56:12 85:14 92:3,11,23 93:2 101:15 <b>called</b> 8:5 21:6 40:16 41:13 80:18 <b>camera</b> 142:3 <b>car</b> 48:10 86:15 100:23 102:4,6 104:2 <b>card</b> 53:10,12,16 53:24 101:12 151:15 <b>careful</b> 80:4 <b>carrier</b> 57:20,23 58:3 81:18 135:24 <b>carry</b> 71:12 76:16 77:9 <b>carrying</b> 30:25 35:16,25 62:10 70:14,25 76:14 77:12,16,24 78:3 <b>cars</b> 48:22 87:23 88:3 <b>cart</b> 120:16 <b>case</b> 8:20 44:8 83:9 85:8,15 92:24 93:3,9 93:16,20 133:17,21,23 <b>cash</b> 54:5,6,13 59:10 103:7,8 148:7 <b>cause</b> 4:8 113:14 139:17 <b>caused</b> 37:19 74:8 78:13 79:13,25 <b>causing</b> 122:21 <b>cellphone</b> 57:8 57:12,16,19,22 57:23 58:2,3,4 81:12,17,18,18
<b>B</b>			<b>C</b>	
<b>b</b> 3:8 99:16,18 136:7 151:7,10			<b>c</b> 3:8 6:2 127:17 127:19 136:18 151:10	

91:10 135:20 135:22 136:4 138:5 140:19 143:10 <b>cement</b> 52:17 87:12 122:11 <b>Centeno</b> 83:2 <b>centimeters</b> 17:22 <b>certain</b> 53:5 114:5 <b>certification</b> 5:16 152:2 <b>certify</b> 152:5 <b>chain</b> 114:22 <b>chance</b> 42:15 <b>change</b> 57:6,22 88:5,7 94:3,10 99:18 151:9,10 153:5 <b>changed</b> 17:25 57:5,16,19 58:2 129:5 <b>charge</b> 5:20 25:13 114:25 115:15 117:2 120:10 <b>charging</b> 57:25 <b>check</b> 54:5 59:11 68:19 <b>checks</b> 59:17 <b>Chris</b> 22:9,12,18 22:23 24:24 25:3,8,10 26:3 26:14,25 29:22 29:25 34:14 41:7,10,11 59:2,3,4 64:13 64:19 81:8 <b>Chris's</b> 62:21 81:11 <b>claim</b> 44:17 78:13 79:13 133:12 134:3 134:10,16,20 140:8 151:11 <b>claimed</b> 79:20 133:5 <b>claiming</b> 18:7	<b>claims</b> 44:19 133:16 <b>clarify</b> 75:6 <b>classes</b> 149:19 <b>classroom</b> 17:6 <b>clean</b> 27:3 30:6 31:20,20 34:13 35:8,11 60:12 60:19 61:7,21 63:2,7,12,16 63:20,25 64:14 64:19,25 69:5 69:9,14,18 70:10 75:13,24 116:14 117:11 117:14,20,24 118:11 119:9 120:6 121:13 <b>cleaned</b> 41:21,22 65:4 69:16 70:18 115:13 121:14 <b>cleaning</b> 21:13 21:24 22:2,3 23:3 27:4 31:18 32:20 60:15 61:4,11 61:25 62:4,7 62:12 64:15,25 65:2,4,12,24 66:2 69:9,24 114:20 118:4 118:16 119:14 <b>clear</b> 3:20 4:13 84:20,24 108:18 115:18 121:24 129:13 147:25 <b>cleared</b> 119:2 <b>clearly</b> 5:2 68:12 <b>Clever</b> 83:5 <b>climbed</b> 116:18 <b>clothing</b> 16:23 <b>code</b> 135:21 <b>colleagues</b> 149:12 <b>collect</b> 31:13 <b>College</b> 14:5,8 98:8,10	<b>collision</b> 87:16 88:3 <b>Colombian</b> 41:2 130:9,11,15 132:10,10 <b>color</b> 102:19 103:22 125:2 <b>combined</b> 107:4 <b>come</b> 11:25 12:7 33:16 46:5,6 47:13,13,24 49:13 50:2 55:14 86:16 89:15 97:23 98:2 111:4 123:19 125:19 130:5 148:2 149:17 <b>coming</b> 30:19 33:24 52:13 64:4,22 78:8 79:6 118:18 147:11 <b>comments</b> 3:25 <b>communicate</b> 138:18 <b>communicated</b> 68:11 <b>communicating</b> 4:19 <b>communication</b> 4:21,25 84:15 <b>companies</b> 70:2 70:5 144:15 145:5 <b>company</b> 19:3,5 19:8,15,18,25 20:10,14,21,23 21:4,6,9,11,13 22:15 40:15 45:7,8,11,13 45:14 50:8,17 50:25 51:8 54:3,9,19,23 55:2,24 57:21 57:24 80:18,20 80:21 145:6 146:19 <b>compensation</b>	44:17,19 133:13,21,23 134:3,10,16,21 143:24 144:7 146:23 148:18 151:11 <b>complaint</b> 116:24 117:10 <b>complete</b> 4:16 <b>completely</b> 12:15 60:3 <b>compliance</b> 3:5 <b>concerning</b> 8:21 <b>concluded</b> 150:11 <b>confidentiality</b> 4:5 <b>confused</b> 75:5 79:16 104:16 108:6 <b>confusion</b> 68:4 <b>connected</b> 152:10 <b>connection</b> 133:16 144:18 147:4 <b>conscious</b> 125:21 <b>consciousness</b> 131:12,15 <b>consent</b> 4:20 94:3,10 99:18 151:9,10 <b>constructed</b> 28:7 59:25 60:2 <b>construction</b> 1:9 1:13 6:9 16:16 16:22 19:2 21:14 27:23 40:8,12 52:10 52:12 70:9 87:13 89:21 98:21,22,25 112:17 113:7 113:22 <b>consular</b> 112:2 <b>contact</b> 18:14 56:6	<b>contains</b> 137:14 <b>continue</b> 66:4 <b>contract</b> 145:21 <b>contractor</b> 122:25 123:2 <b>contracts</b> 146:16 <b>controlled</b> 5:14 <b>controversy</b> 152:13 <b>conversations</b> 10:6 83:22 84:5,16,21 85:2,10 93:15 93:19 <b>copies</b> 7:13 146:15 <b>copy</b> 5:20 95:14 101:16 151:16 <b>Cornell</b> 6:17 86:7 <b>Corona</b> 13:21 14:15 17:5 49:22 52:21 107:8,15,23 108:3,13,20 135:16 <b>correct</b> 10:2 15:24 23:5 24:15 27:11 33:9 40:13 43:12 47:10 50:8 51:18 53:6 54:12 56:2 58:12,16 58:20,23 60:13 60:20,24 61:13 61:19 62:8,12 62:16 63:18 64:6,10 65:15 69:6,10,17 70:11,15,19 71:3,7,16 74:16 76:5,9 76:14 77:5 78:6,18 81:3 81:14 83:11,19 88:9 90:12 91:6 97:9 100:18 106:18
---	---	--	---	---

106:21,22,24 107:8,12 108:20 109:15 111:24 113:15 113:20 114:12 114:23 115:19 116:4,10 118:20 121:25 122:3,18,22 123:13 124:7 124:22 130:2 132:21 135:18 136:19 142:14 144:3 148:3,7 148:11 <b>counsel</b> 5:19 7:4 12:20 42:14 85:17 92:6 123:4 <b>COUNTY</b> 1:3 <b>couple</b> 44:2,8 108:11 <b>course</b> 3:23 51:15,19,23 52:6,6,7,9,20 52:22 53:2,6 101:10 113:12 127:23 138:20 149:21 150:6 <b>courses</b> 16:15,17 16:20,21,25 17:4,8,11,13 112:4,8 114:4 <b>court</b> 1:3 4:7 <b>Courts</b> 3:6 <b>cousin</b> 46:9 <b>coworker</b> 25:12 40:23 76:21 114:19,23,24 125:20 132:5 137:3,4 <b>coworkers</b> 40:20 59:8 70:20,23 75:13 <b>CPLR</b> 3:15,22 4:11 5:14 <b>crossed</b> 49:7 <b>current</b> 8:15 <b>currently</b> 11:9	15:3 105:8 <b>cushioning</b> 130:18 <b>cut</b> 35:6 <hr/> <b>D</b> <hr/> <b>d</b> 3:8 7:24 8:5 134:14,16 136:21,25 151:2,7,11,13 <b>dad</b> 81:21 <b>daily</b> 121:5 <b>damaged</b> 88:5,8 <b>dangerous</b> 114:7 118:3 119:16 <b>dangers</b> 112:17 113:19 <b>dark-skinned</b> 25:21 <b>date</b> 1:22 18:2 31:23 81:3 93:25 94:5,10 99:16,19 124:25 127:17 127:20 134:14 134:18 136:7 137:18,21 <b>dating</b> 45:17 <b>day</b> 9:22 20:11 24:10 27:13,17 29:17,23 31:6 32:22 34:15 60:12 69:25 70:8 128:18 143:6 150:17 152:15 153:24 <b>days</b> 23:16 48:7 55:4 97:7 133:18 136:11 136:16 138:9 139:14 <b>dealing</b> 87:3 <b>debris</b> 34:25 35:2 41:20,21 41:23 62:6,23 63:7 68:15,18 68:24 69:4,12 69:16,18 71:21 72:25 73:3,4,7	73:13 74:3,5,6 74:19,25 75:9 75:12,16,16,16 75:21,22 76:4 76:12 79:12,19 79:24 114:10 115:10 116:15 116:16,18 117:25 118:20 119:2 133:8 136:19,23 <b>debt</b> 147:6,8,13 147:22,25 <b>decided</b> 118:22 <b>decision</b> 84:12 84:13 85:5 145:25 146:3 <b>deemed</b> 5:13 94:9 <b>defect</b> 3:20 <b>Defendant</b> 2:3 6:13,18 151:8 <b>Defendant's</b> 93:25 94:2,9 99:15,17 127:16,18 134:13,15 137:17,19 <b>defendants</b> 1:10 1:18 6:8 8:20 44:7 <b>demonstrate</b> 111:10 <b>depicted</b> 130:22 143:14 <b>deponent</b> 3:18 4:3,10,14,20 <b>deposed</b> 15:12 <b>deposit</b> 43:8 59:14 110:2 111:14 <b>deposited</b> 59:17 110:21 <b>deposition</b> 3:9 3:10,12,17 4:4 4:17,19 7:3 10:8,12,15 149:22 150:2 <b>describe</b> 24:10	25:19 40:25 <b>DESCRIPTION</b> 151:8,14 <b>determining</b> 4:22 <b>die</b> 123:4 <b>different</b> 48:22 73:23 74:5 76:8 88:14 134:6 139:15 <b>direct</b> 4:10 12:10 59:14,17 109:25 110:21 111:14 136:6 <b>directed</b> 29:25 31:5 <b>direction</b> 4:12 <b>directly</b> 43:8 59:12 93:4 152:12 <b>dirty</b> 34:23,24 38:24 69:3 79:15 115:16 117:6 118:10 <b>discovery</b> 127:23 <b>discussion</b> 137:10 <b>divided</b> 105:20 <b>doctor</b> 9:15,17 <b>doctors</b> 9:16 <b>document</b> 94:16 94:20 95:9,11 95:21,22 96:8 96:16 99:24 100:4,12 134:13 135:3 137:14 140:15 <b>documentation</b> 111:9,20 <b>documents</b> 10:11 12:25 134:9 <b>doing</b> 70:8 118:5 119:14 136:22 138:14 <b>dollars</b> 147:15 <b>door</b> 120:19,19 <b>doorways</b>	112:21 <b>downwards</b> 31:18 <b>dressed</b> 129:21 <b>drive</b> 47:21 48:11,13,23 49:11 86:22 100:22 102:4,7 103:12 <b>driven</b> 49:3 <b>driver</b> 49:10 <b>driver's</b> 101:17 151:16 <b>driving</b> 48:17 <b>drop</b> 39:22 75:16 <b>dropped</b> 39:25 78:7 <b>dropping</b> 75:21 <b>drove</b> 48:15 109:3 <b>drugs</b> 9:4 <b>Duffy</b> 6:11 7:9 8:10,19 15:11 19:10 26:17 36:2 37:4 42:16,19 101:20 119:25 120:5 149:13 149:16 151:4,6 <b>duly</b> 7:25 <b>dumpster</b> 120:16,24 121:3,4,10,20 <hr/> <b>E</b> <hr/> <b>E</b> 6:2,2 7:24,24 8:5,5,5 137:17 137:20 151:2,7 151:7,12,13,13 151:13 <b>earlier</b> 11:11 88:23 107:6 109:24 114:9 123:12 124:5 150:4 <b>earning</b> 42:24 43:2 <b>eat</b> 123:7
---	---	--	---	--

<b>Ecuador</b> 7:22 11:24 46:2,4,5 46:10 47:9 52:16 86:13,22 87:10 89:14 90:10 97:25 138:16,17	17:16 <b>erected</b> 59:24 <b>ERRATA</b> 153:2 <b>error</b> 3:21 153:5 <b>ESQ</b> 6:6,11,15 6:20 151:4,5,5 151:6 <b>ESQS</b> 6:4 <b>establish</b> 111:17 <b>et</b> 153:4 <b>event</b> 4:24 <b>eventually</b> 79:13 <b>exact</b> 52:23 139:18 <b>examination</b> 1:25 3:24 5:5,8 5:11,12,17,20 8:9 44:4 86:3 149:15 151:3 <b>examined</b> 5:9,19 8:7 <b>examining</b> 4:15 <b>example</b> 113:21 <b>exchanged</b> 127:23 137:15 <b>Exhibit</b> 93:25 94:2,10 99:16 99:17 127:17 127:18 134:14 134:15 137:17 137:19 <b>explain</b> 19:9 21:25 31:16 145:2 <b>extent</b> 3:22 84:13	136:10,14 <b>fall</b> 17:13 38:3 39:9 40:5,19 71:20 74:9 76:24 78:13 122:21 123:15 <b>familiar</b> 82:20 132:23 <b>far</b> 142:3 <b>fashion</b> 37:11 39:19 <b>father</b> 14:2,11 14:23 47:15 48:18,21 49:23 50:3 86:17,19 87:3,7 107:11 107:14 108:19 108:22 109:2 143:9 <b>father's</b> 87:8 88:11 109:4,7 109:10,17 <b>feedback</b> 112:25 113:5 <b>feel</b> 119:17 <b>fell</b> 38:11,13,14 38:17 39:2,9 39:20 40:2,21 41:22 63:21 71:18,22,24,24 71:25 72:14,17 73:8 74:12 76:22 122:20 123:13,14 124:11,15,15 125:11 126:6 129:2,12 130:16 133:5 <b>Fernando</b> 11:6 82:21 135:14 <b>Fifteen</b> 74:21 <b>fifth</b> 115:5,9,12 <b>filed</b> 44:17,19 59:20 82:4 <b>filing</b> 5:16 <b>fill</b> 23:25 34:8 42:3 51:7 56:23 70:20,22 70:23 133:10	134:8 135:5,6 <b>filled</b> 70:18 133:11 135:8 135:12 <b>filter</b> 141:13 142:17 <b>find</b> 49:14 55:6 89:3 96:18 97:11 104:23 105:10 <b>fine</b> 120:4 <b>finish</b> 23:14 27:5 32:21,22 34:5 <b>finished</b> 32:20 <b>firm</b> 83:8,13 85:13 86:7 89:4 96:19 97:12 134:5,6 <b>firms</b> 83:10 <b>first</b> 8:6 13:17 17:2 18:24 23:19,22 24:17 25:2 46:8 47:16,17 48:21 49:20 50:7 51:20 55:2 59:2,5,6 60:18 62:12 83:13 91:25 93:3 94:24 107:7 115:8 130:16 135:2 139:11 <b>five</b> 13:8 31:24 33:12 46:15 61:11 77:25 78:2,17 121:12 145:18 <b>five-minute</b> 78:9 79:10,21 85:18 <b>five-month</b> 45:3 <b>flat</b> 72:8 <b>flight</b> 66:7 72:7 <b>floor</b> 6:5,10 27:24 29:8,10 30:21 31:7,8 31:13,13,14,15 31:18,20,21 32:4,5,8,9,12 32:13,16,17,21	33:8,9,17,18 34:4,12,12,18 36:8,9,25 37:10 38:6 60:20 61:3,5,8 61:21 62:4,11 62:12 64:5,5 64:14,18,23,23 64:24,25 65:2 65:5,8,11,22 65:24,25 66:4 66:17,20,21 67:5,11,16,21 67:23 68:2,9 68:17,25 70:19 72:6,11,16,19 72:20 76:25 77:4,5,9,10,23 77:24 78:4,5 78:23 79:3 114:11 115:6,8 115:9,12,13 116:4,4,9,13 116:13,19,24 122:13,14 123:20 125:16 139:5 140:4 <b>floors</b> 22:3 23:4 27:4 28:15 30:7,22,24 31:2,11,19 61:15 64:23 65:3 66:13 68:6 74:23 79:23 105:17 115:15,16 <b>Floyd</b> 8:16 13:6 13:9 15:2,4,10 15:15 43:13,15 46:14 47:5 104:12 <b>Flushing</b> 93:7 <b>fly</b> 47:22 <b>Focus</b> 103:18,19 104:5,7,9 <b>folks</b> 106:15 <b>follow</b> 44:9 53:25 101:18 <b>follow-ups</b> 44:2
--	---	---	--	--

<b>follows</b> 8:4,8	28:12	<b>getting</b> 113:5	78:25,25 79:17	<b>guys</b> 35:11
<b>food</b> 88:22	<b>funding</b> 146:19	143:24	82:8,9 83:25	90:16,24
<b>foot</b> 110:9	<b>future</b> 46:16	<b>Ginarte</b> 83:18	84:9,17 85:15	<b>gypsum</b> 132:23
<b>Ford</b> 103:18,19	49:14	83:24 85:6,12	86:8 93:23,24	132:25
104:5,6,9	<hr/> <b>G</b> <hr/>	95:6 96:19	94:8 99:14,15	<hr/> <b>H</b> <hr/>
<b>foreman</b> 22:15	<b>G</b> 8:5	97:8 145:8,11	101:15 108:11	<b>H</b> 151:7
22:16	<b>gained</b> 18:4,6,8	145:23	108:18 111:6	<b>half</b> 67:13,14
<b>foreseeable</b>	<b>gap</b> 54:25	<b>Ginarte's</b> 96:25	112:3 115:5	<b>hand</b> 35:18 71:2
46:16	<b>garbage</b> 20:3	<b>girl</b> 132:6	117:11 118:7	71:3,10 94:23
<b>form</b> 3:21 29:7	22:2 23:4	<b>girlfriend</b> 11:13	120:7,13	152:15
134:20,22	24:20,22 26:2	15:6 43:14	121:20 127:15	<b>hands</b> 71:13
<b>forms</b> 134:9	26:5,7 27:20	44:23 103:12	127:25 128:20	76:16
<b>forth</b> 4:6,23	30:8,12,14,15	105:21 107:4,5	130:19 131:21	<b>happen</b> 72:16
<b>forwards</b> 39:10	30:18,25 31:4	<b>girlfriend's</b> 15:7	134:12,21,25	137:2
<b>found</b> 91:2	31:6,10,14,15	100:17 106:20	136:6 137:6,13	<b>happened</b> 30:10
96:20 97:3	32:4,8,12,16	<b>give</b> 11:4 34:14	137:16 140:14	35:15 41:15
<b>four</b> 30:24 31:2	32:22,23,24	56:9,11 111:21	141:20 143:13	63:17,21 64:4
48:7 53:9	33:4,4,7,8,11	117:21 145:3	143:18 149:11	64:9 67:10
58:19 60:7	33:13,21 34:2	<b>given</b> 3:11 10:23	150:3	71:6,23 76:12
<b>framed</b> 3:17	34:3,6 35:16	100:14 111:8	<b>Gonzalez</b> 83:19	79:21 92:15
<b>Franklin</b> 50:20	35:21 36:18,20	119:3 125:5	83:24 85:6,12	118:19 121:9
50:23 52:2,3,8	36:24 37:6,10	126:20	95:6 96:19	128:18 139:18
<b>Franklin's</b> 50:21	37:13,16,24	<b>glass</b> 45:15	<b>good</b> 7:2 8:18	139:19,20
<b>Freddy</b> 109:12	38:3,6,11,14	<b>glasses</b> 18:14,16	44:6 66:14	<b>happening</b>
<b>Friday</b> 23:18	38:17 39:22,24	18:17	86:5 99:6	30:13 32:3
51:4	41:19 42:10	<b>glove</b> 132:5	117:7	113:22
<b>friend</b> 50:15,16	62:8,11 64:17	<b>go</b> 20:10 25:9	<b>Grace</b> 6:17 86:7	<b>hard</b> 29:19 40:5
50:19 51:24	65:5,18 68:19	26:8,14 27:3	<b>grade</b> 16:8,10	124:6,9,11,18
76:20 89:5,6	70:15,17 76:15	31:18 41:14	<b>grandfather</b>	124:22,23
89:13 97:5,13	77:9,12,16,24	48:18 61:3,5	109:20	125:2,4 128:13
97:14 107:17	78:4,12 117:19	61:15 64:15	<b>gray</b> 103:24	128:16,19,24
109:2,5,6,7	117:22 118:6	68:13,19 73:20	104:5	129:4,7,8,10
<b>friend's</b> 51:25	120:7,20 121:9	73:24 75:25	<b>green</b> 29:20	129:12,16
109:10	133:4	79:8 92:25	<b>Greenwich</b> 6:14	130:2,6,12,22
<b>friendly</b> 90:20	<b>GARTNER</b> 6:8	116:9 117:7	<b>ground</b> 31:8	130:25 131:2
<b>friends</b> 55:17,17	<b>gasoline</b> 102:14	119:12 120:23	37:6 115:8	140:10
89:12 90:10,16	102:15	120:23,24,25	116:19 125:14	<b>Harmon</b> 6:4
90:22 97:24	<b>general</b> 122:25	124:13 142:22	125:18,22,25	97:9,12,15
106:24	123:2	<b>GOETZ</b> 6:13	127:7	98:15 99:8,11
<b>front</b> 71:7	<b>gentleman</b> 55:10	<b>going</b> 8:20,23	<b>grounds</b> 4:23	134:5 145:7
101:18	55:13,15	11:12 12:10	<b>group</b> 26:15	<b>hat</b> 29:19 40:5
<b>full</b> 8:11 11:4	104:17 108:7	29:10,15 33:21	115:2,15	124:6,9,11,18
103:7 120:20	108:12,19,23	34:12 36:11,12	120:10	124:22,23
133:8	<b>gentleman's</b>	39:5 41:19	<b>groups</b> 25:14	125:2,4 128:13
<b>full-time</b> 50:25	55:11 97:20	44:8,9 46:23	<b>Guayaquil</b>	128:16,19,24
51:3	<b>gentlemen</b> 55:8	59:7 62:15,17	11:24	129:4,7,8,10
<b>fully</b> 59:24,24	<b>Gesturing</b>	62:20 66:4	<b>guess</b> 84:23	129:12,16
61:21	123:25	68:20 75:4	<b>guy</b> 55:24 89:12	130:2,6,12,22
<b>functioning</b>		77:4,20,21	130:9,11,14,15	

130:25 131:2 140:10 <b>hazardous</b> 114:7 <b>hazards</b> 112:16 112:20 113:14 113:19 <b>head</b> 124:10,14 124:15,18 128:11 129:15 130:12,17,18 131:3,7,19,25 132:3 140:11 141:8,12 <b>health</b> 119:16 <b>hear</b> 10:9 12:20 126:21 135:10 149:3 <b>heard</b> 40:7,15 80:19 81:5 <b>hearing</b> 68:2,8 <b>hearts</b> 141:7,11 <b>heavy</b> 35:23 36:4,7 76:14 76:16 <b>height</b> 17:18,20 <b>held</b> 2:3 42:18 86:2 123:10 137:10 <b>help</b> 60:8 90:18 92:16 <b>helped</b> 145:13 <b>helper</b> 19:9,25 50:7,14 54:4 <b>hereunto</b> 152:14 <b>Hernandez</b> 82:12 <b>high</b> 30:20 <b>higher</b> 114:22 122:17 <b>highest</b> 16:6 31:17 60:20 61:3 <b>Hill</b> 1:8,12 6:9 40:16 153:3 <b>hired</b> 136:8 <b>history</b> 87:9 142:9 <b>hit</b> 38:11,14 39:12,15,24	<b>hold</b> 71:9 <b>holding</b> 7:3 36:17 71:21 78:11 <b>home</b> 47:6 104:14 105:14 105:14,25 106:4,21,24 <b>honestly</b> 46:25 53:14 89:22 91:15,19 94:17 95:3,8 96:13 98:24 99:13 111:12 119:5 119:22 129:4 131:4 134:7,11 139:8 141:16 142:21 144:20 <b>Horowitz</b> 81:6 <b>hour</b> 54:17 67:13,14 <b>hourly</b> 54:7,15 <b>hours</b> 17:11 <b>house</b> 15:16,17 15:19,21,23 16:2 43:16 95:7 104:18,20 104:24 105:13 105:18,20 106:10,18 108:4 <b>Houston</b> 48:4 <b>hundred</b> 53:9 <hr/> <b>I</b> <b>I-N-G-R-A-C-...</b> 15:8 <b>ID</b> 11:12 112:2 <b>identification</b> 7:19,23 51:12 53:20 94:4 99:19 101:12 110:11 111:17 127:20 134:17 137:21 <b>identify</b> 110:17 <b>identifying</b> 112:16 <b>ii</b> 4:5	<b>iii</b> 4:7 <b>immediately</b> 18:21 <b>immigration</b> 12:13 <b>important</b> 113:11,15,18 114:2 <b>improper</b> 4:8 <b>incident</b> 91:5 115:21 121:8 121:25 124:25 127:10,13 128:17 133:10 133:10 136:12 136:16 139:4 <b>include</b> 3:20 17:13 <b>including</b> 63:16 <b>income</b> 144:8,10 146:24 <b>Index</b> 1:6 <b>indirectly</b> 152:12 <b>individual</b> 55:19 81:6 <b>individuals</b> 82:3 <b>industry</b> 87:13 89:21 <b>information</b> 99:4 <b>Ingracia</b> 15:8 100:18 <b>ingress</b> 112:21 <b>injure</b> 113:20 <b>injured</b> 136:22 <b>injuries</b> 18:8 <b>injury</b> 44:14 82:5 113:14 137:2 <b>inside</b> 28:2 37:23 74:24 75:12 <b>Instagram</b> 141:10 <b>installed</b> 28:4,6 <b>installments</b> 148:10 <b>instance</b> 16:23	28:2 52:17 110:14 <b>interact</b> 106:12 <b>interest</b> 146:6 <b>interested</b> 152:12 <b>interfere</b> 3:25 <b>interpreter</b> 6:24 7:24 8:7,13 12:19 19:20 36:5,5 42:14 67:24 68:8 84:19 85:17 92:5 107:24 113:3,16 123:3 132:22 149:2 <b>interpreting</b> 6:23 68:10 <b>interrupt</b> 4:18 <b>introduced</b> 55:18 <b>involve</b> 23:3 <b>involved</b> 44:13 82:5 90:14 98:20 <b>irregularity</b> 3:21 <b>Island</b> 43:13 104:24 <b>issue</b> 101:11 <b>issued</b> 101:3,5 110:10 <b>Ivan</b> 82:12 89:8 89:11,15,20,23 89:25 90:4,7 91:3,13 92:2,9 93:12 97:5 <b>Ivan's</b> 89:9 91:8 <hr/> <b>J</b> <b>J</b> 7:24 <b>J-O-F-F-R-E</b> 97:19 <b>J-O-H-N</b> 82:18 <b>jacket</b> 131:6,6 131:19,25 132:2 <b>jalapenos</b> 81:25 88:20 <b>Jamaica</b> 14:17	<b>Janine</b> 2:4 26:17 152:4,19 <b>Jason</b> 6:20 44:2 85:22 86:6 119:25 151:5 <b>Jimenez</b> 6:23 <b>job</b> 20:6,10,13 22:20,24 23:8 23:19 24:5,8 24:11 25:2,8 27:8 28:21 31:23 34:7 40:12 42:6 50:11,13,14 55:6 56:7,21 59:2,3,3,7 60:11,12 62:24 63:14,23,24 69:5,8 70:10 81:2 112:9,13 113:25 114:6 115:22 118:13 119:8 136:19 138:11 139:15 142:7 <b>Joffre</b> 97:16,23 98:2,7,14 99:2 99:7,10 <b>John</b> 82:18 <b>join</b> 63:5 <b>Jose</b> 43:18 104:14,17,20 104:21 105:22 <b>jump</b> 120:13 <b>jumping</b> 86:9 <hr/> <b>K</b> <b>keep</b> 10:24 50:12 78:24,25 <b>kept</b> 34:6,10 <b>kind</b> 98:18 110:22 111:8 123:24 131:6 131:11 144:23 <b>KINGS</b> 1:3 <b>Kipnis</b> 6:15 7:10 7:12,15 12:12 15:9 37:2 44:5 44:7 53:23
---	---	---	---	---



66:14 67:6 68:5 84:3,9 85:20 150:8 151:5 <b>kitchen</b> 106:14 106:16 <b>Klein's</b> 6:14 80:19,22 81:2 <b>KLEIN'S</b> 1:8 <b>knees</b> 39:17 <b>knew</b> 56:22 76:3 76:7 90:17 92:16 99:5,7 108:19 118:2 <b>know</b> 9:7,19 11:3 12:4 17:20 18:9 19:4,6 21:5 22:10,12,13,14 22:18 25:3 27:13,16,22 28:13 30:22 32:11,15 33:20 37:19 40:11,22 40:24 41:3 42:21,23 43:19 45:10,16,19 46:24 48:16 49:15 50:22,22 51:22 52:20,21 52:23 53:13 55:12,19,21 59:7 61:16,20 70:4,7 74:19 74:22 75:9 80:11,14,25 81:4 82:2 83:21 84:25 85:3,4,8,9 87:11 89:10,11 89:22 90:2 91:13,15,21,23 96:3 97:22,23 98:24,25 99:10 99:13,25 100:2 102:24 106:11 107:14 110:20 112:25 119:6 119:10 124:17	127:2,4 128:7 128:8 131:2,14 131:24 132:14 132:17 133:19 134:7 138:7,24 139:8 142:21 143:14 145:2 146:5,8,10,18 <hr/> <b>L</b> <b>L</b> 3:2 8:5,5 <b>L-O-J-A-N-O</b> 83:6 <b>laborers</b> 62:25 63:11,15 65:14 69:9,23 <b>lady</b> 26:3,25 34:14 41:7 <b>landing</b> 72:4,11 72:15,19,20 77:6 78:5,23 79:3,7,22 123:19 129:23 <b>language</b> 149:18 <b>large</b> 148:24 149:5 <b>law</b> 7:18 83:8,10 85:13 86:6 <b>lawsuit</b> 91:21,24 99:11 144:18 148:25 149:6 <b>lawsuits</b> 44:14 82:4 <b>lawyer</b> 10:17 84:17 85:4,10 85:11 92:2,10 92:20 97:6 99:6 139:12 141:15 <b>lawyers</b> 83:22 85:3 92:16 <b>learned</b> 112:9 <b>leave</b> 20:23,24 22:3 34:11 54:19 120:19 <b>left</b> 14:3 48:21 48:21 53:14 54:20 71:2 83:17 97:8	120:18 124:2 126:24 127:3 148:20 <b>left-handed</b> 18:11 <b>Legal</b> 6:23 <b>legs</b> 132:18,20 <b>lending</b> 145:5,6 <b>lenses</b> 18:14 <b>let's</b> 123:8 142:22 <b>letting</b> 144:12 144:14 <b>level</b> 16:6 122:18 <b>license</b> 100:24 101:2 102:21 102:24 103:25 <b>light</b> 34:20 <b>lighting</b> 34:18 <b>lights</b> 71:5 <b>limitation</b> 4:6 <b>limited</b> 54:21 <b>Linder</b> 6:4 97:9 97:12,15 98:16 99:8,12 134:5 145:7 <b>Line</b> 153:5 <b>litigation</b> 144:17 <b>little</b> 18:15 44:10 75:5 148:16,16 <b>live</b> 13:10,22,25 14:7,10,19 15:4 43:15 46:6 49:18 91:3 98:7,9 104:12 105:13 105:21 106:23 109:21,22 <b>lived</b> 13:11,15 13:18 14:9,16 14:23,24 46:8 49:15,21 58:18 91:6 98:10,10 98:12 107:17 108:13,19 109:23 135:17 <b>lives</b> 43:21 91:4 98:8 105:22 106:18,21	<b>living</b> 13:9,11 14:13 15:3 44:20 45:3,4,6 46:14 49:23 59:21 81:23 <b>LLC</b> 1:8,9,12,13 6:9,9 153:3 <b>loan</b> 103:6 144:17,17,23 144:23 145:17 145:22 146:16 147:17,19 148:6 <b>loans</b> 144:25 145:2,14 146:6 146:9,12,13,19 146:23 147:4 <b>located</b> 20:5 74:6 93:5 <b>location</b> 20:19 34:7 46:20 52:23 107:11 139:15,18 <b>logically</b> 117:24 <b>Lojano</b> 83:5 <b>long</b> 13:6,22 14:7 19:14 21:15 29:21 33:3,5 43:13 44:22 48:5 74:19 77:18 84:20 104:24 125:13,25 <b>longer</b> 81:16 <b>look</b> 25:3,5 94:11 97:5 126:6 127:24 134:22 <b>looked</b> 104:25 <b>looking</b> 50:12 72:24 92:2 129:14 142:6 <b>looks</b> 25:20 <b>lost</b> 18:4 53:17 92:6 131:12,14 <b>lot</b> 33:11 90:9,23 112:24 113:5 <b>lower</b> 77:2 <b>Lugo</b> 82:24	<b>Luis</b> 82:21 <hr/> <b>M</b> <b>M</b> 7:24 <b>M-A-Y-K-O-L</b> 82:16 <b>mailed</b> 111:2 <b>maintain</b> 105:7 <b>man</b> 81:9 <b>MANAGEM...</b> 1:17 6:18 <b>manager</b> 22:19 24:23 125:20 126:12,13,17 131:16 132:7,8 <b>manner</b> 117:7 119:19 <b>Maria</b> 15:8 44:23 45:2,16 45:19,24 46:10 100:18,20 <b>mark</b> 84:7 93:24 99:15 127:16 134:13 137:16 <b>marked</b> 94:4,9 99:18 127:19 134:17 137:20 <b>Marketplace</b> 105:2 <b>marriage</b> 152:11 <b>married</b> 11:9,15 <b>material</b> 20:3 62:24 63:2 68:16,24 69:13 72:25 133:4 <b>materials</b> 53:2 <b>matter</b> 152:12 <b>MAX</b> 6:6 <b>Maykol</b> 82:16 <b>mean</b> 20:7 88:20 114:24 116:7 131:9 <b>meaning</b> 59:14 66:20 72:19 77:15 <b>means</b> 112:20 <b>mechanic</b> 87:19 <b>medication</b> 9:3 9:18,21 10:3
--	---	---	--	--

149:22 150:3 <b>medicine</b> 9:6,11 <b>medicines</b> 149:25 <b>meet</b> 92:3,11,20 <b>Meeting</b> 1:20 <b>meetings</b> 24:8 <b>memory</b> 60:8 <b>Meneses</b> 6:20 7:11,13,16 12:16 30:3 31:9 35:13,24 39:4 63:5 66:12 67:4,24 68:7,20 79:17 82:6 85:23 86:4,6 92:8 93:23 96:2 99:14 101:15 111:6 112:24 118:7 120:4,13 123:8,11 127:15 128:20 130:19 134:12 135:9 137:9,12 137:13 149:11 151:5 <b>mentioned</b> 45:2 46:13 47:8 50:5 51:14 52:20 59:9 61:10 64:3,8 70:13 71:14 76:17 81:8 88:19 104:17 109:14,24 110:4 125:8 132:9 <b>message</b> 56:19 56:25 <b>messages</b> 25:6 57:4 58:7 <b>met</b> 92:13 108:25 <b>meter</b> 17:21 <b>Mexican</b> 86:22 <b>Mexico</b> 86:14 <b>mics</b> 113:4 <b>middle</b> 79:8	88:13,14 100:8 <b>mind</b> 84:18 119:25 <b>mine</b> 49:17 76:20,21 89:5 89:13 94:21 97:13,24 138:6 <b>minimum</b> 76:3 <b>minute</b> 94:11 <b>minutes</b> 42:17 68:23 69:13 74:21 75:2,8 75:10,22 76:4 77:25 78:2,17 121:13 123:9 126:2,3,4 <b>missed</b> 35:24 <b>model</b> 103:16 <b>moment</b> 71:18 110:9 116:22 126:10 127:24 <b>Monday</b> 23:18 51:4 <b>money</b> 53:6 57:25 110:5,21 111:5 133:16 144:13 147:3,9 148:24 149:5 <b>month</b> 12:4 47:3 51:20 107:2 112:4 144:4 <b>monthly</b> 16:4 <b>months</b> 13:8,24 14:9,22 18:23 19:17 44:24 45:17 46:15 50:6 54:4 57:7 102:3 <b>Montilla</b> 82:16 <b>Moran</b> 82:14 <b>morning</b> 7:2 8:18 30:2 64:10,12,19 115:21 <b>mother</b> 138:12 138:15 <b>mother's</b> 109:18 <b>motion</b> 5:6 <b>move</b> 5:4 39:5	42:2 46:16 68:20 79:17 111:6 118:7 128:20 130:19 131:11 <b>moved</b> 83:23 84:12 <b>moving</b> 46:19,23 47:2,5 <b>Munos</b> 82:21 <b>mute</b> 113:4 <hr/> <b>N</b> <b>N</b> 3:2 6:2 7:24 8:5,5 151:2,7 151:13 <b>nails</b> 37:22 <b>name</b> 8:12,18 9:7,17,19 11:4 15:7 19:4,6 21:8 22:8,10 25:15,16 40:22 40:24 43:17,19 44:6 45:8,10 50:19,20,21 51:25 53:4 55:11,12 56:5 56:9 80:12,21 81:6 83:14 86:5 88:11,13 88:14,15 89:6 89:8,9,10 97:14,21 100:7 100:17 104:17 105:4 109:11 109:12,13 135:13 137:3 146:18 <b>names</b> 31:25 61:16,20 70:4 82:8,19 106:9 106:11 <b>nature</b> 45:23 105:11 <b>near</b> 46:15 91:3 131:18 132:18 <b>neck</b> 39:17 <b>need</b> 32:21 108:17 123:5	<b>needed</b> 23:2 25:7 26:3,16 27:4 30:7 52:9 56:14 113:7 116:9 117:18 117:25 121:23 147:22 <b>never</b> 55:25 91:19 93:21 <b>new</b> 1:3 2:5 6:5 6:5,10,10,15 6:15,20,20 7:18,18 8:3,16 13:2,15,17 14:25 18:19 43:12 45:2 47:19 48:8,24 49:4,11,13,16 49:21 50:6 89:21 101:3,7 101:11,16 102:22,23 103:25 104:3 107:20,21,22 108:2,8,24,25 109:4,15 138:15 147:11 148:2 151:16 152:5 <b>nicknames</b> 11:7 <b>Nicola</b> 6:11 8:19 151:4,6 <b>Nino</b> 82:21 <b>Ninth</b> 16:10 <b>nonresponsive</b> 68:21 79:18 111:7 118:8 128:21 130:20 <b>nose</b> 131:18 <b>Notary</b> 2:4 5:10 7:18 8:3 150:22 152:4 <b>note</b> 12:9 29:6 30:3 31:9 35:13 39:4 63:3 82:6 95:23 119:20 145:9 <b>noted</b> 3:9	<b>notice</b> 74:18 78:14 <b>noticed</b> 118:19 119:15 <b>noticing</b> 118:10 <b>November</b> 8:22 14:13 27:11 58:23 <b>number</b> 11:18 55:8,10 56:5 56:11 57:8,13 57:16,23 58:3 80:16 81:12,13 81:19 91:8 102:25 110:10 110:11,16 135:20,22,23 136:25 140:15 142:13,22 <hr/> <b>O</b> <b>O</b> 3:2 7:24 8:5,5 151:7,13 <b>o'clock</b> 64:10 115:23 <b>object</b> 5:3 <b>objection</b> 3:16 5:6 12:10 29:6 30:3 31:9 35:13 63:4,6 71:17 82:6 95:24 119:21 145:10 <b>objections</b> 3:9 3:12 <b>observe</b> 68:15 68:24 77:23 78:16 <b>observed</b> 62:23 63:12 69:12 73:14 75:20 78:10,20 79:11 <b>obviously</b> 142:3 <b>occur</b> 72:12 <b>occurred</b> 27:10 40:18 42:21 65:23 121:25 136:12 139:4 139:22 141:18
--	--	---	---	---

142:11	12:1 13:1 14:1	139:1 140:1	<b>pains</b> 9:13	75:11,21 86:17
<b>October</b> 1:22	15:1 16:1 17:1	141:1 142:1	<b>paint</b> 88:4	86:20 95:14
152:15	18:1 19:1 20:1	143:1 144:1	<b>painted</b> 87:14	106:23 112:22
<b>office</b> 24:4 89:7	21:1 22:1 23:1	145:1 146:1	<b>painting</b> 87:21	118:16 120:6
92:19 93:2,4,5	24:1 25:1 26:1	147:1 148:1	87:25 88:8	<b>Peralta</b> 1:5,25
95:5,6 96:25	27:1 28:1 29:1	149:1 150:1,13	<b>pants</b> 29:21,21	7:1 8:1,14 9:1
<b>officer</b> 3:10	30:1 31:1 32:1	151:1,4 152:1	40:4	10:1 11:1,6
<b>Oh</b> 127:14	33:1 34:1 35:1	153:1,3,22	<b>paper</b> 50:4 53:3	12:1 13:1 14:1
<b>okay</b> 8:25 11:14	36:1 37:1 38:1	<b>orientation</b>	95:19	15:1 16:1 17:1
17:18 24:14	39:1 40:1 41:1	23:24	<b>papers</b> 24:2	18:1 19:1 20:1
33:25 44:10,11	42:1 43:1 44:1	<b>original</b> 5:11,17	<b>paperwork</b> 51:7	21:1 22:1 23:1
54:2 58:25	45:1 46:1 47:1	<b>OSHA</b> 16:17,20	51:7 56:24	24:1 25:1 26:1
64:3 72:2	48:1 49:1 50:1	16:21 51:13,14	<b>park</b> 6:5 92:13	27:1 28:1 29:1
82:11 86:12	51:1 52:1 53:1	51:15,19,22	92:14	30:1 31:1 32:1
88:23 93:23	54:1 55:1 56:1	52:5,6,9,19	<b>part</b> 20:8 24:13	33:1 34:1 35:1
94:13 96:18	57:1 58:1 59:1	53:10,12,16,24	30:20 38:5	36:1 37:1 38:1
97:20 103:25	60:1 61:1 62:1	112:4,8 114:4	39:12,15 62:24	39:1 40:1 41:1
104:20 108:17	63:1 64:1 65:1	151:15	63:23 64:20,21	42:1 43:1 44:1
109:3,14	66:1 67:1 68:1	<b>outside</b> 87:12	69:5,8 73:23	45:1 46:1 47:1
119:24 122:24	69:1 70:1 71:1	<b>outstanding</b>	76:8	48:1 49:1 50:1
125:13 128:2,3	72:1 73:1 74:1	148:14	<b>part-time</b> 50:25	51:1 52:1 53:1
131:23 132:4	75:1 76:1 77:1	<b>outwards</b> 75:13	<b>particular</b> 20:6	54:1 55:1 56:1
133:3,12	78:1 79:1 80:1	<b>owe</b> 146:8	23:8 31:6 34:7	57:1 58:1 59:1
134:23,24	81:1 82:1 83:1	148:15,20,22	<b>parties</b> 3:4,7	60:1 61:1 62:1
136:6,9 137:6	84:1 85:1 86:1	<b>owed</b> 147:10,14	4:20 152:11	63:1 64:1 65:1
139:6 141:14	87:1 88:1 89:1	148:2	<b>party</b> 4:15	66:1 67:1 68:1
145:12 146:15	90:1 91:1 92:1	<b>owned</b> 104:18	<b>pass</b> 20:3 149:11	69:1 70:1 71:1
146:22	93:1 94:1 95:1	125:5 143:21	<b>Passport</b> 111:25	72:1 73:1 74:1
<b>old</b> 25:24 87:4,7	96:1 97:1 98:1	<b>owner</b> 43:16	<b>pay</b> 48:23 49:10	75:1 76:1 77:1
87:8 90:4,5	99:1 100:1	104:6,14 125:6	53:5,8 54:13	78:1 79:1 80:1
91:10 100:20	101:1 102:1	<b>owner's</b> 43:17	59:12 86:21	81:1 82:1 83:1
<b>once</b> 108:7	103:1 104:1	<b>owns</b> 103:17	107:2 110:22	84:1 85:1 86:1
120:22 121:2	105:1 106:1	104:20	110:23,25	87:1 88:1,12
<b>one-family</b>	107:1 108:1		111:9,9 144:2	89:1 90:1 91:1
105:14,25	109:1 110:1	<b>P</b>	147:22	92:1 93:1 94:1
<b>ones</b> 75:18	111:1 112:1	<b>P</b> 3:2 6:2,2 7:24	<b>paycheck</b>	95:1 96:1 97:1
118:24	113:1 114:1	8:5	111:11	98:1 99:1
<b>online</b> 111:3	115:1 116:1	<b>P.C</b> 6:8,17	<b>paying</b> 110:18	100:1 101:1
<b>order</b> 2:6 4:6	117:1 118:1	<b>p.m</b> 9:25 10:4	148:15	102:1 103:1
53:6 58:9	119:1 120:1	150:5,11	<b>payments</b>	104:1 105:1,6
60:19 65:11	121:1 122:1	<b>page</b> 94:23	133:18,19	106:1 107:1
101:9 111:17	123:1 124:1	100:9 135:2	143:25 144:7	108:1 109:1
117:21	125:1 126:1	137:24 151:3,8	146:23 148:18	110:1 111:1
<b>ordered</b> 118:15	127:1 128:1	151:14 153:5	<b>Pedro</b> 6:23	112:1 113:1
<b>ordering</b> 7:13	129:1 130:1	<b>paid</b> 43:7 54:4,7	<b>Pena</b> 83:2	114:1 115:1
<b>orders</b> 121:18	131:1 132:1	54:8,17 59:9	<b>people</b> 31:22	116:1 117:1
<b>Ordonez</b> 1:5 2:2	133:1 134:1	86:25 109:25	33:6,20,24	118:1 119:1
7:1 8:1,14 9:1	135:1,14 136:1	147:6 148:6,8	47:14 49:2,6,6	120:1 121:1
10:1 11:1,6	137:1 138:1	148:9,10,14	61:4,6,11,17	122:1 123:1

124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1,14 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 149:1 150:1,13 151:1 151:4 152:1 153:1,3,22 <b>perform</b> 55:25 58:9 115:25 <b>performed</b> 55:25 <b>period</b> 45:3 48:5 50:11 51:9 54:21 58:15 67:20 68:14 75:23 78:9 79:10,21 131:11 <b>permanent</b> 122:6 <b>permit</b> 101:4,5,9 101:12,17,25 151:16 <b>permitted</b> 3:22 <b>person</b> 3:13 4:9 48:16,19,23 56:10 58:7 75:20 77:19,23 78:3,11 79:3 80:2,7,11 86:21 108:15 109:3 114:25 115:4,14 119:11 132:4 132:10,10 147:10 <b>person's</b> 22:8 <b>personal</b> 44:14 82:5 113:11 <b>persons</b> 3:24	<b>PH</b> 88:17 <b>phone</b> 53:19 57:4,6 85:16 91:8 92:11 135:23,25 141:6 143:12 <b>phones</b> 57:5 <b>photo</b> 53:18,19 53:20 128:4,7 128:12 129:17 129:20,22,25 130:6,11 131:3 132:11,15 138:11,12,13 138:21 139:25 140:11,14,16 140:22,24 141:14,21,24 142:14,22,23 143:5,11,15 <b>photograph</b> 11:12 127:16 127:19,22,24 128:9,23 129:14 130:13 130:23 137:23 138:2,4,7,24 139:7,10,14,24 141:4,8,12,21 141:23 142:6 142:20,25 143:7,14,17 151:10 <b>photographs</b> 42:22 127:3,13 137:7,15,20 151:12 <b>photos</b> 126:23 127:7,9 <b>physical</b> 101:12 <b>physically</b> 92:18 92:25 <b>pick</b> 20:3 24:19 24:21 85:16 120:20 <b>picked</b> 107:18 107:19,19 108:13 <b>picking</b> 121:9	<b>picture</b> 101:13 132:13 142:13 <b>pictures</b> 127:5 127:11 <b>piece</b> 38:20,21 50:4 <b>pieces</b> 35:4,5 37:21,23 38:10 73:15,16,19,19 74:11,15 88:5 88:8 <b>place</b> 2:4 27:17 27:19 28:18 43:11 75:16 139:2 <b>plainly</b> 4:7 <b>Plaintiff</b> 1:6 2:2 6:4 <b>Plaintiff's</b> 100:7 <b>Plaintiffs</b> 1:14 <b>plans</b> 46:15 <b>plate</b> 102:25 <b>plates</b> 102:21 103:25 <b>platform</b> 123:21 <b>please</b> 8:11 11:5 31:16 97:18 <b>plug</b> 123:5 <b>point</b> 14:6,8 63:8,22 93:8 97:8 98:8,11 110:8 118:17 124:17 130:4 133:9 <b>portal</b> 111:3 <b>portion</b> 37:16 105:25 <b>portions</b> 39:6 <b>position</b> 123:23 <b>possession</b> 96:16 <b>possible</b> 112:16 123:5 <b>potential</b> 113:13 113:19 <b>potentially</b> 118:2 <b>prejudice</b> 4:9 <b>preparation</b> 10:12	<b>prepare</b> 10:7 88:22 <b>prescribed</b> 9:14 9:18 <b>present</b> 6:22 146:9 <b>presented</b> 23:22 <b>preserve</b> 4:4 <b>presumably</b> 148:7 <b>previously</b> 47:8 <b>prior</b> 13:9 22:21 30:13 32:3 33:3,7,21 34:22 35:11 45:16 52:13 62:14 66:17 67:3 <b>privilege</b> 4:5 <b>privileged</b> 84:5 84:11,15 <b>problem</b> 62:15 62:17 <b>problems</b> 62:19 <b>proceed</b> 3:12 <b>proceedings</b> 150:10 <b>produce</b> 7:19 <b>produced</b> 7:22 <b>production</b> 53:24 101:16 <b>project</b> 61:18 <b>proof</b> 111:25 <b>properly</b> 10:10 <b>property</b> 114:12 <b>protection</b> 17:14 <b>provide</b> 5:19 51:6,11 56:4 58:8 95:10 111:16 <b>provided</b> 4:10 5:13 100:11 107:12 137:7 <b>provision</b> 3:7 <b>Public</b> 2:4 5:10 8:3 150:22 152:4 <b>pull</b> 134:12 <b>purchase</b> 103:3	<b>purpose</b> 4:19,21 110:17 <b>purposes</b> 57:9 110:12 111:14 <b>pursuant</b> 2:5 3:14 7:17 <b>put</b> 11:21 24:2 52:17 53:4 57:9 75:14,16 118:25 120:16 120:16 121:20 130:6,12,16 131:5,17,19,24 142:8 <b>putting</b> 28:3 52:17 62:6 75:21 <hr/> <b>Q</b> <hr/> <b>Queens</b> 14:15 17:5 91:4,6 107:23 108:3 108:13,20 109:21,22 <b>question</b> 4:7,15 4:22 5:3 8:24 12:15,18,23 17:3 37:3 39:7 63:19 66:15,15 67:19 68:22 84:2,6,11,23 85:21 91:20 96:5,12 120:2 128:22 136:21 <b>questioning</b> 3:19 4:2 5:18 <b>questions</b> 4:4 8:21,23 43:25 44:9 85:22,24 86:9,10 88:25 94:12 127:25 134:23 149:14 150:7 <b>quickly</b> 120:12 <hr/> <b>R</b> <hr/> <b>R</b> 6:2 7:24 8:5,5 151:13 <b>rag</b> 130:17 <b>raised</b> 3:16
---	---	---	--	--

<b>ran</b> 92:14	90:15 92:10	<b>rented</b> 106:6,8	125:7,15	<b>ruling</b> 84:8
<b>random</b> 55:24	97:6 99:3	<b>repeat</b> 37:2	126:11 128:16	<b>rush</b> 121:15
<b>rate</b> 146:6	<b>recommended</b>	107:25	128:25 129:23	<b>rushing</b> 121:22
<b>reach</b> 91:25 92:9	92:17 98:15	<b>rephrase</b> 66:15	130:5	<b>Russotti</b> 83:14
97:5 122:17	99:6	96:6	<b>restaurant</b> 88:21	83:17,24 85:6
<b>reached</b> 16:8	<b>recommending</b>	<b>report</b> 25:11	109:9	88:25 89:4,7
<b>read</b> 19:11,12,21	55:24	41:6 42:4	<b>resting</b> 77:7 79:7	91:14,17,22
19:22 26:18,19	<b>record</b> 4:25 7:5	114:5 115:3	123:21	92:19,21 93:2
38:7,8 92:7	7:20 8:12	133:10	<b>result</b> 18:8 44:17	93:8 95:6
95:11,18	11:21 19:12,22	<b>reported</b> 22:6	76:12,13 82:4	
100:12	26:19 38:8	<b>reporter</b> 7:2,12	<b>retained</b> 83:8	<b>S</b>
<b>ready</b> 121:10	39:5 57:9	7:17 94:5	88:24	<b>S</b> 3:2,2 6:2,6
<b>realize</b> 74:18	137:9,11 152:9	99:20 113:3	<b>return</b> 5:10 42:6	151:7,13,13
<b>really</b> 18:9 30:20	<b>referred</b> 91:17	127:21 134:18	<b>returned</b> 42:12	<b>safe</b> 119:19
80:14 90:20	96:25 97:15	137:22	<b>returns</b> 59:20	<b>safety</b> 1:9 6:14
<b>reason</b> 4:24	<b>referring</b> 54:10	<b>represent</b> 8:19	<b>review</b> 10:11	17:16 80:19,22
44:12 47:4	<b>refresh</b> 60:8,8	44:7 80:18	<b>rid</b> 91:11	81:2 112:9
83:23 90:19,24	128:14,23	86:7 134:19	<b>right</b> 3:13 4:5,16	113:11 119:17
117:17 118:9	<b>refusal</b> 4:12	<b>represented</b>	16:8 32:24	<b>Saul</b> 81:6
119:7 138:10	<b>regular</b> 150:3	83:13,18 91:22	43:25 53:23	<b>saw</b> 34:22 40:19
139:13 141:3	<b>regularity</b> 90:8	99:11 133:25	67:5 71:2	40:20 69:16,18
142:5	<b>related</b> 16:22	<b>representing</b>	94:23 109:5	74:13,15,17
<b>recall</b> 13:18 14:4	106:17,20	83:9,10	113:8 114:2,15	75:4 76:21,23
14:12 25:15	<b>relationship</b>	<b>represents</b> 85:13	114:18 121:16	114:6,10
28:17 29:22	45:24	<b>Republic</b> 7:22	121:21 124:3,4	<b>saying</b> 63:22
31:25 36:9	<b>relief</b> 3:14	<b>request</b> 3:19	125:8,12	68:5 69:15
76:19 80:12	<b>remain</b> 124:9	101:21	132:15 133:23	132:22
86:25 88:25	125:14	<b>requested</b> 19:13	140:5,12,19,25	<b>says</b> 100:6 136:7
93:6 94:25	<b>remainder</b> 4:16	19:23 26:20	141:18 147:20	136:18,19,22
104:11 110:2,5	<b>remaining</b> 27:3	38:9	<b>right-handed</b>	136:23,25
112:6 145:16	147:17 148:13	<b>reserved</b> 5:7	18:10	137:2,3
<b>receive</b> 20:20	<b>remember</b> 13:12	<b>resided</b> 107:7	<b>rights</b> 5:13	<b>scene</b> 126:24
52:25 53:10	20:19 21:2	108:23	<b>Righty</b> 18:12	127:3,10,13
110:22	25:16 28:15	<b>residing</b> 13:6	<b>ring</b> 83:14	<b>scheduled</b> 116:3
<b>received</b> 54:15	29:3 36:23	<b>respect</b> 134:2	<b>ripped</b> 71:15,19	<b>SCHENKER</b>
96:2 147:4	42:5 49:19	<b>respective</b> 3:4	71:21,25 133:5	6:13
<b>receiving</b> 121:18	58:14 60:6	<b>responded</b> 56:14	<b>Rodriguez</b> 82:12	<b>scope</b> 117:14
133:15	87:2,2 94:17	<b>responding</b> 85:7	82:18	118:12
<b>recognize</b> 3:7	95:4,8,19,21	<b>response</b> 10:23	<b>ROGOWSKY</b>	<b>screen</b> 94:6
82:9 94:19	96:14 100:16	100:14 117:10	6:4	99:21 129:15
99:23 113:19	102:2 103:2	119:3 126:20	<b>role</b> 19:7 21:22	<b>scroll</b> 134:25
137:23 140:16	111:12 129:3,7	<b>responsibility</b>	<b>room</b> 106:2,6	<b>second</b> 6:10
141:21	131:4 134:11	64:2 117:14,16	<b>rooms</b> 47:7	29:11 32:5,8
<b>recognizing</b>	140:23 141:16	118:13 119:8	64:16 105:23	32:12,16 33:9
112:20 113:13	<b>removing</b>	119:11,18	106:4,8,10	33:18 34:18
<b>recollection</b> 60:9	136:19,23	<b>responsive</b> 39:7	<b>rule</b> 3:5,8,22,23	36:9 64:5,23
124:21 128:15	<b>rent</b> 16:2,3,4	<b>rest</b> 61:15	4:11	66:16,20 67:5
128:23	47:6 104:21	123:19,22	<b>rules</b> 3:6 4:24	67:11,16,21,23
<b>recommendati...</b>	105:24 106:2	124:10,21	5:13	67:25 68:5,9

68:17,25 76:25	<b>Sheetrock</b> 73:16	11:17 12:4	115:22 118:13	146:24
77:5,10,24	73:16,19 74:15	13:14 15:12	119:8 138:11	<b>sources</b> 144:10
78:4 79:23	<b>SHH</b> 1:17 6:18	16:6 17:18	139:16,20	<b>Spanish</b> 6:24 8:2
88:15 101:20	<b>Shirley</b> 8:16	18:13,19 31:12	141:2 142:7	8:2 17:8 26:22
114:11 115:16	15:11 43:12	36:7 37:5	<b>sites</b> 112:13,17	68:10 95:10,15
116:8,13,23	45:2 46:21	38:25 40:7	<b>sitting</b> 142:6	96:3,8,11,15
122:13 123:20	<b>shirt</b> 29:20,20	42:20 43:24	<b>six</b> 44:24 45:17	100:11
140:4	<b>shop</b> 87:15,16	44:6,12 84:25	49:5 57:7	<b>Sparkleening</b>
<b>seconds</b> 144:22	88:3	86:5 88:11,25	61:11 137:15	1:17 6:19
<b>section</b> 4:23	<b>short</b> 25:21	89:9 94:6,8,13	<b>six-page</b> 137:14	21:10,12,16,20
136:7,18,21,25	<b>shoulder</b> 71:10	94:15 95:20	<b>skills</b> 87:18	21:23 22:15
<b>Security</b> 11:18	<b>show</b> 58:9 94:8	96:7,12 99:21	<b>skip</b> 73:24	23:8 24:4,8
110:16	99:14 129:22	99:24 100:4,15	<b>slid</b> 39:20	25:17 31:23
<b>see</b> 34:20 41:14	137:6,13 140:2	100:22 101:6,9	<b>slide</b> 39:18	32:7 33:7,12
56:7 71:6	140:3,7,14	101:25 102:5,8	<b>slip</b> 110:23	35:8,10 41:8
72:25 73:3,4,7	141:17,19,20	102:14,17,25	111:9 122:3,4	42:25 55:3,7
74:10,25 75:3	142:10 143:13	103:4 104:2,9	<b>slips</b> 110:25	55:15,20,22
75:15 78:3,12	<b>showed</b> 53:20	104:16 108:14	<b>Social</b> 11:17	56:6 57:14
79:12,14,19,24	140:12	110:2,6 115:11	110:14,16	59:10 61:4,12
92:23 93:3	<b>shown</b> 138:2	115:17 117:23	<b>somebody</b> 48:11	61:18 62:25
94:6 96:21	<b>side</b> 40:2 94:23	118:9 119:2,4	48:13 56:5	63:11,15,24
99:21,22	124:4 125:8,12	119:6 120:5,22	75:15 76:18	76:18 80:13
132:12 135:2	<b>sides</b> 101:17	121:24 122:10	109:5 130:5	82:3 86:8
136:8 137:2	124:16	122:25 123:16	<b>someplace</b> 78:23	89:23 109:25
138:13	<b>sideways</b> 123:25	124:14 128:2,5	<b>soon</b> 97:4	136:15
<b>seen</b> 94:15 127:9	124:2	128:22 129:14	117:12	<b>speak</b> 10:14,18
127:12 128:4	<b>sign</b> 24:2 27:7	130:10,21	<b>sorry</b> 10:9 12:19	11:3 26:2
<b>selfie</b> 142:16	96:9 143:18,21	131:15,21,25	19:20 20:14	55:14 90:9,20
<b>send</b> 11:12	145:21,23,24	132:21,25	24:12 29:13	90:25 94:18
24:19,21 25:6	<b>signature</b> 94:21	134:23 137:24	32:14 33:5	112:16 125:19
138:13,21	94:22,24 100:3	142:20 143:2,8	35:24 37:8	<b>speaking</b> 36:6
139:22,23	100:7,8 135:3	144:14,22	38:12 42:15	45:21 135:9
141:14 143:9	<b>signature's</b>	145:19 146:6	46:3 47:25	<b>specific</b> 31:7
<b>sent</b> 56:18 92:22	135:4	146:16 147:14	48:12 55:9	46:19,22 52:22
138:12	<b>signatures</b> 94:20	147:17 148:21	60:10 62:2	64:18 66:13
<b>September</b> 12:6	<b>signed</b> 5:8 95:2	148:23 149:14	65:9 69:15	73:8 74:14,20
13:3 18:20	95:5 146:16	<b>sister</b> 109:17,18	77:14 79:16	95:22 116:22
47:9	<b>significant</b> 4:8	109:19	85:18 87:24	117:5
<b>series</b> 8:21	<b>signing</b> 95:13,17	<b>sit</b> 124:20	92:5 93:17	<b>specifically</b>
102:10	95:22 96:5	<b>site</b> 20:6,10,13	97:17 101:4	52:19 56:10
<b>service</b> 136:4	100:13	22:21,24 23:8	107:24 123:3	74:13,15 75:15
<b>set</b> 4:6,23 72:5,9	<b>signup</b> 53:3	23:20 24:5,8	126:16 136:13	84:4 96:25
111:21 142:2	<b>similar</b> 120:2	24:11 25:3,8	149:2,7	<b>specify</b> 67:25
145:8 152:14	<b>simply</b> 114:22	27:8 28:21	<b>sort</b> 110:11	68:8
<b>seven</b> 14:22	122:13	29:23 34:7	111:2,17	<b>Spectrum</b> 136:3
136:11,15	<b>single-story</b>	40:12 42:7	144:16,17	136:4
<b>share</b> 106:14	15:23	59:3 60:12	<b>Sosa</b> 82:14	<b>spelling</b> 97:17
107:3	<b>sir</b> 8:18 9:3	81:2 112:9	<b>sound</b> 82:19	<b>spicy</b> 88:22
<b>SHEET</b> 153:2	10:18,24 11:9	113:25 114:6	<b>source</b> 144:8	<b>spoke</b> 44:18

51:15 58:25 <b>spoken</b> 10:16 <b>Sprint</b> 136:2 <b>stage</b> 27:22 <b>stair</b> 72:24 73:8 73:23,24,24 74:14,16,20 75:17,22 76:8 79:12,20 <b>staircase</b> 29:12 29:14 34:17 36:22 60:23 66:23 114:11 115:9,19,24 116:8,14,18,25 117:18,20,24 118:19,23 119:2,9 122:5 122:6,17 140:4 <b>staircases</b> 28:6 <b>stairs</b> 15:18,21 32:25 33:17,22 34:21,22 35:3 35:11,12 36:8 37:6,9,17 38:3 39:13,16,18 41:20 42:10 62:15,18,20,24 63:20 65:8,11 65:18 66:7 68:23,25 69:6 69:13,18 71:11 72:3,3,5,8,9,24 73:2,5 75:7 77:4,19 78:11 79:4,5,12 80:3 116:23 117:15 118:10,18 120:6 121:13 121:14 122:9 122:12,16,22 123:13,15 129:2 133:6 <b>stairway</b> 29:16 38:24 42:22 66:20 79:15 117:6 133:8 <b>stairways</b> 28:8 41:22 112:21	<b>stairwell</b> 60:22 63:8,12,17,25 67:2,3,10,15 67:17,21,22 68:16 69:9 71:5 75:8 78:17,21 80:8 <b>standing</b> 78:5,22 79:2,22 113:22 130:14 <b>start</b> 23:10 31:17 65:12 85:25 <b>started</b> 18:22,24 19:2 50:7,24 55:2 148:25 149:5 <b>starting</b> 116:20 <b>state</b> 1:3 2:5 8:3 8:11 47:16 101:2,5,11,17 102:22 151:16 152:5 <b>stated</b> 3:17 4:25 <b>statement</b> 3:20 4:13 <b>statements</b> 3:25 <b>States</b> 12:2,8,14 44:20 46:6,11 47:13,18,21 52:13 58:19 59:21 87:5,11 89:16 90:11 98:3 107:7,16 110:9 112:5 149:18 <b>status</b> 12:13 <b>stay</b> 38:6 41:25 48:6 61:14 126:9 <b>stayed</b> 125:16 <b>steel</b> 29:20 <b>stenographica...</b> 152:7 <b>step</b> 36:9,12,13 36:14 38:22 72:17,18 73:21 73:23 74:2,3,3 74:4,4 76:8	78:12,13 108:18 <b>stepped</b> 74:18 78:14 110:9 <b>steps</b> 72:10,13 72:15,19 108:12 <b>stipulate</b> 7:5 <b>stipulated</b> 3:3 7:8,9,10,11 <b>stomach</b> 125:9 <b>stored</b> 81:12 <b>stories</b> 28:13 60:4,7 <b>street</b> 6:14 14:17 92:4,12 120:25 <b>strike</b> 5:4 39:6 68:21 79:18 111:7 118:8 128:21 130:20 <b>struck</b> 122:21,23 <b>stub</b> 110:23 111:9 <b>stuff</b> 132:17 <b>subdivision</b> 4:11 <b>subdivisions</b> 3:8 <b>subject</b> 3:12 <b>Subscribed</b> 150:16 153:23 <b>subsequent</b> 93:19 <b>substance</b> 93:14 <b>succinct</b> 4:13 <b>succinctly</b> 3:17 5:2 <b>suffered</b> 20:15 21:18 41:9 54:10 129:10 129:11 <b>suggest</b> 3:18 <b>Suite</b> 6:5 <b>sum</b> 93:14 148:24 149:5 <b>sums</b> 133:15 <b>supposed</b> 16:23 35:11 54:22 64:24 <b>SUPREME</b> 1:3 <b>sure</b> 42:16 68:11	108:17 115:18 119:9,18 120:4 <b>surroundings</b> 112:13 113:8 <b>SVERDLOVE</b> 6:6 7:8 12:9,17 12:22 29:6 42:17 54:2 63:3 71:17 83:25 84:7,19 95:23 101:22 119:20 145:9 <b>sweeping</b> 61:24 62:3,7 <b>sworn</b> 5:9 7:6,25 8:6 150:16 153:23 <hr/> <b>T</b> <b>T</b> 3:2,2 8:5 151:7,13 <b>T-Mobile</b> 136:2 <b>take</b> 9:20,22,23 9:24,25 16:25 17:3 25:25 26:9 31:5,7 33:13 42:15 51:15,17,22 52:5,9 53:6 64:17 85:18,21 85:24 92:24 93:3 94:11 101:8 103:6 108:11,18 112:3 123:6,8 126:23 127:6 127:24 130:6 134:22 140:21 140:24 141:5 141:25 142:25 143:4,7,10 144:16 145:14 146:12,13,14 150:3,4 <b>taken</b> 2:3 3:11 5:12 7:7 30:12 30:14 32:4,8 32:11,15,23 33:4,7 59:16	101:22 110:5 110:20 111:10 138:8,25 149:18,22,24 152:6 <b>talk</b> 90:8,23 93:11,21,22 <b>talking</b> 20:15 144:24 <b>Target</b> 1:9,12 6:9 40:8,11 <b>taught</b> 112:18 114:5 <b>tax</b> 59:20 110:11 <b>taxes</b> 59:16 110:4,7,18,20 111:10 <b>teach</b> 112:12,15 112:19 <b>tear</b> 37:17,20 <b>telephone</b> 56:5 80:15 81:12 <b>tell</b> 21:2 22:23 22:25 30:5 41:17 42:9 52:8 56:20 64:13 80:6 108:9 114:17 131:15 148:23 149:4,8 <b>telling</b> 26:15 27:2 53:15 76:11 <b>Ten</b> 42:17 <b>tenants</b> 106:9 <b>term</b> 122:24 <b>terrace</b> 30:20 <b>test</b> 101:9 <b>testified</b> 8:7 107:6,10 114:9 123:12 124:5 150:4 <b>testify</b> 9:5,9 108:14 <b>testifying</b> 112:6 <b>testimony</b> 5:4 7:7 110:2,6 115:7,10 116:17 129:5
--	---	---	--	---

130:10 152:6 <b>Texas</b> 48:4,6,8 48:20,24 49:4 49:11 86:14 107:19 108:16 109:4 <b>text</b> 25:6 56:16 56:18,25 57:3 58:6 92:3,11 <b>thank</b> 44:3 <b>therapy</b> 9:16 <b>thing</b> 35:7 85:14 120:8 121:17 <b>things</b> 20:4 22:4 26:24 35:6 52:17,18 73:17 105:11 113:21 114:5 132:19 <b>think</b> 23:4 61:10 64:3,8 90:3 92:6 93:7 102:11 103:24 109:12,13 119:22 132:23 <b>third</b> 29:10 32:4 32:8,12,16 33:8,17 34:4 34:17 36:8,12 36:12,14 38:22 64:5,22,24,25 65:5,8,11,22 65:24,25 66:4 66:17,21 67:5 67:11,16,21,23 68:2,6,9,17,25 70:18 72:11,16 72:19,20 77:4 77:9,23 78:4 78:22 79:2,22 106:6 114:11 115:12,16 116:4,9,13,24 122:13 140:4 <b>Third-Party</b> 1:14,18 <b>thought</b> 104:16 114:6 <b>thousand</b> 145:18 147:15	<b>three</b> 13:16,24 19:17 54:4 61:14 66:24 93:13,15,18 97:7 102:3 106:5,8 145:15 145:23,24 146:22 148:10 <b>three-month</b> 51:9 <b>throw</b> 82:8 118:6 121:10 <b>thrown</b> 35:5 <b>time</b> 1:22 2:4 5:6 7:21 10:3 14:13 19:19 21:5 23:7,9,10 23:13 26:9 27:5,16 31:20 33:14 41:18 45:4,20,24 48:5 49:8 51:9 54:20,22,25 55:16 59:5,23 61:8,12,18 63:8,22 65:21 65:22 66:25 67:7,8,12 69:24 70:13 75:7,24 79:11 80:8 86:17 88:24 89:16 91:2,5 93:6 98:3,15 110:8 111:13 116:12 117:18 118:17 121:8 124:17 125:22,23 126:6,7,10,14 128:19,25 130:4 131:11 131:13 133:9 135:18,22,25 136:11,16 144:8,11 146:9 146:25 <b>timer</b> 142:2,4 <b>times</b> 66:9,10,19 66:22,22,24	93:11,13,15 <b>TIN</b> 110:10,16 <b>title</b> 22:12 <b>today</b> 8:21 9:5 9:23,24 10:8 10:15 15:3 44:13 115:18 116:18 124:20 149:24 <b>today's</b> 10:12 93:25 94:10 99:16 127:17 134:14 137:17 149:21 <b>toe</b> 29:20 <b>told</b> 41:18,21,25 51:24 58:7 59:8 60:7 64:15,19 67:20 75:6 84:22 92:15,23 114:19 115:14 117:5 118:14 119:12 120:10 146:12 149:7 <b>tool</b> 40:3 <b>top</b> 36:15 60:15 60:17 61:21 66:2,12 67:18 69:21 94:23 131:3 135:13 <b>total</b> 54:14 58:18,19 145:19 <b>touch</b> 37:10 <b>town</b> 15:9 66:5 70:21 118:18 <b>trades</b> 69:22 <b>trailing</b> 36:24 <b>training</b> 20:20 21:20 <b>transcript</b> 7:14 152:8 <b>transition</b> 85:5 85:12 <b>translate</b> 7:25 <b>translated</b> 8:4 8:25 <b>trial</b> 1:25 3:6 5:6	<b>tried</b> 73:20,21 <b>trip</b> 38:16,19 <b>tripped</b> 39:3 74:11 121:25 122:4 123:13 123:14 140:8 <b>truck</b> 120:17,24 121:9 <b>true</b> 104:18 118:23 136:23 152:8 <b>truth</b> 21:3 <b>try</b> 44:10 73:11 74:2 <b>trying</b> 76:8 <b>turned</b> 90:6 <b>Twenty-five</b> 126:4 <b>Twenty-one</b> 147:15 <b>two</b> 14:9 18:22 21:17 22:21 31:19 33:24 35:17 36:2 50:5 58:15 65:14 66:24 70:14,22 76:13 83:10 98:12 102:2 143:24 144:3 <b>two-family</b> 105:14,16,25 <b>two-month</b> 50:11 <b>type</b> 18:13 21:11 23:23 26:24 35:2,7 45:12 68:18 70:7 87:12 98:22 102:4,6,7 111:20 149:18 <b>types</b> 24:7 87:22 88:2 <b>typical</b> 24:10 <b>typically</b> 23:13 26:9 150:4 <hr/> <b>U</b> <hr/> <b>U</b> 3:2 151:13	<b>U.S</b> 86:22 <b>Uber</b> 90:3 <b>ultimately</b> 120:15 121:20 123:19 <b>Um</b> 31:24 109:9 <b>unclear</b> 96:5 115:17 <b>unconscious</b> 131:20,23 <b>undergo</b> 21:20 23:23 <b>underneath</b> 130:17 131:7 131:19 132:3 <b>understand</b> 10:21 20:8 24:12 54:14 55:23 82:10 95:12,21,25 96:7 117:23 <b>understanding</b> 95:16 <b>understood</b> 96:4 96:10 <b>undertaken</b> 16:15 <b>Uniform</b> 3:6 <b>United</b> 11:25 12:7,14 44:20 46:6,11 47:12 47:17,20 52:13 58:19 59:21 87:5,11 89:15 90:11 98:2 107:7,16 110:9 112:5 149:17 <b>unknown</b> 50:8 <b>upstairs</b> 60:19 <b>upwards</b> 78:25 <b>use</b> 18:17 105:4 105:7,9 111:13 117:18,25 143:10 <hr/> <b>V</b> <hr/> <b>v</b> 153:3 <b>vehicle</b> 48:19 49:3 102:14,17
---	--	--	---	--



102:22 103:3 103:14,15,17 <b>vehicles</b> 87:14 87:21,25 88:9 103:10 104:4,8 <b>verbal</b> 10:23,25 100:14 119:3 126:20 <b>verbally</b> 8:24 <b>Verizon</b> 135:25 <b>version</b> 95:11 96:3,4,8,10,15 100:12 <b>Victor</b> 82:14 <b>virtually</b> 7:4,6,7 <b>volunteer</b> 99:3	122:6 <b>walls</b> 52:18 <b>Walmart</b> 45:15 <b>want</b> 39:4 43:10 47:6 52:21 68:10 83:21 84:25 85:3,4,9 96:3 115:18 121:24 129:13 147:25 <b>wanted</b> 141:5,6 <b>wasn't</b> 59:4 96:24 121:14 <b>watch</b> 80:4 126:6 <b>watching</b> 113:24 <b>way</b> 31:7,21 36:8 37:7 39:21 64:16,20 66:2,3 77:12 77:15 80:25 <b>we'll</b> 57:9 86:9 134:13 <b>we're</b> 44:13 78:2 90:22 108:11 108:18 137:16 <b>wear</b> 16:24 18:13 <b>wearing</b> 29:17 40:3 124:6,22 128:15,24 129:6,8,25 <b>week</b> 23:16 27:13 43:5 121:7 <b>weekly</b> 54:8,16 121:5 <b>weeks</b> 21:18 22:21 58:15,20 143:24 144:3 <b>weight</b> 17:23,24 17:25 18:4,5,8 35:20,22 <b>went</b> 14:4,5 79:9 92:13 93:4 97:9 115:14 116:19 <b>weren't</b> 85:7 122:16 124:22	<b>WhatsApp</b> 138:19,20,22 <b>WHEREOF</b> 152:14 <b>white</b> 41:2 125:3 140:10 <b>WIEDERHO...</b> 6:13 <b>wife</b> 11:11 <b>William</b> 8:16 13:6,9 15:2,4 15:10,15 43:11 43:13,15 46:14 47:5 104:12 <b>window</b> 142:7 <b>windows</b> 28:4 45:15 <b>Wingate</b> 83:14 83:17,23 85:5 88:24 89:4,7 91:13,17,22 92:19,21 93:2 93:8,16 95:5 145:8 <b>Winograd</b> 96:19 <b>withdraw</b> 37:4 60:11 <b>witness</b> 5:9,19 7:5,19,22 8:6 76:19 113:4 151:3 152:14 <b>witnessed</b> 80:12 <b>woke</b> 130:16 <b>woman</b> 81:9,10 <b>wood</b> 28:3 35:4 37:21,23 38:11 38:20,21 73:16 73:19 74:11,16 <b>word</b> 132:24 <b>words</b> 78:22 <b>work</b> 18:22 23:7 23:11,14,17 24:3,14,17 25:17 27:5 29:19,25 42:12 45:12 50:12,16 50:25 52:10,12 54:22 55:25,25 58:9 70:7	81:21 87:9,12 87:12,22 88:2 89:20,23,25 98:14,18,22 109:8 115:25 116:3,20 119:19 122:17 139:20 140:25 143:19 <b>worked</b> 19:16 20:16 21:17 50:13 51:8 54:3,9 55:20 55:21 58:19,22 58:24 61:17 76:21 81:24 82:3 90:3 91:23 98:25 109:9 113:6 <b>worker's</b> 144:6 <b>workers</b> 22:3 56:14 <b>workers'</b> 44:16 44:19 133:13 133:22 134:2,9 134:16,21 143:24 146:23 148:17 151:11 <b>working</b> 18:20 18:24 19:14,19 20:9,17 21:4 21:15,19 22:20 28:24 29:4 31:22 50:7,24 55:2,5 57:13 58:14 61:12 66:3 69:20,23 70:3 74:24 75:12,18 80:13 124:7 139:2 140:2 <b>works</b> 45:7,9 <b>World</b> 6:23 <b>wouldn't</b> 35:22 85:16 117:20 117:24 144:19 <b>write</b> 26:15,21 56:20 <b>writing</b> 53:25	101:19 <b>written</b> 52:25 101:9,10 <b>wrote</b> 50:3 56:13 <hr/> <b>X</b> <hr/> <b>x</b> 1:4,11 151:2,7 151:7,13 <b>X's</b> 57:10 <b>XXX-XXX-X...</b> 57:11 <hr/> <b>Y</b> <hr/> <b>Y-U-F-L-E-I-...</b> 82:23 <b>yeah</b> 17:17 33:23 38:5,23 40:20 41:9 46:24 53:3,13 56:8,22 61:14 70:20 76:20 77:25 87:14 90:17 94:24 95:14,18 98:18 105:9 108:15 108:24 112:18 114:24 119:10 121:22 126:12 128:18 129:9 131:16 135:4 135:23 142:15 142:24 <b>year</b> 11:21 102:16 103:16 <b>years</b> 25:24 87:8 90:5 <b>yesterday</b> 10:4 <b>York</b> 1:3 2:5 6:5 6:5,10,10,15 6:15,20,20 7:18 8:3,17 13:2,15,17 14:25 18:19 43:12 45:2 47:19 48:9,24 49:4,11,13,16 49:21 50:6 89:21 101:3,7 101:11,17 102:22,23
---	---	---	---	--

103:25 104:3 107:20,21,22 108:3,8,25,25 109:4,15 138:15 147:11 148:3 151:16 152:5 <b>Yufleike</b> 82:23	<b>114</b> 114:1 <b>114-45</b> 14:16 <b>115</b> 115:1 <b>116</b> 116:1 <b>117</b> 117:1 <b>118</b> 118:1 <b>119</b> 119:1 <b>11967</b> 8:17 <b>11th</b> 6:10 <b>12</b> 12:1 16:11 <b>12,900</b> 147:17 <b>12:00</b> 26:11 <b>12:30</b> 26:11 <b>120</b> 120:1 <b>121</b> 121:1 <b>122</b> 122:1 <b>123</b> 123:1 <b>124</b> 124:1 <b>125</b> 125:1 <b>126</b> 126:1 <b>127</b> 127:1 151:10 <b>128</b> 128:1 <b>129</b> 129:1 <b>13</b> 13:1 16:12 <b>130</b> 130:1 <b>131</b> 131:1 <b>132</b> 132:1 <b>133</b> 133:1 <b>134</b> 134:1 151:11 <b>135</b> 135:1 <b>136</b> 136:1 <b>137</b> 137:1 151:12 <b>138</b> 138:1 <b>139</b> 139:1 <b>14</b> 14:1 <b>140</b> 140:1 <b>141</b> 141:1 <b>142</b> 142:1 <b>143</b> 143:1 <b>144</b> 144:1 <b>145</b> 145:1 <b>146</b> 146:1 <b>147</b> 147:1 <b>148</b> 148:1 <b>149</b> 149:1 151:6 <b>15</b> 15:1 55:4	75:2,10,22 76:4 123:8 133:18 <b>15,000</b> 145:19 147:20 148:5 <b>150</b> 150:1 <b>151</b> 151:1 <b>152</b> 152:1 <b>153</b> 153:1 <b>16</b> 16:1,13 <b>17</b> 16:14 17:1 <b>170</b> 17:24 <b>18</b> 18:1 54:18 <b>180th</b> 14:17 <b>19</b> 19:1	<b>29</b> 29:1 <hr/> <b>3</b> <hr/> <b>3</b> 3:1 6:5 102:10 141:21 <b>3,000</b> 148:22 <b>3:20</b> 150:11 <b>30</b> 30:1 68:23 69:13 75:8 <b>30-minute</b> 67:19 68:14 <b>31</b> 1:22 3:14 31:1 <b>3115</b> 3:8,22 4:11 <b>3116</b> 5:14 <b>3117</b> 5:14 <b>31st</b> 152:15 <b>32</b> 17:12 32:1 <b>325</b> 102:9 <b>325e</b> 102:11 <b>325i</b> 102:13,16 102:19 103:9 <b>33</b> 33:1 <b>34</b> 34:1 <b>35</b> 35:1 <b>36</b> 36:1 87:8 <b>37</b> 37:1 <b>38</b> 38:1 <b>39</b> 39:1 <b>3F</b> 135:17 <hr/> <b>4</b> <hr/> <b>4</b> 4:1 142:13 <b>40</b> 40:1 <b>41</b> 41:1 <b>42</b> 42:1 <b>43</b> 43:1 <b>44</b> 44:1 151:5 <b>45</b> 45:1 <b>46</b> 46:1 <b>469</b> 15:2 <b>47</b> 47:1 <b>479</b> 8:16 13:5 43:11,13,15 104:12 <b>48</b> 48:1 <b>49</b> 49:1 <b>4th</b> 23:20,23 <hr/> <b>5</b> <hr/>	<b>5</b> 5:1 126:2 136:21 142:22 <b>5,000</b> 148:9,11 <b>5:00</b> 23:15 27:6 <b>50</b> 50:1 <b>505984/</b> 1:6 <b>51</b> 51:1 <b>52</b> 52:1 <b>53</b> 53:1 151:15 <b>54</b> 54:1 <b>55</b> 55:1 <b>56</b> 56:1 <b>57</b> 57:1 <b>58</b> 58:1 <b>59</b> 59:1 <hr/> <b>6</b> <hr/> <b>6</b> 6:1 137:24 140:15 141:21 <b>6,000</b> 148:7,13 148:21 <b>60</b> 17:21 60:1 <b>600</b> 43:4,5 59:10 <b>61</b> 61:1 <b>62</b> 62:1 <b>63</b> 63:1 <b>64</b> 64:1 <b>65</b> 65:1 <b>66</b> 66:1 <b>67</b> 67:1 <b>68</b> 68:1 <b>69</b> 69:1 <hr/> <b>7</b> <hr/> <b>7</b> 7:1 <b>7:00</b> 23:12 24:15 64:13 65:7,10 115:22 <b>70</b> 70:1 <b>700</b> 144:2 <b>71</b> 71:1 <b>72</b> 72:1 <b>73</b> 73:1 <b>74</b> 74:1 <b>75</b> 75:1 <b>76</b> 76:1 <b>77</b> 77:1 <b>78</b> 78:1 <b>79</b> 79:1
--	---	---	---	---

<hr/> <b>8</b> <hr/>				
<b>8</b> 8:1 151:4				
<b>8:00</b> 23:12 24:15				
115:23				
<b>80</b> 80:1				
<b>801</b> 6:10				
<b>81</b> 81:1				
<b>82</b> 1:8,12 6:9				
23:20,22 40:16				
82:1 153:3				
<b>83</b> 83:1				
<b>84</b> 84:1				
<b>85</b> 85:1				
<b>86</b> 86:1 151:5				
<b>87</b> 87:1				
<b>88</b> 88:1				
<b>89</b> 89:1				
<b>8th</b> 8:22 27:11				
<hr/> <b>9</b> <hr/>				
<b>9</b> 9:1				
<b>90</b> 90:1				
<b>900</b> 16:5 107:2				
<b>91</b> 91:1				
<b>92</b> 92:1				
<b>929-789-2709</b>				
135:21				
<b>93</b> 93:1				
<b>94</b> 94:1 151:9				
<b>95</b> 95:1				
<b>96</b> 96:1				
<b>97</b> 97:1				
<b>98</b> 98:1				
<b>99</b> 99:1 151:10				