

ORIGINAL

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

MAY 15 2014

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

SC Court of Appeals

W. Jeffrey Young, Circuit Court Judge

Case No. 2011-CP-40-4068

Denise Wright Appellant

v.

PRG Real Estate Management,
Inc.; Franklin Pineridge
Associates; Karen Campbell
Individually, and in her
Representative Capacity as an
Agent of PRG Real Estate
Management

..... Respondents.

RECORD ON APPEAL (VOLUME 3)

Brian A. Comer
Christian Stegmaier
Collins & Lacy, P.C.
1330 Lady Street, Sixth Floor (29201)
Post Office Box 12487
Columbia, SC 29211
(803) 256-2660
(803) 771-4484 (fax)

Attorneys for Respondents PRG Real Estate
Management, Inc., Franklin Pineridge
Associates and Karen Campbell

S. Randall Hood
Jordan C. Calloway
Deborah G. Casey
McGowan, Hood & Felder, LLC
1539 Health Care Drive
Rock Hill, SC 29732
(803) 327-7800
(803) 328-5656 (fax)

Gerald Malloy
Malloy Law Firm
108 Cargill Way
Hartsville, SC 29551
(843) 339-3000
(843) 332-4646 (fax)

E. Wayne Ridgeway Jr.
Burris Ridgeway
907 Elmwood Avenue
Columbia, SC 29201
(803) 779- 5842
(803) 227-0384 (fax)

Attorneys for Appellant

Page 77

1 I shared this concern often with the Wellspring
2 apartment employees."
3 A Okay.
4 Q Did that happen?
5 A I don't recall her speaking of lights.
6 Q Okay. And when you say you don't recall, does that
7 mean you can't remember one way or the other?
8 A No, I don't. I --
9 Q Okay.
10 A I can't --
11 Q Okay.
12 A -- say.
13 Q Okay. It says, "In addition to the lighting, I
14 also complained about the height and size of the
15 shrubbery leading up to and around my door area."
16 Do you see that?
17 A I do.
18 Q "Over the course of my stay at Wellspring
19 Apartments, I complained about the height and size
20 of the shrubbery at least 25 times. In response to
21 my complaints, the shrubbery was not trimmed. With
22 regards to the shrubbery, I was also told by the
23 Wellspring staff that this was an item that was not
24 in the budget and that they would get to it when
25 they could." Do you see that?

Page 78

1 A I do.
2 Q Did you -- and I know you can only testify about
3 you because --
4 A Sure.
5 Q -- you can't testify about anybody else. Did you
6 ever tell someone that shrubbery or landscaping
7 that was associated with the shrubbery could not be
8 done because of any kind of a budget issue?
9 A No.
10 Q Okay. Do you know who she was talking about when
11 she said this?
12 A It had to have been -- I -- I don't know who she
13 spoke to. I mean, she could've even told the
14 maintenance. I don't know who she spoke to.
15 Q Okay. It says, "After complaining over the course
16 of my first year, my father actually brought a pair
17 of clippers to my unit and trimmed the shrubbery
18 for me." How many times did you have the residents
19 take things into their own hands because y'all
20 didn't do it?
21 A I have never had that.
22 Q Okay.
23 A No.
24 Q So if he comes into court and testifies and she
25 comes into court and testifies, are you calling him

Page 79

1 a liar?
2 MR. COMER: Objection.
3 A I'm not calling him anything. I've never had
4 somebody have to take anything, and if they did
5 this, it was not of -- I've had no knowledge of it.
6 Q Okay. "There appeared to be extended periods of
7 time during my stay where there was no lawn or
8 landscaping maintenance being performed on the
9 property. The shrubbery leading up to and around
10 my door area reached approximately 10 feet in
11 height before it was finally trimmed after the
12 kidnapping." Do you see that?
13 A I see that.
14 Q Now, do you know if her shrubbery, in addition to
15 Toni Wright's shrubbery, was trimmed after this
16 kidnapping?
17 A I do not know.
18 Q Okay. Well, if it was trimmed after -- right after
19 -- two or three days after the kidnapping, and she
20 had been complaining about it, Toni Wright had been
21 complaining about it, other residents had been
22 complaining about it, and then, all of a sudden, it
23 was trimmed two to three days after the kidnapping,
24 that'd be awful coincidental, wouldn't it?
25 A It would be.

Page 80

1 Q Okay. Okay. It says, Number 5, "The shrubbery in
2 front of Ms. Wright's building was very high.
3 Immediately after the kidnapping of Ms. Wright, the
4 shrubbery was trimmed significantly. After the
5 kidnapping of Ms. Wright, I spoke with the property
6 manager at Wellspring and was told that she would
7 not be discussing the event involving Ms. Wright
8 and that I should not be discussing this event with
9 anyone either." Did she ever approach you about --
10 and I'm just talking about -- just about the Toni
11 Wright incident, period.
12 A Lisa Davis? Yes.
13 Q Okay.
14 A Yes.
15 Q And -- and what do you recall about that?
16 A She was -- she was just nosy, in general.
17 Q Okay.
18 A So that was not her business, you know? I mean,
19 that was --
20 Q Okay. Did you tell her that she shouldn't be
21 discussing it with anyone either?
22 A I don't remember that.
23 Q Okay. And that means that you just don't recall
24 one way or the other?
25 A No. Not with that last statement. No.

Page 81	Page 83
1 Q Okay. 2 A I don't. 3 MR. HOOD: Okay. Let's -- this is 0475. I 4 think it's -- four, five, six, and then we 5 have these. It doesn't have a Bates on it. 6 MR. COMER: Okay. 7 MR. HOOD: It's just the stuff from Toni 8 Wright. It was the stuff that was done for 9 her unit. I think it's one, two, three, four 10 pages. 11 MR. COMER: Okay. Let me take a quick look at 12 it after tomorrow. 13 MR. HOOD: Okay. 14 MS. CASEY: That? 15 MR. HOOD: That, and then this one. 16 MS. CASEY: I'm sorry. 17 MR. HOOD: Oh, that's okay. 18 (Sotto voce discussion between Ms. 19 Casey and Mr. Hood.) 20 MR. HOOD: It doesn't have a Bates stamp on 21 it. It may be on the back of something else, 22 too. Let me just give you -- let's have this 23 marked real quick. 24 (Sotto voce discussion between Ms. 25 Casey and Mr. Hood.)	1 Q At the top, it says, "Wellspring Apartments, 500 2 Harbison Boulevard. Then it has Work Order No. 3 11746"? 4 A Yes. 5 Q "Date of call: 1/9/2007. Date scheduled: 6 1/9/2007." 7 A Okay. 8 Q Do you see that? 9 A I do. 10 Q And then, below that, it has, "To: PRG Real 11 Estate, Philadelphia, PA. Caller: Dianne Owen. 12 OK to enter? Yes. Problem description: Breezeway 13 light out." Do you see that? 14 A I do. 15 Q Okay. And this is just simply a work order, isn't 16 it? 17 A Yes. 18 Q And this is just where a resident calls and advises 19 that something is out, and then y'all are going to 20 take care of it? 21 A Right. 22 Q Okay. Now, on this, it appears that the problem 23 description is "Breezeway light out." Do you see 24 that? 25 A I do.
Page 82	Page 84
1 MR. HOOD: Okay. We'll get both of them. 2 Plaintiff's Exhibit No. 10, Work orders, 3 dated 01/09/07 through 03/19/07. 4 Plaintiff's Exhibit No. 11, Work orders, 5 dated 02/25/08, 03/27/07, 08/01/06 and 6 11/08/05. 7 MR. HOOD: Thanks. Okay. 8 MR. COMER: This one has a stamp. Okay. 9 Yeah. This came from Toni Wright's 10 deposition. Yeah. I remember I had marked 11 un-Bates-stamped versions there, so that's 12 fine. 13 A Okay. 14 Q I'm looking first at -- what -- what was the first 15 one? Not the -- the one that's marked. 16 A This one? 17 Q Is that No. 11 or -- 18 A Ten. 19 Q Ten? Okay. And then the other one is Exhibit 11, 20 right? 21 A Right. 22 Q Okay. I'm looking at Exhibit 10. 23 A Okay. 24 Q It starts with "PRT 00475"? 25 A Yes.	1 Q And it says, "Dates -- date called: 1/9/2000." 2 A Uh-huh. 3 Q It says, "Date scheduled: 1/9/2007." 4 A Right. 5 Q And then it has, "Date completed: 1/10/2007, 9:35 6 a.m." Do you see that? 7 A I do. 8 Q And it says, "Job site: 270/1804." What does "job 9 site" mean? 10 A 270 was our property number. 11 Q Okay. 12 A 1804 was the apartment number. 13 Q Okay. And when it says "Date scheduled," "Date 14 call" is the time she called. They would've then 15 scheduled it for someone to fix it, and then it 16 would've been completed at the time that's 17 referenced on the work order? 18 A Yes. 19 Q Okay. Now, this was a breezeway light. It was 20 called in about noon on 1/9, and it was repaired 21 the next morning, right? 22 A That's when it says it was repaired. Lights were 23 always done that day. The work order may not have 24 been closed out until the next morning. 25 Q Okay. Okay. How do we know it was done that day

Page 85	Page 87
1 as opposed to not until the next day? 2 A Per our policy. 3 Q Right. 4 A Lights had to be replaced that day. 5 Q Sure. Sure. They had to because that's an -- 6 A That's a security -- 7 Q -- that could be an emergency, right? 8 A Right. 9 Q And so breezeway lights -- anything that provided 10 lights that -- I'm not talking about SCE&G. 11 A Right. 12 Q I'm talking about any common area or outside lights 13 that helped provide lighting for security purposes 14 were to be replaced immediately? 15 A Right. That day. Yes. 16 Q That day? 17 A Yes. 18 Q Okay. But this, because we have nothing else to 19 show -- it just says, "Date completed: 1/10/2007," 20 right? 21 A Right. 22 Q And if they had followed policy -- I'm not saying 23 that it wasn't done, but if -- if policy was 24 followed, it would've been, "Date completed: 25 1/9/2007" with some time, right?	1 Q Okay. Let's look at the next one. 2 A Okay. 3 Q "Date scheduled: 2/21/2007. Date completed: 4 2/22/2007. Breezeway light out." You see that, 5 right? 6 A I do. 7 Q Now, it would've been policy to do it that day, but 8 there is no piece of paper saying that, and so, per 9 policy, it should've been done on 2/21/2007, right? 10 A Yes. 11 Q And -- but the only documentation we have is it was 12 done the next day, right? 13 A That it was closed out, yes. 14 Q Now, if it was not done until the next day -- and 15 I'm not talking about policy. 16 A Sure. 17 Q I'm just saying if it -- it wasn't done until the 18 next day, on 2/22/2007, that would be a violation 19 of policy? 20 A Correct. 21 Q Okay. And that would be wrong? 22 A Yes. 23 Q Okay. The next thing we have -- "Date scheduled: 24 3/1/2007. Date completed: 3/5/2007." Now that 25 has, "One door, tub spout is leaking, breezeway
Page 86	Page 88
1 MR. COMER: Objection. 2 A No. They had to replace the light that day. 3 Q Okay. 4 A But they did not always turn in the work orders -- 5 the completed work orders -- 6 Q Right. 7 A -- that same day. 8 Q So -- 9 A So this just meant that it was closed out the next 10 day. 11 Q Right. Where's the -- what piece of paper would we 12 look at that would show that it was actually done 13 that day? 14 A There isn't. It's just a policy that it had to be 15 done. 16 Q Okay. And you have acknowledged that there may 17 have been policies that were violated at times -- 18 MR. COMER: Objection. 19 Q -- correct? 20 A I don't remember stating that -- that were 21 violated. 22 Q You don't know of any policies that were violated 23 while you were the manager or the marketing person 24 or the assistant manager at Wellspring? 25 A Not that comes to mind.	1 light out." Do you see that? 2 A I do. 3 Q That was a double -- there was -- 4 A -- work order. 5 Q -- more than one complaint, right? 6 A Right. 7 Q And one -- they could've finished one and then had 8 to wait before they finished another one, right? 9 A They could have. It's not -- 10 Q Or they could've just done them both at the same 11 time? 12 A Right. Right. 13 Q Okay. But -- but we don't have any paper that 14 would tell us how that was done? 15 A Correct. 16 Q And all we've got is the documentation of the time 17 it was scheduled and the time it was completed, 18 right? 19 A Right. 20 Q And, according to that, that would've been a 21 violation of policy? 22 A Yes. 23 Q The next is "3/2 -- Date scheduled: 3/2/2007. 24 Date scheduled -- date completed: 3/2/2007, 5:14 25 p.m. Light out 609 and 208 and 901." Do you see

Page 89	Page 91
1 that? 2 A I do. 3 Q That is the way it's supposed to be done, isn't it? 4 MR. COMER: Objection. 5 A There was no policy stating you had to turn the 6 work order in that day. 7 Q Right. But -- but the documentation shows that it 8 was completed -- 9 A Well, it shows that. Yes. 10 Q -- on that day? And so we know that was not a 11 violation of policy, right? 12 A Correct. 13 Q The next, it says, "Hallway light is out. Date 14 scheduled: 3/16/2007. Date completed: 15 3/20/2007." Do you see that? 16 A I do. 17 Q And that would be -- if it happened as the document 18 says, that would be a violation of policy? 19 A This is hallway, not breezeway. 20 Q Okay. 21 A There were hallways inside the units -- 22 Q Okay. So this would've been -- 23 A -- so. 24 Q -- something inside a unit? 25 A Correct.	1 Q Right. 2 A Yes. 3 Q And -- and -- and PRG would have those documents, 4 right? 5 A Yes. 6 Q Okay. And so they would be able to supply those 7 documents as to whether it'd actually been 8 completed on that day or not, right? 9 A Yes. 10 Q Okay. And if it was not on that particular 11 document and the only document we have is the work 12 order, and there's more than one day between them 13 or there's a day, 1/9 to 1/10, and that's all we 14 have, that would be a violation -- 15 A Yes. 16 Q -- of policy? 17 A Yes. 18 Q Okay. Now I'm going to go to Exhibit 11. Exhibit 19 11 were some documents we were provided, and I 20 think these were four work orders from Toni Wright, 21 okay? 22 A Okay. 23 Q Okay. I'm looking at the first one. It has, 24 "Replace dishwasher; breezeway light out." 25 A Okay.
Page 90	Page 92
1 Q Okay. Okay. The next -- "3/19/2007. Date 2 completed: 3/21/2007." Do you see that? 3 A I do. 4 Q And it says, "1st bedroom blind broke in half; 5 breezeway light out." 6 A Yes. 7 Q Right? Now, if it happened as the document says -- 8 A Uh-huh. 9 Q -- that would be a violation of policy, right? 10 A Yes. 11 Q So if there are no other documents and the only 12 documents we have about when something was 13 scheduled and the date it was completed and that's 14 all we've got to go on and -- and if we were to 15 assume that that was correct, any time that a light 16 is out -- a breezeway light is out and there's a 17 day between the date it was scheduled and 18 completed, that would be a violation of policy, 19 correct? 20 MR. COMER: Objection. 21 A Unless you looked on the original work order -- and 22 a lot of times the techs would write the date in as 23 well. 24 Q Okay. 25 A This was just typed into the computer.	1 Q Okay? If the breezeway light was not fixed before 2 2/26/2008, that would've been a violation of 3 policy, right? 4 A Yes. 5 Q Now, if you go to the next one, this says, "Entry 6 light is out." That would be the light right 7 outside their door, right? 8 A No. That's a foyer light. 9 Q Inside their place? 10 A Right. 11 Q Okay. But in this foyer light, it was still done 12 on the same day, right? 13 A Right. 14 Q That would've been real quick? 15 A Yes. 16 Q Then we have the next, which is, "Entry light out." 17 And the entry light, as you said, is the foyer 18 light, right? 19 A That's normally how we refer to it. They could've 20 -- now that I see this with two units, it could've 21 been breezeway. Our terminology was always 22 "breezeway light" -- 23 Q Okay. 24 A -- so. 25 Q And so it's possible the entry light was --

Page 93

1 A -- breezeway.
 2 Q -- breezeway light?
 3 A Yes.
 4 Q And if it is as -- if it was 8/1/2006 reported,
 5 8/2/2006 completed, that would've been a violation
 6 of policy?
 7 A Right.
 8 Q And then it has, "Breezeway light." The next one
 9 is 11/8/2005, date scheduled. Date completed:
 10 11/11/2005. Breezeway light out." If it is as the
 11 work order says, that would be a violation of
 12 policy?
 13 A Yes.
 14 Q Okay. Okay. Do you know what kind of lights were
 15 used?
 16 A In the breezeways?
 17 Q Yes.
 18 A They were cells.
 19 Q Cell lights?
 20 A Cell lights. So I don't know exactly how they
 21 worked. They were light bulbs, but what controlled
 22 them were cells -- almost like fuses.
 23 Q Uh-huh. Okay. And -- and -- and how often did
 24 they go out, in your time there -- or your
 25 experience there?

Page 94

1 A They went out often. I mean, I wouldn't say any
 2 more than any other normal breezeway light -- an
 3 exterior light.
 4 Q Right.
 5 A But, I mean, they would --
 6 Q Did they have a -- because they were on all the
 7 time, right?
 8 A No.
 9 Q I mean -- but -- but did they have -- turn on and
 10 off?
 11 A It was a timed --
 12 Q Timed?
 13 A Right.
 14 Q So when it got dusk, it turned on?
 15 A Right.
 16 Q And when it got dawn, it usually turned off?
 17 A Right. Uh-huh.
 18 Q So it was basically on all night?
 19 A Well, yeah. Yes.
 20 Q Okay. And so -- but -- but being on that much,
 21 they -- would they usually have about a 30-day life
 22 expectancy -- 60-day life expectancy?
 23 A I don't know that.
 24 Q Okay.
 25 A I don't know.

Page 95

1 Q Now, did y'all have them on-site, or did y'all have
 2 to do a maintenance purchase?
 3 A Did we keep the cells and light bulbs on-site?
 4 Q Yes.
 5 A Yes.
 6 Q Okay.
 7 A We did.
 8 Q Okay. And how -- how did you track when they were
 9 used or how they were used?
 10 A By the work orders. They were only used for
 11 breezeways.
 12 Q Okay.
 13 A And that was --
 14 Q But would you have, like -- okay. The serial
 15 number on the box is the serial number, and it went
 16 into this particular breezeway?
 17 A No. No.
 18 Q Okay.
 19 A They were just light bulbs in a box.
 20 Q Okay. And then you would just take them and you
 21 would just replace the --
 22 A (Coughs.)
 23 Q -- breezeway light?
 24 A Excuse me. Yes.
 25 Q And then did y'all have to then do, like, a -- a

Page 96

1 monthly report to corporate about how many light
 2 bulbs you were using?
 3 A No.
 4 Q How would they know how many light bulbs y'all were
 5 using?
 6 A They didn't. There wasn't a report. I mean, they
 7 could look by our ordering --
 8 Q Okay.
 9 A -- to see quantities, I guess, of what we ordered.
 10 Q Were you given a budget for the apartment complex,
 11 and then you were able to order whatever you saw
 12 fit within the budget?
 13 A As long as it was in the budget.
 14 Q Okay.
 15 A Yes.
 16 Q Okay. Well, you -- you said in that letter that
 17 you wrote that there were times that you felt
 18 really constrained because of --
 19 A Sure.
 20 Q -- the budget. So what happened when you couldn't
 21 order things because it wasn't in the budget? ✓
 22 A If it was everyday necessities, we still ordered
 23 it.
 24 Q Okay.
 25 A Anything that wasn't in the budget, we'd -- I would

Page 97	Page 99
1 have to get approval. 2 Q Okay. And there were times that you did not get 3 approval? 4 A Depending on what it was. 5 Q Okay. 6 A Yes. 7 Q And -- and -- and when you didn't get approval of 8 these things, how did you write for this approval? 9 A I would go to my regional, Pamela Williams -- 10 Q Okay. 11 A -- and discuss it with her. 12 Q Okay. And did you send e-mails back and forth in 13 regard to this? 14 A I'm sure there was. 15 Q Okay. And did you maintain your e-mails in a 16 particular folder at Wellspring? 17 A I think -- believe towards the end I did. I made 18 folders on my computer. 19 Q Okay. And do you know what happened to those 20 folder after you left? 21 A I do not. 22 Q Okay. Do you know if Pamela Williams is still with 23 PRG? 24 A No, she is not. 25 Q Okay. And do you know where she is now?	1 "Question: In Mobile? Okay. So you left 2 for, presumably, better employment? 3 "Yes." Is that a lie? 4 A That is. 5 Q Okay. 6 A I had no knowledge of Mobile when I left PRG. 7 Q So why did you testify that way? 8 A I don't remember testifying to that. I don't know 9 if I didn't understand the question or -- I didn't 10 leave at that time. 11 Q Here, I'll let you read it -- 12 A Well, I just read it -- 13 Q -- and you tell me what you don't understand. 14 A -- with you. 15 Q Tell me what's not -- 16 A But at that time -- 17 Q -- understandable. 18 MR. COMER: (To Mr. Hood) Hold on. Let her 19 finish her answer. 20 A At the time I did not leave PRG to go to Mobile. 21 Q Tell me, when you gave that testimony under oath, 22 what you did not understand. Read it. 23 A I just read it with you. 24 Q Okay. Well, then, tell -- tell the jury because 25 they're going to be able to see this. Tell them
Page 98	Page 100
1 A I have no idea. 2 Q Okay. Was she in Philadelphia, or was she here? 3 A She was North Carolina. 4 Q Okay. And so after your resignation, you didn't 5 have any contact with her any longer? 6 A No, I did not. 7 Q Okay. Now, when you resigned, did you go to 8 Mobile, Alabama? 9 A A while after. 10 Q Okay. Now, do you remember in your previous 11 deposition where you said that you had resigned 12 this position to go to Mobile, Alabama? 13 A That is not accurate. 14 Q Okay. 15 A I didn't go to Mobile until April '09. 16 Q I'm going to aver to you -- and this is -- I'll 17 give you this -- 18 A Okay. 19 Q It says, "What was the circumstances surrounding 20 your leaving?" 21 And your answer was, "I was leaving to work 22 for another company at that time." And your answer 23 -- 24 And he said, "And that was locally?" 25 And you said, "No. In Mobile."	1 what you didn't understand about that. 2 A I don't know. If I lied, I didn't mean to. I'd 3 left in November with PRG. I went to Mobile in 4 April '09. 5 Q So you testified -- 6 A I had no plans when I left of going anywhere. I 7 was burnt out when I left PRG. I didn't want to do 8 anything. That's why I left. 9 Q Why didn't you tell him that here? 10 A I don't know. I don't recall this part. If I -- 11 if I said it, apparently, I said it. But that is 12 not why I left PRG. 13 Q Did you have an opportunity to read your 14 deposition? 15 A I'm sure. Yes. 16 Q Well, why didn't you correct it? 17 A I don't know. 18 Q So, basically, you have a history of testifying and 19 sometimes it isn't the truth, right? 20 MR. COMER: Objection. 21 A No. 22 Q Well, then, what do you call that? 23 A I don't have an answer. 24 Q You don't have an answer because there isn't one, 25 right?

Page 101	Page 103
1 A Okay. 2 Q You would agree that any risk of serious injury or death is unacceptable if reasonable means could be used to minimize or eliminate the risk, right? 3 4 5 A Yes. 6 Q You agree the first priority of an apartment complex should be the safety of the residents, right? 7 8 9 A Yes. 10 Q You agree the plaintiff had a right to expect to be safe at Wellspring, right? 11 12 A Yes. 13 MR. COMER: Objection. 14 Q You would agree that corporations and shareholders should never put profits before safety, right? 15 16 A Correct. 17 Q An apartment complex should try to maintain a safe environment for its residents? 18 19 A Yes. 20 MR. COMER: Objection. 21 Q And that's a rule, isn't it? 22 MR. COMER: Objection. 23 Q You can answer. 24 A Yes. 25 Q It's been a rule for a long time, hasn't it?	1 A Yes. 2 Q Been a rule for a long time, right? 3 MR. COMER: Same objection. 4 A Yes. 5 Q And it should not maintain its complex in a way that invites a criminal to harm its residents, right? 6 7 8 A Yes. 9 Q And that's -- that's a rule as well -- 10 MR. COMER: Objection. 11 Q -- right? 12 A Yes. 13 Q Been a rule for a long time, right? 14 A Yes. 15 MR. COMER: Objection. 16 Q PRG should maintain safe lighting in parking lots and outside the doors of residents, right? 17 18 A Yes. 19 Q If lights are out at night, that's not good, is it? 20 A No. 21 Q In fact, y'all had a policy that you're supposed to do it that day, right? 22 23 A Yes. 24 Q And that's a rule, right? 25 A Yes.
Page 102	Page 104
1 A Sure. 2 MR. COMER: Objection. 3 Q An apartment complex should never needlessly endanger a resident, right? 4 5 A Right. 6 Q And that's been a rule as well, right? 7 A Yes. 8 Q And that's been a rule for a long time -- 9 MR. COMER: Objection. 10 Q -- right? 11 A Yes. 12 Q And PR -- PRG should not have a contract with a subcontractor to trim hedges and then not allow them to do it because of money, right? 13 14 15 A Yes. 16 Q And because high hedges can obscure sight lines, right? 17 18 A Yes. 19 Q And if you can't see properly, you may not be able to see people who are hiding in bushes or laying in wait, right? 20 21 22 A Yes. 23 Q And that's been a rule that they shouldn't allow that to happen, right? 24 25 MR. COMER: Objection.	1 Q It's been a rule for a long time? 2 A Yes. 3 MR. COMER: Objection. 4 Q Been the rule the whole time you were there, from 2004 to 2008? 5 6 A Yes. 7 Q PRG should follow policy and procedure in regard to its courtesy officers, right? 8 9 A Yes. 10 Q And that's a rule as well, right? 11 MR. COMER: Objection. 12 A Yes. 13 Q And that's a rule that's been in effect for a long time, right? 14 15 MR. COMER: Same objection. 16 A Yes. 17 Q From 2004 to 2008 -- 18 A Yes. 19 Q -- at least, you know? And you would agree that the Wellspring manager should follow policies and procedures, right? 20 21 22 A Yes. 23 Q Wellspring manager should notify upper management of problems or safety concerns, right? 24 25 A Yes.

Page 105

1 Q Wellspring manager should use the chain of command,
 2 if necessary, meaning if her immediate supervisor
 3 doesn't respond to her concerns, she needs to go
 4 over their heads, right? You had a chain of
 5 command?
 6 A I did.
 7 Q And if Pamela Williams --
 8 A If it was not an appropriate amount of time, then,
 9 yes, I would.
 10 Q Okay. You would go over her head if necessary?
 11 A Yes, I would.
 12 Q And -- and the Wellspring manager and the staff,
 13 they were the eyes and ears of the corporation who
 14 owns the complex?
 15 A At Wellspring, yes.
 16 Q And you had to use your independent skill and
 17 judgment if you thought that there was an unsafe
 18 condition at the apartment complex, correct?
 19 A Yes.
 20 Q And so did all of your maintenance people and
 21 anybody that was employed at Wellspring?
 22 A Yes.
 23 Q And you would agree that the corporation that owns
 24 Wellspring should have policies and procedures
 25 which promote safety, right?

Page 106

1 A Yes.
 2 Q Money should never compromise safety of residents,
 3 correct?
 4 A Correct.
 5 Q Residents are allowed on the premises -- excuse me.
 6 MR. HOOD: Oh, let's see. Oh. (To Mr. Comer)
 7 What time do you have?
 8 MR. COMER: I don't have my Blackberry on me,
 9 actually.
 10 MR. HOOD: (To the court reporter) Do you --
 11 THE COURT REPORTER: 12:01.
 12 (Sotto voce discussion between Mr.
 13 Hood and Ms. Casey.)
 14 MR. HOOD: It's been two hours. Y'all want to
 15 take about --
 16 MR. COMER: Sure.
 17 MR. HOOD: -- five or ten minutes? About --
 18 you tell me.
 19 (Off the record from 12:03 p.m.
 20 until 12:22 p.m.)
 21 THE EXAMINATION BY MR. HOOD CONTINUES.
 22 Q Ms. Campbell, I'm probably going to hit a stretch
 23 of some pretty boring stuff. Just general
 24 background stuff. But --
 25 A Okay.

Page 107

1 Q -- but when -- right before we left, you had said
 2 one thing and I did want to go over that. You said
 3 that you had left because you were burned out.
 4 A Yes.
 5 Q When -- when you say you were "burned out," what do
 6 you mean by that?
 7 A It's a tough job.
 8 Q Sure.
 9 A And I was tired.
 10 Q Sure.
 11 A I just needed a break. And, you --
 12 Q Sure.
 13 A -- know, it's -- it's a pretty stressful
 14 environment. The company is a pretty intense,
 15 aggressive company and I just needed a break.
 16 Q Okay. One of the other things -- right before --
 17 let me just ask you this: What is your full name?
 18 A Full name?
 19 Q Yes.
 20 A Karen Nicole Campbell.
 21 Q Okay. And your current address once again?
 22 A It's 110 Paces Brook Avenue.
 23 Q And is that an apartment complex?
 24 A It is.
 25 Q Are --

Page 108

1 A Yes.
 2 Q -- you managing that apartment --
 3 A No.
 4 Q -- complex?
 5 A No.
 6 Q You just live there?
 7 A I do.
 8 Q Are you working anywhere right now?
 9 A I am.
 10 Q Where are you working at?
 11 A The Haven at Windsor Lake.
 12 Q Okay. And that's an apartment complex?
 13 A Yes.
 14 Q And -- and are you managing there?
 15 A Yes.
 16 Q Okay. And -- now, the place that you're at now,
 17 how long have you been there?
 18 A April this year.
 19 Q Okay. Does your husband work there?
 20 A No. He works at Paces Brook.
 21 Q Right. But that's what I meant, Paces --
 22 A Oh.
 23 Q -- Brook.
 24 A Yes.
 25 Q He -- he works at Paces Brook --

Page 109	Page 111
1 A Yes. 2 Q -- because -- 3 A He does. 4 Q -- he's a maintenance guy, right? 5 A He's a supervisor. 6 Q Supervisor? 7 A Yes. 8 Q And -- and -- and whether you're the manager or a 9 maintenance supervisor, you can get a price break 10 on your rent, usually -- 11 A Depending -- 12 Q -- right? 13 A -- on the company. 14 Q Depending upon the company. 15 A Yes. 16 Q And then -- so you're living at the complex your 17 husband works at? 18 A Correct. 19 Q Okay. Now, prior to there, where did you live at? 20 A To Paces Brook? 21 Q Yes. 22 A We were in Mobile. 23 Q Okay. And what was -- were you a -- an employee or 24 did you begin working for an apartment complex 25 there?	1 A Yes. 2 Q Okay. Now, before Inverness Lakes, I think you 3 said you took off from November until April -- 4 A Right. 5 Q -- right? 6 A Right. 7 Q And -- now, why did y'all go to Mobile? 8 A I had an opportunity. There was no work here in 9 Columbia. 10 Q Right. 11 A So there was an opportunity to go to Mobile. 12 Q Inverness Lakes? 13 A Inverness Lakes. 14 Q Sure. 15 A And it was an opportunity. 16 Q Sure. 17 A And so that's why we went. 18 Q Sure. Absolutely. And then prior to Inverness 19 Lakes, you had taken the few months off and then -- 20 A Right. 21 Q -- you had worked from -- was it 2004 to 2008 -- 22 A Right. 23 Q -- at PRG? 24 A Yes. 25 Q And then before PRG, where did you work at?
Page 110	Page 112
1 A In mobile? 2 Q Yes. 3 A Yes. 4 Q And what was the name of that complex? 5 A Inverness Lakes. 6 Q Inverness Lakes? 7 A Yes. 8 Q And why did you leave Inverness Lakes? 9 A To come back home. 10 Q Is this where most of your family -- 11 A Yes. 12 Q -- is? Okay. 13 A Yes. 14 Q Do you know if there was -- did you resign or were 15 you terminated or . . . 16 A From Inverness? 17 Q Yes. 18 A No, I resigned -- 19 Q Okay. 20 A -- to come home. 21 Q Okay. You know how sometimes when you do an exit 22 interview, you say yes, they're eligible for rehire 23 or not? 24 A Yes. 25 Q Are you eligible for rehire at Inverness Lakes?	1 A I worked at The Woods at Harbison. 2 Q Okay. 3 A And I was only there a few months. Not long. 4 Q Now, is that -- The Woods at Harbison -- that's the 5 one that the lady had talked about that was the 6 troubled property? 7 A Yes. Yes. 8 Q Okay. 9 A It is. 10 Q Okay. And -- and so you were aware of some of the 11 stuff that was going on at The Woods at Harbison? 12 A Not at the current time when I worked at 13 Wellspring. I knew the type of property The Woods 14 -- 15 Q Sure. 16 A -- was. 17 Q Sure. But -- 18 A Sure. 19 Q -- you knew -- while you were working at The Woods, 20 you were aware of the class of people that you were 21 dealing with? 22 A Oh, yes. 23 Q And you were aware of some of the criminal element 24 that was present there? 25 A And around there.

Page 113

1 Q In --

2 A Yes.

3 Q -- and around The Woods at Harbison?

4 A Correct.

5 Q And -- and those were the same people that had

6 access to Wellspring?

7 A Through the trails. Yes.

8 Q Through the trails. And -- and -- and so you --

9 you -- you and the employees of Wellspring were

10 aware of the element that was -- that had access to

11 -- to Wellspring, right?

12 A Yes.

13 Q And -- and so, it was -- it was certainly, then,

14 foreseeable that there would be criminals coming

15 onto the property who may have committed crime?

16 MR. COMER: Objection.

17 A I wouldn't say it's foreseeable. Anybody can come

18 on any property off --

19 Q Right.

20 A -- of those trails --

21 Q Sure.

22 A -- so.

23 Q Okay. But -- but -- but, I mean, when anybody can

24 go anywhere, it's predictable that there's going to

25 be a certain amount of crime?

Page 114

1 A I guess that would be fair to say.

2 Q Okay. And so it's predictable that -- that there's

3 going to be a certain of crime at Wellspring, just

4 because anybody's able to come there, right?

5 A Sure.

6 Q Okay. Now, your age, you said 35?

7 A Thirty-five.

8 Q And what's your birth date?

9 A 12/15/76.

10 Q And your place of birth?

11 A Akron, Ohio.

12 Q Okay. Yeah. Because you worked at the

13 ophthalmology surgical --

14 A Yes.

15 Q -- thing. So before The Woods at Harbison --

16 A Uh-huh.

17 Q -- you came from Ohio, right?

18 A Correct.

19 Q And -- and where did you work at in Ohio?

20 A Northeast Ohio Eye Surgeons.

21 Q Okay.

22 A I worked for a Dr. Repko. I don't remember --

23 Q Sure. Sure.

24 A -- the name of his practice. I worked --

25 Q Okay.

Page 115

1 A -- same position --

2 Q Okay.

3 A -- just different place.

4 Q Were you like a surg tech or something?

5 A Yes.

6 Q And -- and prior to that, you worked at another

7 ophthalmology place, right?

8 A Eye surgeons. North --

9 Q Okay.

10 A Uh-huh.

11 Q Now, did you have to get a degree to become a surg

12 tech?

13 A You had to be certified.

14 Q Okay. To become certified, what did that require?

15 A Classes that was specifically for ophthalmology.

16 Q Okay.

17 A And then you would get a certificate.

18 Q Did you ever get an associate's degree?

19 A No.

20 Q In anything?

21 A No.

22 Q Do you have an associate's degree in anything?

23 A No.

24 Q Okay. But you took your special classes to be a

25 surg tech and you got your certificate to be a surg

Page 116

1 tech, right?

2 A Right. And it was initially a COA. It was a

3 ophthalmic assistant.

4 Q Right.

5 A And then it was almost like an on-the-job --

6 Q -- training-type thing?

7 A -- training kind of thing.

8 Q Sure.

9 A And that's how . . .

10 Q Okay.

11 MR. HOOD: Let me do this.

12 (Sotto voce discussion between Mr.

13 Hood and Ms. Casey.)

14 MR. HOOD: Yeah. May be in something else.

15 (Sotto voce discussion between Ms.

16 Casey and Mr. Hood.)

17 MR. HOOD: Okay. Let's have this marked.

18 Brian, it's going to be 0865 --

19 MR. COMER: Okay.

20 MR. HOOD: -- through 0869.

21 MR. HOOD: (To the court reporter) Here,

22 let's give it to Brian.

23 MR. COMER: Okay, thanks. Thank you.

24 Plaintiff's Exhibit No. 12, "Payroll Data

25 Sheet"; "Application for Employment."

Page 117

1 Q Ms. Campbell, I think this is just basically your
2 application --
3 A Okay.
4 Q -- to -- to Wellspring. And it looks like the
5 payroll data sheet -- I guess that was the day you
6 got hired or the effective date and then -- then it
7 has -- or at least it's dated 7/20/04. So it looks
8 like you were hired on the day that you applied, or
9 close to it, on 7/20/04.
10 A Okay.
11 Q And -- and if you go to the second page, it says,
12 "Application for Employment."
13 A Uh-huh.
14 Q "Position applied for: marketing director"; do you
15 see that?
16 A I do.
17 Q Okay. Now -- now, why did you apply for a
18 marketing director?
19 A That was the position that was open.
20 Q How did you know that that was a position that was
21 open?
22 A Brian Deweese was a supervise -- maintenance
23 supervisor --
24 Q Right.
25 A -- at Wellspring. He used to work at The Woods.

Page 118

1 Q Uh-huh.
2 A And he was over at The Woods. I don't remember
3 why. He just stated that there was an opening over
4 at Wellspring.
5 Q Okay.
6 A And I knew that Wellspring was a better property
7 than where I was out, so --
8 Q Okay. Now, did Brian Deweese leave his employment
9 at about the same time you left your employment?
10 A No.
11 Q Okay. Now, if you go to the second page, it has
12 educational data.
13 A Uh-huh.
14 Q And it has high school, college, trade, business,
15 night, or correspondence.
16 A Uh-huh.
17 Q And it has you had your four years completed.
18 Major course of study, college prep. You got your
19 high school degree, right?
20 A Right.
21 Q College, it says, "Stark-Kent University."
22 A Uh-huh.
23 Q Number of years completed, two. Ophthalmology
24 surgical tech. And then you have trade, business,
25 night, or correspondence, JCAHPO, two years

Page 119

1 completed, ophthalmology tech.
2 A Yes.
3 Q So did you take four years of -- you completed four
4 years to get your ophthalmology degree?
5 A No. JCAHPO is how you get your assistant's --
6 ophthalmology assistant certificate.
7 Q Right.
8 A And then I went to Stark-Kent to further my
9 education there. It wasn't only for ophthalmology.
10 It was just more of a business --
11 Q Sure.
12 A -- something at that point, too --
13 Q So --
14 A -- so.
15 Q -- I forgot how you call it. "JACK-po" or --
16 A "Jih-CAH-po."
17 Q "Jih-CAH-po"?
18 A Uh-huh.
19 Q Now, under JCAHPO --
20 A Uh-huh.
21 Q -- so it -- you -- you took you two years to
22 complete the course for -- to get your certificate?
23 A Right. Because you work while you do it.
24 Q Okay.
25 A So it's more of like, you know, an on-the-job

Page 120

1 training; you have to be there for so long before
2 you're allowed to take the classes.
3 Q Okay. And at Stark-Kent University, you completed
4 two full years there, right?
5 A Almost. That was something I paid for out of my
6 pocket. So --
7 Q Sure.
8 A -- it was like evening classes --
9 Q Sure.
10 A -- so.
11 Q When you say you "almost" completed --
12 A Yeah.
13 Q -- two years --
14 A It was a little over a year and a half --
15 Q Okay.
16 A -- so.
17 Q Okay. And then it has, "Employment Experience
18 Qualifications. Employer, The Woods at Harbison,
19 from 3/4 to 7/4." And because you applied in
20 7/20/04, you would have still been working at The
21 Woods at Harbison --
22 A Right.
23 Q -- when you applied for this?
24 A Uh-huh.
25 Q Okay. Now, there, it says you were -- you were

Page 121	Page 123
1 doing rent, something, leasing, marketing, 2 budgeting. What was your actual designation or 3 title there? 4 A It was such a small property. Assistant manager, 5 leasing rep. Whatever I had to do. 6 Q Okay. Just -- just whatever needed to be -- 7 A What -- 8 Q -- done? 9 A Yes. Yeah. 10 Q Okay. And then I noticed that you took a -- you 11 took a substantial salary jump once you left there. 12 And -- and then you started -- you went to eight to 13 13.25. 14 A Better property. 15 Q And -- and eventually got to \$21. 16 A Uh-huh. 17 Q You were making good money when you left 18 Wellspring, right? 19 A Yeah. Sure did. 20 Q When you went to Inverness, did it have the same 21 type of salary structure or -- 22 A Yes. 23 Q Okay. 24 A Uh-huh. 25 Q Making about the same amount of money or --	1 we've marked it. 2 MR. COMER: What's the front page? 3 MR. HOOD: It says, "Employee Handbook." 4 MR. COMER: Okay. 5 MR. HOOD: It's Section 1. If you'd tell me 6 what exhibit that is, too, that . . . 7 MR. COMER: Bear with me. I'm just getting 8 these back in order. Employee handbook? 9 MR. HOOD: Yes. 10 MR. COMER: Number 7. 11 MR. HOOD: Okay. Great. Thank you. 12 Q I'm going to have you -- it's -- it's got numbers 13 at the top, Ms. Campbell. 14 A Okay. 15 Q And if you'll just go to No. 28. 16 A Okay. 17 Q And this has a job description. It has job 18 description of the property manager. And then that 19 would have been you from 2006 to 2008, right? 20 A Yes. 21 Q And the primary function -- it just says you are 22 totally accountable for all community operations, 23 right? 24 A Yes. 25 Q So basically, the buck stops with you?
Page 122	Page 124
1 A A little bit more. 2 Q Little bit more? Now, it says from 3/2 to 1/4, you 3 worked at NDDS. 4 A That was National Direct Diabetic Supply. 5 Q Okay. Just like an office job-type thing? 6 A It was. Uh-huh. 7 Q Okay. Okay. And then on the next page, you said 8 you had references, Jennifer Minter and Penny 9 Pierson? 10 A Uh-huh. 11 Q Just people that you knew or had worked with? 12 A Right. Jennifer Minter was the property manager at 13 The Woods at Harbison. 14 Q Okay. 15 A And Penny Pierson was my boss at National Direct. 16 Q Okay. And -- and then you signed the back of this, 17 signature of applicant and the date, right? 18 A Right. 19 Q And before you signed it, you read that box that 20 you signed, right? 21 A Yes. 22 Q Okay. 23 MR. HOOD: Let's see something real quick. 24 Have we marked the employee -- yes, we did. I 25 can't remember what it was. It was -- I think	1 A Yes. 2 Q Right. Now, under -- and -- and I'm going to go 3 back over this more. But I just want to just ask 4 this one quick question. Under "Qualification, 5 Skills, and Experience," it says, "Education and 6 experience requirements include four-year BS/BA 7 degree, comma, two-year associates degree combined 8 with a minimum of two years direct property 9 management experience, or a two-year associates 10 degree with at least three years of related 11 business management experience"; do you see that? 12 A I do. 13 Q Okay. Now, you didn't have a four-year degree, 14 right? 15 A No. 16 Q And you didn't have a two-year associate's with 17 three years of business management experience, 18 right? 19 A Correct. Correct. 20 Q And so you would have been under the two-year 21 associate's degree combined with a minimum of two 22 years direct property management experience, right? 23 A Yes. 24 Q But you didn't have a two-year associate's degree, 25 did you?

Page 125

1 A No.

2 Q Okay. I'm going to ask you a couple of questions.

3 And these are -- I'm really not trying to get in

4 your business, but these are like jury questions

5 where we may have jurors that may know you or know

6 people you know and that kind of stuff.

7 A Okay.

8 Q And so we ask these of everybody. Okay?

9 A Okay.

10 Q What is your husband's full name?

11 A Michael Ray Campbell.

12 Q Okay. And he works over at Paces?

13 A Paces Brook. Yes.

14 Q And, then, do y'all have any children?

15 A We do.

16 Q And what is your child's name?

17 A Gavin Campbell and Krista Campbell.

18 Q Okay. And are they of school age?

19 A Yes.

20 Q Where do they go to school at?

21 A Gavin will go to Irmo Middle School. And Krista

22 goes to Harbison West.

23 Q Okay. I know it's like -- that's right on the

24 line. Is that Lexington County or Richland County?

25 A Richland.

Page 126

1 Q Okay. And do y'all go to church anywhere?

2 A No.

3 Q Do y'all belong to any community organizations like

4 go to Little League baseball or anything like that?

5 A Yes. My daughter is in gymnastics.

6 Q Okay.

7 A And my son plays soccer.

8 Q Okay. Where does he play soccer at?

9 A The rec center. Irmo Chapin Rec Center.

10 Q Okay. And where does your daughter --

11 A All-Star Gymnastics.

12 Q Okay. Now, do y'all have any -- any relatives with

13 the last names, other than Campbell, that live in

14 Richland County?

15 A No.

16 Q Okay. Okay. When you had said -- when I had said

17 earlier this where family is, you came back here,

18 is -- is family in this area or --

19 A They're not in Richland. They're in Lexington --

20 Q Okay. Okay.

21 A -- County.

22 Q Okay. Okay. Just because it's so close, what are

23 their last names?

24 A Jenkins and Stillson.

25 Q S-t-i-l-s-o-n?

Page 127

1 A S-t-i-l-s-o-n.

2 Q Okay.

3 A Yes.

4 Q Okay. You've never served in the military?

5 A No.

6 Q Have you ever filed for bankruptcy?

7 A Yes.

8 Q When did you file for bankruptcy?

9 A I believe it was 2005.

10 Q Okay. Do you know the name of the attorney who

11 handled that?

12 A Ray Lord.

13 Q Was that in Columbia?

14 A Yes.

15 (Sotto voce discussion between Mr.

16 Hood and Ms. Casey.)

17 Q Okay. And did y'all do a Chapter 7 or a Chapter

18 11?

19 A I believe it was 11.

20 Q Okay. So you paid your debts and you just worked

21 out a schedule?

22 A No. Then, it would have been a 7.

23 Q It would have been a 7? They discharged the debts?

24 A Correct.

25 Q Have you -- have you declared bankruptcy since that

Page 128

1 time in 2005?

2 A No.

3 Q Okay. Have you ever been -- and I apologise for a

4 couple of these questions -- have you ever been

5 convicted of a crime other than a traffic ticket?

6 A No.

7 Q Okay. Been in any type of alcohol or drug rehab?

8 A No.

9 Q Are you under any active psychiatric or

10 psychological care?

11 A No.

12 Q Now, I believe you said that you're familiar with

13 building -- her building was 22 --

14 A I --

15 Q 2208 --

16 A -- don't --

17 Q -- or --

18 A -- remember what --

19 Q -- 2210?

20 A -- she was.

21 Q I think it was 22 --

22 A I think -08, I believe --

23 Q -- -08.

24 A -- maybe.

25 Q Yeah. It was 2208 or 2 -- 2210.

Page 129	Page 131
1 MR. COMER: I'm being silent because I can't 2 remember. 3 MR. HOOD: I know. It's terrible. I mean, 4 it's like I've got all these numbers flying 5 around in my head. 6 MR. COMER: 2210 is what Exhibit -- 7 MR. HOOD: Okay. 8 MR. COMER: -- 11 -- 9 MR. HOOD: Okay. 10 THE DEPONENT: Oh. 11 MR. COMER: -- indicates. 12 MR. HOOD: 2210, I'm sorry. 13 Q And so -- so you knew Building 22 and -- Unit 2210, 14 right? 15 A Yes. 16 Q Now, Ms. Wright, in particular -- I know, before, 17 you -- you said you remember Lisa Davis. And -- 18 and I know I've read your deposition and you 19 remembered Leesa Watson. 20 A Yes. 21 Q Two memorable residents. Now, was Toni Wright one 22 of those people that you remember -- 23 A Toni -- 24 Q -- really well? 25 A -- Wright was just a very sweet lady.	1 Q -- on your own personal experience? 2 A I've seen it. Yes. 3 Q Okay. Now, how often did you walk the community 4 when you were there between 2004 and 2008? 5 A I was out on that property almost every single day 6 -- 7 Q Okay. 8 A -- myself. 9 Q I know I've seen some larger properties where they 10 have little golf carts and people ride around -- 11 A Uh-huh. 12 Q -- on the golf carts. Did y'all have that or did 13 you walk? 14 A We did both. 15 Q Okay. So you -- you could ride -- y'all had a golf 16 cart to ride around on, but you also walked it as 17 well? 18 A Correct. 19 Q Okay. Now, as far as the -- the vicinity of this 20 particular incident, is it one of the outlying 21 buildings, like on the edge? 22 A The edge of the property? 23 Q Yeah. 24 A No. 25 Q Is it towards the center or just . . .
Page 130	Page 132
1 Q Okay. And -- and would -- I mean, I know you have 2 residents -- you have a scale. Some of them are 3 good residents; some of them are not so good 4 residents. Was she one that you considered to be a 5 really good resident? 6 A Oh, sure. 7 Q Okay. Did you ever have problems out of Ms. 8 Wright? 9 A No. 10 Q Okay. 11 A No. 12 Q So she was basically the model resident? 13 A She's a very nice resident. 14 Q Okay. Now, are you familiar with where this 15 incident occurred? I showed you the -- the diagram 16 and the pictures and stuff, right? 17 A Right. 18 Q And I know you actually went out there and looked 19 yourself, close after the time -- 20 A At the time. Right. 21 Q -- because you did a -- a -- a unusual occurrence 22 report, right? 23 A Right. 24 Q Okay. So you were familiar with that area -- 25 A Yes.	1 A I -- if I remember correctly, it's one building 2 down from the edge. 3 Q Okay. 4 A From the entrance. 5 Q Okay. Okay. Because 23 would be the end and then 6 -- 7 A At the end. 8 Q -- 22 would be beside it? 9 A Correct. 10 Q Okay. Was there anything in particular about 11 Building 21, 22, or 23, or that area that -- that 12 you remember specifically today? 13 A As far as? 14 Q I mean, is there anything that just sticks out 15 about that -- that area? 16 A No. 17 Q Okay. 18 A No. 19 Q In regard to that immediate area of incident and I 20 -- and -- and please correct me if I'm wrong and 21 I'm not trying to say it -- but I believe you said 22 you could not recall what the lighting was like in 23 that specific area other than the fact that there 24 was an SCGP -- SCE&G pole close to there. 25 A Right.

Page 133

1 Q And you've seen the picture of the shrubbery and --

2 A Yes.

3 Q Okay. And -- but you don't have personal

4 recollection of, Oh, it was 6 --

5 A No.

6 Q -- feet on the --

7 A No.

8 Q Would you defer to the pictures -- whether they're

9 your pictures or somebody else's pictures, if

10 somebody attests that was what they were like on

11 the day of, would you defer to that?

12 A They were mature trees.

13 Q Okay.

14 A I mean --

15 Q Well, you have mature trees and then you have

16 mature shrubbery.

17 A Or mature shrubbery. It was an older property.

18 Q Okay.

19 A Everything on it was matured.

20 Q Right. And when you have mature trees or mature

21 shrubs, you can always trim them back or cut them,

22 right?

23 A Sure.

24 Q Okay. And in regard to that specific area of

25 incident, how close was that to the pond or the --

Page 134

1 A How close was the building to the pond?

2 Q Yes.

3 A Just down the trail a little bit.

4 Q Okay. I mean, like 500 feet or --

5 A Oh --

6 Q Wasn't very far?

7 A No.

8 Q Okay.

9 A No.

10 Q And so it -- it would have been real easy for

11 somebody that was around the pond to walk up to any

12 of those buildings?

13 A Sure.

14 MR. COMER: Objection.

15 Q Okay. Now, in regard to the courtesy officers,

16 y'all --

17 MR. HOOD: I'll go over that later. I'll go

18 over this with her.

19 Q Now, did you do an actual -- your own personal

20 investigation of this?

21 A No.

22 Q Okay. And why not?

23 A Because I'm not Richland County. I would take the

24 incident report from the resident, but the

25 investigation aspect of it, that --

Page 135

1 Q Okay.

2 A -- that wasn't my job.

3 Q Okay. Hold on a second.

4 MR. COMER: (To the deponent) Can you hand me

5 that? (To Mr. Hood) Are you done with this,

6 Randy?

7 MR. HOOD: Yes. I --

8 MR. COMER: Okay.

9 MR. HOOD: -- think so, right now. Yeah. I

10 may have -- it may be that one that I've got a

11 question about, but I'm not sure.

12 MR. COMER: Okay.

13 MR. HOOD: I'm trying to find. I knew I saw

14 something in here.

15 Q Okay. It would be "Maintenance, Section 9," which

16 is Exhibit 4.

17 MR. HOOD: Four?

18 MR. COMER: Uh-huh.

19 Q If you go to 00144.

20 A Okay.

21 Q Excuse me, I'm sorry. 00145. I apologize. Do you

22 see where it says "Accident Reporting"?

23 A I do.

24 Q It says, "If the community should have a potential

25 property insurance claim during or after normal

Page 136

1 working hours, notify the maintenance supervisor

2 and property manager immediately. Never discuss

3 the issue of insurance claims with residents or

4 anyone who considers themselves an 'injured

5 party.'" And then after that, it says, "There are

6 a few items that must be done when an incident

7 occurred." An incident; do you see that?

8 A I do.

9 Q It says, "Complete a detailed investigation."

10 A Okay.

11 Q Do you see that?

12 A I do.

13 Q It says, "Submit PRG Unusual Occurrence Report, PRG

14 Form MNT-18," right?

15 A I do.

16 Q And then it says, "Take photographs"; you see that?

17 A I do.

18 Q Okay. It says, "The purpose of the investigation

19 is to document the facts and photographs of the

20 incident immediately. If a few days pass, the

21 documentation may not be able to detect the facts

22 of the incident appropriately." Do you see that?

23 A I do.

24 Q Okay. Now, you said your job was not to do an

25 investigation. Now, under here, are you supposed

Page 137	Page 139
1 to do an investigation, per policy?	1 Q -- and we've asked for it --
2 A Yes. This small? Yes.	2 A Uh-huh.
3 Q Okay.	3 Q -- and we don't get anything back, do you have an
4 A Yes.	4 explanation, if that should occur, why it didn't
5 Q Okay. So why didn't you do an investigation on	5 get done?
6 this particular situation?	6 A I don't have an answer to that.
7 A I was referring to a different kind of	7 Q Okay. You would agree that, per policy, it was
8 investigation. I filled out an unusual occurrence	8 supposed to be done?
9 report.	9 A Sure.
10 Q Okay.	10 Q Okay. And that, per policy, photographs were
11 A The detailed investigation -- that would have been	11 supposed to be taken?
12 the information that I received from Ms. Wright to	12 A That's what it states.
13 put into my unusual occurrence report.	13 Q Okay. And you don't disagree with that, right?
14 Q Okay.	14 A No.
15 A So I guess that would be the extent --	15 Q Okay. Okay. If you go to 151, this says, "The
16 Q The -- the --	16 Preventative Maintenance Program," right?
17 A -- of --	17 A Yes.
18 Q -- extent --	18 Q And it says, "Responsibility: A successful
19 A -- my investigation.	19 preventative maintenance program calls for
20 Q So the extent of your detailed invitation was a	20 scheduled inspection and repairs of the
21 conversation with Ms. Wright?	21 communities, equipment, and buildings. To work
22 A Right.	22 successfully, the program requires careful and
23 Q Okay.	23 detailed planning and implementation. The property
24 A Right.	24 management [sic] and the maintenance supervisor are
25 Q And then the photographs, what photographs did you	25 responsible for making sure that an effective
Page 138	Page 140
1 take?	1 preventive maintenance program is carried out."
2 A I don't believe I took photographs.	2 You --
3 Q Okay. Now, if you go to the page before that.	3 A Yes.
4 A Uh-huh.	4 Q -- see that, right?
5 Q It's PRG Defendant 00144, under "Self-Inspection";	5 A I do.
6 you see that?	6 Q And -- and from 2006 to 2008, you would have been
7 A I do.	7 the property manager, who was the maintenance
8 Q It says, "Due to the nature of the operation, most	8 supervisor during that time?
9 potential hazards must be reviewed regularly such	9 A We had a few.
10 as safety equipment, property perils, housekeeping,	10 Q Okay. Was Franklin Pack ever --
11 and vehicles. PRG has adopted a short quarterly	11 A That was after me.
12 inspection to be performed by each property manager	12 Q Okay. What about while you were there? Was Brian
13 and maintenance supervisor. A safety inspection	13 Dewese ever --
14 report, PRG form MNT-17, has been developed for	14 A He was.
15 your convenience." You see that?	15 Q Okay. Other than Brian Dewese, who would have
16 A I do.	16 been people that you can -- just people you recall?
17 Q Did you complete an MNT-17 each quarter in 2006,	17 A Michael Campbell.
18 2007, and 2008?	18 Q Okay. Your -- your husband?
19 A I don't recall.	19 A My husband. David Randolph, I believe, was his
20 Q Okay. If it is not produced and it's said that	20 last name.
21 they weren't available or they don't have it -- and	21 Q Yes.
22 I'm not saying that's the case, I'm just saying --	22 A Okay. That's all that I remember. I believe that
23 A Sure.	23 was it.
24 Q -- if it's told to us --	24 Q Okay.
25 A Uh-huh.	25 A As far as supervisors.

Page 141	Page 143
1 Q Okay. Now, under "Hallway," the next page is 151. 2 It says, "Hallways, Breezeways, Stairways. One of 3 the many responsibilities we have to our residents 4 is safe and clean common areas." Do you see that? 5 A I do. 6 Q Now, the area that -- that you've seen that she 7 indicates that she was abducted at gunpoint, that 8 was a common area -- 9 A Correct. 10 Q -- right? It says some of the areas -- "most 11 heavily used common areas are our hallways, 12 breezeways, and stairways," right? 13 A Yes. 14 Q And because I -- it looks like it was on that ramp 15 where this thing occurred, was that considered a 16 breezeway? 17 A We just referred to it as the building ramp -- 18 Q Okay. 19 A -- so. 20 Q Okay. If you go to the next page, 152, it says, 21 "In order to protect buildings, residents, and 22 parked autos from possible damage or injury, trees 23 should be inspected and trimmed of dead wood, etc., 24 at least one a year." Do you see that? 25 A I do.	1 Community Trail, right? 2 A Right. 3 Q And the Harbison Community Trail could be used by 4 anyone, right? 5 A Yes. 6 Q And sometimes, it may have been some of that worse 7 element. Sometimes there were just people just 8 walking -- 9 A Right. 10 Q -- for exercise. 11 A Right. 12 Q Sometimes people -- they can use that trail to go 13 from apartment to apartment to apartment complex, 14 just to see what kind of apartments they may have 15 in that area, right? 16 A Yes. 17 Q Sure. And so his -- during your tenure there, did 18 you have anyone that -- that was just walking the 19 trail that, kind of, came up and said, "Hey, we may 20 be interested in renting an apartment" and -- and 21 wanted to -- 22 A Not that I recall. 23 Q Okay. 24 A No. 25 Q But you don't know whether there was or there
Page 142	Page 144
1 Q But -- but y'all actually went over and above that 2 and you actually had shrubs that were trimmed as 3 well, right? 4 A Correct. 5 Q And -- and that was something that y'all did that 6 y'all weren't obligated to do, right? 7 A Absolutely. 8 Q And so in order -- if you're going to assume to do 9 -- if you assume to do it, it needs to be done in a 10 reasonable manner, right? 11 A Yes. 12 Q Okay. Now, this -- this occurred, at least 13 according to her, at night, right? 14 A Yes. 15 Q Do you -- do you have personal recollection of what 16 that night was like? 17 A No. 18 Q Okay. I didn't think so. 19 Were there trespassing signs or anything 20 warning nonresidents not to come on the property? 21 A I don't remember if there was or not. 22 Q Okay. 23 (Sotto voce discussion between Mr. 24 Hood and Ms. Casey.) 25 Q You had this -- this trail -- the -- the Harbison	1 wasn't? 2 A Yeah. I don't know that. 3 Q Okay. And so if they did, though, that would be an 4 economic benefit to -- 5 A Sure. 6 Q -- Wellspring? 7 A Absolutely. 8 Q And so this -- this trail inviting -- I mean, 9 letting everyone walk through the complex provides 10 an economic benefit to -- 11 MR. COMER: Objection. 12 Q -- Wellspring, right? You can answer. 13 A I would think. 14 Q Okay. When you -- I know you said you spoke to Ms. 15 Wright, I think it was the day after this occurred. 16 A Right. 17 Q Let me -- let me just look at that unusual 18 occurrence report just so we've got that. 19 MR. HOOD: It's this Report of Unusual 20 Occurrence. It's 00155. 21 MS. CASEY: Has that one been run? 22 MR. HOOD: Huh? 23 MS. CASEY: That one hasn't been run? 24 MR. HOOD: Unh-unh. 25 Plaintiff's Exhibit No. 13, "Report of

Page 145	Page 147
1 Unusual Occurrence"; Fax coversheet; 2 "Richland County Sheriff's Department 3 Incident Report (L)." 4 MR. HOOD: Thank you. 5 Q There you go. 6 A Okay. 7 Q I think this was just the unusual occurrence report 8 that you would have done with -- with Ms. Wright. 9 A Okay. 10 Q Now, at the top, it says, "Karen Campbell, Incident 11 date: 9/19/08; Police" -- that means the police 12 were called, right? 13 A Yes. 14 Q And it has incident time, 10:30 p.m., right? 15 A Okay. 16 Q No. But, I mean, that's what it says? 17 A I see. Yes. 18 Q Okay. It says, "Name and full address"; this is 19 going down further. A full address of parties 20 involved, Ms. Toni Wright, and it lists her 21 address, right? 22 A Yes. 23 Q It says, "Legal action taken: Reported incident to 24 Richland County Sheriff's Department," right? 25 A Yes.	1 A I don't remember her name. 2 Q Okay. And so when -- when she says -- when this is 3 -- this detailed description of event, do y'all 4 have different windows that pop up in this report 5 and then you just type it as it -- 6 A No. It's just this form. 7 Q Yes. 8 A And then we just fill in the blanks. 9 Q Okay. But you can type into it, though -- 10 A Yes. Uh-huh. 11 Q Okay. Now, when you're talking to her, do you know 12 what time she would have actually come in? 13 A The next morning? 14 Q Yes. 15 A No, I don't. 16 Q Okay. Okay. And so you just think it was sometime 17 in the morning, but it could have been any time in 18 the morning? 19 A Yeah. I don't have a time -- 20 Q Okay. 21 A -- that she came in. 22 Q Okay. Now, when they -- when they -- when they 23 come in -- and this is going to sound so crazy but, 24 I mean, were there two chairs in front of your desk 25 or how was it configured when . . .
Page 146	Page 148
1 Q And completed by Karen Campbell, 9/19/08. 2 A Yes. 3 Q Do you see that? 4 A I do. 5 Q And then there seems to be a narrative in the 6 middle; do -- 7 A Yes. 8 Q -- you see that? 9 A I do. 10 Q And below -- above that, it says, "Other: 11 Kidnapping and robbery at gunpoint." 12 A Yes. 13 Q Now, when you do this report of unusual occurrence, 14 do you do that in your office? 15 A Yes. 16 Q Okay. Now, when you do that, do you go out and 17 speak to Ms. Wright and then come back and type it 18 up? Does she come in? How did this occur? 19 A If I remember correctly, Ms. Wright and her mother 20 came in that next day. 21 Q Okay. And her mother or her daughter? 22 A Or I'm sorry, her daughter. 23 Q Okay. 24 A Her -- 25 Q Natasha Curtis?	1 A In my office, it would have been two chairs and my 2 desk. I do not -- I don't recall where I spoke to 3 them at. If it was -- if we were the only ones in 4 the clubhouse area and we spoke in the clubhouse 5 area. I don't remember if this -- where my 6 conversation took place. 7 Q Is -- is it possible you spoke about it at the 8 clubhouse area and then once they told you about 9 it, then they left and then you went back to your 10 office and you typed it? 11 A Yes. 12 Q Okay. And so you don't actually recall them being 13 in front of you and telling you as you were typing? 14 A No. 15 Q And so your typewritten report was simply your 16 recollection of the discussion that y'all had had? 17 A Yes. 18 Q And obviously -- I mean, this -- this typewritten 19 is probably 30 seconds of conversation; y'all 20 didn't just talk for 30 seconds or so, did you? 21 A Oh, no. 22 Q It was a long conversation, wasn't it? 23 A I don't remember it being a long conversation. Ms. 24 Wright was there for a little bit, just because she 25 was upset.

Page 149	Page 151
1 Q Sure. 2 A So we didn't talk the entire time she was there. 3 Q Sure. This isn't a verbatim -- 4 A No. 5 Q This is just like a summary? 6 A Right. 7 Q Okay. So the specifics of what actually occurred, 8 is that in here, or is that something you would not 9 have necessarily -- you were just typing up a 10 summary to give it to the people up in 11 Pennsylvania? 12 A I took what Ms. -- Ms. Wright told me -- 13 Q Okay. 14 A -- and put it into my report and then sent it up. 15 Q Okay. But if she told you more than this, how 16 would you -- I mean, where would that be at? Did 17 you take notes or anything? 18 A No. I mean, if she told me more than that, I would 19 have put it on here. 20 Q Did you just -- do you -- I mean, I -- I promise 21 you I'm not trying to be smart or anything but, I 22 mean, do you have like a photographic memory of 23 everything she told you? 24 A No. 25 Q Well, then, how --	1 may have been in regard to any lights that were on 2 at that time or not on at that time, right? 3 A I wouldn't -- it was at night. I wasn't on the 4 property when this took place. 5 Q Right. But this wasn't -- this -- this Report of 6 Unusual Occurrence wasn't -- it was the next day, 7 right? 8 A Right. Daylight. 9 Q Sure. You could have went and -- 10 A Okay. 11 Q -- checked, right? 12 A The pole lights and things wouldn't be on during 13 the day. 14 Q Right. This was 9/18, so it would have probably 15 been about 8:30 that night, right? 16 A Okay. 17 Q So why didn't you go back at 8:30 and check? 18 A I don't know if I didn't. I don't know. It's not 19 documented. 20 Q Okay. If you don't -- if it ain't documented, it 21 don't exist, right? 22 MR. COMER: Objection. 23 A I don't know if I did or not. 24 Q It's not documented, is it? 25 A No, it's -- not.
Page 150	Page 152
1 A No. 2 Q -- do you know that you put everything? 3 A Anything that was of importance of what happened so 4 I could put it in writing, as far as the events, 5 that's what I did. 6 Q Gotcha. Okay. Gotcha. And the detailed 7 description of event, it says, "Ms. Toni Wright in 8 Unit 2210 was walking up the breezeway ramp to 9 enter her apartment home when she was stopped by 10 two black males who put a gun in her back and told 11 her to give them her money." Right? 12 A That's what I wrote. Yes. 13 Q Okay. And as far as Wellspring -- or anything to 14 do with Wellspring -- that's the only sentence that 15 -- that you really have about Wellspring, right? 16 A I have at Wellspring, when they brought her back 17 home. 18 Q Okay. Okay. Other than that coming back home -- 19 that first sentence is all you have about 20 Wellspring, right? 21 A Yes. 22 Q And you didn't go and you didn't take photographs 23 of the bushes? 24 A No. 25 Q You didn't -- you didn't put any kind of stuff that	1 Q And you're supposed to document anything important, 2 right? 3 A And I did. Yes. 4 Q Okay. And then you -- it looks like on the next 5 page, it has -- this looks like a fax coversheet. 6 A Yes. 7 Q And it has your e-mail. Did y'all have the ability 8 to scan and e-mail at that time? 9 A No, we didn't. 10 Q Okay. And so you would have faxed? 11 A I would've. Yes. 12 Q Okay. And then you would've faxed it to Linda 13 Hart? 14 A Yes. 15 Q And she was with PRG up in Philadelphia? 16 A Yes. 17 Q And it just says, "Here's the police report that 18 goes along with the unusual occurrence report I e- 19 mailed you." Do you see that? 20 A Yes. 21 Q Well, it says that you e-mailed her the occurrence 22 report, right? 23 A Right. 24 Q Okay. So there would be an e-mail of this 25 occurrence report, right?

Page 153

1 A Yes.

2 Q Okay.

3 A I would have -- yes.

4 Q So --

5 A It came off of my computer. I would have attached

6 it and sent it to her.

7 Q Right.

8 A Right.

9 Q And so there would have been an e-mail about that,

10 right?

11 A Yes.

12 Q Okay. Now, on the back, is just the report --

13 A Yes.

14 Q -- right? And that's what would have been faxed up

15 to --

16 A -- to Linda.

17 Q Sure.

18 A Yes.

19 MR. HOOD: Now, what exhibit was that?

20 THE COURT REPORTER: Thirteen.

21 MR. HOOD: Thirteen.

22 Q Now, when you spoke to her, how long do you think

23 the whole conversation lasted? Like when she came

24 in there.

25 A I don't know.

Page 154

1 Q Okay.

2 A I don't know.

3 Q But you think she was with her daughter?

4 A Yes.

5 Q And did her daughter say anything?

6 A I don't recall.

7 Q Okay. And that means you don't know whether she

8 did or she didn't?

9 A I don't remember.

10 Q Okay. And how would you describe her demeanor?

11 Ms. -- Ms. Wright.

12 A She was shaken.

13 Q She had been kidnapped and abducted at gunpoint?

14 A Yeah. She had an awful experience.

15 Q Awful for anybody?

16 A Absolutely.

17 Q Were you aware that she also reported to the

18 investigator for Richland County Sheriff's

19 Department that the person in the front seat put

20 his hands down her pants --

21 A I --

22 Q -- and groped her?

23 A I didn't know anything about that.

24 Q Okay.

25 A No.

Page 155

1 Q And you knew this was an allegation of a serious

2 crime, right?

3 A Sure.

4 Q This has nothing to do with you.

5 A Okay.

6 Q This is something that happened after you. I'm

7 just trying to find out about e-mail stuff.

8 A Okay.

9 Q Okay?

10 MR. HOOD: Let's mark this as -- this is that

11 e-mail.

12 (Sotto voce discussion between Ms.

13 Casey and Mr. Hood.)

14 MR. HOOD: Okay.

15 Plaintiff's Exhibit No. 14, E-mail

16 correspondence in reference to "Apt 401"

17 from Tracy Cinicola.

18 MR. HOOD: This is that Cinicola e-mail.

19 MR. COMER: Uh-huh.

20 MR. HOOD: I'm not going to ask her about

21 Cinicola.

22 MR. COMER: Yeah. That's fine.

23 MR. HOOD: I'm just going to ask her about the

24 e-mail --

25 MR. COMER: Yeah.

Page 156

1 MR. HOOD: -- system.

2 MR. COMER: Yeah.

3 Q This is not you. This --

4 A Okay.

5 Q -- has nothing to do with you.

6 A Okay.

7 Q I'm just going to ask you about the --

8 MR. COMER: Hold on one sec before you start

9 your questions.

10 MR. HOOD: I'm sorry. I apologize.

11 MR. COMER: That's all right.

12 MR. HOOD: You can even -- if you want to --

13 you don't --

14 MR. COMER: I was going to say --

15 MR. HOOD: Just -- just -- just -- just do

16 this -- just so we can see Tracy Cinicola, but

17 if you want to -- I don't even care if that

18 part exists or not.

19 MR. COMER: Uh-huh.

20 MR. HOOD: That's what I'm going to ask about,

21 is this right here.

22 MR. COMER: Right. Since this has been

23 produced in Cinicola but not in this case, I

24 have not shown her this document in

25 preparation.

Page 157	Page 159
1 MR. HOOD: Okay. 2 MR. COMER: I'd like to use a couple of 3 minutes just to chat with her briefly -- 4 MR. HOOD: Sure. 5 MR. COMER: -- under the rules.. 6 MR. HOOD: Sure. 7 MR. COMER: Come on. We can talk about this 8 and this only. 9 (Off the record from 1:16 p.m. until 10 1:19 p.m.) 11 THE EXAMINATION BY MR. HOOD CONTINUES. 12 Q This one is Exhibit 14? 13 A Yes. 14 Q All I want to know is -- this is one where there 15 was an incident and there was an e-mail exchanged 16 back and forth between a marketing director and the 17 resident. 18 A Okay. 19 Q And it was by e-mail. When you were there from 20 2004 to 2008, did y'all have e-mail service? 21 A Yes. 22 Q Were there times that residents would let you know 23 of things by e-mail? 24 A I don't recall that. It was very rare to speak to 25 a resident by e-mail communication. They called or	1 if you wanted to? 2 A Sure. 3 Q Do you know what happened to your computer after 4 you left? 5 A No, I don't. 6 Q Okay. Do you know if -- if any of your e-mails 7 were purged or not? 8 A I have no idea. 9 Q Okay. 10 A I don't know that. 11 Q That's all I have. 12 A Okay. 13 Q Now, we had talked earlier about this Harbison 14 Trail. And the Harbison Trail, which goes in and 15 out of different apartment complexes, including 16 Wellspring, the -- the public is invited to use 17 those trails, right? 18 A Sure. 19 Q And by virtue of you being part of that, you -- you 20 participate in this invitation; you know, pretty 21 much anybody can come on the property unless 22 they're told not to -- 23 MR. COMER: Objection. 24 Q -- correct? 25 A We were on the trail.
Page 158	Page 160
1 came in or -- we didn't have much communication by 2 e-mail. 3 Q Okay. 4 A That was more home office -- interoffice -- 5 Q Okay. But there -- 6 A -- communication. 7 Q -- was home office e-mail back and forth? 8 A Between myself and home office -- 9 Q Yes. 10 A -- or in the -- yes. Sure. 11 Q And some of these would have involved this -- these 12 budgetary issues you talked about earlier. Because 13 you said you -- 14 A I'm sure there are some. 15 Q Okay. Okay. And do you know the computer system 16 that -- the answer to some of this probably going 17 to be no, but do you know the type of computer 18 system that they used? 19 A As far as -- what do you mean? As far -- 20 Q As far as -- 21 A -- as e-mails? 22 Q -- the repository or the storage of the e-mails. 23 A Oh, no. I don't know that. 24 Q When -- when -- when you sent an e-mail, though, 25 you could drop and drag it and put it into a folder	1 Q So anybody's invited unless they were told not to? 2 MR. COMER: Objection. 3 A Yes. 4 Q Okay. I'm going to just start handing you 5 documents so we can just start going through this 6 stuff. This resident ledger . . . 7 MS. CASEY: What's the number on that? Is it 8 742? 9 MR. HOOD: Yeah. It's actually going to be 10 742, 737, 729, 746. (To Mr. Comer) I'm going 11 to put it all in one. 12 MS. CASEY: Okay. What about 750 -- 13 MR. HOOD: It's going to be these five, but 14 I'm just going to put it in one document 15 because it's all courtesy officers. 16 MR. COMER: Okay. 17 MR. HOOD: It's -- it's -- 18 MR. COMER: That's fine. Let me take a quick 19 look just so I'll know what I'm -- 20 MR. HOOD: Here, let me just let you look at 21 it. 22 MR. COMER: -- what I need to pull from my 23 stack. 24 MR. HOOD: Okay. 25 MR. COMER: Okay.

Page 161	Page 163
1 MR. HOOD: Okay. (To Ms. Casey) This is 742 2 through -45? 3 MS. CASEY: Uh-huh. 4 MR. HOOD: 737 -- 5 MS. CASEY: Uh-huh. 6 MR. HOOD: -- 729, and -30, -31, and 746. 7 MS. CASEY: Okay. 8 MR. HOOD: And then 832 -- 9 MS. CASEY: All right. 10 MR. HOOD: -- 828, 768. 11 MS. CASEY: How about 823? 12 MR. HOOD: 823? I think I just . . . 13 (Sotto voce discussion between Ms. 14 Casey and Mr. Hood.) 15 MR. HOOD: We're just going to put all of it 16 together. 17 MS. CASEY: Okay. 18 MR. HOOD: We're just going to make it one 19 document because it's all about the courtesy 20 officers. 21 (Sotto voce discussion between Ms. 22 Casey and Mr. Hood.) 23 MR. HOOD: Okay. Let me see what you've got 24 it in. Okay. Which one? What's the -- 25 what's the order you have it in?	1 they're scattered around -- 2 MR. COMER: Okay. 3 MR. HOOD: -- so. 4 MR. COMER: Okay. There you go. 5 The DEPONENT: Okay. 6 Plaintiff's Exhibit No. 15, "Resident 7 Ledger"; "Courtesy Officer Independent 8 Contractor Agreement"; "Employee Lease 9 Addendum"; Letter in reference to 10 Courtesy Officer from Alicia Remy. 11 Q Hey. I -- I was just going to ask you about some 12 of these courtesy-officer things on Exhibit 15. 13 A Okay. 14 Q The first is Frank Panarello. This -- this 15 resident ledger -- I just want to just go over a 16 couple of these codes so I understand it. It says, 17 at first, "Code t0015190"; what does that mean? 18 A Our software was Yardi. Our -- and whenever you 19 would move a resident in, that would just become 20 their unique resident code. 21 Q Okay. And then it has name, address, and city. 22 And that would be his name and where he lived prior 23 to coming to the property, right? 24 A Either prior or once he moved out, that would have 25 been his forwarding address.
Page 162	Page 164
1 MS. CASEY: I've just been putting them in the 2 numerical order. 3 MR. HOOD: From -- okay. 742, -43, 737, 729. 4 Hold on. 5 MS. CASEY: So it starts with 729. 6 MR. HOOD: Okay. Okay. I've got it as -- 7 MS. CASEY: Okay. It starts with -- 8 MR. HOOD: -- 7 -- 729 -- 9 MS. CASEY: And then -- 10 MR. HOOD: -- -30, -31, -37, -42, -43, -44, 11 -45, -46, 767, -68, and then 823, 824, 828 to 12 832 to 833. 13 MS. CASEY: Okay. Ending with 828; is that -- 14 MR. HOOD: 833. 15 MS. CASEY: Yes. Okay. 16 MR. HOOD: Okay. Good deal. Which exhibit is 17 this? 18 MS. CASEY: Fifteen. 19 MR. HOOD: Okay. Brian, I'm going to give it 20 to you just so you can, kind of -- let me -- 21 MR. COMER: Yeah. I just want to just -- 22 MR. HOOD: -- get her to mark it and -- 23 MR. COMER: You don't want to -- 24 MR. HOOD: -- then you can put in the order 25 that -- I just did it in numerical order, but	1 Q Okay. Property 270. And that's just the 2 Wellspring property, right? 3 A Right. Right. 4 Q And then Unit 2103; that means he would have been 5 living in 2103, right? 6 A Right. 7 Q And that would have been the unit beside Unit 22, 8 right? 9 A The building? 10 Q Yes. 11 A Yes. 12 Q And it looks like -- lease for 2/1/2008 to 13 1/31/2009. Move in 1/31/2007; move out 11/30/2008; 14 do you see that? 15 A I do. 16 Q Now, it looks like -- I looked at this -- if you 17 look down the dates where it goes to 2/2/2007, it 18 says, "Waived for courtesy officer"; is that the 19 application fee? 20 A The redecoration fee. That's what held the unit 21 for you. 22 Q Okay. And then 2/2/2007, "Discount was not applied 23 for courtesy officer." 24 A Uh-huh. 25 Q What does that mean?

Page 165	Page 167
1 A He would have received a monthly concession. 2 Q Uh-huh. 3 A So that must have been his concession for February. 4 Q Okay. And then it says courtesy officer through 5 the last one I saw was 1/1/2008. 6 A Okay. 7 Q Is that the last one that you see on there? 8 A For courtesy officer? 9 Q Yes. 10 A Yes. 11 Q Okay. Now, when someone was a courtesy officer, 12 they could get a price break for -- for living on- 13 site, right? 14 A They would get a discount. Yes. 15 Q Now, what are the circumstances of someone being a 16 courtesy officer and not being -- then not being a 17 courtesy officer? Or receiving a discount and then 18 not getting the discount? 19 A As far as Frank, here? 20 Q Yes. 21 A I don't remember why he didn't want to be courtesy 22 officer any longer. I believe he was getting 23 married. 24 Q Right. 25 A And so he lived there -- he stopped being courtesy	1 break, where it says "employee"; do you see that? 2 A I do see that. 3 Q Well, what is that? 4 A That was coded wrong. That would be employee of 5 PRG. That would have been the code that we would 6 have used -- 7 Q Right. 8 A -- as an employee. They would have just had -- I 9 don't remember what their code is. 10 Q So -- 11 A There -- 12 Q -- it should -- 13 A -- would be a different one. 14 Q -- it should have just been "courtesy officer," but 15 they put "employee"? 16 A Correct. 17 Q Okay. Kevin Hughes is the next one. 18 A Uh-huh. 19 Q Resident ledger. And then sometime in 2006, it 20 looks like he begins to receive his courtesy 21 officer. And the last one I see for him is 22 1/1/2007. Do you recall Mr. Hughes? 23 A I do. 24 Q What do you recall about Mr. Hughes? 25 A He was a police officer for Richland County.
Page 166	Page 168
1 officer in January. 2 Q Okay. If you go down further, it says, "Short- 3 term/month to month." 4 A Uh-huh. 5 Q Does that just mean that -- okay, that's past his 6 lease term and he's just going on month-to-month 7 rental or -- 8 A Right. Yes. 9 Q Okay. Okay. If you go to the next person, it's -- 10 A (Clears throat.) 11 Q I'm sorry. Did you say something? 12 A No. 13 Q Oh, okay. The next is 737, which is James 14 Forgione. 15 A Yes. 16 Q And it looks like his date goes from move in 17 3/14/2008, move out 7/31/2008. 18 A Yes. 19 Q Do you see that? 20 A I do. 21 Q And it looks like he was courtesy officer. And 22 5/8/2008, it says, "Courtesy officer receives 50 23 percent off rent. Resident referral 1506." And 24 then starting in June and July, it has his rent, 25 but then it looks like he's got an employee price	1 Q Right. 2 A He is also one that committed suicide, and that's 3 in our incident report. 4 Q Oh, God. I'm so -- 5 A Yeah. 6 Q -- sorry to hear that. Oh. Okay. 7 So when they say -- at the end of this, when 8 it says, "Termination fee, amount equal to two 9 months' rent," that's because he was no longer 10 alive? 11 A I wasn't there for that. I don't -- 12 Q That's right. That was after you. 13 A Right. 14 Q Okay. Okay. Then after that is 00746. 15 A Uh-huh. 16 Q This looks like -- just -- this was provided to us, 17 but I think this is just like a -- a PRG form, EMP- 18 34, which is the courtesy officer independent 19 contractor agreement? 20 A Right. 21 Q And it just says, "Blank, the independent 22 contractor, and blank apartments. In consideration 23 of the agent permitting the independent contractor 24 use of an apartment designated, or to be 25 designated, by agent, contractor agrees to perform

Page 169	Page 171
1 the following contractual services: Spend a 2 minimum of two hours each day off duty time walking 3 the property." And then No. 6, below that, "Submit 4 a daily report to the resident manager -- manager on 5 the attached form." But I believe you said earlier 6 that -- that they weren't required to spend two 7 hours of each day, off duty, walking the property, 8 right? 9 A Right. 10 Q And that they didn't usually submit a daily report 11 on the attached form -- 12 A Correct. 13 Q -- right? At -- at the bottom of this, it says, 14 "Either party has the right to cancel this 15 agreement upon written notice to the other, in 16 which event the contractual relationship shall 17 cease and terminate immediately and the independent 18 contractor shall vacate the designated apartment 19 within seven days thereafter." In looking at these 20 -- Mr. Forgione and the one -- Frank Panarello -- 21 it looks like they were courtesy officers and then 22 it stopped. 23 A Uh-huh. 24 Q Did you see that? 25 A As far as the charges?	1 particular agreement, right? 2 A Yes. 3 Q The next is Adam Anderson. Once again, you were 4 not the -- you were not there then, right? 5 A Correct. 6 Q Now, he did have something -- and I wanted to ask 7 you about this because I didn't it on any of the 8 others. Mr. Anderson, there was something that was 9 -- it was 00824. 10 A Uh-huh. 11 Q It said, "Employee Lease Addendum." 12 A Yes. 13 Q It says, "As an added benefit of employment with 14 PRG Real Estate Management, the employee may choose 15 to reside on the premises of a company apartment 16 community." Did y'all ever do this with any 17 courtesy officers, that you're aware of? 18 A I don't recall doing that lease. 19 Q Okay. 20 A But yeah. 21 Q Have you ever seen anything like that? 22 A The -- the lease addendum? 23 Q Yes. 24 A Yes. 25 Q And that's something you would use for people who
Page 170	Page 172
1 Q Yes. 2 A Yes. 3 Q And -- but I haven't seen anything about a written 4 notice that they were canceling their courtesy- 5 officer agreement. Do you know if they were 6 required to do that in writing? 7 A They should have done that in writing. 8 Q Okay. 9 A Yes. 10 Q And if it wasn't, then it wasn't done according to 11 the policy? 12 A Correct. 13 Q And that would be a violation of policy? 14 A Yes. 15 Q The next is an independent -- courtesy officer 16 independent contractor agreement. This is July 17 2011; you weren't there then, right? 18 A Right. 19 Q The next is Frank Panarello. And that's just -- 20 that's the same as the one that we went over with 21 that was blank -- 22 A Right. 23 Q -- but that's just Mr. Panarello, right? 24 A Right. 25 Q And you were the person who actually signed that	1 were actual employees of PRG? 2 A Correct. 3 Q But you had never seen it used with -- 4 A -- a courtesy -- 5 Q -- the courtesy officer? 6 A Correct. 7 Q The next one is Erica Abney, which was after you 8 left, right? 9 A (No response.) 10 Q And then the next one is James Forgione. And you 11 would have been the one that signed this one, 12 right? 13 A Right. 14 Q And that would have been the 14th of March -- 15 A -- March. 16 Q -- 2008? 17 A Right. 18 Q And then the next is Wellspring Apartments; "To 19 whom it may concern: Deputy James Forgione started 20 as Wellspring Apartments as our courtesy officer on 21 March 14, 2008." Signed his lease. Lease is for 22 one year, ending on February 28th, 2009." That's 23 signed by Alicia Remy; do you see that? 24 A I do. 25 Q And she was the marketing director at that time?

Page 173

1 A Yes.

2 Q When you were the marketing director, did you --

3 who would you -- when this says, "To whom it may

4 concern," who would that be sent to?

5 A Whoever was requesting it. I don't know what the

6 purpose of this letter was or --

7 Q Okay. Okay.

8 MR. HOOD: (To Ms. Casey) This is the next

9 one. 723 -- 720, 723, 721.

10 MS. CASEY: Okay.

11 MR. HOOD: It's three pages. This is -- the

12 next one's Exhibit 16?

13 THE COURT REPORTER: Yes, sir.

14 MR. HOOD: 720, -21, and -23.

15 Plaintiff's Exhibit No. 16, "Vendor

16 Ledger."

17 MR. HOOD: Thank you.

18 Q This says -- this is just his vendor letter; do you

19 see that?

20 A Yes.

21 Q "Code: ttb." What is "ttb"?

22 A That would be "The Tree Barber."

23 Q Okay. I mean, and that would be their address,

24 right?

25 A Yes.

Page 174

1 Q And then it says, "Transaction number: 138069" and

2 "138073"; do you see that?

3 A I do.

4 Q What is the transaction number? What's that

5 significance?

6 A That would have just been generated in Yardi.

7 Q Okay. And then it has "Account 8050-000."

8 A Yes.

9 Q And then "Invoice No. 1002" and then "1001."

10 A Yes.

11 Q Do you see that?

12 A I do.

13 Q And it has amount and it has, you know, two

14 different amounts that add up to 3,639.50; you see

15 that?

16 A I do.

17 Q And then Check No. 13242 for both? And the check

18 date is 11/12/2008; you see that?

19 A I do.

20 Q Do you know when they would have actually done the

21 work that they had been paid for, for this?

22 A Well, the invoice date was the 8th and the 5th of

23 September.

24 Q Right.

25 A So either August or September.

Page 175

1 Q Okay. Okay. Now, I'm looking at the next page,

2 which is the vendor ledger and is for H&B

3 Maintenance, Incorporated; do you see that?

4 A I do.

5 Q And it looks like this is -- they have different

6 properties, but the properties -- it looks like

7 360, 210, 200, and 270 are the properties that I

8 see. Which -- he just worked for PRG at different

9 properties there, right?

10 A Correct.

11 Q But y'all's would be 270?

12 A Yes.

13 Q Okay. I'm looking on the last page. It looks like

14 the last page, on 9/4/2008, if you look over, you

15 got \$1500; do you see that?

16 A I do.

17 Q And then if you go above that to 8/4/2008, for 270,

18 he got 1825.

19 A Uh-huh.

20 Q And then if you go above that, 7/3/2008, he got

21 2,000.

22 A Okay.

23 Q Now, why would he paid one time 1350, one time

24 1850, one time 2,000?

25 A Pine straw, which would have been in the budget.

Page 176

1 Q Okay.

2 A If he fixed any type of irrigation on the property.

3 Pine straw would be the main --

4 Q Okay.

5 A -- thing.

6 Q Would there -- if they had to do any over and above

7 -- just the normal shrubbery maintenance, do they

8 get paid extra for that?

9 A If it's not in our maintenance contract, then there

10 would have been a separate bid.

11 Q Okay.

12 A And that would have to be approved.

13 Q Okay. And who would approve that?

14 A Pamela Williams or Pamela Penny.

15 Q Okay. And would they be -- would this be something

16 that would be done by e-mail?

17 A A form was normally filled out.

18 Q Okay.

19 A If it was in my computer, then I would just attach

20 the e-mail.

21 Q Okay.

22 A Or it could have been faxed. Both of them traveled

23 a lot.

24 Q Right.

25 A So there were many times we would fax things to the

Page 177	Page 179
1 properties they were at -- 2 Q Okay. 3 A -- just so they could receive it faster -- 4 Q Sure. Sure. 5 A -- and get it back to us faster. 6 Q And -- and these -- when you did a fax, though, 7 there was still -- did y'all then scan it and -- 8 and save it, or how did you -- 9 A No. We would just put it in the vendor folder -- 10 Q Okay. 11 A -- at the property -- at the site. 12 Q Okay. So if there was a vendor folder for H&S, it 13 would be -- 14 A -- in there. Yes. 15 Q Okay. 16 MR. HOOD: Okay. Let's have this marked. 17 MS. CASEY: Number 17? 18 MR. HOOD: Number 17. 19 THE COURT REPORTER: Yes. 20 MR. HOOD: Okay. There you go. 21 MR. COMER: Thank you. 22 Plaintiff's Exhibit No. 17, Letter to H&S 23 Landscaping from Karen Campbell; 24 "Maintenance Contract PRG Real Estate dba 25 Wellspring."	1 be removing plants, shrubs, small -- small trees," 2 right? 3 A Yes. 4 Q And that's something that you talked about. That 5 would be a bid-type situation? 6 A Right. 7 Q Okay. And then this was signed between you and 8 Shane Howland on 5/2/2007. 9 A Yes. 10 Q And it would have run through the time that Toni 11 Wright was abducted, right? 12 A Yes. 13 Q Okay. Now, how would you characterize the 14 relationship between the Wellspring complex and Mr. 15 Howland? 16 A He was just a landscaper. 17 Q Well, do you -- 18 A I mean -- 19 Q -- do you recall anything where -- where something 20 wasn't done and there was like some kind of vitriol 21 or some kind of problems between y'all? 22 A Not that I recall. Problems, no. 23 Q Okay. Do you recall having conversations about you 24 wished he did other stuff differently or had done 25 it better?
Page 178	Page 180
1 Q This is just a -- looks like a -- a letter from 2 Wellstring -- Wellspring Apartments and it's to -- 3 it's to H&S Landscaping and it's from you. 4 A Yes. 5 Q And it just says, "Thirty-day notice to terminate 6 service. . . . And "Our last month of service will 7 be October." Do you see it? 8 A I do. 9 Q Why did y'all terminate service with H&S? 10 A I don't recall -- 11 Q Okay. 12 A -- why that was. 13 Q If you go to the second page. It says, 14 "Maintenance Contract, PRG Real Estate dba 15 Wellspring. Weekly service includes" -- and part 16 of it -- there's other stuff, but it's "Fallen and 17 low hanging limbs will be removed of and disposed 18 of," right? 19 A Right. 20 Q "Fallen limbs due to bad weather will be removed as 21 soon as possible." 22 A Yes. 23 Q "Shrubs will be trimmed and shaped as needed." 24 A Yes. 25 Q "Other services not included in this contract would	1 A I'm sure I did, but that's with every landscaper. 2 Q Okay. 3 A So that would not be out of the norm. 4 Q Nothing that sticks out in your -- 5 A No. 6 Q -- mind? Okay. 7 A No. 8 Q And do you recall having any conversations with him 9 or -- or are you aware of anyone with Wellspring 10 having conversations with him about the trimming of 11 the shrubbery or budget constraints not allowing 12 them to do what needed to be done? 13 A No. 14 Q Now, is it because you -- you can't remember if 15 that conversation was had or not, or you remember 16 and specifically know that conversation did not 17 happen? 18 A No, I don't recall. 19 Q Okay. Did -- did you make the decision to hire or 20 terminate landscaping contractors? 21 A I didn't have the -- make that decision. It was 22 more based on numbers. How much you could get for 23 the amount they would charge you monthly. 24 Q Did -- did you make those decisions in combination 25 or in conjunction with -- with your supervisor?

Page 181

1 A Sure.

2 Q Okay.

3 A If -- even if there was someone that I feel would

4 do a better job --

5 Q Right.

6 A -- they may be a little bit more -- I would have

7 those discussions.

8 Q Okay.

9 A Sure.

10 Q And would you consider it like a joint decision

11 between you and Pamela?

12 A Well, I never really had the decision.

13 Q Okay. But she made the decision based on -- and

14 partially based on your input?

15 A And the needs of the property.

16 Q And the needs of the property?

17 A Sure.

18 Q Okay. So the hiring and firing or termination of

19 subcontractors would be done by Pamela but with

20 your input and the needs of the property taken into

21 consideration?

22 A Yes.

23 Q Okay.

24 MR. HOOD: Yep. This'd be what, 18?

25 THE COURT REPORTER: Yes, sir.

Page 182

1 MR. HOOD: Huh?

2 THE COURT REPORTER: Yeah.

3 Plaintiff's Exhibit No. 18, "General

4 Ledger (Accrual)."

5 Q This is -- this looks like it's just a vendor

6 ledger, to me, of -- of landscaping folks.

7 A Okay.

8 Q To the best of your knowledge, is this the -- the --

9 - the ledger for that? The general ledger for. . .

10 A Right. Under the contract grounds' GL code?

11 Q Right.

12 A Yes.

13 Q Okay. When you say "the contract grounds' GL

14 code," what do you mean by that?

15 A That's our landscapers -- what we coded it under,

16 is "contract grounds." That's how it was set up in

17 our budget.

18 Q Gotcha. Okay. And I'm looking specifically --

19 when you go on the second page and it has 6/3/2008,

20 H&S Maintenance, it has June grounds maintenance.

21 And then there's a separate charge for -- 1,025 for

22 fill dirt, tree, flowers, bench.

23 A Uh-huh.

24 Q Is that the kind of thing you're talking about when

25 there's something extra?

Page 183

1 A Yes.

2 Q That's how it would be done? They would then say

3 how much and then you'd send it off and then they

4 would approve it?

5 A Right.

6 Q Okay. And the dirt -- fill dirt, tree, flowers,

7 bench, that was to make the property more pretty?

8 A We had an old dumpster area --

9 Q Right.

10 A -- where a dumpster was removed and we -- we had

11 the dumpster pad left --

12 Q Right.

13 A -- and so it was just unsightly, so we had to come

14 up with, How do we use this area?

15 Q Okay. Gotcha. Okay.

16 MR. HOOD: This is PRG 929 through 946. And

17 then I'm going to put that one on the back of

18 it, too.

19 MS. CASEY: Number 1?

20 MR. HOOD: No, no. Number -- the one after

21 that. The one after that that was -- I'm

22 sorry. No. I'm sorry. There was this right

23 here that we took off.

24 MS. CASEY: Oh. This?

25 MR. HOOD: Yes. I must've put in on the back

Page 184

1 of this one.

2 MS. CASEY: 946?

3 MR. HOOD: Yes. It'd be 929 through 948.

4 Plaintiff's Exhibit No. 19, "Annual

5 Performance Appraisal."

6 MR. COMER: What exhibit is this? I'm sorry.

7 Nineteen?

8 THE DEPONENT: Nineteen.

9 MR. HOOD: Okay. This is Exhibit 19.

10 Q Is this just -- this is just your performance,

11 right?

12 A Yes.

13 Q And so this would just simply be the records that

14 would be maintained in regard to how you were doing

15 as an employee --

16 A Right. Yearly we would have one --

17 -- for PRG?

18 A Right.

19 Q Okay. And the second to the last page would be

20 payroll termination sheet. It says, "Rate of pay,

21 20.28, 11/20/2008"; do you see that? It's the next

22 to the last page.

23 A I do.

24 Q Okay. And that's just something that's just filled

25 out in the normal course, right?

Page 185	Page 187
1 A Right. 2 Q And then the last page is an e-mail sent to you -- 3 I guess it's an e-mail -- I don't know if this is 4 an e-mail or a letter. Either e-mail or letter -- 5 probably letter because it does seem to have 6 letterhead. And this just confirms your 7 resignation and then COBRA benefits. 8 A Right. 9 Q Just the regular stuff. 10 A Right. 11 Q This is a -- this is just a standard letter sent to 12 anybody who no longer worked for PRG, right? 13 A -- is with them. Correct. 14 Q Okay. Now, you had had a really good relationship 15 with Pamela before you resigned, didn't you? 16 A Which Pamela? 17 Q Pamela Williams. 18 A I wouldn't say that. I mean, she was a coworker. 19 Q Okay. 20 A And then she became my boss. 21 Q Okay. So she was -- when you began working, you 22 were the marketing director and she was the -- 23 A She was in North Carolina. 24 Q Right. 25 A She -- she was a property manager at another	1 Q Okay. Did you have a good relationship with her? 2 A I did. 3 Q After you resigned, have you had any communication 4 with either of them? 5 A With Pamela Penny. Yes. 6 Q Okay. Just as a friendly -- 7 A No. I worked for Pamela Penny after PRG. 8 Q Oh, really? 9 A Uh-huh. 10 Q Where -- where did you work for her? 11 A When I went to Mobile. 12 Q Oh, okay. 13 A Yeah. She was with another company and . . . 14 Q Okay. And did -- when you came back, did you stop 15 working for the company that she worked for or did 16 she come back, work for another company, but then 17 you worked for the company that she worked for 18 again? Let me say it differently. You -- you work 19 for who, now? 20 A I worked -- when I -- when I was in Mobile -- 21 Q Correct. 22 A -- I worked with Pamela Penny, who was at another 23 company. 24 Q Right. And then when you moved back to Columbia -- 25 A Right.
Page 186	Page 188
1 property in North Carolina when -- 2 Q So -- 3 A -- I started. 4 Q Okay. And then, as you ascended to property 5 manager, she ascended to district manager-type 6 thing? 7 A To regional. 8 Q Regional manager? 9 A Right. 10 Q Okay. Who was your immediate supervisor? 11 A Pamela -- 12 Q Okay. 13 A -- Williams. 14 Q Okay. 15 A She was my regional. 16 Q And is she the person that helped -- because you -- 17 you can't -- who's Pamela Penny-Trumbo? 18 A Turnbo? 19 Q Or Turnbo. 20 A Pamela Penny was the property manager at Wellspring 21 when I first started at Wellspring. 22 Q Right. 23 A And then she became regional and just worked her 24 way up the company. So she was, when she left, the 25 Southern region VP, I believe it was.	1 Q -- you -- 2 A I had to leave that company in order to come home. 3 Q Did -- did Pamela Penny still work for that 4 company? 5 A She's still there. 6 Q Okay. 7 A Yes. 8 Q Okay. 9 MR. HOOD: (To Ms. Casey) What's that? 0942. 10 Q Look at 0942, please. 11 A Okay. 12 Q Okay. This is Pamela Penny that would have done 13 this, right? 14 A Right. 15 Q And this was while you were apartment manager -- 16 property manager, right? 17 A Yes. 18 Q At the bottom, it says, "Comments." It says -- the 19 very last sentence, the very last full sentence 20 says, "I would like to encourage Karen to implement 21 and proactively manage marketing campaigns that 22 will keep Wellspring reporting favorable numbers." 23 A Okay. 24 Q And then it has, "I feel that this year" -- and I 25 don't know where that ran off to. When she said

Page 189

1 that, do you recall what she was talking about?

2 A This sentence?

3 Q No, no. Just --

4 A What do you mean?

5 Q -- when she says that she wants you to be more

6 proactive to report more favorable numbers.

7 A No. It's just they're a very aggressive company.

8 Q Right.

9 A So your occupancy numbers always had to be high.

10 You always had to go -- it was never enough.

11 Q Okay.

12 A If you were 97 percent, you should be 99 percent.

13 It's -- that's --

14 Q Gotcha. Okay. What -- what is -- what were the

15 occupancy numbers that -- that you think are

16 reasonable in Columbia -- for an apart -- a like

17 apartment complex?

18 A Now --

19 Q Yes.

20 A -- or then?

21 Q Then.

22 A Then? This was right at the time we started going

23 in the -- to the --

24 Q -- housing crunch?

25 A Yes.

Page 190

1 Q Housing bubble burst.

2 A So our numbers -- everyone's numbers in our areas

3 dipped significantly. Qualifying became harder at

4 this time. So we average probably low to low 90s --

5 -- maybe 93 --

6 Q Okay.

7 A -- at that time.

8 Q Now, as the marketing director and up through your

9 tenure as apartment manager, you were over the

10 marketing campaigns, right?

11 A I contributed. I was not over them.

12 Q Okay.

13 A That was the marketing director's job.

14 Q Okay. So -- what -- how -- where -- where did

15 y'all place ads or where did y'all run ads?

16 A We did the newspaper, "Apartment Finder,"

17 "Apartment Guide."

18 Q Sure.

19 A I believe they had onlineapartmentfinder.com then.

20 I don't believe we had Craigslist, if I remember

21 correctly. We may have. That's what I recall.

22 Q Okay. I've seen a picture of one that has a -- it

23 looks like a fountain coming out of a lake or

24 something.

25 A We used to have a fountain in the lake --

Page 191

1 Q Did you?

2 A -- at Wellspring. Yes.

3 Q Is that the pond that everybody talks about or --

4 A Yes.

5 Q Okay.

6 A Yeah.

7 Q So that pond, even though on the trail, is

8 maintained and controlled by Wellspring?

9 A Yes.

10 Q Okay. And who has to cut the grass for the part of

11 the trail that runs through your property?

12 A Harbison maintains some grass. I -- I don't recall

13 where we stopped and where they started, but

14 Harbison had their own landscaping crew --

15 Q Okay.

16 A -- that would take care of grass and trails and --

17 Q And -- and then y'all had to take care of --

18 A -- where our property line, I guess --

19 Q -- your property line --

20 A -- would start.

21 Q Sure. Sure.

22 A Yes.

23 Q Okay. Had anyone ever said, "Hey, why don't we put

24 a fence separating us from the trail?"

25 A No.

Page 192

1 Q Okay. Now, when you put these ads in -- either in

2 "Apartment Finder" or in the newspaper or

3 somewhere, did y'all maintain a copy of what y'all

4 submitted to these people?

5 A Yes. We had a marketing binder.

6 Q Okay.

7 A And so any proof of an ad would go in that binder.

8 Q Okay. Did it also have -- not just a photograph,

9 but it would also have written words and stuff?

10 A Yes.

11 Q Okay.

12 A Uh-huh.

13 Q And -- and when you wrote that, you -- you believed

14 the representations you were making to the public?

15 A Well, sure.

16 Q Okay. I mean, it wouldn't be fair to sit there and

17 say certain things and then not be true, would it?

18 A No. You also have fair-housing laws.

19 Q Right. Which --

20 A Yes.

21 Q -- you got -- you got -- you can't rent to somebody

22 on the basis of color, creed, religion, or gender,

23 right?

24 A Yes.

25 Q And were you aware that at the time that Toni

Page 193

1 Wright came into this apartment complex, she has
 2 testified under oath that she was told that there
 3 were security officers on the grounds?
 4 A I wasn't there when she moved in.
 5 Q Okay. If -- I know you weren't there, but you
 6 would agree that it would not be fair to tell
 7 someone that wasn't true, to induce them to live
 8 somewhere, would it?
 9 A Correct.
 10 Q Now, did you have a bonus structure at -- you did
 11 have a bonus structure.
 12 A We did.
 13 Q And you had one from the time you began in 2004
 14 until 2008, right?
 15 A Yes.
 16 Q And your bonus structure, was it predicated on
 17 having numbers --
 18 A Yes.
 19 Q -- occupancy numbers?
 20 A No. Not occupancy, delinquency.
 21 Q What is delinquency?
 22 A The -- to make sure everyone paid their rent. If -
 23 - I don't remember the exact structure now. If you
 24 hit a certain number per door, you would get a
 25 bonus for it.

Page 194

1 Q When you say "hit a certain number per door" --
 2 A Yeah. You would take the total amount of rent that
 3 would be due on the property, divided by the units,
 4 that would give you a per-door number.
 5 Q Right.
 6 A So you had to be below a certain number in order to
 7 get a bonus -- a delinquency bonus. But it's
 8 basically like a motivator, to make sure all rent
 9 was brought in.
 10 Q Sure.
 11 A And then as -- you always got commissions for
 12 leases.
 13 Q Did you get overrides once you became the property
 14 manager?
 15 A What do you mean "overrides"?
 16 Q Did you get bonuses based on other people leasing?
 17 Like if they leased it and got a \$50 bonus, you
 18 would get \$10 of that bonus?
 19 A Oh, no. No. They didn't do that.
 20 Q How did you get a bonus off of the lease?
 21 A I would have to have leased an apartment.
 22 Q Okay. So you had to do it --
 23 A So it was a --
 24 Q -- yourself?
 25 A -- commission. Yes. Yes.

Page 195

1 Q So you were out there leasing just like --
 2 A I --
 3 Q -- everybody --
 4 A Yes.
 5 Q -- else? Okay.
 6 A Financially, if you had a positive variance --
 7 Q A variance?
 8 A -- on your financial reports, then --
 9 Q When you say "variance," what do you mean?
 10 A From what was actual versus what was budgeted. If
 11 you were positive --
 12 Q Right.
 13 A -- then you would get an NOI bonus.
 14 Q What's an NOI?
 15 A Net operating income bonus.
 16 Q Gotcha. Was it only you as the apartment manager
 17 that got that or anybody got that?
 18 A I believe it was the manager that got that.
 19 Q Okay.
 20 A I believe it was the manager and the maintenance
 21 supervisor.
 22 Q Right.
 23 A They would get that.
 24 Q Looking at Exhibit 19 again, I just want to just
 25 make real sure I understand. If I look at Exhibit

Page 196

1 19 again and I'm just looking, just picking one
 2 out, 0941.
 3 A Okay.
 4 Q This is what you're talking about with that bonus
 5 structure, right?
 6 A No. It wouldn't be a yearly. Oh, right here?
 7 Yes.
 8 Q Yeah. It says, "Other" --
 9 A Yes, you're right.
 10 Q -- "compensation, 1,000 quarterly, 300, slash, 500
 11 delinquency, 300" --
 12 A -- quality.
 13 Q -- "quality."
 14 A Uh-huh.
 15 Q Fifty a -- what is that commissions?
 16 A That's \$50 for a six-month to a twelve-month lease.
 17 Q Gotcha. And you got a free apartment?
 18 A I did.
 19 Q Okay. And this thousand-dollar quarterly bonus,
 20 that would -- that was just paid regardless, right?
 21 A No. That would be the NOI bonus. The net
 22 operating income. If you had a positive variance.
 23 Q Okay. And then the 300 to 500 delinquency of 300,
 24 that means you get a \$300 bonus if --
 25 A That would depend on that per-door number.

Page 197	Page 199
1 Q Okay. Okay. And so you were financially motivated 2 to reduce delinquencies and rent apartments? 3 A Absolutely. 4 Q And one of the ways you did that was -- was keeping 5 it pretty -- keeping it nice looking? 6 A Right. 7 MR. HOOD: (To Ms. Casey) Number 3. 8 (Sotto voce discussion between Mr. 9 Hood and Ms. Casey.) 10 MR. HOOD: Oh, why don't we do that. Let's -- 11 let's just do this real quick for about two 12 seconds. What number is that? 13 MS. CASEY: Twenty. 14 MR. HOOD: Okay. 15 Plaintiff's Exhibit No. 20, Copies of 16 driver's license and social security 17 card. 18 MR. HOOD: (To Mr. Comer) Here you go. 19 Q This is just your driver's license. Is it still 20 the same driver's license number today? 21 A Driver's -- no. I've gotten a new license since 22 then. 23 Q Do you remember it off the top of your head? 24 A No, I have no idea. 25 Q Okay.	1 MR. HOOD: So this one would be 21. Okay. 2 Plaintiff's Exhibit No. 21, Application 3 for apartment paperwork. 4 Q This is just -- I will -- I will aver to you that 5 this was just lease -- this was the lease documents 6 that we were presented with, Toni Wright. 7 A Okay. 8 Q Now, the front of this, PRG 00158, this is simply 9 the -- the application somebody would fill out to 10 get a lease there, right? 11 A No, this looks like the lease. 12 Q Okay. Okay. Now -- so this would be something 13 they would fill out after they had been approved 14 for a lease? 15 A Hold on just a minute. This may be a reservation 16 form. Hold on. 17 Q And this is before you were there, so -- 18 A Yeah. I'm not real familiar with this. That looks 19 like a reservation agreement -- 20 Q Okay. What -- 21 A -- to me. 22 Q -- is a reservation? 23 A That's where we would hold the unit for you and at 24 that time we would give you a prorated, show that 25 you had paid an application fee or . . .
Page 198	Page 200
1 MR. HOOD: Let's go -- let's go off record for 2 just one second. 3 (Off the record briefly at 2:08 4 p.m.) 5 THE EXAMINATION BY MR. HOOD CONTINUES. 6 MR. HOOD: Let's go ahead and mark this, then. 7 Let's go on and do this. This is her lease, 8 Brian. 9 MR. COMER: Okay. 10 THE DEPONENT: Thank you. 11 MS. CASEY: Twenty-one. 12 MR. HOOD: (To the deponent) Okay. I just 13 handed you -- what is that number, 22? 14 MR. COMER: Twenty-one, I believe. 15 THE DEPONENT: Twenty-one. 16 MR. HOOD: Twenty-one? 17 MS. CASEY: Twenty-one. 18 THE COURT REPORTER: Twenty. Twenty. 19 MR. HOOD: You got "20"? 20 THE COURT REPORTER: Uh-huh. 21 MR. HOOD: I thought the last one was 20, or 22 was it 19? No, the last one was 20. 23 THE COURT REPORTER: Oh, I'm sorry. Okay. 24 MR. HOOD: That one was 20. Okay. 25 THE COURT REPORTER: Okay, thank you.	1 Q Okay. And then if you go to the third page, which 2 is 00160, it has, "Zero points for income. I faxed 3 check stub before. I'm faxing now, so is she." Do 4 you know what any of that means? 5 A I do not. 6 Q Okay. If you go to the next page. That's okay. 7 The next is that -- this is the application for the 8 residency, right? 9 A Yes. 10 Q And at the top it has, "Date: 4/19/03"; you see 11 that, right? 12 A I do. 13 Q Now, the -- the second page of that, is the same -- 14 same type of residency contract you would have, 15 even when you began working there? 16 A I don't remember if that was the same one -- no. 17 It says, "AIMCO." 18 Q Okay. Did -- I was just wondering because on the 19 back, it -- it says, "Have you or a member of your 20 household been convicted or pled guilty or no 21 contest to any felony and then no contest to any 22 sexual offense?" And that she checked "no" to 23 both, right? 24 A She did. 25 Q There are times since you've been there, where

Page 201	Page 203
1 somebody -- either they or their spouse or son or 2 daughter had been convicted of a felony, right? 3 A I would imagine so. 4 Q Okay. If you go to 00168, and this is -- this is 5 the second page of a lease from the first day of 6 June 2007 between PRG and Toni Wright. And you 7 would have been the manager at that one, right? 8 A I would've. 9 Q And I'm just looking at page 2, where it says 10 "Condition of Premises," and it says, "The tenant 11 accepts the premises and appliances therein in 12 their present condition and agree to keep the 13 premises and appliances in good clean condition, to 14 make no alterations, or addition to the same," 15 right? 16 A Yes. 17 Q Okay. And so there was -- occupants were not 18 allowed to -- to make their own repairs or to the 19 common area or to their house, without express 20 permission, right? 21 A Correct. 22 Q If you go to -- that's the -- it's toward the end, 23 but it's 00192. And this is -- this is, once 24 again, one of those work orders, right? 25 A Yes.	1 A Yes. 2 Q Okay. Now, this says, "Replace dishwasher" and has 3 "Mike." And so this would have been the same thing 4 where there's a completed one, but that's the one 5 that would've been entered by the staff -- 6 A Right. And that's -- 7 Q -- after being given this? 8 A Yes. That's why there's a checkmark on it. 9 Because we entered that. 10 Q Okay. And then this one's a little different. But 11 it says -- at the very last page, it says, 12 "1/7/2008," and it has, "Dishwasher need replace" 13 and then it has, "ordered." 14 A Uh-huh. 15 Q So that's one where you'd actually have to order 16 the part or the dishwasher to be able to make the - 17 - the dishwasher repair? 18 A Correct. 19 Q Okay. Okay. Good. Thank you. 20 MR. HOOD: (To Ms. Casey) Let's do resident 21 administration. 22 MS. CASEY: Twenty-two. 23 MR. HOOD: Twenty-two. 24 Plaintiff's Exhibit No. 22, "Resident 25 Administration Customer Service" manual.
Page 202	Page 204
1 Q And it says, "Date called; date scheduled." If it 2 doesn't have a completed date, what does that mean? 3 A I've never seen one without a completed date. 4 Q Okay. 5 A So this could -- here could have been the one that 6 -- well, obviously, James -- this was not one that 7 entered in -- into the system; this was James's 8 original one he handed in where we would make it 9 ready in the system. 10 Q Okay. 11 A That's where you would see a completed date. 12 Q Gotcha. So he would do one and it would be 13 computerized, but he would give you this and then 14 you would enter into the system the completed date? 15 A Yes. They received two, a copy of the original 16 work order, one to leave with the resident and one 17 to bring back to the office. And that's how we 18 would complete them in the system. 19 Q So you would have a work order -- you would have a 20 work order that would be filled out by the 21 maintenance person -- for every one that says 22 "completed," there would be one like this that has 23 this stuff on it? 24 A And then this would be filed. 25 Q Okay. Okay.	1 MR. COMER: What time is it? 2 THE DEPONENT: Two-fifteen. 3 MR. COMER: Okay. 4 A Thanks. 5 Q Is this the resident administration policies and 6 procedures? 7 A Yes. 8 Q Okay. And you're expected to follow these policies 9 and procedures, right? 10 A Yes. 11 Q And these are the policies and procedures that were 12 present when you were there as the -- the manager, 13 right? 14 A Yes. 15 Q And if they were not followed, that would be a 16 violation of the policy, right? 17 A Yes. 18 Q Okay. 19 MR. COMER: Randy, I don't mean to interrupt 20 your line of questioning, but -- 21 MR. HOOD: -- it's 2:15. 22 MR. COMER: -- it's 2:15. 23 MR. HOOD: That's why -- that's why I just 24 went through -- 25 MR. COMER: I was going to say, do you --

Page 205	Page 207
1 MR. HOOD: -- that quickly. 2 MR. COMER: -- do you have any idea how much 3 more you have? 4 MR. HOOD: No, no. I'm going -- I'm fixing to 5 motor through. 6 MR. COMER: Okay. I'm going to -- I'm going 7 to have some redirect, but I don't think it's 8 going to be a ton, but I am going to need some 9 time. 10 MR. HOOD: If -- if we were gone for about an 11 -- I mean, do you have like 30 minutes or an 12 hour after -- like from 3:30 to 4:30? 13 THE DEPONENT: I mean, I guess if I need to. 14 I need to get to work. 15 MR. HOOD: Okay. I -- I don't think mine's 16 going to take that long, but I know that your 17 redirect -- did you want to try to do redirect 18 now and then me do it, or you want me to 19 finish and then you do your redirect or -- I 20 don't -- I'm not trying to screw things up. I 21 -- 22 MR. COMER: Yeah. Well, I know you're not. 23 It's just the nature of our calendar today. 24 Well, we can do one of a couple of things. We 25 can just keep on plowing through and see where	1 violation of the policy, right? 2 A Yes. 3 Q And that would be wrong, correct? 4 A Yes. 5 Q Okay. Number 1, which is Exhibit No. 7. Exhibit 6 No. 7. 7 MR. HOOD: Brian. 8 (An assistant enters the deposition 9 at 2:23 p.m.) 10 THE ASSISTANT: (To Mr. Comer) She said four 11 o'clock. She did not see a problem with y'all 12 coming in at four. 13 (The assistant exits the deposition 14 at 2:23 p.m.) 15 MR. HOOD: Okay. 16 MR. COMER: Okay. 17 MR. HOOD: Okay. And then we'll be through at 18 five. And then we'll be through with them at 19 five, right? We'll have to sit there for an 20 hour. 21 MR. COMER: Okay. Well, that bides us a 22 little time then. 23 MR. HOOD: Okay. 24 Q The employee handbook -- this is Section 1, Exhibit 25 7.
Page 206	Page 208
1 we are, or we can call the judge and say, 2 "Hey, we're in the middle of a deposition for 3 this case; could we come at four? It's 4 running a little long." Or -- 5 MR. HOOD: Why don't we see if your paralegal 6 could do that. 7 MR. COMER: Yeah. If she can call, that's why 8 I raised it. Let's take a very quick break. 9 (Off the record from 2:19 p.m. until 10 2:23 p.m.) 11 THE EXAMINATION BY MR. HOOD CONTINUES. 12 Q Okay. Just as I -- Exhibit 4 -- Exhibit 4 -- 13 A Okay. 14 Q -- which is -- is the maintenance report -- 15 A Okay. 16 Q -- or the maintenance. This is -- these are 17 policies and procedures from PRG Wellspring, right? 18 A Yes. 19 Q And these are the -- the same policies and 20 procedures that were in effect during your tenure 21 as manager between 2006-2008, right? 22 A Yes. 23 Q And these are expected to be followed? 24 A Yes. 25 Q And if you don't follow them, then that would be a	1 A Yes. 2 Q This is the employee handbook -- 3 A Yes. 4 Q -- that was -- that was there when you were the 5 manager 2006-2008, right? 6 A Yes. 7 Q And this has policies in it as well, right? 8 A Yes. 9 Q And it also has description of job duties for 10 different categories of people, right? 11 A Yes. 12 Q Okay. And the policies that are in here, they are 13 expected to be followed, right? 14 A Yes. 15 Q And if you don't follow them and you violate the 16 policy, that's wrong, correct? 17 A Correct. 18 Q And you also have job duties and responsibilities 19 of different job descriptions, right? 20 A Yes. 21 Q And you're expected to follow those job 22 descriptions, right? 23 A Yes. 24 Q And if you don't follow those job descriptions, 25 that would be a violation, right?

Page 209

1 A Yes.

2 Q And that would be wrong?

3 A Yes.

4 Q Okay.

5 MR. HOOD: Let's mark -- let me see. These

6 are the Defendants' Interrogatories to

7 Plaintiff's -- Defendants' Answers to

8 Plaintiff's -- let's mark these.

9 Plaintiff's Exhibit No. 23, "Defendants'

10 Answers to Plaintiff's Interrogatories."

11 MR. HOOD: Okay. Okay. This is 23. Brian,

12 these are just the interrogatories I have.

13 That would be Exhibit 23. Okay.

14 Q If you go to page 8. The question was, "Please

15 identify any employees, agents, or other people who

16 were involved in maintenance during the time period

17 of 2005 to present." And they answered, and they

18 have -- I'm going down to Katherine Pollard --

19 A Okay.

20 Q -- and it says, "Manager from 7/21/2008 to

21 8/4/2010." Do you see that?

22 A I do see that.

23 Q And that's Apartment 2103 -- I mean her last known

24 address, Apartment 2103, Columbia. Did you work

25 with Katherine for a short period of time?

Page 210

1 A No, I didn't.

2 Q So --

3 A No, I didn't.

4 Q -- if you were there until --

5 A -- November.

6 Q -- November, how did you not work with her?

7 A She was not there.

8 Q Okay. Just probably a scrivener's error or

9 something?

10 A It could -- yes.

11 Q Okay.

12 MR. HOOD: Brian, if you'll just let me know

13 about that one.

14 MR. COMER: Yeah, I will.

15 Q And then "Kara Letien, manager" -- that -- she --

16 did you -- did she ever work as marketing director

17 or anything while you were there?

18 A No.

19 Q Okay. And then "Karen Campbell, manager,

20 07/20/2004 to 11/20/2008." That's you, of course?

21 A Yes.

22 Q I bet Katherine Pollard's probably 11/21/2008.

23 MR. COMER: (To Mr. Hood) Do you want me to

24 explain it?

25 MR. HOOD: Sure.

Page 211

1 MR. COMER: Okay. I -- I'm pretty sure I

2 remember now one of the things that Wayne had

3 indicated he wanted to do was depose Katie

4 Pollard. We've got a full date of when she

5 was employed by PRG, but, at least with Katie,

6 I recall, we figured out that part of that

7 time was in North Carolina. It was not at

8 Wellspring, per se.

9 MR. HOOD: Okay. Okay.

10 MR. COMER: So she was with PRG. I think she

11 came to Wellspring after this incident and

12 after Karen had left.

13 MR. HOOD: Okay.

14 Q Now, also, down on "Maintenance," there's a guy by

15 the name of Franklin Pack, from 6/27/2008 to

16 4/4/2001. Did you work with Mr. Pack?

17 A No, I didn't.

18 Q Okay. Okay. Then, on the next page, it's "Matthew

19 Campbell." That's obviously your husband, right?

20 A No.

21 Q Is it not?

22 A That actually wasn't. No.

23 Q Oh, okay. No, your husband's Mike?

24 A Michael.

25 Q Yeah. So -- okay. Now, of these people that are

Page 212

1 on the maintenance -- but it says, "Michael

2 Campbell, 5/20/2005 to 3/19/2008," was he the

3 maintenance supervisor?

4 A Not that entire time.

5 Q Towards the end of that time, was he?

6 A Yes.

7 Q Who became the maintenance supervisor after

8 Michael?

9 A That was David Randolph.

10 Q Okay. Hunh.

11 MR. HOOD: (To Ms. Casey) Do you see him on

12 here, or am I missing him?

13 MS. CASEY: I don't see him.

14 MR. COMER: Is this the first set of answers?

15 because I think we supplemented with some

16 additional people.

17 MR. HOOD: Okay.

18 MR. COMER: And I want to say that Mr.

19 Randolph may have been on the supplement.

20 MR. HOOD: Okay. Yeah, I don't have the first

21 -- the -- I've got the second supplemental.

22 Okay. That's fine. That's fine.

23 Q Okay. I'm going to page 10. It says, "Light" --

24 and I -- excuse me, I'd said: Please identify each

25 and every complaint made by anyone regarding

Page 213

1 landscape, lighting, security, et cetera.
 2 And he had said -- or the -- the defendants
 3 answered, "Issues relating to exterior lighting on
 4 light poles are telephoned directly to SCE&G for
 5 service as they are discovered or brought to the
 6 attention of Defendants by tenants, and SCE&G --
 7 SCE&G would be in possession of any documents
 8 relating to these issues. Any subtraction,
 9 addition, or other alteration to pole lighting is
 10 at the discretion of SCE&G."
 11 Now, from the time you were there from 2004 to
 12 2008, how would you describe -- I mean, if you --
 13 if somebody came in or made aware to you, "Okay,
 14 the light's out on this pole," how -- what would be
 15 the entire process from Point A to Point Z?
 16 A We would get the pole number.
 17 Q Okay.
 18 A Is that what you're referring to --
 19 Q Yeah.
 20 A -- on a pole?
 21 Q Yeah. Would it --
 22 A Okay.
 23 Q Would it just have a number, like --
 24 A It would. Uh-huh. It would be a number on the
 25 pole --

Page 214

1 Q Okay.
 2 A -- and we would get that number, or the resident
 3 would have that number and would tell us --
 4 Q Okay.
 5 A -- and then we would call the electric company,
 6 SCE&G, and let them know that that pole number is
 7 out. And then they would put a work order in on
 8 their end.
 9 Q Right.
 10 A And then their maintenance would come out to fix
 11 that.
 12 Q Okay. And were there ever times -- were you aware
 13 of any time from 2004 to 2008 where it did not get
 14 done in a timely manner?
 15 A Not that I recall.
 16 Q Okay. And when you say you don't -- you can't
 17 recall, is that because you just don't know one way
 18 or the other?
 19 A Right.
 20 Q Okay.
 21 A It's been four years.
 22 Q Okay. Okay. I -- I know. It's --
 23 A Yeah.
 24 Q I -- I -- it's hard for me to remember yesterday
 25 sometimes.

Page 215

1 Okay. Now, it says on here, "Any subtraction,
 2 addition, or other alteration to pole lighting is
 3 at the discretion of SCE&G." And that means you
 4 can't mess with their telephone poles, right?
 5 A Right.
 6 Q Or the lighting attached to their telephone poles?
 7 A Right.
 8 Q But if you wanted to add extra lights, your own
 9 outside lights or your own breezeway lights or your
 10 own common-area lights, then you are certainly free
 11 to do that, right?
 12 A I'm not familiar with this.
 13 Q Okay.
 14 A I don't know.
 15 Q Well, if -- if someone deemed that it was necessary
 16 to do so, you could do it, right?
 17 A I would imagine so.
 18 Q Okay. And yet, you had -- I think you've -- you've
 19 told me this already -- y'all had taken it upon
 20 yourself to provide breezeway lights and stuff, and
 21 so once you did those, you had to do it in a
 22 reasonable manner, right?
 23 A Right.
 24 Q And -- and when you -- when you provide this --
 25 this lighting, you've got to make sure not only

Page 216

1 that the lights work properly, right?
 2 A Right.
 3 Q But you got to make sure that it's designed
 4 properly to provide the lighting necessary for
 5 someone, right?
 6 A The engineers or architects or -- we wouldn't.
 7 We're just there to make sure the light bulb works
 8 --
 9 Q Right. But --
 10 A -- so.
 11 Q -- but if you're walking on something and you
 12 notice that it doesn't provide lighting to a
 13 specific area --
 14 A Okay.
 15 Q -- certainly, that's something that you can note,
 16 right?
 17 A Sure. Of course.
 18 Q And it doesn't take an engineer or an architect to
 19 determine, "Hey, it's dark over here and there
 20 should be a light here."
 21 A Sure.
 22 Q Okay. And so when y'all bought this complex and --
 23 and started walking it every day, you were under an
 24 obligation to note that there were areas that
 25 needed to be changed or made more efficient or made

Page 217	Page 219
1 more safe, right? 2 MR. COMER: Objection. 3 A Sure. 4 Q Okay. And that would've been done for something 5 that was already present, right? 6 MR. COMER: Objection. 7 A Correct. 8 Q Okay. 9 A I wasn't there for that, so yes. 10 Q This says, "Shrubbery." It says, "Issues relating 11 to landscape, maintenance are addressed directly 12 with the landscaper as they are raised by tenants, 13 and the landscaper at the applicable time would be 14 in possession of any documents relating to these 15 issues. For the landscaper providing maintenance 16 at the time Plaintiff's incident, see answer" -- 17 I'm not worried about that, but -- so the tenants 18 wouldn't actually go directly to the landscaper. 19 They would go to y'all and then y'all would deal 20 with landscaper -- 21 A Correct. 22 Q -- right? 23 A Right. 24 Q So if -- if a tenant came to you, you would agree 25 that then y'all would have an obligation and duty	1 Q And so there are times that there may be a crime on 2 the premises, but there may not be a Report of 3 Unusual Occurrence because they don't bring it to 4 you? 5 A Correct. 6 Q Okay. And it's only if someone comes to you and 7 say, "Hey, somebody vandalized my car." They don't 8 even have to bring a report, they just tell you, 9 "Somebody vandalized my car." And then you create 10 a Report of Unusual Occurrence? 11 A Yes. 12 Q And then if there is a -- a corresponding sheriff's 13 report -- 14 A Uh-huh. 15 Q -- or whoever would do a report, then you would 16 attach it to the Report of Unusual Occurrence? 17 A Yes. 18 Q Okay. So there may be many times that there are 19 crimes out there that there are not reports of 20 unusual occurrence? 21 A Yes. 22 Q Okay. And we've even gone through some of them 23 today? 24 A Right. 25 Q Have you ever heard of a safety audit or a safety
Page 218	Page 220
1 to go to the landscaper? 2 A Yes. 3 Q And if you didn't do that, that would be wrong? 4 MR. COMER: Objection. 5 A Correct. 6 Q Okay. 7 MR. HOOD: Did you get that, Sandra? 8 THE COURT REPORTER: Yes, thank you. 9 Q Under "Safety," it says, "Regard to safety and/or 10 criminal activity and/or issues, if reported by a 11 tenant, Defendants' practice is to generate a 12 'Report of Unusual Occurrence' in accordance with 13 its Policies and Procedures. Defendants have 14 conducted a search of any Reports of Unusual 15 Occurrence that are in their possession or related 16 to suspected criminal activity, and redacted 17 versions of reports that have been located are 18 being produced herewith." It says, "For any 19 reports of criminal activity or safety issues that 20 are reported directly to the Richland County 21 Sheriff's Department, the Richland County 22 Sheriff's Department would be in possession of any 23 documents responsive to this Interrogatory." You 24 see that, right? 25 A I do.	1 survey with the sheriff's office? 2 A With the sheriff's office? 3 Q Yes. 4 A No. 5 Q Where the -- the Community Action Team would come 6 out and -- and look at your apartment complex and 7 may make suggestions, "Well, you might need this 8 here, or" -- 9 A Right. 10 Q -- "something" -- 11 A No, I -- I didn't know they did that. 12 Q Okay. If you look at page 15, I asked, "Please 13 state each and every incident in which Defendant 14 undertook any type of audit or review of its 15 security procedures for any residential properties 16 it managed." 17 And it -- the objection on this said, 18 "Notwithstanding this objection, the Defendants did 19 not conduct an 'audit or review' of its security 20 procedures for Wellspring Apartments, Defendants 21 conduct a review of the property in the ordinary 22 course of business to determine any issues with 23 lighting, shrubbery, or any issues raised in 24 Plaintiff's Interrogatories." Do you see that? 25 A I do.

Page 221	Page 223
1 Q When do you conduct a review of the property to 2 determine issues with lighting, shrubbery, or other 3 issues? 4 A Well, I was out on the property daily, so if I saw 5 something, I would notate it then. 6 Q Okay. 7 A We would also have just quarterly walks of the 8 property -- 9 Q Uh-huh. 10 A -- and we would notate it again then -- 11 Q Okay -- 12 A -- so . . . 13 Q -- and -- and when you did these -- these walks, or 14 you did these notations, where would they be kept? 15 Or -- or how would you maintain them? Your -- your 16 -- your thoughts or your -- 17 A Right. 18 Q -- that you -- you had saw a problem or you saw 19 something that needed to be addressed? 20 A The quarterly ones would be sent to my regional -- 21 Q Okay. 22 A -- but if it was something where I was out on the 23 property and I just noticed it -- 24 Q Right. 25 A -- I would do a work order for it.	1 real long -- 2 A Uh-huh. 3 Q -- and he was there for a long time -- 4 A Right. 5 Q -- and -- but he stopped being a courtesy officer 6 like after 2007? 7 A Well, he wasn't always with Richland County -- 8 Q Okay. 9 A -- so he was not able -- 10 Q Okay. 11 A -- to be a courtesy officer. 12 Q Gotcha. Okay. Frank Panarello -- Frank Panarello 13 -- let me -- let me -- it says -- No. 30 -- No. 17. 14 And this just says, "List the courtesy officers." 15 And Frank Panarello is not in there, but I -- there 16 may have been a supplement to that, I'm not sure 17 of, but we know Frank Panarello was there sometime 18 in 2007/2008. 19 A Right. 20 Q And do you know why he quit being a -- 21 A I don't. I remember he was a state trooper, and 22 then I knew he was getting married, so I don't know 23 if there was just a conflict or -- 24 Q It wasn't -- 25 A -- I don't know.
Page 222	Page 224
1 Q Okay. 2 A Just to have it addressed. 3 Q But those quarterlies -- 4 A Uh-huh. 5 Q -- that would've been something between 2006 and 6 2008 that would've been sent quarterly to Pamela 7 Williams? 8 A Yes. 9 Q Okay. Do you know the name of that particular 10 report? 11 A I do not. 12 Q Okay. And when you have courtesy officers, were 13 there times that there were periods of time where 14 there were no courtesy officers? 15 A Yes. 16 Q And is that because they weren't a resident any 17 longer, or -- or . . . 18 A That, and most courtesy officers wanted free rent, 19 and we didn't offer that. So we would lose 20 courtesy officers for that. 21 Q If you didn't lose courtesy officers -- 22 A Uh-huh. 23 Q -- and they stayed, why were they no longer 24 courtesy officers? Like -- for instance, like, you 25 know, you saw Mr. Hughes had that thing that was	1 Q -- just Richland County Sheriff's Department. It 2 could be a state trooper or Richland County 3 Sheriff's Department, right? 4 A Right. Right. 5 Q I mean, it's anybody that in law enforcement that 6 could park -- 7 A That had jurisdiction. 8 Q -- an official vehicle. That had jurisdiction? 9 A Right. 10 Q Okay. Now, did y'all have any security cameras out 11 there? 12 A No. 13 Q You're over at Paces Brook now? 14 A Yes. 15 Q Do y'all have security cameras? 16 A We do now. They were just installed. 17 Q Okay. Do you know why they didn't have security 18 cameras out there then? 19 A It just wasn't -- the company just didn't do it. 20 Q Okay. It just wasn't in the budget? 21 A I have no idea about their budget. 22 Q Okay. 23 MR. HOOD: I'm not going to do that. Not 24 doing that. 25 Q Sometime in December 2007, you bought a house and

Page 225

1 moved off property, right?

2 A Yes.

3 Q And as a result, they increased your salary by \$2

4 an hour?

5 A If --

6 Q They increased your salary?

7 A Okay. Great.

8 Q Okay. Right?

9 A Sure. Yes.

10 Q Do you have any estimate of the number of people

11 that used the -- the -- those publically accessible

12 recreation -- I mean the Harbison Trail on a

13 monthly or annual basis?

14 A Do I know the number of people that did?

15 Q Yeah.

16 A No, I don't know the number.

17 Q Lots of people?

18 A Sure. Yes.

19 Q Did that publically accessible location or the fact

20 that y'all basically invited the public to be there

21 because you didn't have any -- or separation with

22 any of the properties, did that affect any of your

23 security concerns?

24 MR. COMER: Objection.

25 A It was a public trail.

Page 226

1 Q Okay. So it didn't affect your security concerns?

2 MR. COMER: Objection.

3 A I mean, again, it -- it's a public area --

4 Q Right. Right.

5 A -- so whether it did or it didn't -- I mean, that's

6 -- we were open --

7 Q Right.

8 A -- we weren't gated.

9 Q Right. But you were open, but -- I mean, you

10 didn't -- I mean, you -- you had landscapers

11 working on landscaping, you had maintenance people

12 working on lighting issues, you had courtesy

13 officers off and on at times, right?

14 A Right.

15 Q But you didn't increase or decrease any of those as

16 a result of the publically accessible --

17 A No.

18 Q Right. Now, the -- the people that were in your

19 apartment complex, they paid a certain fee for

20 their -- for each particular apartment, right?

21 A Right.

22 Q And they didn't say -- you didn't bill them, "Okay.

23 You get to pay us -- each person in here \$10 a

24 month for your -- the -- the landscaping portion

25 that we have to pay the landscaper." Y'all didn't

Page 227

1 do that, did you?

2 A No.

3 Q And y'all didn't go to them and say, "Okay. For

4 all of the light bulbs and stuff, we're going to

5 charge you 5 or 10 dollars a month for the light

6 bulbs."

7 A No.

8 Q And you would agree with me that the -- there were

9 -- there were different reasons for having the

10 SCK&G lights and the breezeway lights and the

11 entryway lights and -- but one of those is so that

12 people could see better?

13 A Sure.

14 Q Right?

15 A Yes.

16 Q And if you could see better, that's -- that -- you

17 could see better and illumination, one of those

18 things would be protection. You wouldn't trip over

19 stuff if you saw it?

20 A Right. It would be to light the area.

21 Q It would be to light the area.

22 A Right.

23 Q And part of that would be for the protection of

24 someone's person?

25 A Well, you can't guarantee safety. The light would

Page 228

1 be so you could see --

2 Q Sure.

3 A -- so.

4 Q You -- you can't guarantee it --

5 A Correct.

6 Q -- but it would be -- that would be one of the

7 reasons that it's being used, right?

8 A So it would be well-lit, yes.

9 Q It would be well-lit, is because of protection?

10 One of the reasons?

11 A I guess. Sure.

12 Q Okay. And the same for courtesy officers and the

13 maintaining of the shrubs at the appropriate

14 height. The -- part of that is for protection?

15 MR. COMER: Objection.

16 Q Right?

17 A Again, that goes to guaranteeing security --

18 Q But -- and --

19 A -- or safety --

20 Q -- I'm not -- and I'm not guaranteeing --

21 A -- which is --

22 Q -- I'm saying --

23 A -- nothing to do with that.

24 Q Right. All I'm saying is the courtesy officers --

25 you had no obligation to provide those security

Page 229	Page 231
1 officers? 2 A No. It was just so if -- if somebody needed 3 somebody -- 4 Q Right. 5 A -- or needed assistance for anything, a courtesy 6 officer would be there -- 7 Q And y'all also had -- 8 A -- so. 9 Q -- the policy that they're to walk two hours a day, 10 right? 11 A Yes. 12 Q And that they're supposed to do a report to y'all 13 -- 14 A Yes. 15 Q -- right? 16 A Uh-huh. 17 Q And it's having that presence that in the community 18 that helps deter criminal activity, doesn't it? 19 A Sure. Yes. 20 Q And -- and -- and if you have -- like, if you 21 maintain your shrubbery in the -- in the right way, 22 people can't hide behind it and stuff, and you have 23 better sight lines, right? 24 A We did maintain. It's a mature shrub. 25 Q Sure. I understand that.	1 A Yes. Yes, they did. 2 Q Okay. Have you ever -- I know that you've -- 3 you've given your deposition before -- 4 A Right. 5 Q -- for this one. Have you ever given a deposition 6 other than that one? 7 A No. 8 Q Okay. I don't want to know any conversations that 9 you've had with Mr. Comer. None. 10 A Okay. 11 Q How much time did you spend reviewing documents or 12 depositions or interrogatories for this case? 13 A For this? 14 Q Yes. 15 A How much time? 16 Q Yes. 17 A An hour. 18 Q Okay. What materials have you reviewed in 19 preparation for this case? 20 A My resignation letter -- 21 Q Okay. 22 A -- our policy book -- policy and procedures book -- 23 Q Okay. Part of those we've gone over today. 24 A Right. My cancelation letter for the landscaper 25 --
Page 230	Page 232
1 A So, I mean, all of our landscaping was mature. We 2 were twenty-plus years old -- 3 Q Sure. 4 A -- so. 5 Q But -- but, I mean, if you allowed it to just -- 6 just grow unabated, it could be dangerous, couldn't 7 it? 8 MR. COMER: Objection. 9 A If it was let go, yes. 10 Q Right. And so by maintaining the shrubbery and 11 having these courtesy officers, though under no 12 obligation, one of the reasons for that is for 13 protection? 14 A Yes. 15 MR. COMER: Objection. 16 Q Okay. 17 THE COURT REPORTER: (To the deponent) I 18 didn't hear your response. 19 THE DEPONENT: "Yes." 20 THE COURT REPORTER: Okay. Thank you. 21 Q Who called the courtesy officer was -- if there was 22 an issue? Was it a resident or an employee of 23 Wellspring? 24 A A resident. 25 Q The -- so they -- they had their number?	1 Q Okay. 2 A -- for H&S. 3 Q Okay. Do you have any opinions about this case, or 4 do you have any testimony you want to add or 5 subtract or amend or delete at this time? 6 A No. 7 Q Do you have any opinions you haven't told us about? 8 A No. 9 Q Other than Mr. Comer -- don't want to know what you 10 talked about with him -- have you talked about this 11 case with anyone else, like your husband or someone 12 else? 13 A No, not -- no. 14 Q Okay. Now, I know that you went to -- gosh, I 15 can't remember the guy's name. Where did you take 16 you course to become a licensed property manager? 17 A Was that Chip Brown -- 18 Q Chip Brown. Chip Brown. 19 A -- I think. Yes. 20 Q Is it a -- was it -- is there a name of that school 21 or something, or -- 22 A I think that was it. 23 Q Chip Brown? 24 A I believe. 25 Q In Charlotte, it's Mingle Real Estate. But is it -

Page 233

1 - is it just like a -- you would go and it was like
 2 a -- a class you took, and then you had to take a
 3 test to become certified?
 4 A Yeah. It was the -- an eight-hour -- I think it
 5 was eight hours.
 6 Q Okay.
 7 A Could've been more than that. And then, yes, we
 8 took a test.
 9 Q And -- and was any of that eight hours on safety or
 10 security?
 11 A I don't recall.
 12 Q Okay. You would defer to the stuff that y'all went
 13 over? So whoever has the materials that y'all
 14 would've went over, right?
 15 A Right.
 16 Q Okay. What type of training were you required to
 17 undergo after you were employed?
 18 A Type of training? We would read the policy and
 19 procedures manual. We would have continuing
 20 education classes.
 21 Q How would you -- what kind of continuing education
 22 classes would you --
 23 A Well --
 24 Q -- have?
 25 A -- it was more marketing.

Page 234

1 Q Right.
 2 A And we would have marketing classes. We would have
 3 budget conferences where we would go and work on
 4 our budget. We would -- really, it would just be,
 5 you know, you would ask a fellow property manager
 6 or your regional if you came across anything that
 7 was unusual that wasn't day to day.
 8 Q Okay.
 9 A Yeah.
 10 Q When you went there and you became the marketing
 11 director, is it fair to say -- or excuse me. Who
 12 would have trained you for that position?
 13 A For the marketing director?
 14 Q Yes.
 15 A Pamela Penny, the property manager.
 16 Q Okay. And -- and for the marketing director, what
 17 kind of training did you receive specifically for
 18 that?
 19 A It wasn't training, per se. It was, "This is what
 20 we need to do; this is how you would do that" --
 21 Q Was it maybe --
 22 A -- so.
 23 Q -- maybe a day spent on training or --
 24 A Or it would've just been throughout my time there.
 25 Q Kind of on-the-job training?

Page 235

1 A Right.
 2 Q Okay. And then when you became the assistant
 3 manager --
 4 A Uh-huh.
 5 Q -- how did you get training for that?
 6 A It would've been the same way.
 7 Q On-the-job training?
 8 A Right.
 9 Q And then the -- the apartment manager?
 10 A Well, if -- by the time you made it to assistant
 11 manager, you already knew your job duties; you were
 12 already doing that, so.
 13 Q Okay. And so then after you became assistant
 14 manager, you were, kind of, like an apartment
 15 manager in waiting?
 16 A Yes.
 17 Q Okay. And then once the position opened up, then
 18 you would, basically, ascend to apartment manager?
 19 A Right. Yes.
 20 Q Okay. And when you did this continuing education
 21 that you're talking about, did you actually take
 22 courses between 2004 and 2008?
 23 A No. It was classes within PRG that they would have
 24 -- you know, a marketing class or a leasing class
 25 or --

Page 236

1 Q Did --
 2 A That would be our education.
 3 Q Did you have to go to Philadelphia?
 4 A I have, for budget.
 5 Q Okay.
 6 A We did.
 7 Q And so did they ever have any classes on safety and
 8 security at PRG?
 9 A Not that I attended.
 10 Q Okay. Do you know if they ever had videos or DVDs
 11 or CDs that they sent to y'all to review for
 12 training purposes?
 13 A No. Not for office. Maintenance, yes.
 14 Q So maintenance --
 15 A Maintenance had those, not office.
 16 Q Okay. So there were times that maintenance had
 17 some training that did not apply to the office?
 18 A Correct. Yes.
 19 Q And did some of the maintenance training involve
 20 safety or security?
 21 A I don't know the name of what they took --
 22 Q Okay.
 23 A -- so.
 24 Q Okay. Okay. How do you -- we've talked a little
 25 bit about the budget. What is the amount of -- did

Page 237	Page 239
1 y'all have, like, "Okay. We've got \$30,000 a month 2 for this month to run this apartment complex in 3 between salaries and everything else"? I mean, how 4 did you get your budget, and how did you spend it? 5 A Everything was broken down by categories. So we 6 would have, you know, carpet and vinyls. 7 Everything would go off of actuals from the 8 previous year. 9 Q Okay. 10 A So that's how we would come up with our numbers or 11 need of -- for necessity -- 12 Q Okay. 13 A -- of how much we would need in each category -- 14 Q Okay. 15 A -- so. 16 Q Okay. And did you have any input into the budget? 17 A Yes. 18 Q Okay. How did you have input into the budget? 19 A Well, I created the budget, and then I would submit 20 the budget. 21 Q Okay. 22 A And then they would have final reviews, and they 23 would take out or add to the budget -- 24 Q Right. 25 A -- before they would send it back. And that would	1 a landlord has to keep a property in a fit and 2 habitable condition, right? 3 A Yes. 4 Q "Fit and habitable" covers a lot of territory, 5 doesn't it? 6 A Yes, it does. 7 Q I mean, it could include they don't have water 8 leaking in the roof, right? 9 A Correct. 10 Q Could include the toilet working? 11 A Yes. 12 Q It could -- could include the lighting working in 13 the breezeway? 14 A Yes. 15 Q Okay. You remember those things that we talked 16 about that you don't have an obligation to do, but 17 if you do them, you've got to do them in a 18 reasonable manner? 19 A Yes. 20 Q Keeping it fit would also be those things, right? 21 MR. COMER: Objection. 22 Q You can answer. 23 A It could be, yes. 24 Q Okay. 25 MR. HOOD: (To Mr. Comer) Go ahead, and I'll
Page 238	Page 240
1 be my final budget. 2 Q According to your resignation letter, it seemed 3 like you were a little -- I mean, there -- there 4 was some disagreement about some budget things. 5 A Uh-huh. 6 Q Were you sending in budgets and they were cutting 7 the budget? 8 A Yes. 9 Q Okay. Do you know why? 10 A Money. 11 Q But, I mean, it's because that investor return they 12 talked about? 13 A I don't know what their reasons were. That was 14 never a conversation that I had -- 15 Q Okay. 16 A -- with upper management. 17 Q Okay. Have you ever been sued before? 18 A No. 19 MR. HOOD: (To Ms. Casey) Let me see these 20 two cases. 21 Q Under the -- the South Carolina -- you're aware of 22 the South Carolina Residential Landlord Tenant Act, 23 right? 24 A Yes. 25 Q And there's a requirement in there that states that	1 -- I think I'm done. 2 Q Very quickly. The last question I ask everybody: 3 Have you -- we've been here for a long time. Have 4 you -- have you told me the things that you're 5 aware of about this case? 6 A Yes. 7 Q And do you anticipate changing or supplementing or 8 amending your testimony? 9 A No. 10 Q If you do, will you let Mr. Comer know so that he 11 can let me know? 12 A Yes. 13 Q Okay. And do you anticipate that the testimony at 14 trial will be similar to the testimony you gave 15 today? 16 A Yes. 17 Q Okay. 18 MR. COMER: Off the record one minute. 19 (Off the record from 3:02 p.m. until 20 3:09 p.m.) 21 EXAMINATION 22 BY MR. COMER: 23 Q Good afternoon, Ms. Campbell. You and I have met 24 before. My name is Brian Comer, and I wanted to 25 ask you a few questions in follow-up to some of the

Page 241	Page 243
1 things that Mr. Hood asked you, okay? 2 A Okay. 3 Q And just for the record, I'm your attorney, and I 4 -- 5 A Uh-huh. 6 Q -- also represent the other defendants in this 7 matter. You're aware of that, correct? 8 A Yes. 9 Q Okay. Mr. Hood asked you some questions about 10 whether Wellspring is a public or a private 11 property. Do you remember those? 12 A Yes. 13 Q Okay. Now, do you know anything about how the law 14 may or may not treat apartment complexes with 15 regard to that distinction? 16 A No, I don't. 17 Q Okay. Do you know any of the factors that go into 18 whether something is private or public property? 19 A No. 20 Q Okay. Let me ask you a couple of things that you 21 may know something about. First of all, you would 22 agree with me that people can come to Wellspring 23 for various different purposes, correct? 24 A Yes. 25 Q For example, they may live there, correct?	1 Q Okay. What -- what house did you own? What was 2 your address? 3 A 125 Forest Fern Road. 4 Q Okay. Was that on a -- in a community street? 5 A Yes. 6 Q Houses -- 7 A And -- 8 Q -- to -- 9 A -- Harbison. 10 Q -- the left and -- and right of you? 11 A Yes. 12 Q Okay. Was there a sidewalk out in front of it? 13 A No. 14 Q Okay. Could people drive up to your house -- to 15 your driveway? 16 A Sure. 17 Q So it was publicly accessible, is that right? 18 A Yes. 19 Q Did you consider it to be public property? 20 A No. 21 Q So just because someone was able to come to your 22 front door or drive up to your driveway, you didn't 23 consider it to be public property, is that right? 24 A Correct. 25 Q Okay. Did you have a fence around it?
Page 242	Page 244
1 A Correct. 2 Q They may also be visiting or be a guest of a 3 residence -- of -- of a resident who does live 4 there, correct? 5 A Yes. 6 Q That would be another reason to come there? 7 A Yes. 8 Q They may work there? Someone -- for example, if 9 you lived offsite but you were the property 10 manager, you may visit it for that reason, correct? 11 A Yes. Yes. 12 Q They may also be a vendor who has to do some work 13 there like H&S Maintenance, would that be correct? 14 A Yes. 15 Q So, generally, would you agree with me that people 16 need a reason to come to Wellspring? 17 A Yes. 18 Q Okay. And, in other words, is there ever a time 19 where it's suitable for someone to just be 20 loitering there for no reason, not visiting anyone, 21 and not having any real purpose to be there? 22 A No. 23 Q Now, do you think that -- well, first of all, let 24 me ask you this: Have you ever owned a house? 25 A Yes.	1 A No. 2 Q Okay. And even though you didn't have a fence 3 around it, you didn't consider it to be public 4 property, is that correct? 5 A Correct. 6 Q Okay. And is that because you lived there? 7 A Yes. 8 Q It wouldn't be suitable for them to come and just 9 hang out on your front porch, would it? 10 A Correct. 11 Q Okay. Now, by the same token, there are some 12 walking trails that Mr. Hood asked you about that 13 came up to Wellspring, right? 14 A Yes. 15 Q Okay. You're familiar with houses that have a 16 sidewalk out in front, correct? 17 A Yes. 18 Q Just because Wellspring was on a walking trail, 19 does that necessarily mean that people are just 20 free to come up there and do anything? 21 A No. 22 Q Okay. And, just for the record and to be clear, 23 Wellspring does not have a fence around it in its 24 entirety, does it? 25 A No, it doesn't.

Page 245	Page 247
1 Q Is there anywhere that it has a fence around it? 2 A At Wellspring? 3 Q Yes. 4 A No. 5 Q Okay. Is it a gated community? In -- in this 6 instance what I mean is a gate to the entrance to 7 the property from Harbison? 8 A No. 9 Q Could you put a gate there? 10 A No. 11 Q Why could you not put a gate there? 12 A The traffic. 13 Q Okay. 14 A It's a busy road. 15 Q Could you -- could you elaborate on that? Is 16 Harbison considered -- 17 A It's extremely congested and busy -- 18 Q Okay. 19 A -- so it would back traffic up. 20 Q Okay. Is that near the interstate? 21 A Not far, yes. 22 Q Okay. I'm going to ask you a series of questions. 23 And we've -- we've had a lot of testimony today 24 about what I'll consider to be two aspects of this 25 case. So before I ask these questions, I want to	1 Q Okay. I'm also going to use a term called 2 "security." For purposes of my questions -- my 3 questions only -- when I say "security," I am 4 talking about intentional actions of another 5 person, such as a third-party criminal, directed to 6 someone to harm their personal well-being. Do you 7 understand that? 8 A Yes. 9 Q Okay. Do you understand the distinction I've made 10 between safety and security? 11 A Yes. 12 Q Okay. Now, did Wellspring provide lighting so that 13 people could get to apartments? 14 A Yes. 15 Q Okay. And that was so they could see to get to 16 their apartment at night, is that right? 17 A Yes. 18 Q And it's also so that it would be well-lit enough 19 that they didn't trip over something that, maybe, 20 another resident had left in the walkway, is that 21 right? 22 A Correct. 23 Q And the way I have defined it, that's a safety 24 issue, isn't it? 25 A Yes.
Page 246	Page 248
1 tell you some definitions I'm going to use. Is 2 that okay? 3 A Okay. 4 Q Okay. When I say "safety," I am talking about -- 5 and, again, this is for purposes of my question. I 6 understand Mr. Hood may think of it differently, 7 but for purposes of my questions, I'm talking about 8 someone's safety, for example, as they come to and 9 from their apartment, whether there's any risk of 10 them tripping and falling, whether there may too -- 11 be too much chlorine in the pool that could hurt 12 their eyes -- 13 A Okay. 14 Q -- whether or not there's a -- a drip in the toilet 15 that can mess up their property. Do you understand 16 that? 17 A I do. 18 Q So when I'm talking about safety, for purposes of 19 my questions, I'm really talking about, kind of, 20 the physical structure and whether or not that 21 impacts someone's personal safety. Do you understand 22 that? 23 A I do. 24 Q Anything unclear about that? 25 A No.	1 Q But the benefit of that is that it may also allow 2 you to see other people who may pose some sort 3 threat to someone's security; would you agree? 4 A Yes. 5 Q Okay. But the primary reason -- would you agree 6 with me that the primary reason that the lighting 7 is provided is not for security, but for that 8 safety that I have described? 9 A Yes. 10 Q Okay. Now, let me ask you the same questions about 11 the bushes. You would agree with me that one of 12 the reasons you trim bushes is to make sure that 13 they don't impede somebody's path to their 14 apartment; would you agree? 15 A Yes. 16 Q That's a safety issue, because if a branch came 17 over and impeded their way of walking, they could 18 trip over it and hurt themselves, correct? 19 A Right. 20 Q So for that reason you trim the bushes to make sure 21 that they don't impede any walkways or anything 22 like, is that correct? 23 A Yes. 24 Q Now, a benefit of that may be that there's a less 25 likelihood that someone may hide or be concealed by

Page 249	Page 251
1 those bushes that could harm someone's personal 2 security? 3 A Correct. 4 Q And you understand I've made the distinction there, 5 with "security"? 6 A Yes. 7 Q Okay. But the -- my understanding is that the 8 primary reason that the bushes are trimmed is so 9 that someone is safe in getting to and from their 10 apartment in -- in terms of any personal injury. 11 A Yes. 12 Q Would that be a fair characterization? 13 A Correct. 14 Q And would you agree with me that trimming the 15 bushes is something you can control; is that right? 16 A Yes. 17 Q Okay. But you can't control whether someone makes 18 a decision whether or not to hide in those bushes 19 to hurt someone's security? 20 A Correct. 21 Q Okay. That's not something within your control? 22 A No, it's not. 23 Q Now, Mr. Hood, early in your deposition -- and -- 24 and I'm paraphrasing here; the transcript will 25 speak for itself. But he said something about,	1 A They -- 2 Q -- right? 3 A -- could, yes. 4 Q Now, is that something that is feasible? 5 A No. 6 Q Why not? 7 A Budget reasons. And you cannot guarantee safety, 8 so. 9 Q Do you have any idea whether that would impact a 10 resident's rent per month? 11 A Oh, absolutely. 12 Q Okay. So going back to the question that Mr. Hood 13 asked you, would you agree with me that if we are 14 talking about this question in terms of both safety 15 and security, that there are times where it may not 16 be feasible to do everything that is possible to 17 prevent some sort of issue with regards to a 18 person's security? 19 A Yes. 20 Q Okay. Now, he asked you some questions about 21 courtesy officers, and I think you said that they 22 did not fill out this form that they may have been 23 required to fill out under the policies. Do you 24 remember that? 25 A Correct.
Page 250	Page 252
1 "Would you agree that corporations should never let 2 budget constraints hinder safety?" Do you remember 3 that? 4 A I do. 5 Q And I think you answered you agreed with that 6 statement. 7 A Yes. 8 Q Okay. Let me ask it a little bit -- in a different 9 way. 10 A Okay. 11 Q Understanding the distinction between safety and 12 security that I told you I was using for purposes 13 of my questions, you would agree with me that an 14 apartment complex could erect a fence with barbed 15 wire all the way around it, couldn't it? 16 A Yes. 17 Q And it could put a gate at the entrance to the 18 parking lot so that the only way that someone could 19 get through there would be to have some kind of 20 pass code, correct? 21 A Yes. 22 Q And a -- and a corporation also could put a guard 23 at every single apartment building, couldn't they? 24 A Yes. 25 Q Okay. That's something they could do --	1 Q Do you know that they didn't walk the grounds at 2 all, as you sit here today? 3 A No. 4 Q Okay. So even though the -- the form wasn't filled 5 out, do you have knowledge of them actually 6 conducting those walks around the property? 7 A Yes. 8 Q How do you know that? 9 A I've seen them walk. 10 Q Okay. And you witnessed that personally? 11 A Yes. 12 Q Okay. So even though the form wasn't being filled 13 out, you had knowledge of them walking around the 14 property as requested? 15 A Yes. 16 Q And I think this -- this was clear on the record, 17 but an added benefit of having a courtesy officer 18 is the presence of a vehicle in the parking lot, 19 correct? 20 A Correct. 21 Q And one thing I was unclear on is it appeared from 22 some of the questions Mr. Hood asked you that there 23 were times when -- for example, I think Mr. 24 Faranello (as spoken) may have no longer been 25 designated as -- as the courtesy officer --

Page 253	Page 255
1 A Uh-huh. 2 Q -- but was still living there; is that right? 3 A Correct. 4 Q If he was still working with some police force that 5 had jurisdiction, would his -- would his vehicle 6 still have been in the parking lot? 7 A Yes. 8 Q Okay. So you still would've received that benefit, 9 even though he wasn't necessarily designated as a 10 courtesy officer? 11 A Yes. 12 Q Let me show you what was marked as Exhibit No. 9. 13 These are the pictures that plaintiff's counsel 14 represents were taken a couple of days after the 15 incident at issue. And I want to flip to what I 16 believe is the fifth page. 17 A Okay. 18 Q Do you see that picture of the walkway? 19 A I do. 20 Q Does it appear that any of the bushes are in any 21 way impeding the residents' ability to walk to 22 their front door of their apartment? 23 A No. 24 Q Okay. And just for fairness, flip through all of 25 these pictures -- there may be a better one here on	1 A Correct. 2 Q Do you have any knowledge of them witnessing the 3 abduction at issue in this case? 4 A No. 5 Q Okay. Do you have any knowledge of them being 6 aware of anything relating to Ms. Wright's case in 7 terms of that night or the -- the facts of the 8 abduction itself? 9 A No. 10 Q Okay. My understanding is -- and I just want to 11 make sure this is clear for the record -- that the 12 Wellspring Apartments has no control over SCE&G 13 power poles; is that right? 14 A Correct. 15 Q All you can do, if it's reported, is call it in to 16 SCE&G, and then it's their issue; is that right? 17 A Correct. 18 Q Okay. Now, Mr. Hood asked you some questions about 19 when people come in, and I think he used the word 20 "to complain." Do you remember those questions? 21 A Yes. 22 Q Okay. And I think you talked about there being a 23 resident conversation log. You remember that? 24 A Yes. 25 Q When someone came in -- and I'm going to use a
Page 254	Page 256
1 the third page -- and tell me if there's anywhere 2 where you see branches coming over that can impede 3 the residents' ability to walk to their residence. 4 A No. 5 Q Okay. So by your answer, my understanding is that 6 it appears that any pruning that may have done with 7 -- been done with regard to this shrubbery was at 8 least enough to keep it out of the walkway so 9 someone could get to their building? 10 A Correct. 11 Q Okay. Let me show you what was marked as Exhibits 12 3 and 8. And this, for the record -- Exhibit 3 is 13 the Nellisa Davis affidavit, and Exhibit 8 is the 14 Timir Patel affidavit. 15 First of all, Exhibit 3, what unit was Ms. 16 Davis in? 17 A 1405. 18 Q Okay. And if you look at Exhibit 8, what unit was 19 Mr. Patel in? 20 A 1101. 21 Q Did either one of them live in the building where 22 the plaintiff in this case, Ms. Wright, lived? 23 A No. 24 Q And is that because -- I think the -- the building 25 was Building 22; is that correct?	1 different word -- "to raise an issue" -- 2 A Okay. 3 Q -- and by that description, what I mean is: Let's 4 say that their complaint was that a light's out or 5 that their toilet's running or something like that. 6 A Okay. 7 Q Would you always generate something in the resident 8 conversation log? 9 A No. 10 Q Okay. Would that be more characteristic of a work 11 order? 12 A Yes. 13 Q Okay. So my understanding, then, is that -- well, 14 strike that. 15 Is it fair to say that the -- the way that you 16 primarily responded to any issues raised by 17 customers, be it in the form of a repair to the 18 property or complaining about their rent -- if it's 19 something relating to the -- the -- the repair of 20 their property, that would be characterized by a 21 work order; is that right? 22 A Correct. 23 Q As you sit here today, do you know how someone may 24 have distinguished whether they entered something 25 on the resident conversation log?

Page 257	Page 259
1 A It would -- I guess the resident conversation log 2 would be more, maybe, of a rent -- a renewal, 3 maybe, conversation. 4 Q Okay. You lived at Wellspring. 5 A I did. 6 Q Okay. Did you ever have any problems when you 7 lived at Wellspring? 8 A No. 9 Q Okay. And -- and by "problems," I mean any 10 criminal incidents, anything like that? 11 A No. 12 Q Okay. Directed toward you? 13 A No. 14 Q Okay. When this incident occurred and you were the 15 property manager, did you cooperate with the 16 Richland County Sheriff's Department? 17 A Yes. 18 Q Okay. In other words, if they would've asked you 19 to do anything or to provide any information, 20 that's something you would've done? 21 A Absolutely. 22 Q Okay. Now, there were some questions asked about 23 the term "investigation." Do you remember that? 24 A Yes. 25 Q And I think Mr. Hood showed you something in one of	1 Q Okay. And using that definition, is that why you 2 would take pictures? For example, to take a 3 picture of whether a -- a railing was loose, you 4 would take a picture of the railing. You -- 5 A Correct. 6 Q -- understand that? 7 A Yes. 8 Q Okay. Would that be a time you'd take pictures? 9 A Yes. 10 Q Or if, say, someone's toilet leaked all over their 11 favorite -- their favorite rug, would you go take a 12 picture of the rug? 13 A Yes. 14 Q Okay. As you sit here today, do you recall, in the 15 Report of Unusual Occurrence, whether Ms. Wright 16 raised anything about the bushes or the lights? 17 A No. 18 Q No, you don't recall -- 19 A I do -- 20 Q -- or -- 21 A -- not -- 22 Q -- no -- 23 A -- recall. 24 Q -- she did not? Okay. Well, let me hand it -- 25 A I --
Page 258	Page 260
1 the documents about how you're required to do an 2 investigation. 3 A Yes. 4 Q And I think you made a clarification on the record 5 that when he asked that question, you were thinking 6 of something different. Do you remember that? 7 A Right. 8 Q Can you clarify that for me? 9 A "Investigation," I took that as a Richland County 10 investigator's investigation, not as me just 11 completing an incident report and getting it to my 12 superior. 13 Q Okay. I -- I want you to correct me if I'm wrong, 14 but is it safe to say that most of the time when 15 incidents were brought to your attention, it 16 related to -- for example, let's say maybe someone 17 had a really nice rug and their toilet leaked and 18 it damaged their rug, something like that. Or 19 maybe somebody slipped and fell on a branch that 20 was on their walkway. Is it safe to say that most 21 of the time when you had to investigate something, 22 that it was more of a safety issue, as I have 23 defined it, relating to the physical structure of 24 the property? 25 A Yes.	1 Q -- to -- 2 A -- don't -- 3 Q -- you. 4 A Let me see. Okay. 5 Q Take a look and -- and tell me if there's anything 6 in there that indicates her bringing to your 7 attention something with regard to the bushes or 8 the lights. 9 A She never mentioned bushes or lights. 10 Q Okay. Then, in that case would there be any reason 11 to go take any pictures? 12 A No. 13 Q Okay. From having read through the incident report 14 and the report of unusual occurrence, do you have 15 an understanding as you sit here today of what 16 happened to Ms. Wright? 17 A From what I've gathered, yes. 18 Q Okay. And -- and what is your understanding, as 19 you sit here today, of what happened to her? 20 A She -- two males approached her and robbed her at 21 Wellspring Apartments. 22 Q Okay. Do you know if they were armed? 23 A Yes. They were armed. 24 Q Okay. Do you know what they did after they 25 approached her and -- did -- did they take her

Page 261

1 anywhere? Did they keep her there, or what?

2 A From what that states, they drove around town

3 withdrawing money from an ATM.

4 Q Okay. People live in apartments at Wellspring

5 Apartments, correct?

6 A Yes.

7 Q I'm not trying to be cute, but in other words,

8 people live there; that's their primary residence,

9 right?

10 A Yes.

11 Q Is that something you would consider to be public

12 property: their primary residence?

13 A No.

14 Q Okay. And even though somebody has the ability to

15 drive up to their apartment or maybe even come

16 through the apartment by accessing walking trails,

17 would you agree with me that still doesn't make it

18 public property?

19 A Correct.

20 Q Were there ever instances when you were there, just

21 based on your recollection, where either you or

22 someone you worked with instructed people not to

23 come on the property anymore or that they were

24 loitering, they had no business being there?

25 A Yes.

Page 262

1 Q Okay. You remember that as you sit here today?

2 A I do.

3 Q And do you remember if that was very frequent or

4 not?

5 A It was not frequent.

6 Q Okay. I want -- you're familiar with Building 22,

7 correct?

8 A Yes.

9 Q Okay. And just for purposes of the record, you're

10 familiar with that set of steps in one of the

11 pictures in Exhibit No. 9, correct?

12 MR. HOOD: (To Mr. Comer) Could --

13 A Yes.

14 MR. HOOD: Could we do this, because it may

15 make it easier? Let's do 9A, B, C, D --

16 MR. COMER: Yeah.

17 MR. HOOD: -- E. And that way, it'll -- it'll

18 actually say specifically which one it is.

19 MR. COMER: You read my mind, because I was

20 thinking we probably need to number it. A, B,

21 C, D, E, F, G. Okay. Back on the record.

22 Q I have numbered Exhibit No. 9, you'll see in the

23 bottom-lower-left corner, "A" through "K" just for

24 purposes --

25 A Okay.

Page 263

1 Q -- of going through this. So if I look at what I

2 have marked as Exhibit 9K, you're familiar with

3 those steps; is that right?

4 A Yes.

5 Q Now, if I turn around -- this picture is facing

6 toward the apartment. If I turn around and look in

7 the opposite direction --

8 A Yes.

9 Q -- what am I going to see?

10 A To the left would be a dumpster with a light pole.

11 Q Okay.

12 A Across the parking lot would be another building.

13 And then to the right would also be another

14 building.

15 Q Okay. So if someone is sitting on these steps, my

16 understanding, from your testimony, then, is that

17 they're facing the rest of the parking lot and

18 other buildings, where if someone is looking in

19 that direction, they will see them; is that right?

20 A Correct.

21 Q Okay. And Mr. Hood asked you some questions about

22 whether or not someone may or may not be prone to

23 be hanging out in an area like what's depicted on

24 9K if those bushes were a little bit smaller. You

25 remember those questions?

Page 264

1 A I do.

2 Q Do you have any opinions on whether or not if they

3 also know they can be seen by other residents in

4 the parking lot, if that --

5 A Right.

6 Q -- may impact their behavior?

7 A I do not.

8 Q Okay. In other words, if they're willing to sit

9 there in the view of other people within the

10 parking lot, whether the bushes may or may not have

11 been cut down would be of no consequence?

12 A Correct.

13 Q Okay.

14 MR. COMER: Okay. I don't think I have any

15 other questions right now.

16 MR. HOOD: Let --

17 MR. COMER: Thank --

18 MR. HOOD: -- me --

19 MR. COMER: -- you.

20 MR. HOOD: -- see if I can wrap up real quick.

21 REEXAMINATION

22 BY MR. HOOD:

23 Q Did Wellspring provide phones or pagers to courtesy

24 officers?

25 A Phones. Cell phones.

Page 265	Page 267
1 Q Okay. And then they could use those phones to call 2 whoever they needed if they saw something, right? 3 A They could use that or their personal phones. 4 Q Okay. 5 A Yes. 6 Q Did -- did -- was -- were they able to make 7 personal phone calls with these cell phones? 8 A I -- I'm not -- I don't recall if they could or 9 not, if it was only an incoming -- 10 Q Okay. 11 A I don't remember. 12 Q Now, was there any part of this particular 13 apartment complex that had Section 8 housing? 14 A No. 15 Q Okay. Now, I know that there were courtesy 16 officers at times, and I believe you said the 17 residents could contact them if they had an issue. 18 How would they know that? 19 A They are told that when they move in. It's in our 20 newsletters -- monthly newsletters, just a reminder 21 of their phone number. 22 Q Okay. So you have monthly newsletters that go out 23 each month to the residents? 24 A Yes. 25 Q Okay. And did these monthly newsletters -- they	1 their property -- 2 A Uh-huh. 3 Q -- get off their property, right? 4 A Right. 5 Q Private property, right? 6 MR. COMER: Objection. 7 Q Correct? 8 A Yes. 9 Q And so it's a matter of, you know, whether each of 10 those -- whether hotel, your home, a shopping 11 center, or a apartment complex -- is private 12 property. Wellspring and hotels and grocery 13 stores, the public has access to all of those 14 places? 15 A They do. 16 Q And it's the same for all of them: The public has 17 access, right? 18 MR. COMER: Objection. 19 A Right. 20 Q Now, I believe he asked you about the -- the 21 courtesy officers. And the ones that I -- the 22 closest ones that I could tell were Forgione and 23 Panarello -- 24 A Okay. 25 Q -- were the ones that were there -- the closest I
Page 266	Page 268
1 would have the courtesy officer's phone number on 2 that? 3 A Yes. 4 Q Okay. And did y'all keep copies of those 5 newsletters? 6 A Yes. In the marketing binder. 7 Q Okay. Great. I believe Mr. Comer was asking you 8 some questions, and he goes, "If it was your house, 9 you'd consider it personal property" -- I mean 10 "private property" -- 11 A Uh-huh. 12 Q -- "right?" And then he said the apartment 13 complex, they would -- they would expect that to be 14 private property. Do you remember him -- 15 A Right. 16 Q -- asking those questions? 17 A Right. 18 Q It's just -- it's no different than if you go to 19 Food Lion. If they don't want you on their 20 property, they can make you come up -- get off 21 their property, right? 22 A Right. 23 Q That's private property. 24 A Right. 25 Q No different than a hotel asking you to get off	1 could see. Now, do you recall seeing them walking 2 the property? 3 A Yes. 4 Q Okay. Now, I know he asked you about Lisa Davis 5 and Timir Patel and whether they had seen this or 6 whether you had been notified they had -- knew 7 anything about this. And your answer was "no." 8 A Correct. 9 Q Were you aware that Leesa Watson supposedly saw 10 this? 11 A Yes. 12 Q And that she had actually identified somebody in a 13 mug shot? 14 A No. I didn't know that. 15 Q Okay. And had given a statement to the police 16 describing the people? 17 A I don't recall that. 18 Q Okay. And Leesa Watson also happens to be the 19 person that -- was she the one that sued PRG and -- 20 A Yes. 21 Q Okay. 22 A Uh-huh. 23 Q I believe when he asked you about the -- the 24 narrative that she gave you -- 25 A Yes.

Page 269	Page 271
1 Q -- I know that earlier I talked to you about it 2 some, and then he talked to you about it some -- 3 Mr. Comer did. And I believe that -- that you said 4 you talked to her, and then you would've gone back 5 and you would've created this narrative, right? 6 A Right. 7 Q This would not have contained everything she told 8 you, right? 9 A Right. Not word for word. 10 Q Not word for word. 11 A Correct. 12 Q And you would agree that there were parts -- I 13 mean, I believe he asked you a question, and you 14 said -- I heard you say, "I don't recall." And 15 then he asked you another question about the bushes 16 and the lights, and you said you -- you -- you 17 don't -- she didn't tell you that. Do you recall 18 that? 19 A Yes. As far as it being in here? 20 Q Right. 21 A Correct. 22 Q But that's your narrative, right? 23 A Yes, it is. 24 Q And you don't know exactly -- you can't recall 25 today specifically what she told you; you can only	1 Q Do you know -- as you sit here today, can you 2 recall if you were actually named as a party in 3 that? 4 A Yes, I was. 5 Q Okay. So having said that -- 6 A Uh-huh. 7 Q -- can -- can you -- do -- do you need to -- 8 A This -- 9 Q -- revise -- 10 A -- is not -- 11 Q -- your -- 12 A -- my -- 13 Q -- answer? 14 A -- first time being -- 15 Q Okay. 16 A -- sued. Yes. 17 Q You have been named twice? 18 A Yes. 19 Q Okay. And one of them was by Leesa Watson? 20 A Correct. 21 Q Okay. One second. I think that's all I've got. 22 MR. HOOD: (To Mr. Comer) I don't have 23 anything if you don't have anything. She's -- 24 she's like, "Please." 25 MR. COMER: Uh-huh.
Page 270	Page 272
1 go by your narrative? 2 A Correct. 3 Q And so you don't recall whether she mentioned 4 anything about the bushes or the lighting, do you? 5 A Not from my incident report, no. 6 Q Okay. And -- and that is just your summary, and 7 that isn't everything she told you, right? 8 A I don't know if that is everything she told me or 9 not. 10 Q Okay. And so you don't know if she told you about 11 bushes or lights because you don't recall? 12 A Well, it's not in here, correct. 13 Q Right. Okay. 14 MR. HOOD: Okay. That's all I have. 15 MR. COMER: I need to ask one question I 16 failed to. 17 REEXAMINATION 18 BY MR. COMER: 19 Q Earlier in the deposition Mr. Hood asked you if 20 this was the only time you have ever been sued. Do 21 you remember that? 22 A Yes. 23 Q Okay. Now, you did give a deposition in a case 24 brought by Ms. Watson; is that right? 25 A Yes. I've definitely --	1 Q And -- and just one other follow-up. He asked you 2 some questions about what was memorialized in 3 Exhibit 13 and the fact that there's nothing 4 written there about bushes and lighting. Ms. 5 Wright had raised bush -- had -- had raised at 6 least breezeway lighting in prior work orders, 7 correct? 8 A Correct. Yes. 9 Q And that is something that was memorialized when 10 she raised it, right? 11 A Yes. 12 MR. COMER: That's all I've got. 13 MR. HOOD: And that -- that opens up 20 more 14 minutes of questioning. I'm just kidding you. 15 MR. COMER: Yeah. 16 FURTHER DEPONENT SAITH NOT. 17 Signing waived. 18 (Whereupon, there being no further 19 questions, the deposition was 20 concluded at 3:40 p.m.) 21 (*This transcript may contain quoted material. 22 Such material is reproduced as read or quoted 23 by the speaker.) 24 (**Certificate accompanies sealed original 25 only.)

KEVIN ISENHOWARD

1 (Pages 1 to 4)

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS COUNTY OF RICHLAND) CASE NO.: 2011-CP-40-4068 DENISE WRIGHT ,) Plaintiff,) DEPOSITION OF vs.) KEVIN ISENHOWARD PRG REAL ESTATE MANAGEMENT,) AUGUST 14, 2012 INC., FRANKLIN PINERIDGE) ASSOCIATES, KAREN CAMPBELL,) INDIVIDUALLY AND IN HER) REPRESENTATIVE CAPACITY AS AN) AGENT OF PRG REAL ESTATE) MANAGEMENT,) Defendants.) Deposition on oral examination of Kevin Isenhoward, reported by Frances C. Moyd, Court Reporter and Notary Public in and for the State of South Carolina; pursuant to Rule 30 of the South Carolina Rules of Civil Procedure; said deposition was taken at the Law Offices of Collins & Lacy, P.A., 1330 Lady Street, Columbia, South Carolina, on Tuesday, the 14th day of August, 2012, scheduled for 11:00 o'clock a.m. and commencing at the hour of 11:39 o'clock a.m.	Page 3 1 CONTENTS: 2 (Deposition of Kevin Isenhoward) 3 4 Exhibit Index 3 5 Examination by Mr. Comer 4 6 Cross-Examination by Mr. Hood 53 7 Redirect Examination by Mr. Comer 60 8 Recross-Examination by Mr. Hood 63 9 Certification of Reporter 64 10 Verification 65 11 Errata 66 12 Word Index 13 14 EXHIBIT INDEX 15 EXHIBITS: IDENTIFIED AT PAGE: 16 Exhibit 1 - XEROXED COPIES OF NOTICE 6 17 OF DEPOSITION AND VARIOUS RELATED DOCUMENTS. 18 Exhibit 2 - XEROXED COPY OF RICHLAND COUNTY 8, 29 19 SHERIFF'S DEPARTMENT INVESTIGATIVE FILE. 20 21 22 23 Court Reporter's note: 24 -- indicates interruption; incomplete phrases; unfinished 25 sentences
Page 2 1 APPEARANCES: 2 3 Representing the Plaintiff: 4 S. RANDALL HOOD, ESQUIRE 5 MCGOWAN, HOOD, & FELDER, LLC 6 1517 Hampton Street 7 Columbia, South Carolina 29201 8 rhood@mcgowanhood.com 9 10 Representing the Defendants: 11 BRIAN A. COMER, ESQUIRE 12 COLLINS & LACY, P.C. 13 1330 Lady Street, Sixth Floor (29201) 14 Post Office Box 12487 15 Columbia, South Carolina 29211 16 bcomer@collinsandlacy.com 17 18 19 20 21 22 23 24 25	Page 4 1 This deposition is taken in accordance with the 2 South Carolina Rules of Civil Procedure. 3 4 WHEREUPON: 5 Kevin Isenhoward, being duly sworn and cautioned 6 to speak the truth, the whole truth and nothing but the 7 truth, testifies as follows: 8 9 DIRECT EXAMINATION 10 BY MR. COMER: 11 12 Q. Good morning, Mr. Isenhoward. We met before 13 we went on the record. My name is Brian Comer, and I 14 represent PRG Real Estate Management, Franklin 15 Pineridge Associates, and Karen Campbell in a lawsuit 16 that has be brought by Denise Wright, who is 17 represented by Randy Hood, to my left. I'm here to 18 take your deposition today. My understand is that 19 you've never given a deposition before; is that right? 20 21 A. No. 22 23 Q. Let me just tell you a little bit about 24 what's gonna happen. I'm gonna be asking you a lot of 25 questions today about your background and about this incident that you've investigated.. All of this is being taken down by a court reporter to my right. This will become very conversational, but it's important that you allow me to get my questions out so that she can get a clear record, and by the same

Page 5

1 token, I'll try not to interrupt you as you're
2 answering. If you ever don't understand a question
3 that I'm posing to you, please ask me to clarify.
4 I'll be happy to rephrase it, but if you don't ask me
5 to rephrase it or clarify it, I'm going to assume you
6 understood it; is that okay?

7 A. Yes, it is.

8 Q. I hopefully will get you out of here fairly
9 quickly, but this is not an endurance contest. If you
10 need a break at any time, just let me know and we can
11 take a break to take care of anything. You have any
12 questions for me before we get going?

13 A. No.

14 Q. Did you do anything to prepare for your
15 deposition today?

16 A. I looked at the file, to be honest with you,
17 glanced over it, tried to recall as much as I could,
18 it's been some time since this happened, but I think a
19 lot of the main points I can recall. I spent some
20 time working on it -- considerable time, but other
21 than that, about 30 minutes of review before this.

22 Q. Did you ever meet with Mr. Hood and talk
23 about the case?

24 A. No.

25 Q. Did you ever meet with a gentleman by the

Page 7

1 DIRECT EXAMINATION RESUMING
2 BY MR. COMER:

3 Q. I'm gonna hand you what's been marked
4 Deposition Exhibit No. 1, which is a letter from my
5 office to you attaching a Subpoena and a Notice of
6 Deposition, have you seen these documents before?

7 A. I have.

8 Q. And did you review them?

9 A. I did.

10 Q. And my understanding is that you have
11 brought some documents here today, is that right?

12 A. That is correct.

13 Q. And that's in response to the Subpoena
14 asking for the full and investigative file relating to
15 case number 0809186819, is that correct?

16 A. That is correct.

17 Q. And is that the file that is sitting in
18 front of you?

19 A. That is.

20 Q. And we talked a little bit off the record
21 about whether that file has been requested before, do
22 you remember that?

23 A. Yes.

24 Q. My understanding is that it has been
25 requested?

Page 6

1 name of Wayne Ridgeway and talk about the case?

2 A. No, I don't believe so. I believe -- I'm
3 sorry, I believe he came to the sheriff's office and
4 met with our attorney asking for a copy of the file,
5 if I recall correctly.

6 Q. Okay. Now, --

7 A. No -- no -- personal interaction, really, at
8 all.

9 Q. And to your recollection, would that have
10 been Mr. Ridgeway?

11 A. I believe so -- I believe so -- I mean, I
12 meet with a lot of attorneys, but --

13 Q. Sure.

14 A. I believe so.

15 Q. Do you know when that was?

16 A. I would say three or four months ago, maybe.
17 (Knock at the door.)
18 MR. COMER: Come in. Let's go off the
19 record one minute.
20 (Resuming.)
21 MR. COMER: Let's mark this as Deposition
22 exhibit number one.
23 (MARKED FOR IDENTIFICATION AS DEPOSITION
24 EXHIBIT NO. 1 - XEROXED COPIES OF NOTICE OF
25 DEPOSITION AND VARIOUS RELATED DOCUMENTS.)

Page 8

1 A. Yes.

2 Q. And that what was provided in response to
3 that request was this copy that I'm showing you at
4 this time?

5 A. That is correct.

6 MR. COMER: Let's mark this.
7 (MARKED FOR IDENTIFICATION AS DEPOSITION
8 EXHIBIT NO. 2 - XEROXED COPY OF RICHLAND
9 COUNTY SHERIFF'S DEPARTMENT INVESTIGATIVE
10 FILE.)

11 DIRECT EXAMINATION RESUMING
12 BY MR. COMER:

13 Q. And I'm handing you what's been marked as
14 Deposition Exhibit No. 2, do you see that?

15 A. I do.

16 Q. And does that appear to be a true and
17 accurate copy of the investigative file that you
18 brought with you here today?

19 A. It is.

20 Q. Is this the full investigative file? Would
21 there be anything else related to this investigation
22 that's not included?

23 A. There could be or there will be some
24 laboratory reports from different -- I know we ran a
25 considerable amount of DNA, finger prints, that sort

Page 9

1 of thing. I don't have that in my file 'cause I don't
2 personally do that. I just get reports back and it's
3 generally on my computer, but those can be produced as
4 well.

5 Q. And would that be on your computer back at
6 your office?

7 A. It would be. Basically, our -- we sub
8 divide our investigative unit. We have CSI and then
9 invest. detectives. They have a separate file that
10 they work that's their case, basically. It's the
11 forensic part -- portion. I have access to it. I
12 wouldn't say that I have the whole file 'cause they
13 have bench notes that they use and I don't know their
14 procedures about releasing that stuff, but it could be
15 requested.

16 Q. Let me just get a little bit of background
17 information on you before we get into it. Can you
18 give me your full name and current address.

19 A. My name is Kevin Scott Isenhoward, spelled I-
20 s-e-n-h-o-w-a-r-d. I live at 1291 Surrey, S-u-r-r-e-y
21 Lane in Elgin, South Carolina.

22 Q. How long have you lived at that address?

23 A. Ten years.

24 Q. Tell me a little bit about your educational
25 background, Mr. Isenhoward.

Page 11

1 A. I believe that would have been in 2000.

2 Q. Was that in criminal justice?

3 A. Yes.

4 Q. If you graduated from high school in 1995,
5 tell me a little bit about your work history because
6 it sounded like you were working some --

7 A. Yeah.

8 Q. -- throughout this whole time.

9 A. I -- well, after high school, I went to
10 college, and I left the University of South Carolina.
11 My father was paying for my school and was injured and
12 couldn't pay for it so I went to work to support
13 myself and I applied for a job at the sheriff's
14 department. I actually applied for a dispatcher job
15 'cause I wasn't real sure about being a police officer
16 or anything and --

17 Q. What year was that?

18 A. That was in 1998. I applied for a
19 dispatcher job, went through a board interview and
20 they actually interviewed me for a deputy position,
21 and I didn't think that I would be good for it, but
22 they did so they -- it paid more so I went and became
23 a deputy. I worked as a patrolman for two years and I
24 was recruited to be a detective. I've been in
25 investigations ever since. I've worked as a burglary

Page 10

1 A. I was born and raised in Richland County --
2 Northeast Richland County. I went to Spring Valley
3 High School. I graduated from Spring Valley High
4 School in 1995. I went to several colleges,
5 Spartanburg Methodist College, University of South
6 Carolina, and I have a degree in Criminal Justice -- a
7 bachelor's degree. I went to work at the sheriff's
8 department.

9 Q. What year did you get your bachelor's degree
10 -- I'm sorry.

11 A. 2000 -- and I finished in 2011.

12 Q. And did you complete your higher education
13 kind of in phases?

14 A. Yeah.

15 Q. It sounded like you did a little bit at
16 Spartanburg Methodist, --

17 A. When I came to work at the sheriff's
18 department, I had a associate's degree and then I
19 continued education as I worked.

20 Q. And was your associate's degree from
21 Spartanburg Methodist?

22 A. It was started at Spartanburg Methodist, but
23 no, it's from Midlands Tech., here.

24 Q. And what year did you get your associate's
25 degree?

Page 12

1 investigator, narcotics investigator, a majority of my
2 time has been as a major crimes investigator,
3 specifically armed robbery, homicide, and death
4 investigations. Been doing that for about 9 years
5 now.

6 Q. So my understand is that from approximately
7 '98 to 2000, give or take, you did kind of the patrol
8 aspect --

9 A. Yes.

10 Q. -- of working for RCSB and from
11 approximately 2000 to 2001, you would have moved into
12 the detective and investigation side, is that a fair
13 characterization?

14 A. That's correct.

15 Q. And what was your title in approximately
16 September of 2008, was it detective?

17 A. Sergeant -- we classify our -- all agencies
18 are different. We call our detectives investigators,
19 that's their official title. So I'm sergeant
20 investigator, that would be my title.

21 Q. And in terms of your job duties at that
22 time, what generally did you do?

23 A. My job was to supervise a group of
24 detectives that worked in major crimes and because of
25 the number of cases, I also carry a caseload and I

Page 13

1 also work cases. Frequently, I would take a --
 2 possibly take over a case for an investigator if I
 3 didn't feel like it was progressing like I thought it
 4 should, or they were sick, or on vacation, or
 5 something like that.
 6 Q. Let me ask you just a few names. I
 7 understand you investigated Denise Toni Wright's
 8 incident, is that right?
 9 A. That's correct.
 10 Q. And so you know her name from you
 11 investigation of the incident, is that a fair
 12 characterization?
 13 A. Yes.
 14 Q. Outside of your investigation, have you ever
 15 known her or have any kind of personal connection to
 16 her?
 17 A. I -- I do not know her personally. I know
 18 that her -- I believe it's her son in law, is an
 19 employee at the sheriff's department, I know him. He
 20 works in our -- gosh, I don't know what you'd call his
 21 unit, but he basically installs radios and blue lights
 22 and that stuff, but he's a sworn police officer.
 23 Q. Do you know his name?
 24 A. Don Curtis, I believe.
 25 Q. How long have you known him?

Page 14

1 A. Just -- I think he probably has been at the
 2 sheriff's department six or seven years, maybe a
 3 little longer. I've known him since that time.
 4 Q. Do you know, I guess it would be his wife,
 5 Tasha Curtis, who, I believe, is Ms. Wright's
 6 daughter. Do you know her personally?
 7 A. I don't know her. I met her once, I
 8 believe, when she brought the children in for DNA and
 9 fingerprinting.
 10 Q. But no kind of personal relationship or
 11 anything like that?
 12 A. No.
 13 Q. How about someone named Amber Stockton, do
 14 you know that name?
 15 A. I'm not familiar with that name.
 16 Q. And I'm just gonna ask you a few others that
 17 have been identified as knowing something about this
 18 case; bear with me. How about someone named Freddy
 19 Waln, W-a-l-n?
 20 A. No.
 21 Q. How about a Susan Boyd?
 22 A. No.
 23 Q. How about a Debbie Adams?
 24 A. No.
 25 Q. How about a counselor named, I think it's

Page 15

1 Linda Zaepfel, Z-a-e-p-f-e-l?
 2 A. No.
 3 Q. Malissa Davis?
 4 A. No.
 5 Q. And how about Tamir Patel?
 6 A. No.
 7 Q. I'm gonna ask you a few questions now. I'm
 8 not trying to get into your business, but if we have
 9 to select a jury in this case, I do just want to get a
 10 better idea of who you may know in Richland County.
 11 Do you have family that live in Richland County?
 12 A. I do, I have a mother.
 13 Q. What's her name?
 14 A. Barbara Isenhoward.
 15 Q. How about any brothers, sisters, that kind
 16 of thing?
 17 A. I have a brother, he lives in Virginia. His
 18 name is Joseph Danny Isenhoward, Jr.
 19 Q. And he doesn't live in Richland County?
 20 A. No.
 21 Q. You don't live in Richland County, do you?
 22 A. No. I live in Kershaw.
 23 Q. Any other family in Richland County?
 24 A. I have an aunt and an uncle, last name
 25 Altman, A-l-t-m-a-n, Nancy and William, and cousins

Page 16

1 and I wouldn't begin to tell you how many, but.
 2 Q. Sure, let's see if we can kind of short
 3 circuit that. In terms of any last names that may be
 4 related to you, have you already stated those or are
 5 there any other last names that may be related to you?
 6 A. It would be Chavis, on my father's side,
 7 Hagens, my mother's side, and the Altman, those are
 8 relatives.
 9 Q. Do you go to church in Richland County?
 10 A. No.
 11 Q. Any part of any civic organizations or clubs
 12 that meet in Richland County?
 13 A. Yeah, I'm a Mason at Pontiac lodge, that's
 14 in Richland County.
 15 Q. Let me ask you, moving now into, you know,
 16 what we're here to talk about today. My understanding
 17 is that you investigated Ms. Wright's incident, is
 18 that right?
 19 A. That's correct.
 20 Q. Were you, what I would call, and this is
 21 layman's terms, but would you be considered the lead
 22 investigator on that file?
 23 A. Yes, I believe -- and I was just reviewing
 24 it, and I noticed I actually initially assigned it to
 25 an investigator, last name McRay, and I'm not sure of

Page 17

1 the reasons why, but I did take it over and I did the
2 entire investigation.

3 Q. Is there anybody that would know more about
4 the investigation about this incident than you would?

5 A. No.

6 Q. Tell me a little bit about what you do, and
7 if this is a bad question just tell me, it's broad
8 because I don't do your job, but what do you do to
9 investigate an incident? Do you have any particular
10 methodology or anything?

11 A. It depends on what type of crime it is,
12 obviously. The majority of my time is spend
13 investigating robberies, and there are all kind of
14 different robberies. They're robberies that are drug
15 related, and that's a large portion of the robberies
16 to be honest with you that we get reported. There are
17 purse snatchings or muggings, some people would call
18 that. Armed robberies that are typically -- just to
19 describe it, a guy walks into a convenience store with
20 a gun and demands the money out of the register.
21 There's also, from time to time, kidnaping type
22 robberies like this where someone is taken from a
23 place and moved for various reasons. Sometimes it can
24 be if the victim's raped, other times it can be to --
25 which we see in this case and we see lots, is taking

Page 19

1 So my understand then, is it sounds like part of your
2 investigation would involve interviewing the victim
3 and maybe any witnesses, is that a fair
4 characterization?

5 A. It is.

6 Q. And then would you have ever visited the
7 site where it happened?

8 A. Yes.

9 Q. And is that something that you did in this
10 case?

11 A. I did.

12 Q. And it sounds like we -- you know, we talked
13 earlier about how there may be some DNA testing, that
14 kind of thing. Is that part of the investigation?

15 A. Yes.

16 Q. And it sounds like there's also some
17 comparison that goes on between this incident and
18 maybe other incident reports in the area, is that
19 right?

20 A. That's correct.

21 Q. Anything in terms of big buckets that I'm
22 leaving out of you know, portions of your
23 investigation?

24 A. No. I don't believe so.

25 Q. And we're gonna get into the specifics here.

Page 18

1 'em to an ATM to get money. So to answer your
2 question, I start with the victim -- I talk with the
3 victim, I would then canvass the area for any kind of
4 leads, if there were witnesses, video cameras. The
5 most important thing for us is to get an idea what the
6 suspect looks like and -- and his behavior during the
7 robbery. So if we can get video footage from
8 something or a vehicle, that's a good start,
9 witnesses, a description. In more in depth cases,
10 like this one, we've done forensic sketches. Try and
11 get a basic picture of the suspect himself. And we
12 also look at other crimes in the area, if there are
13 similar offenses that may have a lead or as one case
14 may not, another case may have a lead, and by
15 examining the behavior of the suspect, things that he
16 does during the crime, we may pair those cases up and
17 say these are likely committed by the same suspect so
18 this case has leads, we're gonna work this case. So
19 the other case, in and of itself, may look like it
20 doesn't have much going on with it, we're focusing on
21 the other -- other case that's linked to it to try to
22 solve them both, basically. That answer your
23 question, I don't know if you --

24 Q. It does, I'm sorry. I didn't want to
25 interrupt in case you were collecting your thoughts.

Page 20

1 Let me ask you in this case, you spoke with Ms.

2 Wright; is that correct?

3 A. I did, several times.

4 Q. And I was gonna just ask how many times you
5 spoke with her and the setting, that kind of thing.

6 A. I know that, obviously, the initial contact
7 was made. I think I visited her and I couldn't tell
8 you the number of times, it was more than a typical
9 case. I met with her personally, partially because
10 she was very upset about it and I did the best I could
11 to try and help her through and provide her with
12 resources that we have available at the sheriff's
13 department. She was having a particularly difficult
14 time with it so I did the best I could. And I'd meet
15 with her and talk with her and like I said, I was in
16 the area a lot so I'd stop in --

17 Q. Okay.

18 A. It was more than most cases, but not
19 terribly unusual that way.

20 Q. When you say she was having a difficult
21 time, can you put a finer point on that, I mean, did
22 she just seem anxious or overly upset, or?

23 A. People are different, obviously. Some
24 victims of crimes seem to shrug it off and not have a
25 problem, others have a lot of problems. I recall, and

Page 21

1 this has been some time, but I recall her telling me
2 that she was having some difficulty sleeping and I
3 believe some nightmares and some, I guess, anxious
4 moments when she was out and about in public and she
5 was seeing people that she thought might have done it
6 or she was suspicious. I believe I recall her telling
7 me all those kind of things.

8 Q. Other than Ms. Wright as you sit here today,
9 can you recall anybody else you spoke with about this
10 case in terms of witnesses or anything like that?

11 A. There were several. Obviously I spoke with
12 other detectives, and I spoke with some suspects along
13 the way. I remember one, in particular, person was
14 Miss Leesa Watson, I believe she actually saw the
15 robbery taking place. She didn't know it at the time.
16 And --

17 Q. And just for the record, you're shuffling
18 through your -- your file now, will it be easier to
19 just to kind of go through that in terms of putting
20 names on some of the people you've spoken with?

21 A. That's correct. Anybody that I've had any,
22 kind of, in dept conversation directly about the case,
23 I probably would have taken a written statement from
24 them and --

25 Q. Okay.

Page 23

1 look for discarded items. Like, lots of times, if a
2 credit card or pocket book was stolen from someone,
3 they'll discard it nearby and that would have
4 potential forensic aspects for the case. So I did all
5 of that, I walked all of that.

6 Q. You mentioned the tunnel, and just for
7 purposes of the record, is that on Wellspring's
8 property or is that part of the trail?

9 A. No. That's part of the trail.

10 Q. Did you go out there in the day time or at
11 night?

12 A. I went out there and walked the property in
13 the day time, and every -- periodically, we work night
14 shifts as detectives and I would go out to see if
15 there was any activity, I think I did that once or
16 twice while I was working nights to see if any
17 suspicious characters were hanging around.

18 Q. And you mentioned the tunnel that's not on
19 Wellspring's property. From your site visits, did you
20 ever notice anything overly unusual or that sticks out
21 in your mind?

22 A. At the apartment complex?

23 Q. Yes, sir.

24 A. I recall I wasn't terribly happy with the
25 design of the apartment complex. I believe I

Page 22

1 A. -- if -- if the information was pertinent to
2 the case.

3 Q. And we'll go through your file in a minute.
4 Right now, I'm just trying to get a general idea.
5 Tell me about any site visits. What would you do when
6 you go to -- in this case, did you go to Wellsprings,
7 to the site of the incident?

8 A. I did. One of the things we do is we try
9 and get an idea of what the place looks like, how
10 it's set up, and to be honest with you, are there
11 suspects in the immediate area that were lurking.
12 They may have an apartment in the area when we're
13 dealing with an apartment complexes. So I go out and
14 I walk the complex and try and speak with management,
15 other neighbors -- sometimes they can steer you to an
16 apartment that -- look, these people are up to no good
17 in apartment 202 or whatever. So I did that, and I
18 actually walked the perimeter of the property. There
19 is, sort of, an unusual place for Columbia nearby.
20 It's a walkway, I believe it leads to Harbison Trail,
21 and around a pond. We'd had some other incidents in
22 that area around the pond, I recall, and there's a
23 particularly creepy kind of tunnel that goes under the
24 road there where some vagrants hang out. So I walked
25 that to see if there was anything there, and also I

Page 24

1 discussed that with the -- Ms. Wright at one point in
2 time. There were some overgrown hedges. We encourage
3 homeowners and property managers to, sort of, trim
4 back hedges, keep them from covering doorways and
5 windows and walkways. And I recall that her
6 apartment, to access it, there was some, sort of, long
7 walkway that kind of -- it was just dark -- it was too
8 dark for my comfort, but --

9 Q. Uh-huh.

10 A. -- other than that, it was a typical
11 apartment complex.

12 Q. How about the lighting in the parking lot
13 itself, did you form any impressions about that?

14 A. I don't recall specifically. I can say that
15 I know she had made some complaints to me when I spoke
16 with Ms. Wright.

17 Q. Okay.

18 A. She -- you know, she said it's always dark
19 out there.

20 Q. And that was after the incident, is that
21 right?

22 A. Yes. Yes.

23 Q. You mentioned speaking with management, do
24 you recall who you spoke with at Wellsprings?

25 A. I was looking at my notes and I have a card

Page 25

1 for a property manager, Karen Campbell.
 2 Q. Uh-huh.
 3 A. I believe I spoke with her, and I believe
 4 there were some other women in the office and I -- I
 5 can't tell you their names at this point, but we did
 6 speak with them and they were aware of what was going
 7 on and they were cooperating with us, trying to help
 8 us out.
 9 Q. So they were cooperative in your
 10 investigation?
 11 A. In my opinion, yes.
 12 Q. Did you ever task Wellepring, in other
 13 words, my understanding is that this property comes
 14 within the jurisdiction of the Richland County
 15 Sheriff's Department, is that right?
 16 A. That's correct.
 17 Q. So you would be responsible for any
 18 investigation of any incident that happens on that
 19 property; is that right?
 20 A. Not necessarily.
 21 Q. Okay.
 22 A. Just to kind of give you an idea, we divide
 23 up our crimes. When I -- like I told you before, I
 24 work in the major crimes unit. So if there was a
 25 house burglary, I would not be assigned that case.

Page 27

1 department a number of services to include an
 2 assessment of the property and advice to our community
 3 action team. So I would tell them about that option
 4 if there was a problem.
 5 Q. And just so I can be sure we're clear, I
 6 mean, if you came to a site before anybody else at
 7 KCSD had a chance to get to the site, and somebody
 8 from the apartment complex said we're already
 9 processing the scene, is that the type of thing they
 10 could get in trouble for or is that appropriate?
 11 A. That -- no. That's interfering with law
 12 enforcement and is a criminal act.
 13 Q. And so you don't expect them to take on that
 14 aspect of an investigation?
 15 A. Absolutely not. There are certain
 16 properties that may have private security, that's a
 17 whole different aspect.
 18 Q. We're gonna get into your file in a minute,
 19 but just to get kind of the 20,000 level full view,
 20 from your investigation, did you form any opinions
 21 about any suspects or come to a conclusion about what
 22 happened to Ms. Wright and who did it?
 23 A. There were lots of opinions formed. I
 24 looked at a number of people, some harder than others,
 25 but ultimately, nothing rose to the point where

Page 26

1 Car theft, all those sorts of things go to different
 2 units within the sheriff's department, and even within
 3 my robbery unit, there are three detectives that work
 4 with me so there's four of us. So anyone of the four
 5 of us could get a case in that apartment complex.
 6 Q. And I asked a bad question, I apologize.
 7 When I said you, I meant Richland County Sheriff's
 8 Department.
 9 A. Oh, I'm sorry -- yes -- yes.
 10 Q. So they would be responsible for any
 11 investigation of any incident on the property, is that
 12 right?
 13 A. Typically, there are certain wild cards that
 14 may fall in there, but for the most part, yes.
 15 Q. Terrorist activity or something like that,
 16 okay. And I guess what I'm getting at is, is there
 17 anything you ever expect of the apartment complex in
 18 terms of doing any investigation or anything you
 19 expect them to take on or is that your responsibility?
 20 A. No. It's my responsibility to handle the
 21 investigation. If I find something in the apartment
 22 complex that I think is -- needs to be addressed by
 23 property management, I'll mention it to 'em. Of
 24 course, I don't have any control over what they do --
 25 do or don't do. We do offer at the sheriff's

Page 28

1 probable cause was established and a arrest was made?
 2 Q. And so -- yeah, no arrests were ever made,
 3 I'm sorry. Okay. Let's go through your file. Take a
 4 look at what was marked as Exhibit 2. And I think we
 5 established, but for the record, is this a true and
 6 accurate copy of the file that you brought with you
 7 today?
 8 A. Yes.
 9 Q. Is this the type of thing that you keep in
 10 the normal course of business, in other words, as you
 11 investigate a matter, you keep an investigation file,
 12 is that right?
 13 A. That's correct.
 14 Q. Do you do that for every case that you're
 15 on?
 16 A. Yes.
 17 Q. And this is the file for this case?
 18 A. Yes.
 19 MR. HOOD: Do you want to mark his as the
 20 original No. 2?
 21 MR. COMER: We can do that, yeah. And this
 22 is what we talked about before we went on the record,
 23 but the original No. 2 is -- and Randy, chime in if
 24 I'm not doing this correctly, --
 25 MR. HOOD: Sure.

Page 29

1 MR. COMER: But do you want to put an actual
2 label on his physical copy that he takes with him?
3 MR. HOOD: Do you mind if we just put just
4 about a -- it's this big, just to put a two, that says
5 Plaintiff's Exhibit No. 2?
6 THE WITNESS: I don't -- no. That's fine
7 with me.
8 MR. COMER: We'll put it --
9 MR. HOOD: Just on the front.
10 THE WITNESS: You just wanna put it on the
11 folder or you wanna put it in here?
12 MR. HOOD: Just on the folder. Just on the
13 folder. Don't want to disrupt anything. He
14 appreciate you doing that.
15 (PREVIOUSLY MARKED FOR IDENTIFICATION AS
16 DEPOSITION EXHIBIT NO. 2 - ORIGINAL
17 RICHLAND COUNTY SHERIFF'S DEPARTMENT
18 INVESTIGATIVE FILE.)
19 MR. HOOD: Thank you.
20 DIRECT EXAMINATION RESUMING
21 BY MR. COMER:
22 Q. And actually, the one I want to go through
23 'cause it may be easier since this has some page
24 numbers at the top, is the copy of what's been marked
25 as Exhibit No. 2, is that alright?

Page 30

1 A. That's fine.
2 Q. I'm gonna apologize in advance if this is a
3 little bit tedious. I'm gonna be asking you maybe to
4 decipher some hand written notes and that kind of
5 thing. I'm gonna try and go as fast as I can, okay?
6 A. Sure.
7 Q. First page of what you're looking at there
8 --
9 A. Uh-huh.
10 Q. -- are some notes, are those your notes?
11 A. They are.
12 Q. Do you recall, it says 104 Kinder from my
13 review of the file, is that right?
14 A. That's correct.
15 Q. What significance is that?
16 A. I -- I can tell you I know that it's a
17 description of a property and it's typical that if I'm
18 -- have a suspect living somewhere, I'll write down a
19 description of the property and that looks like
20 vehicle tag numbers that may have been parked there in
21 hopes that at some point, possibly a search warrant.
22 Q. Next page, are those your notes as well,
23 I'm Urgent Care?
24 A. Yes, I believe one of the suspects mothers
25 worked there.

Page 31

1 Q. Do you know which suspect that would have
2 been?
3 A. I believe it was Gene Smith, if that's
4 correct.
5 Q. Next page, are those your hand written
6 notes?
7 A. Yes.
8 Q. And what's -- it says B-A-B, Babin?
9 A. Babin, that's a detective at the time with
10 the Columbia Police Department.
11 Q. And it indicates, is that a description of
12 the individuals?
13 A. It's a -- most likely a -- an incident
14 investigated by the Columbia Police Department that I
15 thought could possibly be related and that's -- looks
16 like a description of suspects and a --
17 Q. I got you. And there further down, it says
18 104 Kinder Road, Brawick Gene Smith's house. Does
19 that ring a bell as to where one of the suspects may
20 have lived?
21 A. Yes.
22 Q. Next page, and at this point I'm gonna be
23 referring to some page numbers up here. It'll say
24 Plaintiff's Supplement number 1, that's a Bate's
25 number and I'll just say, you know, page 1 or page 2.

Page 32

1 A. Okay.
2 Q. Who is William Slicer? This is an email to
3 you from a William Slicer.
4 A. That is a uniformed supervisor at the time
5 who was responsible for that particular area of the
6 county that the apartment Wellsprings is located.
7 Q. And he indicates that a suspect that looks
8 like a composite sketch is named Jeffery Curry-
9 Prescott, Jr. Do you recall investigating Mr. Curry-
10 Prescott?
11 A. I recall the name, I couldn't tell you
12 exactly how much I focused on him, at this point in
13 time, but I do recall the name.
14 Q. The next page, which I believe now we're on
15 2, that's just copies a couple of business cards,
16 Karen Campbell and Toni Wright. Are those people you
17 would have spoken with, -- is that why you
18 A. Yes.
19 Q. Is that why you had their cards in your
20 file?
21 A. Yes.
22 Q. Let's flip to the next page, I'm gonna
23 unclip mine and make it a little bit easier. But
24 Plaintiff's Supplement 3, there's a name at the top
25 with a fax number, Diane Blewer, do you know who that

Page 33

1 is?

2 A. One moment please. With my additional

3 notes, I believe that was Ms. Wright requested a copy

4 of the report sent to her employer, and I don't recall

5 the exact reason why. I believe that was somebody

6 within BB&T for -- I can't remember the reasons, maybe

7 counseling or some time off, I can't remember.

8 Q. Next, page 4, are these your hand written

9 notes?

10 A. That is not my hand writing.

11 Q. Any idea who's that is?

12 A. I don't know -- I can't tell you.

13 Q. Flip a couple pages to page 6, and does this

14 appear to be a copy of an incident report from Ms.

15 Wright's incident?

16 A. It does.

17 Q. And we talked to Mr. Gabr about this

18 document a few minutes ago. Now, if at all, do you

19 rely on this document as part of your investigation?

20 A. The initial incident report for us as

21 detectives, basically, establishes the incident

22 location, time, and provides us with contact numbers.

23 The information in the narrative portion sometimes is

24 helpful, sometimes is kind of vague so we go out and

25 do a majority of it our self to be honest with you.

Page 35

1 travel, but they did obstruct some view.

2 Q. But in terms of accessing the apartment,

3 nothing that would cause any, sort of -- when I say

4 physical injury, I mean tripping over a branch or

5 anything like that?

6 A. No. I wouldn't say that.

7 Q. Flip a couple pages to Plaintiff's

8 Supplemental eight, this is a robbery questionnaire.

9 Is this your handwriting?

10 A. That is not, that is most likely either the

11 reporting officer who responded or an assisting

12 officer. Those are typically filled out when the

13 officers respond.

14 Q. And we --

15 A. It says, M. Gabr.

16 Q. And we talked to Mr. Gabr before your

17 deposition about -- he mentioned that he would have

18 filled out a robbery questionnaire. Is this more than

19 likely what he was talking about?

20 A. This is.

21 Q. Next page, Plaintiff's 9, is that your

22 handwriting?

23 A. Yes.

24 Q. Who are those names? Are those people you

25 would have spoken with or potential suspects?

Page 34

1 Q. I wanted to ask you down in the narrative,

2 and I assume you've reviewed this before, is that

3 right?

4 A. Yes.

5 Q. It says the complainant/victim -- and I'm

6 about three lines into the narrative, saw two black

7 males sitting on the walking ramp in front of the 2200

8 building. Did you ever talk with Ms. Wright about,

9 you know, kind of the progression of how this incident

10 happened?

11 A. I did.

12 Q. And did she ever indicate that these

13 individuals were concealed or that she saw them or

14 anything like that?

15 A. I believe that the ramp that led to her

16 apartment, she indicated that they were camped out on

17 the ramp, sort of concealed. I don't recall, at the

18 time -- or at this time, whether or not they were

19 behind some bushes. I know that I took note of some

20 bushes there for some reason, but they were on the --

21 the ramp.

22 Q. When you say that you took note of some

23 bushes, were the bushes obstructing her walkway or

24 anything like that?

25 A. They weren't obstructing it as far as foot

Page 36

1 A. Those are those people were arrested for

2 some robberies in the area.

3 Q. Okay.

4 A. They -- I believe this was a late addition

5 to the file. Basically, they were names of people

6 that could have been involved. They were extremely

7 active in that particular area doing robberies and

8 shootings, and ultimately, I believe a murder, but --

9 Q. Okay.

10 A. So we did interview one name in particular I

11 -- we interviewed her about a lot of things, Angela

12 Thomas, and I believe this case as well.

13 Q. There are some scratched out notes at the

14 bottom, parking lot -- Lexington day, have you any

15 idea what that is, it's been marked out?

16 A. It is my handwriting, but I don't -- I

17 couldn't tell you what that is.

18 Q. The next document, Plaintiff's Supplemental

19 10, that's a incident report for 711 Skyland Drive,

20 was this just one of the reports that you pulled in

21 the area?

22 A. Yes, and one of the things we look at --

23 victim, basic description is similar, and it was in a

24 similar area.

25 Q. I want to ask you now, the statement on

Page 37

1 Plaintiff's Supplemental 13, is this the statement of
2 Leesa Watson that I think we talked about earlier?
3 A. Yes.
4 Q. And did you personally interview her or was
5 it over the telephone or what?
6 A. No. I interviewed her in person.
7 Q. And does this document memorialize what she
8 told you about what she witnessed?
9 A. Yes.
10 Q. And is that your signature down at the
11 bottom left?
12 A. It is.
13 Q. I'm not gonna read the entire thing into the
14 record, but I did want to ask you a couple of
15 questions. She says, I walked over to the trash can
16 and I saw two black males and a white female standing
17 near the trash can. (As read.) When you went out to
18 the site, did you see the trash can she's talking
19 about?
20 A. Yes, I believe so.
21 Q. Is there a big dumpster that's, kind of, out
22 in front of that building?
23 A. Yes.
24 Q. Is that away from the ramp that goes up to
25 her door?

Page 38

1 A. As I recall, yes.
2 Q. So at least your understanding from talking
3 with Ms. Watson was that when she saw them, they were
4 standing near that trash can, is that right?
5 A. That is correct.
6 Q. Next page, Plaintiff's Supplemental 14, is
7 this a document you would have generated, or?
8 A. Yes.
9 Q. And how do you generate this?
10 A. This was images from an ATM security camera
11 where her card was used during the robbery. They are
12 -- in most situations -- I don't recall specifically
13 this one, but their video, trying to locate the frame
14 with the best view, clip images, and do a number of
15 things -- maybe release it to news media or initially,
16 as in this case, provide it to patrol officers that
17 are gonna be in the area for the majority of their
18 shifts to look for anything like this. Specifically,
19 I believe that suspect vehicle that was following her.
20 Q. And I don't know that we've put it in the
21 record, because I didn't go into as great a detail
22 with you about the incident report, but basically, at
23 the bottom, it indicates that there are two subjects
24 you're on the look out for, one of whom is a black
25 male, 5 feet, 8 inches, 165 to 170 pounds, in late

Page 39

1 teens or early twenties; is that right?
2 A. That's correct.
3 Q. And then the second one is another black
4 male, 5'9 to 5'10, 170 to 175 pounds, about 25; is
5 that right?
6 A. Yes.
7 Q. Plaintiff's Supplemental page 15, is that
8 your handwriting?
9 A. It is.
10 Q. And up at the top, that would be the case
11 number; is that right?
12 A. That is.
13 Q. In the margins down the left, can you just
14 tell me what that says -- left side here?
15 (Indicating.)
16 A. Yeah, it's a copy. Let me -- some of it's
17 cut off by the copy, let me look. I believe it's some
18 comment made, dump her in the river --
19 Q. Okay.
20 A. Maybe a conversation on a cell phone the guy
21 was having or something.
22 Q. And I see that, and that's the note to the
23 right of that.
24 A. Uh-huh.
25 Q. And then, would this have notes you were

Page 40

1 taking while talking with her or would this have been
2 from the incident report or what is it?
3 A. That would have been notes from a
4 conversation with the victim.
5 Q. And you wouldn't recall the date that this
6 conversation was, would you?
7 A. I don't recall specifically. It would have
8 been -- let's see, probably on the 20th, if that was a
9 weekday. It probably would have been that next day
10 after the report was made.
11 Q. Okay.
12 A. But it was within a day or so of that.
13 Q. I think I can read what's at the top beside
14 the circled one and two. Can you just read into the
15 record what's at the bottom so I can make sure I can
16 get through your handwriting?
17 A. Sure.
18 Q. I know I might take some chicken-scratch
19 sometimes, too, so I just wanted to get it in the
20 record.
21 A. Below the one and two, descriptions of the
22 suspects, it was -- is says, on the cell phone in the
23 parking lot. Right Harbison across the interstate
24 BB&T Harbison, back down Harbison to Broad River,
25 turned right, turned first right, turned around, Broad

Page 41

1 to Harbison, pulled into Lowe's, came back out, took a
2 right back to interstate, west to Saturn Boulevard,
3 left, went to Piney Grove, left, to Broad River Road,
4 right, to Bonnie Forest, went to Broad River, right
5 Bush River, left into BB&T, left Bush River across I-
6 26, turned around in a gas station, back to Broad
7 River, into Harless parking lot to Bush River, took
8 right to Burning Tree Road frontage road turn right
9 into Crossroads. (As read.)

10 Q. And if you wouldn't mind, just that last
11 bullet there, as well -- threatened to rape, is that
12 right?

13 A. Yes, threatened to rape, put his hands on
14 her butt, stuck her hands -- stuck his hands down her
15 pants, suspect in the front seat.

16 Q. Turn to Plaintiff's 17, it looks like this
17 is some additional notes. It appears this would have
18 been a note from September 19, 2008 around 3:55, does
19 this appear to be notes from your conversation with
20 Ms. Watson?

21 A. It is.

22 Q. And -- and that would have been memorialized
23 in the statement that she provided, is that right?

24 A. That is correct, and this is a list of
25 apartments I went to in canvassing the neighborhood or

Page 43

1 A. The State Law Enforcement Division employees
2 their forensic sketch artist. Typically, what we do
3 is make contact with them, and arrange a meeting with
4 the witness or victim, they would typically meet with
5 them at the sheriff's office and build a sketch based
6 on the witness or the victim's accounts. Basically,
7 they meet with one of two forensic sketch artist
8 there.

9 Q. And this, I think, is signed Mike Lynch,
10 2008. Do you know him?

11 A. Yeah, I met him, yes.

12 Q. Is he still with RCSD?

13 A. He's a SLED agent, but I don't think he's
14 there anymore.

15 Q. SLED agent, okay. Off the record.

(Resuming.)

17 RESUMING DIRECT EXAMINATION

18 BY MR. COMER:

19 Q. Plaintiff's Supplement 25, this is a picture
20 of a Michael Boyd, was he ever a suspect that you can
21 recall?

22 A. I don't recall, specifically, his --

23 Q. I'm gonna skip forward a little bit. I
24 wanted to ask you about Plaintiff's Supplemental 38.
25 This is a Consent to Search for a Gene Smith and was

Page 42

1 the apartment complex, people I may have spoken with
2 --

3 Q. And that was gonna be my next question. It
4 looked kind of like a list of people you may have
5 talked to.

6 A. Yeah.

7 Q. If you would have had a conversation with
8 them, is that something you would have written notes
9 about or would it have really just depended on if they
10 had anything to add?

11 A. If they had something I thought was helpful
12 to the case, I may take a statement from them, but I
13 just -- nevertheless, I would document anybody I came
14 into contact with in notes just -- just in case
15 something came up.

16 Q. Skip to Plaintiff's 19, this is a picture of
17 a gentleman named Quamel Joseph Jenkins. Was he ever
18 a suspect in this case?

19 A. I remember his name coming up, and I believe
20 we looked at him.

21 Q. Skip forward to Plaintiff's Supplemental 23
22 and 24. Okay. Are these the composite sketches of
23 the suspects?

24 A. They are.

25 Q. How are these done?

Page 44

1 Mr. Smith ever a suspect in the case?

2 A. Yes.

3 Q. Did you, in fact, do a search of his
4 property?

5 A. That was a cell phone. Yes, we attempted a
6 forensic download of his cell phone. It would be text
7 messaging, completed and received phone calls.

8 Q. Flip to Plaintiff's Supplemental 40, this
9 appears to be another statement by Ms. Watson. Is
10 that your signature down at the bottom left?

11 A. It is, it's the same -- it's just misfiled.
12 It's the second page of the original statement.

13 Q. Oh, okay. So this would go with the one
14 that we looked at earlier, which I believe was
15 Plaintiff Supplemental 13?

16 A. Correct.

17 Q. I see, so that would be page two, so that
18 clears that up. And this is her description of what
19 she saw.

20 A. Correct.

21 Q. Would she have provided any of this
22 information to the sketch artist?

23 A. No.

24 Q. That comes straight from the complainant or
25 victim?

Page 45

1 A. Yes.
 2 Q. Skip forward -- Plaintiff's Supplemental 44,
 3 this appears to be a photo line up of some potential
 4 suspects; is that right?
 5 A. Yes.
 6 Q. And is that your handwriting down at the
 7 bottom or is that Ms. Watson's?
 8 A. That's Ms. Watson's.
 9 Q. And then did you sign it as the notary?
 10 A. Yes.
 11 Q. And then is photo number two who she
 12 identified as someone she saw?
 13 A. Yes, I believe so.
 14 Q. Do you have a recollection of that
 15 individual's name from your investigation, is that
 16 Gene Smith?
 17 A. Yes.
 18 Q. And if we look at Plaintiff's Supplemental
 19 48, that appears to be some kind of data entry
 20 concerning Mr. Smith, is that right?
 21 A. I believe it's school information -- contact
 22 information.
 23 Q. From your investigation, did he have any
 24 sort of prior record or other involvement in other
 25 crimes?

Page 46

1 A. Yes.
 2 Q. What kinds of crimes was he involved with?
 3 A. I believe burglary and robbery -- majority,
 4 if I recall correctly, were in Lexington County.
 5 Q. Ever find that he was using a hand gun
 6 during those incidents?
 7 A. I believe so.
 8 Q. At the bottom of Plaintiff's 48, are those
 9 your notes?
 10 A. Yes.
 11 Q. And does that say Brawick -- I think that's
 12 where he was to supposed to possibly live; is that
 13 right?
 14 A. Correct.
 15 Q. Bear with me, I'm trying to just short
 16 circuit this a little bit. I'm looking at Plaintiff's
 17 Supplemental 61, this is an incident report from 500
 18 Harbison, Apartment 1313, involving Leesa Watson. Do
 19 you have a recollection of this report or did you talk
 20 to Ms. Watson about this?
 21 A. I did.
 22 Q. And what was the nature of this incident?
 23 A. I believe she reported that someone was
 24 banging on her door sometime after the initial robbery
 25 there. And she felt like it was threatening to her,

Page 47

1 basically.
 2 Q. Did she think that it may have been somebody
 3 from the other case that she had witnessed or
 4 something to that effect in the narrative?
 5 A. Yes.
 6 Q. Let me take a look at Plaintiff's
 7 Supplemental 67. This is a Crime Stopper's report.
 8 Did you have any involvement in this document?
 9 A. Can you clarify, did I have any --
 10 Q. Yeah, and I'm sorry, that was a bad
 11 question. I'm just trying to determine -- this
 12 indicates two suspects with names --
 13 A. Yeah.
 14 Q. And so I'm just trying to kind of determine
 15 how this document is arrived at, if it's, you know,
 16 kind of the end result of the investigation, that kind
 17 of thing.
 18 A. The document is generated by a group called
 19 Crime Stoppers. Basically, it was operated
 20 differently at this point in time, it was administered
 21 by the Richland County Sheriff's Department, however,
 22 all of the tips, we'll call 'em, are anonymous,
 23 there's no possibility for me going with any follow up
 24 questions to anyone, and it is what it is. It's now
 25 handled, I believe, statewide by the South Carolina

Page 48

1 Law Enforcement Division.
 2 Q. I guess my question is were these the two
 3 primary suspects, Gene Smith and Quamel Jenkins, is
 4 this case?
 5 A. I would say yes.
 6 Q. And just for clarification, Mr. Smith is the
 7 gentleman who is on Plaintiff's 48, that we already
 8 looked at, which is this page -- (indicating) that's
 9 Mr. Smith?
 10 A. Correct.
 11 Q. And then also for clarification, I think Mr.
 12 Jenkins is Plaintiff's 19, which I believe is
 13 (indicating) this gentleman?
 14 A. Correct.
 15 Q. Is that right, okay. So those are pictures
 16 of the two primary suspects in this case?
 17 A. Yes.
 18 Q. Let me ask you on Plaintiff's 73, this is a
 19 Zimacrest Drive incident. Does this have relevance
 20 to Ms. Wright's incident other than being in the area
 21 and possibly involving the same suspects or anything
 22 like that?
 23 A. It was in the apartment complex she
 24 ultimately dropped them off in, I believe.
 25 Q. Oh, I understand. Okay. Skip forward,

Page 49

1 starting at Plaintiff's 102, and going, really to, I
2 believe, 120. These are some 500 Harbison incident
3 reports that are a part of the file. Were these just
4 pulled because they were kind of within the same time
5 period and at the same place as Ms. Wright's incident?

6 A. That -- that's correct.

7 Q. Ever find there to be any sort of relation
8 between any of these incidents and Ms. Wright's
9 incident?

10 A. Not to my knowledge.

11 Q. And same thing, Plaintiff's 121, that's Two
12 Notch Road, but I guess what I'm trying to get at is
13 these incident reports that are a part of your file
14 are just things you pulled to see any patterns or
15 something like that, is that right?

16 A. That's correct.

17 Q. Starting on Plaintiff's 127, it appears that
18 there is some consent to search for DNA evidence for
19 both Donald Curtis and Heyden Curtis. Why would you
20 get a consent to search for DNA evidence from them?

21 A. I believe that we obtained a DNA profile of
22 a male suspect out of her -- I can't recall right now
23 specifically where the profile was taken from, but
24 something is related -- in relationship to processing
25 her vehicle --

Page 51

1 where, you know, he demanded money and someone was
2 punched in the face; is that right?

3 A. Yes.

4 Q. Is this still an active file, in other
5 words, is there still any investigation being done on
6 it?

7 A. Any -- any case that's unsolved, any major
8 offense remains active on the books, let's say --

9 Q. Sure.

10 A. And I hold it, especially ones that I took
11 some considerable time with. I'll keep them because
12 in today's world, tomorrow I may get a match on DNA so
13 I would have to explore it, but on a day to day basis,
14 nothing's being done on the case

15 Q. We talked to Mr. Gabr earlier about -- it
16 sounded like something called a safety audit of
17 apartment complexes, that kind of thing, are you
18 familiar with that?

19 A. I'm familiar that we offer it, I don't
20 handle that myself.

21 Q. So you don't have any personal knowledge of
22 whether that's ever been done with Wellspring?

23 A. No.

24 Q. Are you familiar with that area of town
25 where Wellspring is?

Page 50

1 Q. Okay.

2 A. -- and therefore, a DNA profile doesn't have
3 a name on it, these are people who had access to her
4 car.

5 Q. Right. So in other words, you want to know
6 that if you take a sample you're not just picking up a
7 sample of, you know, her son in law?

8 A. Her grandson.

9 Q. So that's why you would get theirs --

10 A. Right.

11 Q. -- so you can eliminate them, okay. Looking
12 at Plaintiff's Supplement 153, it appears that this is
13 an arrest warrant for Mr. Smith; is that right?

14 A. Hang on a second, 153?

15 Q. Yes, I'm sorry, I'm skipping around. I'm
16 trying to kind of move through this as quickly as I
17 can.

18 A. It is.

19 Q. And it appears he was arrested prior to this
20 incident on April 28, 2008; is that right?

21 A. That's correct.

22 Q. And do you know if he was prosecuted for
23 this?

24 A. I'm not aware.

25 Q. And this was another robbery with a handgun

Page 52

1 A. A little bit.

2 Q. And I was just gonna ask if you have any
3 frame of reference whether it would be considered an
4 average crime area, lower crime area, higher crime
5 area, that kind of thing?

6 A. I could give you, based upon the crimes that
7 I see, it's not a particularly dangerous area. We had
8 some activity in 2008, but since then it's fairly
9 calm.

10 Q. From your site visits to Wellspring, I know
11 you mentioned that there were some bushes that weren't
12 to your liking, but did you ever form any impressions
13 about the safety about the complex, generally?

14 A. It was a -- it was a typical apartment
15 complex and again, as a -- as a law enforcement
16 officer, the design -- the layout, I wasn't too
17 terribly happy with as far as for security reasons,
18 but it was -- I mean, it was a fairly nice apartment
19 complex -- I mean, I don't know how to answer it
20 anymore than that.

21 Q. Sure, I understand. And you don't have any
22 experience in your employment or educational
23 background with property management or the laws that
24 may govern how property is kept up, that kind of
25 thing; is that right?

Page 53

1 A. No.

2 Q. And from the standpoint of the Richland
3 County Sheriff's Department, when you visited the
4 site, did you notice any violations of any legal
5 requirements that would have been imposed upon
6 Wellspring Apartments in any form. Did you observe
7 any violations of the law or anything like that?

8 A. No.

9 Q. And how the property was kept up?

10 A. No.

11 Q. Bear with me one moment. And at the end of
12 the day, my understanding is that it sounds like you
13 have an idea of two gentlemen that may have done this,
14 but no arrests were ever made because based on the
15 investigation, there was a question as to whether
16 there would be enough to prosecute, is that a fair
17 characterization?

18 A. Yes.

19 MR. COMER: I don't think I have anymore at
20 this time. I appreciate it.

21 MR. HOOD: Mine's not gonna be real long,
22 just because I can't read as well, I can't read my own
23 writing half the time.

24 CROSS-EXAMINATION

25 BY MR. HOOD:

Page 55

1 Q. Now, on Plaintiff's Supplemental 13, she
2 gave -- it's typed up about nine minutes after that,
3 it's typed up and it says, I walked over to the trash
4 can and I looked over and saw two black males and a
5 white female standing near the trash can, but on
6 Supplemental 17, it says standing next to bush. It
7 may not be inconsistent, it may be a bush close to the
8 trash can.

9 A. Yes.

10 Q. I'm just trying to figure out is that what
11 it was, there was a bush --

12 A. It says next to bush. I think that was my
13 initial encounter with her, most likely, let's see.
14 Yeah, -- my initial encounter with her, then, I
15 believe, we went to the apartment (inaudible) the
16 office, and typed up a written statement from her when
17 I learned that she was an eyewitness to the crime.

18 Q. When you first talked to her, she said that
19 it was two black male suspects with a white female
20 standing next to bush, right?

21 A. Yes.

22 Q. Now, you've been with Richland County since
23 1998, right?

24 A. That's correct.

25 Q. A patrolman from '98 to 2000?

Page 54

1 Q. If you would look at Plaintiff's Supp. 17,
2 I'm just gonna get you to read that because I, for the
3 life of me, can't. It says 9-19-08 at 15:55, Lisa
4 Watson, but then from that point on, came from --

5 A. Came from her apartment, walked down with --
6 looks like two -- I don't know.

7 MR. COMER: Taser.

8 A. Yeah -- yeah, that is. Two black male
9 suspects with white female standing next to the bush,
10 one suspect face to face with her, thought it was a
11 domestic, one male was watching, one started walking
12 toward her, saw one who came towards her -- basically,
13 she's saying she saw him mostly. Below that, 703
14 Lindsey Ott Brown, I believe. James Ott, 412
15 Hempstead, looks like a date of birth 11-22-73. And
16 below that, 2208 Corrie Renee Atwood, Christen
17 Swatford. Below that, 701 Bobbie Davis Gray, date of
18 birth 1-5-64, a phone number 404-9000, leaving next
19 week -- I believe that person was moving out of the
20 apartment complex. 702 Carrie Bost, Richard Whittman,
21 and a phone number 381-7707 (as read); those are
22 residents.

23 Q. When you took that, that was 9-19 at about
24 15:55, right?

25 A. Correct.

Page 56

1 A. Yes.

2 Q. Did investigation from 2000 to now, to the
3 present?

4 A. Correct.

5 Q. When you became an investigator, did you
6 automatically get the shield of sergeant?

7 A. No.

8 Q. Excuse me, the designation of sergeant?

9 A. No.

10 Q. How does that progress, if you could explain
11 that?

12 A. Basically, everyone starts as a deputy,
13 deputy sheriff is the basic title, that's generally a
14 patrolman. You work your way up, it's a promotion to
15 investigator. That's the initial position as a
16 detective -- investigator. And you then become a
17 senior investigator and then sergeant, and there are
18 five or six different ranks as sergeant, staff
19 sergeant, sergeant first class, that sort of thing.
20 So no, you go through an application process and an
21 interview.

22 Q. Are there designations according to the
23 color of your shield? I've heard, you know, he gets
24 his gold shield and all that?

25 A. Yeah, deputies have silver badges and

Page 57

1 supervisors and detectives have gold badges.
 2 Q. And from 2000 to 2007, you investigated
 3 different types of crime, but at one point you did
 4 robbery/homicide, major crime, and then progressed to
 5 a supervisor of those robbery/homicide, right?
 6 A. That's correct.
 7 Q. And you got a lot of on the job training and
 8 education in investigating crimes, didn't you?
 9 A. Yes.
 10 Q. Did you ever take any classes at the law
 11 enforcement academy?
 12 A. A few at the academy. Obviously, you know,
 13 your initial certification is nine weeks there -- I
 14 think it's longer now, than when I went through.
 15 There's some at the academy. A majority of my
 16 training is done out of state with different agencies.
 17 The sheriff's office will send me out to classes that
 18 are offered privately that the sheriff's department
 19 pays for. The state doesn't have enough money,
 20 basically, to -- to do it at the academy, advanced --
 21 much advanced training.
 22 Q. Have they ever sent you to Quantico or
 23 anything, or?
 24 A. No.
 25 Q. Now, from the time that you began in 1998

Page 59

1 have seen criminals congregate to, isn't it?
 2 A. Yes.
 3 Q. And would you agree that criminals are less
 4 likely to be in areas that are well lit or where
 5 people can see real well?
 6 A. Yes.
 7 Q. This lady was 60 years old, right?
 8 A. Correct.
 9 Q. And the two gentleman, the way they've been
 10 described is they were two young African-Americans
 11 between 15 and 25 or between somewhere in the time
 12 frame or age range, right?
 13 A. Correct.
 14 Q. And I believe Leesa Watson said they were
 15 dressed and they looked like they were dirty.
 16 A. I believe so.
 17 Q. Now, in your experience and education as
 18 someone that's been doing this for nine years or ten
 19 years at that point, what usually happens when a 60
 20 year old white woman pulls up to her house if she were
 21 to actually see two, young, dirty, black, African-
 22 American young males sitting on the stoop of her home?
 23 MR. COMER: Objection. Form.
 24 A. It's difficult to speak in generalities. I
 25 would say a lot of women that were her age, that would

Page 58

1 until 2008, with all of your education and experience,
 2 did you have a pretty good feel about the behavior of
 3 criminal suspects at that time?
 4 A. Fairly good, I would say.
 5 Q. And you've said, like, I believe in response
 6 to the questions, that you weren't entirely happy with
 7 the design of this complex 'cause there was some
 8 overgrown shrubbery and where she was at, the lighting
 9 was not very good, right?
 10 MR. COMER: Objection. Form.
 11 A. I -- I -- I don't recall the lighting so
 12 much, as it went down, kind of a ramp that was longer
 13 than necessary in my opinion, and there was some --
 14 some bushes and some shrubbery that were a little too
 15 high.
 16 Q. This was at night, correct?
 17 A. The crime?
 18 Q. Yes.
 19 A. Yes.
 20 Q. And when you have crime at night, and you
 21 have shrubbery that is too high or could be considered
 22 to be too high, it can conceal people, right?
 23 A. That's correct.
 24 Q. And when you have that type of an
 25 environment, that you and your education experience

Page 60

1 bother them, it would make 'em afraid.
 2 Q. Less likely to get out of the car?
 3 A. Yes.
 4 Q. You said that -- I believe you testified I
 5 regard to Mr. Comer that after the incident that Ms.
 6 Wright told you that she had concern about lights --
 7 after the incident.
 8 A. Yes.
 9 Q. Now, the problem she was talking about --
 10 the lights, even though she told you about it after
 11 the incident, she was talking about the lighting
 12 before the incident ever occurred, right?
 13 A. Yeah, I believe that was the context, that
 14 it had bothered her, that it was -- yeah.
 15 MR. HOOD: That's all I have.
 16 MR. COMER: A couple follow-ups.
 17 REDIRECT EXAMINATION
 18 BY MR. COMER:
 19 Q. Mr. Hood asked you some questions about what
 20 was in your hand written notes with what Ms. Watson
 21 said about a bush, and then what was in the typed up
 22 statement where I think she talked about a trash can,
 23 do you remember those questions?
 24 A. Yes.
 25 Q. Do you know, as you sit here today, whether

Page 61

1 there are some bushes right by that trash can?
 2 A. No. And I can say this -- I recall more as
 3 we talk about it. I believe that the path traveled,
 4 when she described, basically, running into these
 5 suspects --
 6 Q. Uh-huh.
 7 A. I believe she had to go past -- down the
 8 sidewalk there -- past these guys where the bushes
 9 were to get to the trash can. So basically, I think
 10 it's all correct.
 11 Q. And you're talking about Ms. Watson there?
 12 A. Yes.
 13 Q. You're not talking about Ms. Wright's path
 14 to her apartment?
 15 A. No.
 16 Q. Let me take a closer look at that one
 17 minute. Take a look at page 17 real quick which is
 18 the hand written notes, it says a little bit past the
 19 first bullet, two black male suspects with white
 20 female standing next to bush. At least right there,
 21 it seems like you were recording where Ms. Wright was
 22 standing, is that right?
 23 A. I believe so, I believe it's basically, she
 24 encountered them initially at the bush --
 25 Q. Okay.

Page 63

1 MR. HOOD: One question.
 2 RE-CROSS-EXAMINATION
 3 BY MR. HOOD:
 4 Q. You can't say it wouldn't have happened if
 5 the bushes had been trimmed and the lighting was
 6 better, can you?
 7 A. That's correct.
 8 MR. COMER: I think we're done.
 9 Further deponent sayeth not.
 10 (There being no further questions, the deposition
 11 concluded at 12:55 p.m.)
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

Page 62

1 A. And then the trash can is a little further
 2 back and --
 3 Q. Okay.
 4 A. -- she was walking with her dog, I believe,
 5 and had, kind of, an uncomfortable encounter with
 6 these guys or something.
 7 Q. And all I'm asking is, there's the area
 8 where the ramp goes up --
 9 A. Right.
 10 Q. And then there is a trash can, which is
 11 really directly out front from that, do you remember
 12 the area?
 13 A. I don't recall specifically, but I recall
 14 that there was a trash can nearby, that's all I can
 15 tell you at this point.
 16 Q. And if there are bushes right next to the
 17 trash can, is it possible that those are the bushes
 18 that could be referenced in your notes?
 19 A. It could be.
 20 Q. You can't say, as you sit here today, that
 21 this would not have happened if some bushes had been
 22 trimmed or some lighting had been better?
 23 A. No. I can't say that.
 24 MR. COMER: That's all the questions I've
 25 got.

Page 64

1 CERTIFICATE OF REPORTER
 2 I, FRANCES C. MOYD, COURT REPORTER AND NOTARY PUBLIC
 3 IN AND FOR THE STATE OF SOUTH CAROLINA AT LARGE, HEREBY
 4 CERTIFY THAT I REPORTED THE DEPOSITION OF KEVIN ISENHOWARD,
 5 ON TUESDAY, THE 14TH DAY OF AUGUST, 2012, THAT THE WITNESS
 6 WAS FIRST DULY SWORN BY ME AND THAT THE FOREGOING 63 PAGES
 7 CONSTITUTE A TRUE AND CORRECT TRANSCRIPTION OF MY STENOMASK
 8 REPORT OF THE SAID DEPOSITION.
 9 I FURTHER CERTIFY THAT I AM NEITHER ATTORNEY NOR
 10 COUNSEL FOR, NOR RELATED TO OR EMPLOYED BY ANY OF THE
 11 PARTIES CONNECTED WITH THIS ACTION, NOR AM I FINANCIALLY
 12 INTERESTED IN SAID CAUSE.
 13 I FURTHER CERTIFY THAT THE ORIGINAL OF SAID TRANSCRIPT
 14 WAS THEREAFTER SEALED BY ME AND DELIVERED TO BRIAN A.
 15 COMER, ESQUIRE, COLLINS & LACY, P.A. 1330 LADY STREET,
 16 COLUMBIA, SOUTH CAROLINA, WHO WILL RETAIN THIS SEALED
 17 ORIGINAL TRANSCRIPT AND SHALL BE RESPONSIBLE FOR FILING
 18 SAME WITH THE COURT PRIOR TO TRIAL OR ANY HEARING WHICH
 19 MIGHT RESULT IN A FINAL ORDER ON ANY ISSUE. IN WITNESS
 20 WHEREOF, I HAVE SET MY HAND AND SEAL THIS 26TH DAY OF
 21 AUGUST, 2012.
 22
 23 FRANCES C. MOYD, COURT REPORTER
 24 MY COMMISSION EXPIRES FEBRUARY 8, 2022
 25

Page 65

1 VERIFICATION OF DEPONENT
 2 I, KEVIN ISENHOWARD, HAVE READ THE FOREGOING
 3 DEPOSITION CONSISTING OF 63 PAGES WHICH WAS REPORTED BY
 4 FRANCES C. MOYD, VERBATIM COURT REPORTER AND NOTARY PUBLIC
 5 IN AND FOR THE STATE OF SOUTH CAROLINA, ON TUESDAY, AUGUST
 6 14, 2012.

7 I FIND THE TRANSCRIPT OF THIS DEPOSITION TO BE A TRUE
 8 AND ACCURATE TRANSCRIPT ACCORDING TO MY TESTIMONY ON THAT
 9 DATE, WITH THE EXCEPTION OF _____ CHANGE(S) AND/OR
 10 CORRECTION(S) LISTED ON THE ATTACHED ERRATA PAGE WHICH WAS
 11 COMPLETED BY ME.

12
 13
 14 _____
 15 KEVIN ISENHOWARD

16
 17
 18
 19 DATE: _____, 20____.

Page 66

1 ERRATA PAGE
 2
 3
 4 PAGE #/LINE # CHANGE AND/OR CORRECTION (AND
 5 EXPLANATION)
 6

7 _____
 8 _____
 9 _____
 10 _____
 11 _____
 12 _____
 13 _____
 14 _____
 15 _____
 16 _____
 17 _____
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____

24 THE ABOVE CHANGES WERE NOTED BY ME ON THIS ERRATA PAGE
 25 BEFORE SIGNING THE ATTACHED VERIFICATION OF DEPONENT. I
 26 HAVE RETAINED A COPY OF THIS ERRATA PAGE FOR MY RECORDS,
 27 AND THE COURT REPORTER IS TO ATTACH THIS PAGE AND MY
 28 VERIFICATION TO THE ORIGINAL TRANSCRIPT.

29
 30
 31 DATED:

32 NAME
 33

0001

1	State of South Carolina	)	Court of Common Pleas
		)	
2	County of Richland	)	No.: 2011-CP-40-4068
3			
4	Denise Wright,	)	
		)	
5	Plaintiff,	)	
		)	Deposition of
6	vs.	)	DENISE WRIGHT
		)	
7	PRG Real Estate	)	
	Management, Inc.,	)	
8	Franklin Pineridge	)	
	Associates, Karen	)	
9	Campbell, Individually	)	
	and in her Representative	)	
10	Capacity as an Agent of	)	
	PRG Real Estate	)	
11	Management,	)	
		)	April 16, 2012
12	Defendants.	)	
		)	

13

14 Deposition on oral examination of DENISE
15 WRIGHT, reported by Brad H. Thomas, Certified
16 Realtime Reporter and Notary Public in and for the
17 State of South Carolina; said deposition taken
18 pursuant to agreement and in accordance with the
19 South Carolina Rules of Civil Procedure, at the
20 Offices of Burriss & Ridgeway, 907 Elmwood Avenue,
21 Columbia, South Carolina, on April 16, 2012, at the
22 hour of 10:05 a.m.

23

24 GARBER REPORTING SERVICE, INC.
POST OFFICE BOX 12348
COLUMBIA, SOUTH CAROLINA 29211
25 (803) 256-4500

0002

1

2 Appearances
3 Representing the Plaintiff:
4 E. WAYNE RIDGEWAY, JR., ESQUIRE
Burriss & Ridgeway
5 907 Elmwood Avenue
Columbia, South Carolina 29201

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Representing the Defendants:

BRIAN A. COMER, ESQUIRE
Collins & Lacy, P.C.
1330 Lady Street, Suite 601
Columbia, South Carolina 29211

0003

1 CONTENTS

2 Deposition of DENISE WRIGHT

3	Page	
4	Exhibit Index	3
5	Stipulations	4
6	Examination by Mr. Comer	4
7	Examination by Mr. Ridgeway	145
8	Re-examination by Mr. Comer	146
9	Re-examination by Mr. Ridgeway	146
10	Certificate of Reporter	148

11
12 * * * * *

13 EXHIBIT INDEX

14	Exhibits:	Marked at Page
15		
16	(Copy of exhibits attached to	
	each copy of transcript.)	
17		
18	1 Answers to Interrogatories	26
	2 Work Orders	51
	3 Handwritten Drawing	62
19	4 Photocopies of Photographs	69

20

21

* * * * *

22

23

24

25

0004

1 This deposition is taken in
2 accordance with the South Carolina Rules of Civil
3 Procedure.

4 It is agreed and stipulated by the
5 Deponent and respective counsel that the reading and
6 signing of the deposition by the Deponent is
7 expressly waived.

8 WHEREUPON:

9 DENISE WRIGHT, being duly sworn and
10 cautioned to speak the truth, the whole truth and
11 nothing but the truth, testifies as follows:

12 EXAMINATION

13 BY MR. COMER:

14 Q. Good morning, Ms. Wright. We met before
15 we went on the record. My name is Brian Comer and I
16 represent the defendants in this lawsuit that you
17 have brought. For the record can you put your full
18 name on the record, please?

19 A. Denise Antoninette Wright.

20 Q. Ms. Wright, have you ever given a
21 deposition before?

22 A. No.

23 Q. And Antoninette, is that spelled
24 A-n-t-o-n-e-t-t-e?

25 A. T-o-i-n.

0005

1 Q. Go ahead and spell it for the record for
2 our court reporter.

3 A. A-n-t-o-n-i-n-e-t-t-e (sic).

4 Q. Well, if you've never given a deposition
5 before, let me go ahead and just kind of tell you a
6 couple of things that our rules of civil procedure
7 require.

8 I'm going to be asking you a lot of
9 different questions today. You will find that this
10 will become very conversational. A lot of times you
11 may anticipate the question that I'm about to ask
12 before I get it out of my mouth. I would ask that

13 you not interrupt me, if possible, so that our court
14 reporter, who is sitting to my left, can get a full
15 transcript of all the questions and answers. By the
16 same token, I will try not to interrupt you. If I
17 ever do, please let me know and I'm happy to let you
18 finish your answer. Is that okay?

19 A. That's fine.

20 Q. I'm going to be asking you a lot of
21 questions. If at any time you don't understand one
22 of my questions, please let me know. I'll be happy
23 to rephrase it or to clarify it, but if you don't
24 ask me to do that, I'm going to assume that you
25 understood my question. Is that okay?

0006

1 A. That's fine.

2 Q. I don't anticipate we're going to be here
3 all day, but we may be here a couple of hours. This
4 certainly is not an endurance contest. So if you
5 ever need a break, just let me know. The only thing
6 I would ask is that you answer the question that is
7 on the record at the time. Is that okay?

8 A. Okay.

9 Q. Are you taking any medications this
10 morning?

11 A. Blood pressure.

12 Q. Okay. Does that affect your memory or
13 your ability to answer my questions today at all?

14 A. No, it does not.

15 Q. As I ask this question I don't want to
16 know about your conversations with your counsel,
17 with Mr. Ridgeway, but what, if anything, did you do
18 to prepare for your deposition today?

19 A. Nothing.

20 Q. Okay. Did you meet with Mr. Ridgeway?

21 A. I have met with him, yes.

22 Q. Did you meet with him this morning?

23 A. Yes.

24 Q. Okay. How long did you meet with him?

25 MR. RIDGEWAY: Objection. I don't

0007

1 think she's got to answer any questions about
2 meetings with counsel and times and that sort of
3 thing. So I instruct her not to answer that.

4 BY MR. COMER:

5 Q. Did you review any documents?

6 A. No.

7 Q. Tell me what your current address is.
8 A. 100 Walden Heights Drive, Apartment 712,
9 Irmo, South Carolina.
10 Q. How long have you lived at the Walden
11 address?
12 A. Moved in there in 2009.
13 Q. Have you ever gone by any other names than
14 Denise Antoninette Wright?
15 A. Just Toni.
16 Q. Toni?
17 A. Yeah.
18 Q. But no other aliases?
19 A. No.
20 Q. Haven't changed your name?
21 A. No.
22 Q. Or anything like that?
23 A. No.
24 Q. And is your Social Security number
25 250-88-4751?
0008
1 A. Right.
2 Q. And I've got your date of birth as January
3 2, 1948; is that correct?
4 A. No.
5 Q. I'm sorry. Tell me what your --
6 A. 10-20-48.
7 Q. All right. Do you drive?
8 A. Yes.
9 Q. Do you have any restrictions on your
10 license?
11 A. Contact lens.
12 Q. What blood pressure medication are you
13 taking right now?
14 A. Verapamil.
15 Q. Let me ask you a little bit about your
16 family. Are you married?
17 A. No.
18 Q. Have you ever been married?
19 A. Yes.
20 Q. Who was your ex-husband?
21 A. John Thomas Wright.
22 Q. Does he live in Columbia?
23 A. Yes, he does.
24 Q. Do you know his current address?
25 A. No.
0009

1 Q. How about any children?
2 A. One.
3 Q. And what is her name?
4 A. It's Tasha Nicole Curtis.
5 Q. And where does she live in Columbia?
6 A. Irmo.
7 Q. Any other relatives in Richland County?
8 A. My sister lives in Richland County. I
9 think it's Richland County. West Columbia.
10 Q. And I'm not trying to ask you overly
11 personal questions, but if we have a trial of this
12 case and we have to strike a jury, then I'm going to
13 want to know obviously if anyone you're related to
14 is on that jury.
15 A. I have several nieces and nephews that
16 live here.
17 Q. Okay. Can you tell me who they are?
18 A. Tiffanie Scoggins, Chase Scoggins, Amber
19 Waln, Aubrie Waln, Cole Scoggins. That's all for
20 Columbia.
21 Q. And how do you spell Waln?
22 A. W-a-l-n.
23 Q. Waln. Any other names besides, I guess,
24 Wright, Scoggins, and Waln? We've discussed those.
25 Any other last names?
0010
1 A. Curtis. That would be my daughter and
2 son-in-law and his sister. His sister lives here in
3 Columbia.
4 Q. Okay. Do you -- have you ever been
5 arrested?
6 A. No.
7 Q. So obviously haven't been convicted of a
8 crime?
9 A. No.
10 Q. Prior to your Walden -- is it Walden Road?
11 A. Heights. Walden Heights Drive.
12 Q. Prior to the Walden Heights Drive address
13 is it accurate to state that you lived at Wellspring
14 Apartments; is that right?
15 A. That's correct.
16 Q. Okay. Approximate what dates did you live
17 at Wellspring Apartments?
18 A. From 2003 to 2008.
19 Q. How about prior to Wellspring Apartments
20 do you recall where you lived?

21 A. 137 Wychwood, W-y-c-h-w-o-o-d. That's in
22 Irmo.

23 Q. Is that a house or an apartment complex?

24 A. House. House.

25 Q. And did you own that house?

0011

1 A. I did.

2 Q. And who lived there with you?

3 A. My ex-husband.

4 Q. And I assume your daughter. Would that be
5 right?

6 A. Yes.

7 Q. And that was up until 2003?

8 A. Yes.

9 Q. I assume you and your husband divorced
10 around 2003; is that right?

11 A. No. We divorced in 2007, separated in
12 2002.

13 Q. Okay. How long had you lived at the
14 Wychwood address until you -- until up to the time
15 you moved to Wellspring?

16 A. Oh, Lord, have mercy. I'd say
17 approximately ten years or more.

18 Q. Okay.

19 A. I don't know the exact date we moved in
20 that house.

21 Q. Sure. Have you always lived in South
22 Carolina?

23 A. Yes.

24 Q. Okay. Have you always generally lived in
25 this area, grew up in Richland, that kind of thing?

0012

1 A. Yes.

2 Q. All right. I won't ask you to go back
3 beyond the Wychwood address, but that answers my
4 question.

5 Let me now go through your educational
6 background a little bit. Starting with high school,
7 tell me the high school you attended and the date of
8 graduation, if you graduated.

9 A. Columbia High School, 1966.

10 Q. And did you go to school after graduation
11 from high school?

12 A. University of South Carolina.

13 Q. And what did you study at University of
14 South Carolina?

15 A. Nursing and music.
 16 Q. And how long did you attend classes at
 17 USC?
 18 A. Approximately two years.
 19 Q. And did you graduate or take an
 20 associate's degree or anything?
 21 A. No.
 22 Q. Any particular reason?
 23 A. Wasn't for me.
 24 Q. Any other formal education after taking
 25 the classes at USC?
 0013
 1 A. Through banking. I went to -- graduated
 2 from the American Institute of Banking.
 3 Q. When did you graduate from the American
 4 Institute of Banking?
 5 A. It was in the '70s, but I can't remember
 6 the year.
 7 Q. Tell me a little bit about that. Is it a
 8 period of weeks or is it a year?
 9 A. It took a year to do. It's online courses
 10 and some in-house in the banking.
 11 Q. I assume you weren't doing any online
 12 courses in the '70s?
 13 A. No. I was at home. No, I shouldn't even
 14 say that, but correspondence courses.
 15 Q. I understand. Kind of the type of thing
 16 where you are provided materials?
 17 A. Material. You do it, you read it, you
 18 fill out the paperwork that you have to do and mail
 19 it back in.
 20 Q. Okay. Other than the American Institute
 21 of Banking, any other continuing education or
 22 anything like that?
 23 A. No, sir.
 24 Q. After you left USC, I assume that would
 25 have been around what? 1968, '69?
 0014
 1 A. Uh-huh.
 2 Q. Okay. What did you do next?
 3 A. I was in banking.
 4 Q. Which bank did you go to work for?
 5 A. First Citizens.
 6 Q. Was that here in Columbia?
 7 A. Columbia at Main Street.
 8 Q. What did you do there?

9 A. Teller.
10 Q. How long did you work for First Citizens?
11 A. Approximately six, seven years.
12 Q. Where did you go next?
13 A. Moved to Ridgeland, South Carolina.
14 Worked for a bank there that is no longer in
15 existence. I don't even remember the name of it.
16 Q. Okay.
17 A. I really don't.
18 Q. Any particular reason for the move to
19 Ridgeland?
20 A. Yes. I got married and my husband was
21 transferred there.
22 Q. What did your husband do for a living?
23 A. A highway trooper, South Carolina highway
24 patrol.
25 Q. Is he still with the highway patrol?
0015
1 A. No.
2 Q. When did he retire from the highway
3 patrol?
4 A. I don't know. It was after we divorced.
5 I don't really know.
6 Q. Okay. So it's been sometime in the last
7 four or five years?
8 A. Yes.
9 Q. And did he always work with the highway
10 patrol during your marriage and so forth?
11 A. There was a time he was with the
12 University of South Carolina police too. And that's
13 who he ended up retiring from.
14 Q. Is it accurate to say that he generally
15 worked in some kind of law enforcement type of
16 capacity?
17 A. Yes.
18 Q. Have you ever had any legal training? And
19 by that I mean courses in the law, be it through the
20 banking school or anything like that?
21 A. No.
22 Q. How about any training in security?
23 A. Yes.
24 Q. Okay. Tell me a little bit about that.
25 A. The bank -- just what the bank requires.
0016
1 As bank employees we had quarterly security training
2 in-house.

3 Q. Tell me a little bit about what that would
4 involve. For example, was it trying to detect if
5 someone was suspicious through their actions or
6 what? I don't know. So explain to me what that
7 means.

8 A. We learned how to be suspicious of anyone
9 that walks up to a teller window. We learned how to
10 be secure in coming into the branch in the mornings
11 to protect ourself from early morning robberies and
12 procedures for closing. We learned a little bit
13 about what to do in case of a robbery, how to
14 handle -- how to secure the site and how to handle
15 that kind of thing.

16 Q. Okay.

17 A. And this was done quarterly.

18 Q. Do you remember the first time you ever
19 had to go through that kind of training?

20 A. Oh, Lord, have mercy. No.

21 Q. Would it be safe to say that it was
22 sometime around when you started in the banking
23 industry?

24 A. Yes. Oh, yes.

25 Q. Did you ever have to use that training --

0017

1 well, strike that. Let me ask a different question.

2 Were you ever part of a robbery of a bank? Were you
3 ever there when someone came in and tried to rob a
4 bank?

5 A. No.

6 Q. Any other kind of -- outside of robbery,
7 in connection with your employment were you ever a
8 witness to or part of any other kind of crime
9 involving your place of employment and the banking?

10 A. No.

11 Q. Okay. So you went to Ridgeland and you
12 worked there. What was -- how long did you stay at
13 that bank?

14 A. I think about a year.

15 Q. Okay. What was your -- what bank did you
16 go to next?

17 A. Moved back to Columbia and I started with
18 Lexington State Bank.

19 Q. And in all of these positions were you a
20 teller?

21 A. Teller.

22 Q. And how long were you with Lexington State

23 Bank?

24 A. About four years.

25 Q. Let me see if I can attach a year to this.

0018

1 Would this have been around, I don't know, late

2 '70s, thereabouts?

3 A. Yes, that would be correct.

4 Q. All right. Where did you go next?

5 A. Lexington got bought out by BB&T. So I

6 stayed with BB&T.

7 Q. How long were you with BB&T?

8 A. 20 plus years.

9 Q. And was that your most recent job?

10 A. Yes.

11 Q. And when you quit working which branch

12 were you working out of?

13 A. Harbison.

14 Q. And what did you do at the Harbison

15 branch?

16 A. Teller supervisor.

17 Q. Who was your -- who was your supervisor

18 there?

19 A. At that time Karen Metts.

20 Q. Okay. During the course of any of your

21 prior employment were you ever terminated for cause?

22 A. No.

23 Q. Ever disciplined in any way?

24 A. No.

25 Q. And when did you stop working at BB&T?

0019

1 A. 2009.

2 Q. And why did you stop working?

3 A. After what I went through in September of

4 2008 I just couldn't keep it together. It was very

5 difficult to work there.

6 Q. Okay. What -- can you elaborate on what

7 made it difficult?

8 A. The ATM that the men took me to was right

9 there at my branch. It was hard to work watching

10 that. It was -- I'm very leery of people. It was

11 very hard to wait on my customers. It was hard to

12 keep myself together enough to be a supervisor.

13 Q. Okay.

14 A. So I chose to resign.

15 Q. Were you asked to resign or anything like

16 that?

17 A. No.
18 Q. Okay. Did you ever -- well, was a
19 transfer possible to a different branch?
20 A. We talked about that, yeah.
21 Q. Who did you speak with about that?
22 A. Karen Metts is one of them. Diane Brewer,
23 who was my supervisor above her, really the head
24 honcho, suggested that to me to see if that would
25 help, but I'm only comfortable around people that I
0020
1 know. For me I was afraid. I was really afraid to
2 go anywhere else. So I tried -- I toughed it out
3 for about ten -- I took a leave of absence and then
4 came back and tried to tough it out, but it didn't
5 work out.
6 Q. How long did you take a leave of absence
7 for?
8 A. A couple months.
9 Q. And we're going to get into some of this
10 later, but did you seek any treatment?
11 A. Yes. I was under counseling.
12 Q. Okay. Like I said, we'll get into some of
13 that a little bit later. I don't want to get ahead
14 of myself. Were you being treated by any physicians
15 at the time that you stopped working at BB&T?
16 A. No.
17 Q. So no counselors at that time or anything?
18 A. No.
19 Q. Were you taking any medications when you
20 stopped working?
21 A. No.
22 Q. Blood pressure?
23 A. Blood pressure.
24 Q. Okay. I wanted to make sure I clarified
25 that. You were taking some blood pressure
0021
1 medication?
2 A. Blood pressure medicine.
3 Q. How long have you taken blood pressure
4 medication?
5 A. Since I was diagnosed for migraines. It's
6 for migraines. It's not for my blood pressure.
7 Q. It just so happens it helps that too?
8 A. Yes. They don't know why, but it works.
9 Q. Well, good. And do you know approximately
10 when that would have been?

11 A. Gosh, it's been over ten years I've been
12 on this medication.

13 Q. And it seems to help?

14 A. Oh, yeah.

15 Q. Good. Never been in the military, no
16 military service?

17 A. No.

18 Q. Have you ever been involved in any other
19 lawsuits?

20 A. No.

21 Q. Have you ever -- well, so never brought a
22 lawsuit against anybody else up to this one?

23 A. No.

24 Q. Have you ever filed any sort of Workers'
25 Compensation claim?

0022

1 A. Yes.

2 Q. Okay. Tell me a little bit about that.

3 A. I was working at the BB&T on Lake Murray
4 Boulevard, the one in Irmo. They were remodeling,
5 building a new building while we stayed in the old
6 building. And a gentleman was in the roof kind of
7 like this and dropped his -- whatever these big old
8 tape measure things they wear on their hip fell
9 through the ceiling and hit me in the head. I had
10 stitches and a concussion.

11 Q. When was that?

12 A. I'm awful with dates. It was in the '80s,
13 but I don't -- I don't remember the exact date.

14 Q. Okay. Did you have counsel?

15 A. No.

16 Q. So no legal representation?

17 A. No. No.

18 Q. Did you ever receive any sort of
19 disability rating or anything like that?

20 A. No.

21 Q. Feel like you recovered from that
22 incident?

23 A. Yeah.

24 Q. How about any other disability benefits of
25 any kind?

0023

1 A. No.

2 Q. Are you currently on any sort of Social
3 Security disability?

4 A. Not disability, but Social Security.

5 Q. So you're drawing Social Security now?
 6 A. Yeah.
 7 Q. And that's for your retirement --
 8 A. Right.
 9 Q. -- period that you're not working? Who is
 10 your present insurance health care carrier?
 11 A. Blue Cross/Blue Shield.
 12 Q. Have you ever been turned down for any
 13 health care coverage?
 14 A. No.
 15 Q. When did you -- let me shift gears a
 16 little bit now, try and help us move through this
 17 without me throwing out some left field question to
 18 you. So let me ask you a little bit now about this
 19 lawsuit. When did you first start thinking about
 20 filing a lawsuit in this case?
 21 A. I never thought about it.
 22 Q. Okay. Other than your counsel, did you
 23 talk to anyone about filing a lawsuit?
 24 A. No.
 25 Q. Again I don't want to know your
 0024
 1 conversations with Mr. Ridgeway, but how did you
 2 come to find your current counsel?
 3 A. He found me.
 4 Q. Okay.
 5 A. Through another case.
 6 Q. And do you know what that other case was?
 7 A. I know the -- do I know the details about
 8 it?
 9 Q. Sure.
 10 A. Yes.
 11 Q. Okay. What was the other case?
 12 A. Another woman that was hurt at the
 13 Wellspring Apartments.
 14 Q. Okay. What was her name?
 15 A. I don't know.
 16 Q. Not a friend of yours?
 17 A. No. I did not know her.
 18 Q. Did you ever speak with her?
 19 A. No.
 20 Q. Have you read your complaint in this
 21 matter, your amended complaint?
 22 A. No.
 23 Q. So I guess it's safe to say you've never
 24 been represented by Mr. Ridgeway before; is that

25 right?

0025

1 A. That's correct.

2 Q. Do you keep or maintain any sort of file
3 or anything relating to this matter? For example,
4 we've got our tax file. Any documents at our house
5 that relate to taxes or anything, we drop them in.
6 Do you keep any sort of file relating to this
7 matter?

8 A. No.

9 Q. Have you kept any sort of notes or diary
10 about how it has affected you?

11 A. No.

12 Q. Other than Mr. Ridgeway, have you
13 discussed this matter with anybody?

14 A. My daughter.

15 Q. And that's Ms. -- I apologize.

16 A. Tasha.

17 Q. Tasha?

18 A. Tasha Curtis.

19 Q. It won't be the last time I pause.

20 A. That's okay.

21 Q. Sorry about that. Have you given any
22 interviews about your experience?

23 A. No.

24 Q. You've talked with the police, I take it,
25 right?

0026

1 A. Yes.

2 Q. But outside of talking with the police,
3 have you given any sort of media interviews or
4 anything like that?

5 A. No.

6 MR. COMER: Let me mark this as
7 Exhibit 1.

8 (Exhibit No. 1 was marked for
9 identification.)

10 BY MR. COMER:

11 Q. Ms. Wright, I'm going to hand you what's
12 been marked as Exhibit 1. I just wanted to ask you
13 a few questions about some of the information.
14 These are your responses to interrogatories that
15 were served by me. Take a look at the second page.
16 And it asks for a list of people. Amber Conn
17 Stockton, do you know Ms. Stockton?

18 A. Yes, I do.

19 Q. And she's the person that provided some
20 photographs; is that right?
21 A. That's correct.
22 Q. Did you ask her to take those photographs?
23 A. No.
24 Q. Okay. Do you know how she came to take
25 those photographs?

0027

1 A. We worked together at the bank. And so
2 after she knew what happened to me she just took
3 them.
4 Q. Okay. Is she the person that this other
5 lawsuit, other incident --
6 A. No.
7 Q. Okay. Michelle Pilcher, it says she was a
8 co-worker and is expected to testify regarding how
9 this event affected your life. Is that -- do you
10 just know Ms. Pilcher through your work at the bank?
11 A. She was my branch manager at Harbison.
12 Q. Freddy Waln, who is Freddy Waln?
13 A. That's my sister. Her name is spelled
14 wrong. I don't know if that matters.
15 Q. Okay. And what's the correct spelling
16 again?
17 A. It's F-r-e-d-d-i-e.
18 Q. I gotcha. And Tasha Curtis is your
19 daughter?
20 A. Uh-huh.
21 Q. And just for the record, Ms. Curtis didn't
22 witness any of these events directly, did she?
23 A. No.
24 Q. Cassie Radford, that's who you worked with
25 at the sheriff's department?

0028

1 A. That's correct.
2 Q. When is the last time you spoke to
3 Ms. Radford?
4 A. Oh, gosh. Probably either December of
5 2008 or January of 2009.
6 Q. Okay.
7 A. Somewhere in there.
8 Q. Okay. Flipping the page. Who is Susan
9 Boyd?
10 A. We worked together at the bank and we sing
11 together in a group.
12 Q. What group?

13 A. Heart of Columbia Chorus.
14 Q. And then Linda Zaepfel, is that who
15 counseled you after the event?
16 A. Right.
17 Q. When is the last time you saw her?
18 A. It was in 2008, the end of 2008, probably
19 December was the last time I saw her.
20 Q. Have you seen any other counselors after
21 seeing her?
22 A. No.
23 Q. Do you feel like you need to see any other
24 counselors?
25 A. Sometimes I feel like I do.
0029

1 Q. Is there any particular reason you haven't
2 sought out any others?
3 A. Can't afford it.
4 Q. How about Debbie Adams, who is she?
5 A. She's a friend, goes to my church, and
6 also sings in the same group as me.
7 Q. What church do you go to?
8 A. First Baptist Irmo.
9 Q. I go to First Baptist downtown. How about
10 Nellisa Davis, it says she's a former tenant at
11 Wellspring Apartments, do you know Ms. Davis?
12 A. No, I do not.
13 Q. How about Timir Patel, do you know
14 Mr. Patel?
15 A. No, I don't.
16 Q. Are either one of these individuals the
17 one you were referring to about the other case?
18 A. No. Not that I know of, no.
19 Q. You can probably set that to the side for
20 the time being. We may come back to it. This isn't
21 a polite question. I apologize in advance.
22 A. That's okay.
23 Q. Can you give me your current height and
24 weight?
25 A. I'm proud of my weight. 5'5", 179.
0030

1 Q. Have you gained or lost any amount of
2 weight since this incident?
3 A. Lost.
4 Q. Was that by choice or --
5 A. Yeah.
6 Q. Okay. In other words, have you been

7 dieting?
8 A. Yes.
9 Q. And just for the record, so it's not
10 because of any problems eating or anything related
11 to the incident?
12 A. No.
13 Q. Well, congratulations. If you don't mind
14 me asking, what was your prior weight?
15 A. I started at 235.
16 Q. That's fantastic. Have you ever -- did
17 you have any childhood illnesses or anything of a
18 substantial nature?
19 A. Rheumatic fever as a child. And I was
20 born with a defective kidney that doesn't work. So
21 I only have one kidney. Other than that, that's it.
22 Q. Does that have any current impact on your
23 health that you can tell?
24 A. No.
25 Q. How about any adult illnesses or injuries?
0031
1 A. No. Nothing major.
2 Q. Migraines?
3 A. Migraines.
4 Q. Have you ever been involved in any motor
5 vehicle accidents?
6 A. Yeah. Fender benders.
7 Q. Sure. Anything that affected your
8 personal health?
9 A. No.
10 Q. Who is your current primary care
11 physician?
12 A. Beth Boison, B-o-i-s-o-n.
13 Q. Does she practice here in Richland County?
14 A. Right.
15 Q. Do you know what --
16 A. Lexington Family Practice in Irmo.
17 Q. How about prior to Dr. Boison, do you
18 recall who your primary care physician before her
19 was?
20 A. It was in Ridgeland, South Carolina --
21 Hampton, South Carolina, Count Pulaski.
22 Q. So I think is it safe to say Dr. Boison
23 has been your physician for awhile now?
24 A. A long time.
25 Q. Have you ever been hospitalized for any
0032

1 extended period of time?
 2 A. As a child, yes, but not as an adult, no.
 3 Q. Other than pregnancy, having a child, that
 4 kind of thing?
 5 A. No.
 6 Q. When you were hospitalized as a child
 7 where were you hospitalized?
 8 A. Providence Hospital and Baptist Hospital.
 9 Q. And was that in connection with the
 10 rheumatic fever?
 11 A. Kidney. No. The kidney.
 12 Q. Okay. Any major surgeries?
 13 A. I had an appendix to rupture.
 14 Q. When was that?
 15 A. Oh, Lord, have mercy. Around 1979. I had
 16 a hysterectomy probably '79 or '80. That was in
 17 Savannah, Georgia at the hospital.
 18 Q. Okay.
 19 A. That's it.
 20 Q. Okay. Prior to -- is it Zaepfel? Am I
 21 saying that correctly?
 22 A. Pretty good.
 23 Q. Okay. I'll say Zaepfel. And if I'm
 24 wrong, we'll both be wrong. Prior to Ms. Zaepfel
 25 had you ever received any other mental health
 0033
 1 counseling?
 2 A. I did have another counselor named Wendy,
 3 and I can't remember the last name, but she was with
 4 the Richland County advocate.
 5 Q. And when you say Richland County advocate,
 6 what do you mean?
 7 A. Richland County Sheriff's Department has
 8 an advocate program and they provided counseling for
 9 me with her.
 10 Q. Okay.
 11 A. I don't recall her last name right now. I
 12 know her first name is Wendy.
 13 Q. And was that as part of this incident?
 14 A. Uh-huh.
 15 Q. How about prior to this incident?
 16 A. My divorce after 28 years of marriage.
 17 And I'm not going to be able to tell you that lady's
 18 name either because it didn't last very long.
 19 Q. Okay. Was she here in Richland County?
 20 A. Right here in Richland County, yeah.

21 Q. Do you recall physically where her office
22 was?

23 A. No. It was somewhere right downtown here,
24 but that was so long ago. I went to her right after
25 I separated in 2002.

0034

1 Q. Okay.

2 A. Only went about three visits before I
3 found out something about her that I didn't agree
4 with.

5 Q. Can I ask what you found out?

6 A. She was not a Christian and had never been
7 married. And she was a marriage counselor. Explain
8 that. Something wrong with this picture.

9 Q. So you went a few times and that was it?

10 A. That was it.

11 Q. Any other doctors besides Dr. Boison that
12 you would say you see on a regular basis?

13 A. Eye doctor, Dr. Branch.

14 Q. Okay.

15 A. I saw a heart doctor for awhile,
16 Dr. Avery, who is no longer in the state. I had a
17 heart catheterization done a few -- I forgot. A
18 heart catheterization. That's been since I've been
19 an adult.

20 Q. Okay.

21 A. It was only overnight.

22 Q. Which hospital?

23 A. Providence.

24 Q. Have you ever been diagnosed with
25 depression?

0035

1 A. No.

2 Q. Or any sort of anxiety or post-traumatic
3 stress disorder or anything like that?

4 A. No.

5 Q. Okay. I think I already asked about
6 medications you were taking at the time of this
7 incident. Would you have just been taking your
8 blood pressure medication?

9 A. Blood pressure and something called
10 Elavil.

11 Q. What's Elavil?

12 A. Which I still take that. It's also for
13 migraines.

14 Q. Any non-prescription medication that you

15 take on a regular basis?
16 A. No.
17 Q. Have you ever taken any illegal or illicit
18 drugs?
19 A. No.
20 Q. I'm sorry?
21 A. Can you go back to the drugs?
22 Q. Sure.
23 A. Because I was on a cholesterol medicine,
24 but you're going to ask me what and I don't remember
25 that.

0036

1 Q. That's okay.
2 A. But that's when I was the heaviest and I
3 was taking -- I was taking a stronger dosage of the
4 blood pressure that I'm on now and cholesterol, but
5 I don't -- and I was taking something for arthritis.
6 I don't have any of that anymore.
7 Q. And that would have been around the time
8 of the incident?
9 A. Yeah.
10 Q. Okay. I think that was my original
11 question.
12 A. Yeah.
13 Q. Okay. But the only ones you're taking now
14 are Elavil and the --
15 A. And Verapamil.
16 Q. And no illicit or illegal drug use?
17 A. No.
18 Q. Do you smoke?
19 A. No.
20 Q. How about drink any alcohol?
21 A. No.
22 Q. Do you do any exercise on a regular basis?
23 A. Yes.
24 Q. Tell me a little bit about what you do.
25 A. I walk the treadmill 20 minutes a day and

0037

1 ride a bicycle 20 minutes a day. And I walk the dam
2 three days a week. This is a normal routine.
3 Sometimes it's more, sometimes less.
4 Q. Okay. So treadmill, walk the dam. And
5 what was the other? I'm sorry.
6 A. Ride the bike, stationary bike.
7 Q. And how many days a week generally would
8 you say you do those?

9 A. Six.
10 Q. How long have you been doing that?
11 A. For about a year, year and a half now.
12 Q. Okay. Are you a member of any athletic
13 club or anything?
14 A. No.
15 Q. I've asked you a lot about your medical
16 history. We're going to get to the incident that's
17 the subject of this lawsuit in a minute, but outside
18 of the incident that's the subject of this lawsuit,
19 is there any other sort of traumatic event in your
20 life that -- and when I say that, whatever comes to
21 your mind is what I mean. You know, for me that
22 would be maybe being in a big car wreck or something
23 like that. But is there any other traumatic event
24 that maybe I've left out?
25 A. Nothing, but losing my sister at 49 years
0038
1 old to lung cancer, watching her go through that.
2 That was probably -- rates right up there about the
3 same feelings.
4 Q. Approximately when was that?
5 A. She passed away in 2009.
6 Q. Did you have to seek any counseling for
7 that?
8 A. No.
9 Q. Ever receive any medical treatment of any
10 kind?
11 A. No.
12 Q. Let's shift gears again and start talking
13 a little bit about your move into Wellspring. I
14 think you told me that you lived at -- was it the
15 Wychwood address?
16 A. Wychwood.
17 Q. And did you decide to move to Wellspring
18 as a result of separating and getting your own
19 space?
20 A. Right.
21 Q. Tell me a little bit about why you chose
22 Wellspring.
23 A. Several people from my church had lived
24 there at one time or another and had recommended it.
25 It was right down the street from where I worked.
0039
1 Those were probably the two reasons I went there
2 first.

3 Q. Did you go to any other places before
4 going to Wellspring?
5 A. I went to a couple.
6 Q. What were some of the others?
7 A. Gosh, it's changed names now, but it was
8 Columbiana Place. It was on Columbiana Drive.
9 There's two apartment complexes on that road, but
10 they've both changed names now. So I don't know
11 what they are called. I went there. I looked at a
12 couple patio homes. That was basically about it.
13 Q. Okay. Do you recall the names of the
14 church members who had lived at Wellspring?
15 A. No, I don't. Neither one of them are
16 members there anymore either. So I don't remember
17 the names.
18 Q. And when approximately did you move into
19 Wellspring?
20 A. 2003.
21 Q. Do you remember what part of the year?
22 A. I think it was in May.
23 Q. How much time passed between when -- I
24 guess, when you began the process of looking for a
25 place of your own and actually moving into
0040
1 Wellspring?
2 A. Probably a month. About a month.
3 Q. Okay. So we've talked about proximity and
4 the fact that some of your friends at church had
5 recommended it. Anything else that made you choose
6 it?
7 A. No.
8 Q. Did you go and -- I presume you walked
9 around the grounds and looked at an apartment?
10 A. I did.
11 Q. Okay. And were they to your liking?
12 A. Yes.
13 Q. Did you make your decision based on any of
14 the amenities that were there?
15 A. Yes.
16 Q. What were some of the amenities?
17 A. Had a pool. We were close to the Harbison
18 Recreation Center, which we were allowed to use and
19 I wanted to be able to use that facility. I was
20 told that there were security officers on duty. So
21 I felt like it would be a safe place.
22 Q. Who told you that?

23 A. The manager at that time. I think her
24 name was Kylie. I don't know her last name.

25 Q. Okay. And did she say -- well, what did
0041

1 she say? "We have security officers on duty," or
2 what?

3 A. Yes. I asked. I asked the question were
4 there -- did they have officers there or did they
5 have security and she said, "Yes, we have security
6 officers."

7 Q. Did you ask any other questions, for
8 example, about whether they patrolled or full-time,
9 part-time, anything like that?

10 A. No, I did not.

11 Q. Did you look at an example apartment or
12 did they take you to look at the apartment that you
13 ultimately moved into?

14 A. An example.

15 Q. And anything you liked or disliked about
16 that?

17 A. It was fine.

18 Q. Okay.

19 A. It was fine.

20 Q. How about -- at some point you obviously
21 moved in. Any issues with moving in or anything
22 like that?

23 A. No issues with moving in. I did ask for a
24 chain lock to be put on the door, but they told me
25 they couldn't do that, but my son-in-law put one in
0042

1 for me.

2 Q. Did they say they couldn't do it, but you
3 could or that you weren't permitted to do it?

4 A. They just said they couldn't do that.

5 Q. Okay.

6 A. They didn't tell me yes or no whether I
7 could or couldn't.

8 Q. Okay. Did you ever read -- did you
9 receive any paperwork as --

10 A. Yes.

11 Q. Signed a lease, I assume?

12 A. Yes.

13 Q. What else?

14 A. That's it.

15 Q. Okay. Did you read your lease?

16 A. I did.

17 Q. Give you any sort of welcome pack or
18 anything like that?
19 A. Yeah, there was a welcome pack telling you
20 about schools and --
21 Q. Do you still have any of that material?
22 A. I probably do in a box somewhere.
23 Q. Okay. And your initial lease that you
24 entered into, how long was it for? A year?
25 A. A year.
0043
1 Q. Do you recall what your beginning rent
2 was?
3 A. Oh, my Lord. I really don't remember.
4 Q. And in terms of renewal, because clearly
5 you were there for longer than a year, was it the
6 type of thing where it would roll over and you would
7 maybe sign a new one --
8 A. Right.
9 Q. -- or something like that?
10 A. Yes.
11 Q. Is that generally what you did every --
12 A. Yes.
13 Q. -- year you lived there?
14 A. Yes, I did.
15 Q. And let me get my question out.
16 A. I'm sorry.
17 Q. That's okay. Did you ever have a
18 roommate?
19 A. No.
20 Q. So always lived by your yourself. Did
21 your daughter ever live with you?
22 A. No.
23 Q. As you sit here today you said that you --
24 you testified that you read your lease. Do you
25 recall as you sit here today whether there were any
0044
1 sort of representations in it about security and
2 safety or anything like that?
3 A. I don't recall.
4 Q. Did you always live in the same apartment?
5 A. Yes.
6 Q. So never moved anywhere else?
7 A. No, I didn't move.
8 Q. What building number were you in?
9 A. Oh, gosh.
10 Q. Or if it's easier to remember your

11 apartment number?

12 A. I know my address was 500 Harbison
13 Boulevard. I want to say 11 something, but I'm not
14 sure.

15 Q. Okay. I've got that it was 500 Harbison
16 Boulevard, Apartment No. 2210. Does that ring a
17 bell?

18 A. That's it.

19 Q. Okay.

20 A. I knew it had a one in there somewhere.

21 Q. Do you know how many --

22 A. 2210.

23 Q. I'm sorry. I didn't mean to interrupt
24 you.

25 A. That's fine.

0045

1 Q. Do you know how many apartments are in
2 Building No. 22? Estimate?

3 A. I think it was eight.

4 Q. Okay. Do you know how many buildings are
5 at the entire complex?

6 A. No, I don't.

7 Q. Do you have any idea of the number of
8 units total? Were you ever told or anything?

9 A. No.

10 Q. Do you have any idea as to the number of
11 residents?

12 A. No.

13 Q. How was the apartment in terms of your
14 needs, cleanliness, that kind of thing?

15 A. It was fine.

16 Q. Did you ever have any problems with it?

17 A. Yes.

18 Q. Okay. Tell me a little bit about some of
19 the problems you had.

20 A. The lights. The one in the parking lot
21 coming up to the apartment complex and the one right
22 outside my door were constantly burnt out.

23 Q. Okay. Let's start with the one in the
24 breezeway. I assume that would be right outside
25 your apartment?

0046

1 A. Uh-huh.

2 Q. Okay. When that one would go out would
3 you report it?

4 A. Yes.

5 Q. Okay. And would it be taken care of?

6 A. Eventually.

7 Q. Okay. Was that light -- at the time of
8 your incident that's the subject of your complaint
9 was the light in the breezeway out or was it
10 functioning?

11 A. I don't know because I never got up that
12 far.

13 Q. Okay. How about -- you mentioned another
14 light in the parking lot?

15 A. The security light in the parking lot.

16 Q. Is that one on a pole?

17 A. On a pole, yes.

18 Q. And when that one was out what would you
19 do?

20 A. I would call and report it.

21 Q. And what did they tell you?

22 A. That it wasn't their problem, it was South
23 Carolina Electric & Gas, but they would report it
24 for me.

25 Q. Okay. And did it eventually get addressed
0047

1 or would it stay out or what?

2 A. It stayed out more than it was on.

3 Q. Was the light in the parking lot
4 functioning at the time of your incident?

5 A. No.

6 Q. Did you ever call South Carolina Electric
7 & Gas and talk to them directly?

8 A. No.

9 Q. Okay. So we've talked a little bit about
10 lights. Any other problems with the apartment?

11 A. The bushes and the shrubbery were
12 overgrown terribly.

13 Q. Okay. Did you ever report that?

14 A. Oh, yes.

15 Q. And what were you told?

16 A. That the Harbison Association had a set of
17 rules that they had to go by and they couldn't mess
18 with the trees or the bushes any more than what they
19 were doing.

20 Then I talked to the actual men that were
21 trimming the bushes. Sometimes they would be out
22 there. And I would ask them to, please, could they
23 cut these back and they said they couldn't do that,
24 they had to do what the apartment told them to do.

25 Q. Let me back up a minute. And I apologize.

0048

1 I forgot to ask something, but when you talked to
2 someone at Wellspring about the breezeway light who
3 did you speak with?

4 A. Well, I never really talked to anybody
5 because I worked. So I would have to call the hot
6 line that they gave us and leave a message on it.

7 Q. Okay. So you would leave a message on a
8 machine?

9 A. It was a machine.

10 Q. And how would you find out any -- would
11 they do a follow-up call or anything like that?

12 A. No.

13 Q. Same thing with the light out in the
14 parking lot?

15 A. That's correct.

16 Q. And you would call and leave a message on
17 the hot line?

18 A. Call and leave a message. A couple of
19 times I did walk down there and if, you know,
20 somebody was in the office, then I would talk to
21 them. So in numerous cases I actually talked with
22 somebody in the office.

23 Q. Who did you speak with?

24 A. It would be Kylie. She was always the
25 manager there.

0049

1 Q. And you would have spoken with her about
2 the light in the parking lot?

3 A. Yeah.

4 Q. Okay. You mentioned the light and you
5 mentioned the shrubbery. Any other problems with
6 the apartment itself?

7 A. Not the apartment. I had some issues at
8 the pool that needed to be addressed of people
9 climbing the fences that didn't live there to get in
10 the pool.

11 Q. Okay. How often would you use the pool?

12 A. From May to September pretty much every
13 day.

14 Q. Go in after work?

15 A. After work. And then usually on Saturdays
16 and Sundays I was there all the time.

17 Q. Ever go with anybody?

18 A. My grandchildren and my daughter.

19 Q. Bear with me one minute. Do you need a
20 break or anything? Are you okay?

21 A. I'm fine.

22 Q. If something like the toilet wasn't
23 flushing, something like that, you would call that
24 kind of thing in, I assume?

25 A. Right.

0050

1 Q. Do you recall making a call about the
2 toilet not flushing?

3 A. No. Dishwasher. Dishwasher broke one
4 time. I called about that.

5 Q. Okay. That kind of thing, would they
6 generally, you know, at some point make an
7 appointment?

8 A. Yes.

9 Q. And come in and fix it?

10 A. And fix it.

11 Q. I'm trying to save us some time by not
12 asking you all of these. Bear with me one moment.
13 Do you recall a time that a freezer wasn't working?

14 A. That's correct.

15 Q. Okay. Did they come in and fix that?

16 A. Yes, they did.

17 Q. Do you recall calling in about having a
18 high water bill one month?

19 A. Yes.

20 Q. Did they ever determine what that was?
21 Any leaks or toilet running or something?

22 A. No, they didn't find anything.

23 Q. And the dishwasher wasn't spraying water
24 onto the dishes; is that right?

25 A. Uh-huh.

0051

1 Q. Did they ultimately fix that?

2 A. Fixed that. Yes, they did.

3 MR. COMER: Let me mark these. Let
4 me mark these as Exhibit No. 2.

5 (Exhibit No. 2 was marked for
6 identification.)

7 (Off-the-record discussion.)

8 MR. RIDGEWAY: Let me just chat with
9 her about these real quick.

10 MR. COMER: Sure.

11 (A recess transpired.)

12 BY MR. COMER:

13 Q. Ms. Wright, I'm going to show you what's
14 been marked as Exhibit No. 2. And in the interest
15 of not having to make a separate one I'm going to
16 kind of look with you, if that's okay.

17 Have you ever seen -- prior to talking
18 with your counsel about it had you ever seen any of
19 these documents?

20 A. Yeah. Occasionally sometimes after they
21 fix something they leave it laying on your counter.
22 So I have seen something like that.

23 Q. Okay. Let me just ask you a few
24 questions. The first page of Exhibit No. 2 is a
25 work order that indicates it was called in on
0052

1 November 8, 2005. It says breezeway light out. Do
2 you have an independent recollection as you sit here
3 today of making that call?

4 A. I made so many. I don't really -- I can't
5 remember dates or times.

6 Q. And then it indicates date completed
7 11-11-2005. Is that when you would sometimes
8 receive a copy of a work order to show that it had
9 been completed?

10 A. Sometimes, yes.

11 Q. Okay. And then looking at the next one
12 indicates called in, and I'm looking on Page 2 of
13 Exhibit 2, August 1, 2006, 5:52 p.m. Again entry
14 light is out for 2210 and 2208. Would that be the
15 same light when it talks about the breezeway light
16 or is that a different light?

17 A. No. We each had our own. There's one
18 light over your door.

19 Q. I understand. So this would have been the
20 one over your door?

21 A. Right over my door.

22 Q. The breezeway light, is that a different
23 light then?

24 A. We didn't really have a breezeway. It's
25 just -- I mean, it's covered, but there's lights
0053

1 right over each door.

2 Q. Okay. Do you have a recollection of
3 calling this one in?

4 A. No, I don't.

5 Q. And it indicates date completed August 2,
6 2006. Do you have a recollection of receiving a

7 copy of this work order?
8 A. No, I don't. I don't remember it.
9 Q. And this one is dated 3-27-2007, indicates
10 entry light is out. Would that be the same one?
11 A. Same one.
12 Q. Over your door?
13 A. Right.
14 Q. And then it indicates date completed March
15 27, 2007. So at least according to this it would
16 have been completed the same date?
17 A. Same date.
18 Q. And do you recall --
19 A. Sometimes that happens and sometimes it
20 didn't, but I don't remember that particular date,
21 no.
22 Q. Okay. And then the last one, February 25,
23 2008, and it says replace dishwasher, breezeway
24 light out. Would this have been the dishwasher
25 issue --
0054
1 A. Yes.
2 Q. -- we talked about earlier?
3 A. Right. And they put another one in.
4 Q. Let me try to get my question out. And it
5 indicates breezeway light out. And then this one,
6 date completed March 6, 2008. Do you see that?
7 A. Uh-huh.
8 Q. Now, it appears a period of time had
9 passed between the completion date and the call in
10 date. Would you have called in -- was there ever
11 any particular rule you used, if something wasn't
12 fixed within a couple of days, you would call in
13 again?
14 A. Always called back, yes.
15 Q. All right. Let's set this right under
16 this one, set it aside. Who -- in terms of the
17 staff at Wellspring, who did you deal with the most?
18 I mean, was there somebody that you preferred
19 talking to or found most receptive or just anyone
20 you dealt with the most there?
21 A. A young lady whose first name is Kylie.
22 And then it seems like after her somebody named
23 Karen, but I can't remember her last name.
24 Q. Was it Karen Campbell?
25 A. That sounds right, but I'm not sure, but
0055

1 those were pretty much the only two I ever really
2 talked to.

3 Q. Did you ever have any personal issues with
4 either of those individuals?

5 A. No.

6 Q. Always courteous?

7 A. Right.

8 Q. And receptive?

9 A. Yes.

10 Q. I know you mentioned that when you moved
11 in they said that they had security officers. Were
12 there any other representations made to you about
13 safety and security and that kind of thing?

14 A. Nothing except that if I needed anything
15 after hours, they gave a number that you called.

16 Q. Okay.

17 A. And that was for security issues or if
18 anything happened during the night -- during, you
19 know, when they were closed like for plumbing or air
20 conditioner or whatever.

21 Q. Okay. So it was the after hours number?

22 A. After hours number.

23 Q. In terms of any instructions, did they
24 ever tell you -- for example, let's say there's some
25 sort of incident like the one in your case. Did
0056

1 they ever tell you, you know, first you need to call
2 this number, then you need to call that, like call
3 911 and then call us or what?

4 A. No.

5 Q. Okay. Any other representations about
6 security?

7 A. Nothing except that they did have officers
8 that patrolled regularly.

9 Q. Okay. You mentioned earlier the shrubs
10 around the ramp to your home. Were these shrubs
11 ever so high that you couldn't get to your door?
12 Did they ever impede your ability to get to your
13 door?

14 A. No.

15 Q. Okay. How about the lighting, did any
16 lights being out in the parking lot ever impede your
17 ability to get to your apartment?

18 A. No.

19 Q. Did you ever have any personal injury --
20 and I'm not talking about your incident in the

21 complaint, but did you ever have any personal injury
22 relating to the shrubbery or the lighting, for
23 example, tripping because of the shrubs or anything
24 like that?

25 A. No.

0057

1 Q. Over your time of living there did you
2 ever come to have any sort of understanding about
3 the neighborhood or about the incidents of crime or
4 anything like that?

5 A. No.

6 Q. Okay. In other words, sharing notes with
7 other residents, things like that?

8 A. No.

9 Q. Did you ever have any conversations with
10 other residents where they said that something had
11 happened to them?

12 A. No.

13 Q. Other than this incident, did you ever --
14 leading up to this incident when you were abducted
15 in the parking lot had you ever had any other
16 criminal incidents yourself?

17 A. No.

18 Q. Were you aware of any other criminal
19 incidents in that -- in the complex?

20 A. No.

21 Q. Okay. Let me shift gears again and let's
22 talk a little bit about the day of your incident.
23 What do you remember about that day as you sit here?
24 And what I mean is can you just kind of walk me
25 through how your day went in terms of getting up for

0058

1 work or if you had the day off or anything? Can you
2 just kind of take me through that day?

3 A. Okay. I worked that day. I probably went
4 in around 8:00. I don't remember what time I went
5 into work that day. Got off at probably 5:00. I
6 have a group that I sing with over in Lexington that
7 have practice on Thursday night.

8 Q. And what's that group again?

9 A. Heart of Columbia Chorus.

10 Q. And that was the same one at the time?

11 A. Yeah. Rehearsal starts at 7:00. So I had
12 gone over to Lexington to rehearsal.

13 Q. What time would you have left to get
14 there?

15 A. We leave anywhere between quarter to 10:00
16 and 10:00.

17 Q. No. I'm sorry. I meant to go.

18 A. Oh, to go over there? Probably between
19 6:00 and 6:15.

20 Q. And you had driven yourself?

21 A. Yes.

22 Q. Did you ever pick anybody up or --

23 A. No.

24 Q. All right. So you went and you had choir
25 practice. And how long would that have lasted?

0059

1 A. Probably to right around 10:00.

2 Q. So you're dismissed from choir practice.

3 What do you do next?

4 A. Came home.

5 Q. Make any stops at all or anything?

6 A. Yes, I did. I stopped at the Sonic there
7 on Harbison Boulevard and got something to eat and
8 something to drink and then came straight to the
9 apartment.

10 Q. Do you remember what the weather was that
11 evening?

12 A. It was nice.

13 Q. Do you remember if it was overcast or --

14 A. No. Don't think so.

15 Q. Did you feel okay that day?

16 A. I did.

17 Q. All right. No migraines or anything like
18 that?

19 A. No.

20 Q. Anything that would have impaired your
21 judgment or anything like that going on with you
22 that day?

23 A. No.

24 Q. All right. So would you all -- and I
25 apologize if this is a dumb question. I've been out

0060

1 to Wellspring once and at the time I went there's a
2 first entranceway and then there's a second one
3 further down. Which --

4 A. Second.

5 Q. Do you have to use that if you live in
6 your building or is there a way to come in the
7 building --

8 A. I don't know. I've never been in the

9 other way.

10 Q. That's what I thought. So you came in the
11 second entrance?

12 A. Second entrance.

13 Q. And you pulled up to your complex; is that
14 right?

15 A. Right.

16 Q. In relation to the ramp that goes up to
17 your door, did you ever have any assigned parking or
18 anything?

19 A. No.

20 Q. Was there a place that you would generally
21 park if no one was there first?

22 A. Right.

23 Q. And where was that?

24 A. The first, second, third place right --
25 the closest to the ramp is where I always went.

0061

1 Q. Okay. So if we're looking at the
2 building -- and this may be -- and you can correct
3 my drawing if you want, but if this is the building
4 and then there's a ramp coming down and then I think
5 there's some steps here; is that right?

6 A. Right.

7 Q. And a little railing here. Again I'm bad
8 at drawing. Then there's the parking lot here; is
9 that right?

10 A. Right.

11 Q. So as I understand your testimony, you
12 would have generally tried to park in one of these
13 spaces?

14 A. That's correct.

15 Q. Okay. Do you recall which one you parked
16 in that night?

17 A. It's the -- it was the third one over from
18 the trash can. I go by the trash can. The trash
19 can was right in there.

20 Q. And I've seen the trash can you're talking
21 about. It's kind of out here.

22 A. So it wasn't the first or second. It was
23 the third one.

24 Q. Okay. Can you put your initials in there
25 in the third one.

0062

1 MR. COMER: Let me mark this as
2 Exhibit 3.

3 (Exhibit No. 3 was marked for
4 identification.)
5 BY MR. COMER:
6 Q. I'll just very quickly put a couple labels
7 here. These are the parking spots; is that right?
8 A. Uh-huh.
9 Q. And then this is again a crude drawing,
10 but this is a big trash can, right?
11 A. It is a big trash can.
12 Q. Like a big dumpster?
13 A. It is a dumpster.
14 Q. Okay. And then this is the ramp; is that
15 right?
16 A. Uh-huh.
17 Q. Okay. Anything else I need to add or that
18 I'm leaving out? Where would the light pole have
19 been?
20 A. Somewhere right in there.
21 Q. Okay. I'll just put a little circle.
22 You're pointing to right here near the steps; is
23 that right?
24 A. Uh-huh.
25 Q. So I'll just write light pole here.
0063
1 A. It could have been up here. It's over
2 here.
3 Q. Okay. I'll put another one here.
4 A. It's just one though, but I can't remember
5 if it was in front of the trash can or behind it.
6 Q. Okay. And obviously I think you've
7 produced some photographs and they'll tell the best,
8 but I'm just trying to get a little bit of --
9 A. Okay.
10 Q. -- a diagram here. Okay. So you pull up
11 to this third parking spot. Tell me what happens
12 next.
13 A. I got out of my car, gathered up my things
14 to go inside, and walk -- you have to come down the
15 sidewalk here to get onto the ramp.
16 Q. And did you -- did you see any men sitting
17 there?
18 A. Not until I got around the bush.
19 Q. Okay. And when you got around the bush
20 where were they?
21 A. They were behind the bush. They came out
22 as I got up -- when I got up to them.

23 Q. Okay. Were they on the ramp?

24 A. They were just behind that bush. I don't
25 know whether they were on the ramp or steps or
0064

1 whatever. They just came from behind the bushes.

2 Q. Okay. And when you referenced the bushes
3 here, I assume they would have been kind of up --
4 are they up through --

5 A. This ramp sort of curved like that and
6 they were like -- the tall bushes were right there.

7 Q. Okay. Again I know I've done kind of a
8 cryptic diagram here, but can you show me on the
9 diagram approximately where they would have been?

10 A. Right behind.

11 Q. Okay. So I think you've marked -- I'll
12 put a big X here on the diagram somewhere around
13 there; is that right?

14 A. Uh-huh.

15 Q. And I guess my question --

16 A. It was just a few steps away from where I
17 started up the ramp.

18 Q. Okay. And I guess my question is could
19 you tell if they were off the ramp down in the
20 bushes or if they were on the ramp?

21 A. I couldn't tell, no.

22 Q. Okay. All right. When you finally did
23 come in view of them did they say anything? What
24 happened next?

25 A. I spoke first.

0065

1 Q. What did you say?

2 A. I said, "I need to get through, please."

3 And then I saw the guns and I said, "If those are
4 real, you need to put them away." And that's when
5 they grabbed me.

6 Q. Okay. Where did they grab you?

7 A. One grabbed me around my neck and one
8 around the waist.

9 Q. And did he do -- I'm using my hand like a
10 choking --

11 A. No. With the arm. One put the gun in my
12 back, under my shirt, and the other one put the gun
13 at my head.

14 Q. Okay. Can you describe -- was it two
15 gentlemen?

16 A. Two.

17 Q. Okay. And can you describe them for me?

18 A. Actually I didn't look. My head was down.
19 I was fumbling with my keys to get into my apartment
20 and I saw the guns is the first thing I saw. And
21 then when I looked up to see if it was kids playing
22 with play -- I mean, I realized they were not play
23 guns. They were young, two young boys. They did
24 not have masks on. They didn't have gloves. No way
25 to disguise themselves or the guns at all. It was
0066

1 in plain view. I knew this wasn't good. And he
2 immediately -- the one with the gun to my head said,
3 "Don't look at us."

4 Q. Okay.

5 A. So I never lifted my head back up again.
6 So I couldn't identify them. I just knew they were
7 two young men.

8 Q. Did they have -- what kind of gun did they
9 have? I don't mean like the model, but did they
10 have a pistol or a shotgun or what?

11 A. I knew one of them was a Glock. My father
12 was a police officer. So I kind of knew about guns.
13 One was a Glock. The other was a big black gun, but
14 I don't know -- I didn't see it as much as the one
15 that was at my face.

16 Q. Can you describe their clothing at all?

17 A. No. I knew they had on tennis shoes, but
18 that's because I looked down. It was dark. Their
19 clothes were dark. And I do remember one of them
20 had a handkerchief or something around his neck.

21 Q. From the time -- at some point you came
22 around the bush and you said you saw them. When
23 that occurred how much space separated you and them?

24 A. There wasn't a space. They were right on
25 me.

0067

1 Q. Okay. Was anyone else there? Did anyone
2 else witness this?

3 A. Not at that moment. My mind started
4 racing and I could hear people. I could hear there
5 were people out on their balconies, people in the
6 parking lot, but I couldn't see anybody until we
7 started walking.

8 Q. Right. Did you give any consideration to
9 just screaming out loud?

10 A. Yes, I did. I did.

11 Q. And what made you decide -- did you do
12 that?

13 A. No, I did not.

14 Q. Okay. What made you decide not to?

15 A. I had two guns, one in my back and one in
16 my head. All I was thinking about was surviving the
17 minute.

18 Q. Okay. So -- and I apologize. If you need
19 to take a break at any time, you just let me know.

20 A. I'm fine. I'm fine.

21 Q. So at this point they've got a gun on you
22 and you're looking down. What happened next? Did
23 they walk you back to your car or what?

24 A. No. They just sort of turned -- they got
25 up. They were either crouched or sitting, I'm not
0068

1 sure which, but they were getting me turned around
2 to go back that way and -- I guess that's what they
3 were going to do. I don't really know. And he
4 said, "Lady, this is your unlucky day." And he
5 said, "We need some money and we need a lot and we
6 need it now."

7 And I told them I didn't have any money on
8 me, I didn't have any cash on me at all. And he
9 said, "Well, if you're lying, we're going to kill
10 you. And if you don't have enough, we're going to
11 kill you. So either way you're gone." And he said,
12 "Let me have your wallet."

13 Q. Was this all happening there on the ramp?

14 A. That same spot.

15 Q. Okay.

16 A. I pulled my wallet out. I opened it to
17 where the bills would be and he saw there was not
18 any and he got angry. The one in the back just kept
19 the gun to me. The one dropped it from my head and
20 yanked my wallet away and started throwing things on
21 the ground looking for money. And he said -- told
22 the other one, he said, "She's right. She doesn't
23 have any money. What do we do now?"

24 And he said, "I don't know. We've got to
25 do something. We've got to do something." He saw
0069

1 on the ground my debit card and he said, "Well, if
2 we took you to a bank, can you get us money out?"

3 And I said, "Yes, I can."

4 And he said, "Well, that's where we're

5 going then."

6 And I don't know what made me say what I
7 said next, but I said, "I'm not leaving here until
8 you pick up my grandchildren's pictures. I'm not
9 leaving my babies on the ground here."

10 He picked them up. He kept the gun on me,
11 but he got down and picked up all the pictures for
12 me and threw them in my pocketbook and then that's
13 when we proceeded to move going back to my car.

14 Q. So you were going back down the steps and
15 back towards your car?

16 A. Really it never was on the step. Just the
17 ramp, going back down the ramp.

18 Q. Okay.

19 A. I never made it to the steps to go up the
20 steps. See, there's two ramps. And I'm not sure --

21 Q. Yeah. And I want to -- let's go ahead and
22 let me make sure I can clarify this.

23 MR. COMER: Let's mark this as
24 Exhibit 4.

25 (Exhibit No. 4 was marked for
0070

1 identification.)

2 BY MR. COMER:

3 Q. Let me show you that set of pictures.

4 A. Yes. I see what you're talking about now.
5 I'm thinking -- see, there's a whole bunch of other
6 steps up here beyond this. So, yes, I had gotten up
7 these steps. I'm sorry.

8 Q. Okay. And for the record, you're looking
9 at the second page -- I'm sorry -- the second
10 photograph on Exhibit No. 4; is that right?

11 A. That's correct.

12 Q. Okay. And if I -- correct me if I'm
13 wrong, but what we're looking at in the second
14 photograph is there's some bushes and then there's,
15 I guess, what would be the first parking spot; is
16 that right?

17 A. Right.

18 Q. So you --

19 A. That's correct.

20 Q. You would have been parked further down?

21 A. Further down, yes.

22 Q. So you came walking around through the
23 parking lot. And would you come up through the pine
24 straw here or would you step up on the sidewalk?

25 A. I think I came through the pine straw that
0071

1 night.

2 Q. Okay.

3 A. I'm not sure, but I think I did.

4 Q. Okay. And where -- in looking at the
5 second photograph where -- if you can tell from this
6 photograph, whereabouts would the men have been?

7 A. Right behind these bushes right there in
8 the corner.

9 Q. Okay. And let me ask the question I asked
10 earlier again now that we've got a picture. When
11 you say behind those bushes, would they have been
12 over this railing on the concrete or were they
13 behind the bushes?

14 A. They were behind the bushes.

15 Q. Okay. And whereabouts on the second
16 photograph would they have met you? Was it here in
17 the pine straw?

18 A. No. Right there. When I came up the
19 steps I came up these steps and then there's the
20 ramp that goes up before you go up to the other
21 steps.

22 Q. Okay.

23 A. This is where they got me is right here at
24 the top of this.

25 Q. Okay. Flip to the fourth picture. Can
0072

1 you point --

2 A. Right here. This is where they came from
3 back here and they got me right there.

4 Q. Okay. Can you just kind of mark -- and I
5 don't know how well this will show up, but, if you
6 can, put a big X or a circle or something that would
7 show where the men were. Okay. And you may need to
8 do it a few times.

9 MR. RIDGEWAY: Let me clarify for the
10 record. Now, is the question where the men were at
11 the time of the confrontation? Because certainly
12 she can't testify to where they were as she's coming
13 up.

14 BY MR. COMER:

15 Q. I just want to know where you first saw
16 them.

17 A. Right there.

18 Q. Can you just put a one right here? Okay.

19 So it's approximately there. And as you sit here
20 you don't know -- my understanding of your testimony
21 is you don't know if they were on this side of the
22 rail, which is the left side in the bushes, or the
23 right side of the ramp?

24 A. No, I don't.

25 Q. Okay. All right. Looking at that

0073

1 picture, does this railing here, the black railing
2 on the concrete steps, does it continue up to the
3 ramp? In other words, is this a continuous railing?

4 A. No.

5 Q. Okay. And so I guess what I'm asking is
6 once you step onto this top step of the concrete
7 here, is my understanding correct then that what is
8 immediately to the left of you is bushes without a
9 railing?

10 A. As far as I remember, yes.

11 Q. And the reason I'm asking these questions
12 is I'm trying to figure out do you remember them
13 ever jumping over a railing or having to jump over a
14 railing or anything?

15 A. No.

16 Q. These photographs, do you know when they
17 were taken in relation to your incident? A month
18 after? Two months after?

19 A. No. These are the ones that Amber Conn
20 took?

21 Q. Yes. These are the ones that were
22 produced in discovery to us.

23 A. It was like two or three days after the
24 incident and they had cut the bushes down. And she
25 even brought it to my attention that she had taken

0074

1 pictures of them. So I really don't know.

2 Q. Okay. So at this point they tell you that
3 you're going to -- they want you to go to an ATM?

4 A. Right.

5 Q. And they take you back to your car. At
6 this point did you see anyone?

7 A. Yes.

8 Q. Who did you see?

9 A. I don't know her name. When we came down
10 the steps here and came back toward this, somewhere
11 right in here, between there and the trash can --

12 Q. For the record, you're looking on the

13 second picture in Exhibit No. 4 around the bottom
14 sidewalk; is that right?

15 A. Right.

16 Q. Okay.

17 A. A lady was walking her two dogs. She
18 walked her dogs every night about the same time,
19 somewhere between 10:30 and 11:00. She was coming
20 up and he -- the two guys were right on me. The one
21 that had the gun to the front dropped the gun down
22 and put it in his pants. The other one kept it in
23 my shirt and he said, "You better not say one word.
24 You better not scream. You better not try to run or
25 do anything because we'll kill both of you." And he
0075

1 said, "Don't speak to her."

2 She had already said, "Hi, how are you?"

3 And he spoke. He told her, said, "We're
4 fine."

5 And she said something about the weather.
6 He commented about her dogs. And he told the other
7 guy behind me under his breath, he said, "Go to the
8 car with her."

9 And so he kept the gun in my back and kept
10 close and told me that I better act like we were
11 long lost lovers and stick right with him. And I
12 didn't know whether they were going to shoot that
13 woman there. I didn't know what they were going to
14 do. So I started going with him, the one behind me,
15 to the car.

16 And I heard him ask her what kind of dog
17 she had and she -- he told her he had the same kind.
18 And they chitchatted for a few minutes and he
19 finally said, "Well, I've got to go. Have a good
20 night." And he caught up with us before we got to
21 the car.

22 Q. Okay. And did you ever talk with her
23 afterwards?

24 A. Afterwards. The day after, yeah.

25 Q. Okay. And do you as you sit here today
0076

1 know her name?

2 A. No, I don't.

3 Q. Okay. So you never went in -- you never
4 made it to your apartment; is that right?

5 A. No, I did not.

6 Q. So at this point they get you to the car.

7 And you were driving; is that right?
8 A. I was driving.
9 Q. Where were they sitting in the car?
10 A. One was sitting in the front seat and one
11 was sitting in my grandchild's car seat. He was a
12 little, tiny fellow. He sat in the car seat in the
13 back and kept the gun to the back of my head.
14 Q. And where did you go next?
15 A. I went to BB&T on Harbison.
16 Q. Was that where you worked?
17 A. That's where I worked. Because I had been
18 trained there and I knew how our cameras worked and
19 I knew the film would be available to my daughter no
20 matter what had come of this. I didn't know that
21 about the other banks, how long it took to get film.
22 So I chose to take them to BB&T.
23 Of course, I don't know if you know about
24 Harbison Boulevard, but it's bank row. You pass
25 three or four banks before we got there. He did ask
0077
1 me why did I pass -- at that time it was First
2 Union, I think is what it was then, but he asked me
3 why I passed. And I said, "Well, it's a BB&T card.
4 It will only work in BB&T." He said, "Okay."
5 Q. Right.
6 A. So we went there first. Knew how the
7 camera -- what the pictures look like. So I pulled
8 up a little bit further than most normal people
9 would, hoping they could get a picture of the guy in
10 the back. I don't know if they suspected that I was
11 doing something funny, but they ducked down as soon
12 as I got to the window. So the picture that came
13 out on the news and everything, you couldn't see
14 their faces. You could just see the two guns
15 pointed at me. I took out -- I'm not going to say
16 the amount because I don't know for sure, but I took
17 out what I thought maybe would satisfy them. It
18 didn't.
19 Q. And I don't mean to interrupt you, but let
20 me stop you and ask this. Is there any restriction
21 on the amount you can take out? I know with my own
22 bank there used to be you couldn't get more than 200
23 in a day or something.
24 A. Right.
25 Q. Did you have any restriction on your
0078

1 account?

2 A. Yes.

3 Q. And what was that amount, if you know?

4 A. For an employee I really don't know. It's
5 different for an employee. I have been told since
6 then I could have probably pretty much asked for
7 whatever I wanted and been questioned about it later
8 as an employee.

9 They knew about the amount because the
10 second time I went through and I said, "That's it.
11 That's all I have." And he said, "Oh, you've
12 reached your limit for today?"

13 Q. Right.

14 A. So they knew about that, but I didn't -- I
15 didn't tell them that.

16 Q. So after you made the withdrawal at the
17 BB&T ATM where did you go next?

18 A. He then proceeded to tell me that their
19 drug dealer was following behind us, was in a car
20 behind us, to get the money. And they were all
21 talking on cell phones. I heard the one in the back
22 tell him how much he got from me and he said, "I
23 know that's not enough, but what do you want us to
24 do? That's all she's got." And so I only heard
25 parts of -- half of the conversation.

0079

1 So we pulled back onto Harbison Boulevard,
2 drove back across the interstate. He told me to
3 pull into Lowe's, but as soon as I pulled in to shut
4 my eyes and they would tell me how to turn around,
5 that I needed to turn around and go back to the
6 bank, but they didn't want me to see the drug
7 dealer's car. So I did what he said. I closed my
8 eyes.

9 Q. And were you having to turn your car?

10 A. Yeah. He told me when to turn. He told
11 me when I could open my eyes again and told me to
12 get back on Harbison Boulevard and go back to the
13 bank again.

14 Q. The same bank?

15 A. The same bank.

16 Q. Okay.

17 A. So I did. And I went through the same
18 thing again. I leaned up as far as I could, hoping
19 they could get a good picture, which they were able
20 to identify the guns from the pictures, but I took

21 out some more that I thought would make them happy.
22 And he asked me if that was all I had. Didn't ask
23 to see a receipt or anything that was showing the
24 balance in my account, but we went back on Harbison
25 Boulevard and I was just -- I asked them which way
0080

1 to go. He told me to go back toward Broad River
2 Road and so I did. And for some reason when I got
3 to Wellspring I turned my blinker on to turn back in
4 there. And he said, "What do you think you're
5 doing?"

6 And I said, "I'm going home."

7 And he said, "No, you're not. You will
8 never see home again." And he told me to keep going
9 until I got to Broad River Road. And when I got to
10 Broad River Road they were arguing back and forth
11 with each other. They were arguing with the man on
12 the phone. And he said, "This is just not enough
13 money. This is not cutting it. You've got to do
14 better than this."

15 So they made me make a U-turn in the road
16 and we headed back up to Harbison. And traffic was
17 heavy and they changed their mind at the last minute
18 and said, "No. Go to Piney Grove Road."

19 And I said, "Well, I have to make a
20 decision. Do you want me to go on the interstate or
21 take the frontage road?" And they didn't care how I
22 got there. I don't know what made me choose the
23 frontage road, but I did. I went that way.

24 We rode up and down Piney Grove Road and
25 they didn't give me any instructions except they
0081

1 needed more money and they needed more money and for
2 me to slow down and their dealer couldn't keep up,
3 they were not from this area and they didn't want me
4 to lose him.

5 So they kept insisting that I either give
6 them more money or they were going to kill me then
7 and wanted to know if there was any family member or
8 anybody I could call that would bring money. And I
9 told them no, I didn't have any family and nobody
10 would come.

11 And he asked me where I worked. I didn't
12 want to tell him I worked at the bank. I told them
13 I was retired. And so they said, "Well, Granny,
14 you're going to have to find us some more money."

15 So I chose then to go to the BB&T on Bush
16 River Road. Once again I knew that we could get the
17 tape. Whether I lived or died, they would be able
18 to get a tape. So I went to that one. And their
19 ATM machine has a lot more room and a lot more
20 space. And since they had told me a car was
21 following I wanted to see if I could get that car in
22 the picture too. So I deliberately overshot it when
23 I pulled up. So I had to open my car door to use it
24 so the light came on, hoping that would help too.
25 And it made the man behind me get nervous and he

0082

1 pulled up right beside me. So the car did get in
2 the picture.

3 Q. Did you ever see what color the other car
4 was?

5 A. I didn't look. I never looked that way.
6 I saw it in pictures later on in BB&T film.

7 Q. Do you know the make or model?

8 A. No. No. I wouldn't even -- if I saw it,
9 you know, I don't know the difference between a Ford
10 and a Chevy. So, no, I wouldn't know.

11 Q. You and me both.

12 A. I did get -- at that time I only had 40
13 some dollars left in my checking account. I had
14 other accounts, but they didn't know and I didn't
15 tell them and I took out whatever. I think it left
16 me with like about \$17 and some odd cents. He did
17 ask for the receipt this time. He looked at it and
18 he said, "She's telling the truth. She doesn't have
19 any more money." So all together I think I gave
20 them 740 something dollars.

21 So we started to pull up and he said,
22 "Well, we've got to do something. We've got to get
23 this man off our back. We've got to get him off our
24 back." And they made me go back onto Bush River
25 Road and pull into the Hardee's behind Dutch Square,

0083

1 which was already closed. It was dark. Made me
2 pull into the back. I was scared to death because
3 there was nobody there. It was dark. Made me cut
4 the car off and we sat there and it was -- I
5 gathered from their conversation it was because we
6 had lost the guy again and were waiting on him to
7 find us.

8 Q. And I don't mean to interrupt you, but as

9 you say certain things it creates questions for me.
10 Did you get the impression that they were trying to
11 lose this fellow behind them or they were trying to
12 keep him with them as they were driving?

13 A. Keep him with them. Keep him with them.

14 Q. Okay. And did they -- you said that when
15 you went to the Hardee's you thought you had lost
16 him. Were they making you drive fast or try and
17 lose him or anything?

18 A. No. They made me drive slow so I could
19 keep up with him, but traffic was just so bad and
20 they were not familiar with the area.

21 Q. Okay. So then my understanding is that he
22 had just fallen behind because of lights or whatever
23 else?

24 A. Right. Because he pulled up eventually.
25 They told me not to look in the rearview mirror and
0084

1 I did not.

2 Q. Sure.

3 A. So I don't know if he pulled in behind us
4 or what, but the car was off and the two in my car
5 were arguing, "Well, we've got to do something with
6 her. We've got to kill her. Are we going to kill
7 her here or are we going to take her back to the
8 apartment?"

9 They argued back and forth of what they
10 were going to do and he said, "Well, I think she's
11 lying to us. I think there's more money." And he
12 said, "I'll tell you what, lady. We're going to
13 take you up and down Broad River Road and we're
14 going to stop at every eating place along the way.
15 And if you are able to get food with this debit
16 card, then I know you're lying and we're going to
17 kill you right on the spot."

18 And I panicked then because with an
19 employee's account they would let me overdraw as
20 much as I had to and find me the next day if they
21 had to, but I knew that's the way it would work, but
22 I didn't want them to know that.

23 Q. Sure.

24 A. So I don't know. I just said what came
25 out of my mouth. I just said, "Oh, well, let me
0085

1 tell you how this is going to work. I will take you
2 wherever you want to go to get something to eat and

3 you can have \$17.11 worth, but after that you're
4 going to have to use the money that you've already
5 taken from me."
6 And I guess they wasn't expecting me to
7 answer them that way because they got quiet, both of
8 them did, and they said, "Well, we believe you. You
9 must not have any more money."
10 And I said, "That's it. I don't have any
11 more I can give you."
12 And he said, "Well, you know this is not
13 looking good for you?"
14 And I said, "I know."
15 And he asked me why I wasn't afraid, why I
16 wasn't crying, why I wasn't hysterical. And I said,
17 "Is it going to make any difference in the outcome?"
18 He said, "No."
19 And I said, "Well, that's your answer. I
20 don't know why I'm calm."
21 He said, "Well, you've been singing,
22 you've been humming."
23 I said, "I have? I didn't realize I had."
24 And he said, "And you were singing Amazing
25 Grace." And he said, "I want to know why."

0086

1 And I said, "Well, that was the song
2 that -- my sister's song that was played at her
3 funeral. I guess it's just comforting to me."
4 And he said, "So you believe in God?"
5 I said, "Yes, I do."
6 And he said, "Well, what kind of God would
7 put you in the mess that you're in?"
8 And I just told him, I said, "My God
9 didn't put me in this mess. You decided."
10 He said, "Well, let me tell you why we
11 decided." So he proceeded to tell me the story of
12 him being robbed the weekend before in a drug deal
13 gone bad and had just gotten out of juvie. He had
14 no family. He had been in juvie since he was 12
15 years old. He just went on to tell me his story.
16 He said, "That doesn't make any difference
17 for you. We've got a problem now. We've got to
18 kill you." And he said, "And we're going to take
19 your body and dump it in the river in Beaufort."
20 And like once again why I said what I said
21 I don't know, but I said, "Why would you do that to
22 Beaufort? I don't have enough gas to drive to

23 Beaufort and there's the Broad River right here."

24 And he said, "Well, lady, I'm sorry. I'm
25 just sorry this is your unlucky day, but this is not
0087

1 going to turn out good for you."

2 So that one in the back was talking to, I
3 guess, the dealer on the phone and he said, "He said
4 crank the car. Crank the car. Crank it now. We've
5 got to go. We've got to go."

6 So I cranked it and he said, "Don't you
7 look behind you." And I said, "I'm not. I'm not
8 looking behind me." I said, "But I'm hot. Can I
9 please cut on the air conditioner?"

10 And he said, "It's your F-ing car, lady.
11 You do whatever you want to with it."

12 I said, "Well, you know, you've got the
13 gun. I'm not touching or doing anything unless you
14 tell me what to do."

15 And he said, "You can cut the air on." So
16 I cut the air on. He said, "Just drive. We'll tell
17 you where to go." So we got out of the Hardee's
18 parking lot, turned right. And when we got to the
19 next light he said, "Go the frontage road here."
20 It's a little road that runs between Bush River and
21 St. Andrews Road that runs along the interstate that
22 goes I-26 and then crosses over I-20.

23 We got -- after we went around a curve and
24 over a bridge he said, "Turn right here." I
25 don't -- I know now that's Zimmerman, but I didn't
0088

1 know it then, but he made me turn on that road. And
2 we came to an apartment complex immediately on the
3 right and he said, "You're going to turn in here and
4 you're going to drive no faster than five
5 miles-an-hour. You're going to turn when I say turn
6 and you're going to stop when I say stop. Do you
7 understand?"

8 I said, "Yes."

9 And he said, "And you're not going to ask
10 any questions while we figure out what to do." We
11 drove and we drove and it was this zigzagging and
12 zigzagging every which way, yelling and screaming.
13 They were cussing at each other. They were cussing
14 at the man on the phone.

15 Q. Let me stop you. When you say you were
16 zigzagging, were you going through the apartment

17 complex?

18 A. All through that apartment complex. It's
19 a big complex.

20 Q. Do you know as you sit here now today what
21 the name of that complex is?

22 A. Crossroads.

23 Q. Okay.

24 A. Oh, Lord. That just came. Crossroads.

25 Q. Okay. I'm sorry. I didn't mean to

0089

1 interrupt you.

2 A. I'm sure maybe that's probably still the
3 same name as it was then. I don't know. But I know
4 it was called Crossroads. And we drove -- we kept
5 driving like that for what seemed like hours for me,
6 but, I mean, this whole ordeal was only about an
7 hour and a half. So it really wasn't hours, but --
8 and they were arguing and fussing.

9 And the young kid in the back, the
10 youngest one -- or he appeared to me by his voice to
11 be the youngest. And he was short. I know when he
12 was holding me I was taller than him. The other one
13 was taller. But to make -- he was arguing with
14 somebody on the phone and he was getting -- he said,
15 "Man, you got to kill her. You've got to do it.
16 You might as well do it now. You know we've got to
17 do this. We've got to do it."

18 And he was like, "Leave me alone. Leave
19 me alone. I'm thinking. I'm thinking. I'm trying
20 to decide what to do."

21 Well, the young one in the back seat said,
22 "While you're deciding I'm out of here." And he
23 reached to open the car door to get out. Well, I
24 have childproof locks on my door because I carry my
25 grandchildren around. He couldn't get out. And he

0090

1 started cussing at me then and tapped me on the back
2 of the head with the gun and he said, "You better
3 let me out of this car, if you know what's good
4 for."

5 So I reached over and hit the button. I
6 told him I'm -- I said, "I'm hitting the button to
7 let him out now." He jumped out. I did not look at
8 the rearview mirror, but I could see out of the side
9 view mirror without him noticing. He rolled. We
10 were going less than five miles-an-hour. So I knew

11 we wasn't hurt, but I could see -- I saw someone get
12 out of a car behind us and I saw people running with
13 guns, two or three different people with guns out.

14 My heart was pounding. It was beating. I
15 just said, "Lord, you know, this is it. I don't
16 want to suffer. I don't want my daughter to have to
17 take care of me. So let's get this over with."

18 So the next time we went around the corner
19 I slammed on brakes and I just turned around and
20 looked at him right in the face and I said, "Do
21 whatever you've got to do or get the hell out of my
22 car." And he jumped out.

23 Q. And were you still in the Crossroads
24 Apartment complex at that time?

25 A. I was. And he didn't shut the car door.

0091

1 So I could hear him as he jumped out. He turned
2 around and he said, "This is your lucky day, lady.
3 You need to get the hell out of here."

4 So I drove with the car door open until I
5 got where when I looked in the mirror I didn't see
6 people running with guns and I didn't feel like
7 there was somebody behind me. And I reached over
8 and shut the door and locked it.

9 And then they had thrown my cell phone on
10 the floor because they made fun of it because it was
11 an old one and they didn't want it. So I reached
12 down and picked it up. It had my daughter
13 programmed in there. So I called her and she said
14 she couldn't understand me. Because I hadn't cried
15 or lost it until then. She could understand
16 robbery, guns, and lost. And she said, "Mother, I
17 can't help you if you don't tell me where you are."

18 And I didn't know where I was. I said,
19 "I'm somewhere between Bush River and St. Andrews
20 Road." And she got her husband awake and he made
21 some phone calls to the police so they could try to
22 start finding me.

23 Q. What's her husband's name?

24 A. Don Curtis.

25 Q. Okay.

0092

1 A. And he got help on the way, but again they
2 didn't know where I was. So I kept talking to her.
3 She was just, "Momma, keep driving. Just keep
4 driving." And the next thing I realized I was on

5 Broad River Road. I don't know how I got there.

6 Q. You kind of came out to an area you were
7 familiar with?

8 A. Yes. I don't know. I'm thinking now that
9 I've revisited the area and I've got a little
10 bearing, I must have gotten back on that Zimmerman
11 and I knew it ran into Broad River. Why I went that
12 way instead of getting on the interstate I don't
13 know, I don't have a clue, but I got back on Broad
14 River Road.

15 And I remember my daughter said, "Just
16 tell me anything you pass, Momma, so you can give
17 me" -- well, I passed the Sonic. And when I said
18 Sonic she thought I was on Harbison. So Richland
19 County was headed toward the Sonic on Lake Murray --
20 I mean, on Harbison until I told her, I said, "No,
21 I'm not at that Sonic. I'm now coming up on SLED."

22 And she said, "Oh, you're coming down
23 Broad River."

24 And I said, "Yes. But I need to go to the
25 apartment. I need to go the apartment."

0093

1 She kept telling me not to go there in
2 case they were following me. She said, "Bring them
3 to the house. We've already" -- she lives in New
4 Friarsgate. She said, "Donald has already called
5 Richland County and he's also called Irmo. Irmo is
6 already here. They are waiting here at the house on
7 you, Momma. Bring them here. If they are following
8 you, we'll handle it here."

9 Q. And she lived at New Friarsgate?

10 A. In New Friarsgate.

11 Q. Whereabouts is that and what road is it
12 off of?

13 A. It's off of North Royal Tower.

14 Q. Okay.

15 A. Which is off of Broad River.

16 Q. Let me back up and ask a question. Since
17 it sounds like you kind of went back and retraced
18 some of this after the fact, how far is the
19 Crossroads complex from Wellspring, do you know?

20 A. Well, there's the exit Bush River, then
21 Piney Grove, and then Harbison. So it's three exits
22 down.

23 Q. Okay.

24 A. So, anyway, I got to -- got to her and --

25 I got to her house and there was two Richland County
0094

1 deputies and, I think, two Irmo police deputies and
2 my ex-husband. My daughter had already called him.
3 He was there. I took a deep breath. I did not want
4 my grandchildren to see me in the shape I was in or
5 my daughter. I took a deep breath and got out of
6 the car and then I collapsed in the front yard.

7 My son-in-law gathered me up and got me in
8 the house. And I remember looking up at him and
9 saying, "Donald, how many stoplights is there
10 between Bush River and New Friarsgate?"

11 And he said, "13 or 14."

12 I said, "What are the chances of them all
13 being green?"

14 He said, "None."

15 I said, "Well, I think I just broke the
16 law." That's the first thing I remember is
17 wondering how many stoplights I ran through. I
18 never looked, I guess. I don't know.

19 Q. Do you recall what kind of night -- what
20 time of night it was at this point?

21 A. Oh, yeah. It was 11:00, a little after
22 11:00.

23 Q. A little after 11:00?

24 A. Maybe 11:20, 11:00 something. I know --
25 that's so vivid in my mind because I know my
0095

1 daughter, being married to a police officer, when
2 they go to bed they unplug the phone upstairs. His
3 police phone is on, but personal calls they do not
4 take after 11:00 at night. They've got three small
5 children. And I knew -- when I remember looking at
6 it I said, "It's after 11:00. She's not going to
7 answer. She's not going to answer." She answered
8 on the first call.

9 Q. So Mr. Curtis is also in law enforcement;
10 is that right?

11 A. Yes.

12 Q. So let me back up and just kind of get
13 some sign posts here. Your choir practice would
14 have gone till 10:00 and then you would have gotten
15 home however long it takes you --

16 A. About 10:30.

17 Q. About 10:30. And this incident happened
18 as soon as you got out of your car?

19 A. Uh-huh.
20 Q. And by the time you got to your -- and I'm
21 sorry. Was that a yes?
22 A. Yes. I'm sorry.
23 Q. That's okay. And by the time you got to
24 your daughter's apartment it was around 11:20,
25 thereabouts?

0096

1 A. Somewhere in that vicinity, yes.
2 Q. So my understanding then, and I understand
3 I'm not putting a precise number of minutes on it,
4 but as we sit here and chat about it today, it
5 lasted approximately 45 minutes to maybe 55 minutes?

6 A. Approximately.
7 Q. Maybe 50 minutes, thereabouts?

8 A. Uh-huh.
9 (Off-the-record discussion.)

10 (A recess transpired.)

11 BY MR. COMER:

12 Q. Back on the record. Okay. Ms. Wright,
13 we've been talking a little bit about your incident.
14 And up at this point you were at your daughter's
15 apartment. Did you provide a statement to the
16 police?

17 A. Yes, I did.

18 Q. How long did that take?

19 A. Oh, gosh. 30 minutes or more.

20 Q. And I take it at some point they left the
21 premises and you just remained at your daughter's
22 apartment?

23 A. I stayed there.

24 Q. Did you stay there that night?

25 A. Yes, I did.

0097

1 Q. Did you go back -- between when you got
2 there did you go back and get any personal
3 belongings?

4 A. No.

5 Q. Or did you stay there?

6 A. I stayed there.

7 Q. What did you do -- what did you do the
8 next day?

9 A. We went back over to report it to the
10 apartment complex. I didn't know if they knew about
11 it. I didn't know. But I went to tell them I was
12 leaving.

13 Q. Who did you speak with?
14 A. I don't know. I don't remember. Whoever
15 was at the front desk, but I don't remember.
16 Q. Okay. And you said you told them you were
17 leaving?
18 A. Yes.
19 Q. And why did you make the decision to
20 leave?
21 A. I could never go back in that place again
22 ever.
23 Q. Just because that was the site of --
24 A. Yes.
25 Q. -- where everything started?

0098

1 A. Uh-huh.
2 Q. Up to this point prior to this incident
3 happening had you had any issues with the apartment
4 complex that made you want to leave it or consider
5 leaving or anything like that?
6 A. Only one other incident when we had some
7 teenage boys soliciting magazine sales late at night
8 after 10:00 banging on doors. That had happened
9 several times.
10 Q. Okay.
11 A. That they couldn't seem to control.
12 Q. Okay. And nothing other than that?
13 A. Nothing other than that, no.
14 Q. Okay. And when you spoke with this person
15 at the desk you just reported to them what happened;
16 is that correct?
17 A. Well, I really didn't get a chance to even
18 tell her because as soon as I walked in they said,
19 "Oh, Ms. Wright, we heard what happened to you.
20 We're so sorry."
21 Q. Okay.
22 A. They already knew.
23 Q. Okay.
24 A. But when we pulled up out there there
25 was -- WIS was already there. They had cameras set

0099

1 up in front of my apartment. And she told me
2 that -- whoever the lady in the apartment, I don't
3 know if it was Karen I talked to then or Kylie or
4 which one it was, said that, "You don't want to go
5 down there now."
6 I said, "Oh, no. I don't want to ever go

7 down there."

8 And she said, "But you don't want to go
9 now. The TV is waiting on you to come out."

10 Q. Okay.

11 A. They had found out about. Tried to keep
12 it quiet. Since I was a bank employee they didn't
13 want it to go out, but it had gotten out anyway.
14 So, anyway, she told me not to go down there and I
15 said, "I won't."

16 And she asked me to tell her what
17 happened. And I started telling her and I asked her
18 the lady's name. I said, "If I told you this lady
19 that walks the white dog and the" -- she knew
20 exactly who I was talking about.

21 She said, "Let me go see if she's there."
22 And she left and went to find her. And she wasn't
23 home, but somebody was that knew how to reach her
24 and they -- I don't remember how it worked out, but
25 they got her in touch with the police. So she did
0100

1 an artist sketch of them because she saw them. She
2 said she felt funny about it. She said it just
3 looked funny to see a white middle aged woman with
4 two black teenage boys.

5 Q. I was going to ask did you at some point
6 talk to her either on the phone or personally?

7 A. I did. I think it was the next day I went
8 back in there to -- I had some friends who
9 volunteered to pack things up for me so I wouldn't
10 even have to go in there. And I went back over to
11 ask what I needed to do about getting my deposit
12 back and things like this and she came in.

13 Q. To the office?

14 A. Into the office. Now, for the record,
15 there was a police officer with me. I had a
16 victim's advocate deputy -- resident deputy was with
17 me all the time and she was in there with me. And
18 she said, "Might not be a good idea for you guys to
19 talk about this, but here is" -- she let us hug.

20 And the lady said she was sorry that she
21 didn't do anything. And she said, "My dogs would
22 have attacked if I had told them to, but I" -- she
23 said, "I didn't have that feeling until after I
24 walked away." And she said, "I knew you. I've seen
25 you go in and out." And she said, "It just didn't
0101

1 look like the kind of people you normally hang out.
2 I should have known something was wrong." So that's
3 about basically all we talked about. They really
4 wouldn't let us talk about anything else.

5 Q. Have you talked to her since?

6 A. No, I haven't.

7 Q. Do you have any knowledge -- I think you
8 mentioned -- is this the person that you said had
9 some kind of case as well against Wellspring or do
10 you know?

11 A. No. To my knowledge, no.

12 Q. Okay. Did the employee that you spoke
13 with at Wellspring, did she have you sign any sort
14 of statement or anything?

15 A. Not that I remember, no.

16 Q. Do you recall her taking down any kind of
17 statement?

18 A. She was writing, but I didn't sign
19 anything that I know about or that I remember.

20 Q. Yeah. You testified earlier, and I just
21 want to make sure this is clear, that she said
22 something about, "We tried to keep it quiet because
23 you're a bank employee," and that --

24 A. No. Not her. She didn't say that.

25 Q. Okay.

0102

1 A. My bank kind of wanted to keep it quiet.

2 Q. I understand.

3 A. And so did the police officer that we
4 talked with. He said, "You don't -- until we catch
5 these guys you really don't want them to know that
6 you work for a bank."

7 Q. Right.

8 A. They are the ones that suggested that they
9 remove my nameplate and everything in the office as
10 if I wasn't there any longer. So they did that for
11 the two months I was out on leave.

12 Q. Okay. In terms of your conversations with
13 the Wellspring employee, did you feel like she was
14 receptive and expressed concern about what happened?

15 A. Oh, yeah. Yeah, she did.

16 Q. So no complaints with regard to at least
17 listening to your version of the events and helping
18 you get in your apartment and stuff like that?

19 A. Right.

20 Q. Okay. And you mentioned that you wanted

21 to leave. Did you have any issues getting back your
22 deposit or getting out of your lease?

23 A. I never got my deposit back. I called a
24 couple of times after I left to see, you know, where
25 it was, what was the status of it, and I was just

0103

1 told that that was a corporate decision and they had
2 no control over that and I would hear something from
3 the corporate office, but I never did. And I never
4 followed through more than two or three phone calls,
5 but I never got the deposit back.

6 Q. Was your apartment furnished?

7 A. No.

8 Q. So you had to get your furniture and
9 everything out too?

10 A. Yes.

11 Q. And I think you mentioned that you had
12 some friends help you do it?

13 A. Had some friends to do it. I finally got
14 myself together probably about the fourth or fifth
15 day enough to go over there as long as there were a
16 lot of people with me and pretty much say, "Put this
17 here, put this here, put this there."

18 Q. Okay.

19 A. I was able to go back in then.

20 Q. Do you remember the day of the week that
21 this happened, what -- that night what --

22 A. Thursday.

23 Q. Thursday night. So your next workday
24 would have been Friday?

25 A. Friday.

0104

1 Q. What did you tell work in terms of --

2 A. My daughter called my immediate
3 supervisor, Karen Metts, that night and told her
4 what happened and said, "Mother will not be there
5 tomorrow," and told her about the film. Well, they
6 got the film to the police that night. They were
7 able to get it that quick. So they had -- that's
8 how it got on WIS News immediately.

9 Q. Right.

10 A. And that they had the video from it.

11 Q. Okay. Did they ever catch the guys who
12 did this?

13 A. I don't know. I've never been told that
14 they have or have not.

15 Q. Have you ever followed up just out of
16 curiosity to see the status of any investigation?

17 A. A couple of times when I was close with my
18 victim's advocate when she followed me around for
19 months and months. She would say, "We're close.
20 We're close," or, "We've got good leads," and
21 whatever, but other than that, no.

22 Q. Yeah. Did you ever participate in any
23 kind of lineup or anything to identify anybody?

24 A. No.

25 Q. It may be in your interrogatory responses,
0105

1 but who would you kind of consider your primary
2 contact at the police department about this
3 incident?

4 A. Cassie.

5 Q. Cassie. And you don't have any
6 information as to the status one way or the other?

7 A. No, I don't.

8 (Exhibit No. 5 was marked for
9 identification.)

10 BY MR. COMER:

11 Q. Ms. Wright, I'm showing you what's been
12 marked as Deposition Exhibit No. 5. Do you
13 recognize this document?

14 A. Yes.

15 Q. Okay. And I guess my question is have you
16 seen the incident report from your incident before
17 today?

18 A. Yes.

19 Q. It's something you would have received
20 from the police?

21 A. Yes.

22 MR. RIDGEWAY: Let me just -- before
23 you go any further let me just step out and let you
24 read this and see if you've got any questions about
25 it.

0106

1 MR. COMER: I think this is what you
2 guys gave us, but I cannot be sure. So that's fine.

3 (A recess transpired.)

4 BY MR. COMER:

5 Q. Let's go back on the record. Ms. Wright,
6 I've shown you a copy of what's been marked as
7 Deposition Exhibit No. 5. I think you told me you
8 had seen this document --

9 A. Yes.
10 Q. -- before; is that right?
11 A. Yes.
12 Q. Let me get my question out. Does this
13 appear to be a true and accurate copy of the
14 incident report from the night of your abduction at
15 Wellspring?
16 A. Yes.
17 Q. Okay. And at the top it indicates that
18 incident date September 18, 2008. Is that correct
19 according to your recollection?
20 A. That's correct.
21 Q. Okay. And I was asking you a lot of
22 approximate times earlier. It says 24-hour clock
23 22:30. I guess that would be 10:30 as the time that
24 the incident started. Would that appear to
25 correspond to your recollection?
0107
1 A. That's correct.
2 Q. Okay. And then it indicates 24-hour clock
3 23:05. I guess that would be 11:05 that evening.
4 Would that correspond to your recollection of when
5 approximately it ended?
6 A. That's correct.
7 Q. Okay. And then I believe if you look
8 further over, it indicates a dispatch time of 23:13,
9 so 11:13. That would have been, I guess, about the
10 time you called it in?
11 A. Right.
12 Q. Okay. Let me just ask you a couple of
13 questions. As you look down in the narrative on
14 this document it says, "On the above listed and time
15 the R/O was dispatched to 1143 Chadford Road." Was
16 that your daughter's apartment?
17 A. That's her house.
18 Q. Her house. Okay. So she lives in a house
19 subdivision?
20 A. Right.
21 Q. I apologize. I was under the impression
22 she lived in an apartment complex.
23 A. It's called New Friarsgate.
24 Q. And it says -- a couple lines down it
25 says, "The complainant stated to the R/O" -- I guess
0108
1 that's requesting officer -- "that while she was
2 coming back home she parked her vehicle and walked

3 to her apartment building. The C/V saw two black
4 males sitting on the walking ramp in front of the
5 2200 building." Do you recall telling the officer
6 that you saw them sitting on the ramp?

7 A. No, I don't. I just -- I remember that's
8 where they were was on the ramp area behind the
9 bush.

10 Q. Okay.

11 A. But I don't recall telling them where they
12 were sitting.

13 Q. Okay.

14 A. I don't really know where they were
15 sitting.

16 Q. Okay. And it says further down, "I'll
17 blow your head off if you don't give me your money."
18 Is that what they said to you?

19 A. Yes. Yes.

20 Q. And then further down it says, "While the
21 C/V and the subjects were going to her vehicle they
22 saw a lady walking her dog in the parking lot."
23 That would be the woman you referred to earlier; is
24 that right?

25 A. That is correct.

0109

1 Q. Okay. It says that you were taken to the
2 BB&T Bank on Harbison Boulevard and made two
3 withdrawals of \$500 and \$200. Do you recall that?

4 A. That sounds right, yes.

5 Q. Okay. And what this -- what is not
6 indicated here, my understanding from your testimony
7 was that you actually went through, drove around a
8 bit, and came back?

9 A. And came back. That's correct.

10 Q. So this was not --

11 A. All at one time, no.

12 Q. I understand. And then it says the C/V --
13 I'm looking at the very last sentence in the
14 narrative. "The C/V took the subjects to the BB&T
15 on Dutch Square in which she withdrew \$80 from the
16 ATM machine." Was that the last withdrawal?

17 A. That was the last withdrawal, yes.

18 Q. Let me go to the second page. And it
19 says, "The subjects told the C/V to go to the
20 Hardee's parking lot on Dutch Square Boulevard. And
21 while in the Hardee's parking lot the subjects told
22 her they were going to rape her."

23 Now, one thing that was missing from your
24 testimony earlier was any testimony about a fear of
25 sexual assault. Did they ever make any statements
0110

1 like that?

2 A. Yes, they did.

3 Q. Tell me about that.

4 A. There at Hardee's and at the Dutch Square
5 thing. That's where he put his hands down the back
6 of my pants because I was leaning forward so that
7 they could get the camera on him. And that's when
8 he said -- they called me granny and they called me
9 fatty too. He said, "Granny's got a fatty ass.

10 We're going to need to take her back to the
11 apartment and have some fun before we kill her."

12 And then they said that again at Hardee's too.

13 Q. And other than making the comments and
14 them putting their hands down the back of your
15 pants, did they ever do anything beyond that
16 touching in terms of any additional assault of a
17 sexual nature?

18 A. Just the one in the front -- it was only
19 the one in the front.

20 Q. Okay.

21 A. The one in the back talked about it. The
22 run in the front grabbed my breast while I was
23 driving. He was fondling.

24 Q. Okay. And please don't read into this
25 question. I'm not downplaying the significance of
0111

1 that, but outside of the fondling --

2 A. No.

3 Q. -- any additional assault did not occur?

4 A. No. I think they -- I didn't remember it,
5 but they -- I did later, that they took pictures
6 when they got to my daughter's house of some bruises
7 where they touched me.

8 Q. The police took the pictures?

9 A. Uh-huh.

10 Q. Okay. I think that's all I've got on
11 that. Let me just set it over here with the others.
12 I asked you earlier about whether you ever
13 participated in any sort of criminal lineup. Did
14 you ever do anything else to identify these guys in
15 terms of looking at any pictures?

16 A. Yes, I did look at a photo book while the

17 deputy called me to meet me somewhere and showed me
18 the book. And I told him again I didn't look at
19 them. And he said, "Sometimes you did see them, but
20 you're blocking it out. I'm not asking you to
21 identify anybody. I just want you to look through
22 this book. I can tell from your expressions."

23 Q. Okay.

24 A. Must have been over 300 pages in this
25 book. And when I got through it was the same two
0112

1 that she had drawn, the two men that I touched and I
2 said, "Ooh."

3 Q. So you --

4 A. Same feeling.

5 Q. You were able to pick the gentlemen out?

6 A. He said I was. He said I did. I don't
7 know whether I did or not because I didn't look at
8 the composite drawings that was on the TV either. I
9 chose not to watch that, but that particular officer
10 did tell me that the two that I showed a reaction to
11 matched her description.

12 Q. Can you approximate the number of pictures
13 you looked at?

14 A. Between 200 and 300.

15 Q. Okay. Were there a lot of pictures on one
16 page or one picture per page?

17 A. No. Lots of them.

18 Q. Okay. So 200 or 300 pictures?

19 A. Yes.

20 Q. I think you -- and I'm asking to clarify
21 because I think you said the book was 200 or 300
22 pages.

23 A. Oh, I don't -- probably about that thick.

24 Q. Okay.

25 A. But there was probably -- I would guess
0113

1 that many pictures would be a rough guess.

2 Q. And you said you have never to this day
3 looked at the composite sketch?

4 A. No. No, I haven't.

5 Q. Did you ever provide any interview to, I
6 think you mentioned, WIS or WLTX or anybody?

7 A. No.

8 Q. Are you familiar with anything called a
9 report of unusual occurrence from having lived at
10 Wellspring?

11 A. No.
12 Q. Bear with me. I'm trying to mark out some
13 things to save us a little bit of time. How much
14 time passed from when this incident happened to when
15 you actually moved out of Wellspring? A week, two
16 weeks?
17 A. I never went back from that very night.
18 Q. I know, but I --
19 A. I stayed in with my daughter.
20 Q. I understand. But I mean the time when
21 you actually got your stuff out?
22 A. Four days.
23 Q. Okay. And in the meantime you lived with
24 your daughter?
25 A. I stayed with her for two months.
0114
1 Q. And then at the end of two months did you
2 look for a new place?
3 A. Yes. I moved into Century Heights.
4 Q. Okay. How long was it that you were out
5 of work as a result of this incident?
6 A. A little over two months.
7 Q. And did you at some point go and get the
8 counseling from Ms. Zaepfel, I believe we talked
9 about earlier?
10 A. Yes.
11 Q. Did she ever give you any sort of
12 diagnosis or anything?
13 A. Nothing except that she would be -- when
14 we first started she told me that she would be
15 surprised if I was able to go back to work. And I
16 told her that, you know, I had no choice. I was
17 divorced and on my own. I had to go back to work.
18 She was a counselor that BB&T used for bank
19 robberies. So she helped me. She helped me get
20 through it.
21 Q. How many times did you see her?
22 A. Once a week.
23 Q. How many weeks?
24 A. Gosh, a little over a month.
25 Q. Did she at some point release you to go
0115
1 back to work?
2 A. She didn't release me. I released myself
3 and she said she would agree with it as long as I
4 continued counseling. And I tried it. I tried

5 after I went back to work going to counseling with
6 her, but it's awfully hard to do and work the kind
7 of hours and schedules we did. So I ended up
8 calling her and telling her I was going to try this
9 on my own.

10 Q. And I guess my question is have you ever
11 seen anyone correspondence from her to your employer
12 or anyone else saying, "She can go back to work"?

13 A. No, I never saw anything.

14 Q. Are you aware of whether she ever sent
15 anything like that?

16 A. No, I'm not aware of it.

17 Q. What is it -- you have brought a lawsuit
18 naming PRG and Wellspring and, I believe, Karen
19 Campbell as defendants. What is it that you believe
20 they should have done to prevent this?

21 A. Made me safe and secure.

22 Q. Okay. And --

23 A. Took care of the issues that caused the
24 problems. If it hadn't of been for those bushes, I
25 wouldn't have had to go through this.

0116

1 Q. Okay. So, I guess, do you mean that they
2 should have cut the bushes back more?

3 A. Down.

4 Q. Cut the bushes down?

5 A. Dug them up. Whatever it takes to make
6 you feel safe to be able to walk into your
7 apartment.

8 Q. Had you felt unsafe prior to this
9 incident?

10 A. Yes.

11 Q. Okay. What, if anything, else? I mean,
12 we've talked about the bushes. What else should
13 they have done?

14 A. And the lights, the security lights. And
15 the first thing I questioned her the next day was,
16 "Where are these security officers that are supposed
17 to be walking the beat? I didn't see anybody.
18 There was nobody there when I needed them. I didn't
19 see one. I've never seen one the whole time I've
20 lived there."

21 Q. And what did she say?

22 A. Just shrugged her shoulders, "I'm sorry."

23 Q. And I apologize if I've already asked
24 this, but do you remember who this -- was this Kylie

25 or --

0117

1 A. I don't remember.

2 Q. Okay.

3 A. I really don't know who it was. I was out
4 of it.

5 Q. Okay. So we've talked about the officer,
6 we've talked about the bushes, we've talked about
7 the lighting. Is there anything else you think they
8 should have done to take care of your safety?

9 A. Well, nothing except things that I had
10 brought to their attention before of fencing the
11 property in so that -- because they always would say
12 those kids that were jumping the fence to get in the
13 pool were just riffraff, normal Harbison riffraff
14 that we couldn't control. Well, put some fences up
15 then or do something, but I was always told that
16 wasn't feasible.

17 Q. Well, did you ever consider leaving when
18 they told you that wasn't feasible?

19 A. Yeah. Yeah, I did, but I could afford
20 that place and it was close to work, but, yes, I did
21 consider it.

22 Q. Okay. But you never acted on that?

23 A. No, I did not.

24 Q. Do you think all criminal activity -- I
25 mean, do you think criminal activity can be

0118

1 prevented?

2 A. It can certainly be deterred.

3 Q. Okay.

4 A. I know you can't prevent it all.

5 Q. Do you agree with me that this was
6 criminal activity?

7 A. Oh, yes.

8 Q. And my understanding then is you believe
9 that Wellspring should have done something to
10 prevent the criminal activity?

11 A. Yes, I do.

12 Q. Okay. One of the claims you've brought is
13 under something called the South Carolina Unfair
14 Trade Practices Act. Did you ever feel that someone
15 at Wellspring or at PRG deceived you?

16 A. Yes.

17 Q. Okay. Tell me how they deceived you.

18 A. They told me it was a safe and secure

19 place.

20 Q. Who told you it was a safe and secure
21 place?

22 A. It would be Kylie. She's the one that
23 I -- I think. Don't hold me to that because that's
24 been many years ago as to who was there when I
25 filled out the application.

0119

1 Q. Well, and I understand, but this is my
2 opportunity to ask you questions.

3 A. Yes.

4 Q. So if you're saying that someone deceived
5 you, what I want to know is who and when and how?

6 A. Well, it's probably better to say the
7 manager at that time.

8 Q. Okay. And what did they say?

9 A. That it was a safe and secure place. I
10 told them my situation, that I was a single woman
11 alone and it was important to me that I felt safe
12 and secure.

13 Q. Okay. So this was verbal?

14 A. Verbal.

15 Q. Okay.

16 A. Yes.

17 Q. Any other way that you felt deceived
18 beyond them saying this is a safe and secure place?

19 A. Not until after this was all over and I
20 found out how many other incidents have gone on
21 there and we were never -- I never knew that. I
22 would have made a decision to leave before something
23 happened had I known there were so many other
24 incidents there.

25 Q. And so you believe they should have been

0120

1 telling you about anything going on on the premises?

2 A. I think we deserved a right to know.

3 Q. Did you ever make that request prior to
4 this incident?

5 A. I didn't know about it until after I left.

6 Q. We've been talking about deception. It's
7 called the South Carolina Unfair Trade Practices
8 Act. Let me ask you about unfairness. Did you ever
9 feel like someone treated you unfairly?

10 A. No.

11 Q. Okay. Other than this verbal
12 representation that you say was made by the

13 manager -- when was that made? Was it when you
14 moved in? Was it later or when?

15 A. When I went to fill out an application.

16 Q. All right. Was it a man or a woman?

17 A. Woman.

18 Q. How old?

19 A. Young.

20 Q. Okay. Young 20's, young 30's?

21 A. Late 20's probably.

22 Q. What color hair did she have?

23 A. It seemed like it was brown.

24 Q. Okay. Long, short hair?

25 A. I really don't remember.

0121

1 Q. Other than the verbal expression, any
2 other way that they -- and we talked about the
3 incident reports. Anything else that made you feel
4 like you were deceived?

5 A. No.

6 Q. Okay. We've been talking about security
7 officer. Did anybody ever use the term courtesy
8 officer with you? Did you ever hear somebody
9 referred to in that manner?

10 A. No.

11 Q. Did you ever speak with a security officer
12 or courtesy officer at the complex?

13 A. No.

14 Q. Prior to this incident did you ever report
15 an incident that would have required you to speak
16 with a courtesy officer or security officer?

17 A. No. I called -- I directly called the
18 sheriff's department when those young men were
19 soliciting.

20 Q. Okay. Why did you call the sheriff's
21 department when the -- are you talking about the
22 magazine subscriptions?

23 A. Right. Yes.

24 Q. Why did you call the sheriff's department?

25 A. Because the number that I would have

0122

1 called at the apartment, all you would get is an
2 answering machine.

3 Q. Okay.

4 A. I wanted something done then. He was
5 banging on doors.

6 Q. I think you mentioned that after this

7 incident you moved to Century Heights; is that
8 right?
9 A. Century Heights.
10 Q. Do you still live there now?
11 A. I do.
12 Q. Tell me a little bit about your new
13 apartment. Is it comparable in terms of price?
14 A. No.
15 Q. Okay.
16 A. It's a lot more expensive, a lot more.
17 Q. Okay. How much more?
18 A. About \$400 more a month than what I was
19 paying at the other place.
20 Q. What were you paying when you left
21 Wellspring?
22 A. See, I don't remember the amount.
23 Q. Okay. Could you approximate? And I'm
24 sure it's in my records somewhere, but could you --
25 A. Yeah, I'm sure it is too. And it may not
0123
1 be -- I'm paying nine something now. It seemed like
2 I was paying five something there.
3 Q. Okay.
4 A. That seems right, but I'm not sure.
5 Q. As you sit here today from having lived in
6 your new place and seeing what it has to offer can
7 you comment on the difference in the price? In
8 other words, are there better amenities or is it a
9 bigger apartment or anything like that?
10 A. It is a bigger apartment.
11 Q. Okay.
12 A. But the No. 1 thing for me was the
13 security. It has -- it's gated. You have to have a
14 code to get in. Does that keep the bad people out?
15 No. You can sneak in behind somebody. But when I
16 did go there I was introduced to their officers
17 face-to-face so that if I ever had to call one, I
18 would know who it was, that it wouldn't be a
19 stranger. I was given the officer's cell phone
20 numbers, private lines, so you wouldn't have to go
21 through the main office and leave a message and wait
22 for somebody to call you back.
23 The lights are unreal. They are so
24 well-lit up in the breezeways and the apartment
25 things and exit light so you can see to get out of
0124

1 the apartment in a hurry. They've got backup lights
2 too in case the power goes out. All these things
3 were important to me when I moved there.

4 Q. Okay.

5 A. So was it worth the extra cost? Yeah.

6 Has it been hard? Yeah. But I feel safe.

7 Q. Okay. Were any representations made to
8 you at your current complex about your safety and
9 your security?

10 A. No.

11 Q. And what I mean by that is did someone
12 say, "Your safety is important," or, "Your security
13 is important," that kind of thing?

14 A. No. They just answered my questions when
15 I first moved in, was there security officers on
16 site, and yes. And that was all. That was it.

17 Q. Do you know if the security officer on
18 site is someone who is retained by the complex or if
19 it's someone affiliated with local law enforcement?

20 A. She told me by complex. They hire them.

21 Q. Do you have a roommate now?

22 A. No, I don't.

23 Q. Let me back up. What were the dimensions
24 of your apartment at Wellspring in terms of number
25 of bedrooms and baths?

0125

1 A. It was a two-bedroom, two-bath.

2 Q. How about your current apartment?

3 A. Two-bedroom, two-bath.

4 Q. Since you live by yourself is the extra
5 bedroom for grandchildren, if somebody visits?

6 A. Grandchildren.

7 Q. That kind of thing?

8 A. Grandchildren.

9 Q. Where is your new apartment in relation to
10 Wellspring in terms of if you had to estimate how
11 many miles away?

12 A. It's just the next exit. So less than a
13 half a mile I'm sure.

14 Q. Further down Harbison?

15 A. No. It's on the next exit, which is Lake
16 Murray Boulevard.

17 Q. I understand. Do you know if your lease
18 at your current apartment made any representations
19 to you about what, if any, responsibility the
20 complex had for your security?

21 A. I don't know if it does.
22 Q. Did you read your current lease?
23 A. Yeah, I did.
24 Q. You mentioned the gate at your current
25 apartment. Is that intended to -- is that intended
0126
1 to make you feel safer or keep out people who don't
2 live there?
3 A. Yeah. You have to have a little card to
4 get in or either go through the office. And they do
5 have a drive-up where you pull up and you can punch
6 in the person's name and it will call you and you
7 can decide whether to let them in or not let them
8 in.
9 Q. Okay. And did somebody tell you that that
10 was why the gate is there?
11 A. Yeah.
12 Q. Who told you that?
13 A. The apartment manager. And I don't know
14 who that was at that time because she's not there
15 anymore either.
16 Q. Did she tell you anything else about
17 safety and security at your current complex?
18 A. Nothing really except that, you know, like
19 I said, they gave us the phone numbers to call.
20 They also gave us the Richland County phone direct
21 line. They gave us Columbia Police, who handles
22 that area. They had a listing of all that, I think
23 it was a little magnet that you put on, and did tell
24 that we would be notified of any incidents, which we
25 are. We've had a couple of things. And they'll
0127
1 either leave a message on your answering machine or
2 stick a note under your door and say today we had
3 this and that or whatever happen. They'll let you
4 know, you know, what -- always let me know. And
5 they've had a few things since I've been there.
6 Q. Okay. Did Wellspring ever do anything
7 like that in terms of be it through a newsletter or
8 voice mail or anything?
9 A. No.
10 Q. Did Wellspring -- do you know, if you
11 know, if Wellspring ever informed other tenants of
12 your incident?
13 A. I don't know that.
14 Q. You don't know?

15 A. I don't know that.
 16 Q. Okay. You don't know one way or the
 17 other?
 18 A. No, I don't.
 19 Q. Let me -- have you had any issues at all
 20 at your current apartment in terms of be it
 21 maintenance or anything?
 22 A. Oh, yeah.
 23 Q. Okay. Tell me some of your issues.
 24 A. Broken dishwasher.
 25 Q. Okay.
 0128
 1 A. Broken refrigerator. And they replaced
 2 that. Carpet coming up. They fixed that. Had a
 3 water leak in a wall in a bathroom. So they had to
 4 totally kind of remodel the whole wall in one of the
 5 bathrooms. Had a snake last week on my front porch.
 6 They came and got rid of the snake.
 7 I did have somebody to bang on the door at
 8 2:00 in the morning. Investigated it for me. I
 9 ended up calling the resident deputy. He came down
 10 and found the person. It was somebody just drunk
 11 and got the wrong apartment.
 12 Q. Did he live at the complex?
 13 A. Yes, he did. Got confused. Got confused
 14 which door he was supposed to be in, but other than
 15 that, you know, everything I've asked for is --
 16 Q. Okay. You said there had been some other
 17 incidents. What have been some of the other
 18 incidents?
 19 A. I was notified that the building that --
 20 not the building I'm in, but the one next to it,
 21 which we both face the woods, which is not fenced
 22 in, some men came through the woods and robbed --
 23 broke into an apartment.
 24 Q. Okay.
 25 A. And I was notified that that had happened
 0129
 1 and suggestions as to keeping a light on all the
 2 time, even in the daytime when you are not there,
 3 leave the curtains open so it appears someone is
 4 there. They sent a little letter that talked about
 5 what to do.
 6 Q. Okay.
 7 A. Then I got a phone call and said that they
 8 -- we have a security code to get into the gym, to

9 the pool, to the laundry room, to the front office
10 if you need to go walk instead of driving up there.
11 We have a code to get in the doors. And they
12 changed the code due to a woman going through a
13 divorce, that her ex had found the code out, and to
14 protect her they were going to change the codes.

15 Q. Okay.

16 A. That's happened a couple times for
17 different divorces or child issues, but, I mean,
18 they always notify us when something happens and
19 they have to change the code.

20 Q. Right. I've been out to Wellspring and
21 when I went out to Wellspring I saw there are a lot
22 of buildings. And I would call it a big complex.

23 A. It's big.

24 Q. When you compare it to your current
25 complex, your current apartment --

0130

1 A. It's not quite as big.

2 Q. Okay.

3 A. It's not quite as big. I may be wrong.
4 It may be because of the way it's built. Wellspring
5 is spread out. Century Heights is taller.

6 Q. I understand.

7 A. So, you know, I don't know the difference.

8 Q. Do you think that Century Heights should
9 gate that area at the woods because of what
10 happened?

11 A. It would be nice.

12 Q. Does it make you have any concern to
13 whether you --

14 A. A little. But I chose not to live on the
15 bottom floor this time. Well, I was on the third
16 floor at the other one, but I chose when I moved
17 here I didn't want to be on the bottom just for that
18 -- I knew that before I went in that that back part
19 was not fenced in. It's very wooded in there and it
20 backs right up to Riverland Hills Baptist Church.
21 So, yeah, that was a concern. So that's I chose not
22 to live on the bottom floor.

23 Q. Did you make a similar decision at
24 Wellspring with regard to living on the third floor?
25 In other words, did you say, "I want a third floor

0131

1 or a non-bottom floor apartment?

2 A. That was part of it. I didn't want the

3 bottom floor there either. I just felt safer up
4 high. And at Wellspring that was the only thing
5 they had available at the time too. So it worked
6 out for me.

7 Q. Okay. Let me change topics again and let
8 me just talk to you about your current condition.
9 Do you have any physical injuries that you are
10 claiming as a result of this incident?

11 A. No, I don't.

12 Q. Okay. Do you have any mental injuries
13 that you are claiming as a result of this incident?

14 A. Yeah. I feel like I do, yes.

15 Q. Tell me a little bit about that.

16 A. Nightmares. I still don't -- I don't
17 drive at night by myself at all. I have a terrible
18 fear of -- if a car has been on my bumper too long,
19 I will go out of the way to go a different way or
20 get somewhere safe. I don't travel. I don't go
21 into places that I don't know people.

22 Q. How do you get to choir practice?

23 A. It's right down -- my church is right down
24 the street from me. There for the first six months
25 or so I didn't go by myself. Someone came and
0132

1 picked me up. The same way -- one of the witnesses
2 that's on that list, Susan Boyd, drove me back and
3 forth to my practice on Thursday nights.

4 That was the hardest thing in the world
5 for me to do was to go back there again and not
6 associate something that I love with something so
7 horrible. So the law -- Cassie drove me for the
8 first month. She drove me back and forth in the
9 police car and sat outside and waited on me. And
10 then the girls in the chorus started taking turns.
11 Now I don't go by myself. I have someone that goes
12 with me every Thursday night.

13 Q. When you drive from your current apartment
14 complex to your practice you have somebody drive
15 with you?

16 A. I ride -- we meet at my church, which is
17 on Lake Murray Boulevard too, and I drive from my
18 church -- I feel comfortable from my church to my
19 house. I feel very comfortable in places that I
20 know. That's one of the reasons after I quit my job
21 I tried to take a temporary -- went with a temporary
22 service. That didn't work out because I don't

23 always know -- if I don't know the area or
24 surroundings, I won't do it.

25 Q. How far is your church from your current
0133

1 apartment?

2 A. Probably a mile.

3 Q. Okay. So you're comfortable driving at
4 night the mile to your current church?

5 A. Yeah.

6 Q. I'm sure you've said it and I apologize
7 for having to ask again. Your choir does not
8 practice at your church?

9 A. No. It's at another church over in
10 Lexington.

11 Q. And so you meet at your church?

12 A. Meet at my church. Leave in her car.

13 Q. Okay. Who do you ride with?

14 A. Debbie Adams. She's on this list too.

15 Q. Okay. And that's every Thursday night?

16 A. Every Thursday night.

17 Q. And when it's over she brings you back to
18 your car at the church?

19 A. Church.

20 Q. And you drive him?

21 A. And I drive home.

22 Q. Any other times that you drive at night?

23 A. Rarely ever. Rarely ever. If we have a
24 performance that I sing at, we always meet together
25 and ride together as a group. So I just -- I don't
0134

1 do it by myself.

2 Q. Okay. And you're not undergoing any
3 treatment right now for any sort of distress --

4 A. No.

5 Q. -- or anxiety; is that right?

6 A. No.

7 Q. And you're not taking any medications
8 right now; is that right?

9 A. For anxiety, no.

10 Q. Did Ms. Zaepfel, I'm sure I'm pronouncing
11 that wrong, did her therapy help you?

12 A. Yes, it did.

13 Q. Is there anything that you can't -- well,
14 we've talked about driving at night and we talked a
15 little bit about, you know, when you do and when you
16 don't. Is there anything else that you either don't

17 or can't do now that you did before your incident?

18 A. I can't work. I gave up a job that I
19 loved. I planned on staying until 65.

20 Q. Okay.

21 A. I can't do that. And I --

22 Q. What kind of problems were you having at
23 work, if any?

24 A. Not trusting anybody. Anybody strange
25 that walked in the front door of the bank would
0135

1 scare me. Leaving, coming and going in the mornings
2 and at night, sometimes it would be dark when it
3 would be time to go and I would have panic attacks.
4 Trying to concentrate on being a supervisor, I just
5 felt like my whole life had been turned upside down.
6 It's really hard to supervise young girls when I
7 couldn't even get myself together.

8 Q. How about your job performance, were you
9 still able to perform? I mean, I know you felt --

10 A. Not very well. I made some careless
11 mistakes and just didn't feel good anymore, didn't
12 enjoy it anymore. All I wanted to do was curl up in
13 a hole.

14 Q. What was your salary at the time that you
15 left?

16 A. Around 30,000 a year. It varied because I
17 traveled a lot with the bank. And when I traveled
18 and went to other states to help out I made a lot
19 more, but, thank God, that didn't come up.

20 Q. Have you looked for any other jobs that
21 might be a change of pace, something you would
22 enjoy, since leaving the bank?

23 A. I tried. I tried. I went to Roper
24 Temporary Service, which is who got me started in
25 banking in the first place. I started off with them
0136

1 with Lexington State Bank as a temporary with them.
2 For four years I worked before. So I went back to
3 them, told them my story, which they had already
4 knew, and I said, "So please put me in places that I
5 feel comfortable, but I need to work. Financially
6 and emotionally I need to work."

7 I tried. I really did. I tried really
8 hard. And the last assignment I had was -- I had
9 been there for three or four weeks and I was
10 sitting -- I was the front desk receptionist. And

11 it was after 5:00 and I was cleaning up my desk to
12 get ready to leave and three men that I didn't know
13 walked in the front door and I screamed and I got
14 hysterical. And they were employees.

15 Q. And where was this again?

16 A. Something Printing. It's a printing
17 company in West Columbia. Wentworth. Wentworth
18 Printing. I was so embarrassed and so humiliated
19 that I screamed at these men and got hysterical and
20 they both worked in the back. And that place was
21 open 24 hours a day, the front office wasn't, but
22 they did work. And by the time they got me calmed
23 down and I got out of there I had to call Roper and
24 say, "I can't do this. This is not -- I'm
25 hyperventilating going to work every morning. I'm
0137

1 doing that coming home because I had to drive so far
2 away." They did try to send me a couple other
3 places and I tried a job assignment in Chapin and I
4 got there and couldn't get out of the car.

5 Q. This was all through this Roper Temp
6 Agency?

7 A. Roper Temporary Service.

8 Q. Temporary Service?

9 A. I just finally had to call them and tell
10 them that I just couldn't do it.

11 Q. Did your bank -- did BB&T when you left
12 have any sort of early retirement system --

13 A. Yes.

14 Q. -- or something?

15 A. That's what they let me do. I wanted to
16 quit. I just wanted to walk away and quit. And
17 they said since I had 20 years in that I could
18 retire with partial benefits and, you know, they
19 would help me do that. So they helped me. I ended
20 up having to stay ten more -- or stay ten months
21 after the incident to get -- you know, make sure
22 everything was okay. And that's what I did instead
23 of quitting.

24 Q. And for someone who, you know, is not at
25 retirement age or anything any time soon, what did
0138

1 it mean for you to get early retirement? Does that
2 mean you can start drawing certain vested benefits
3 or something?

4 A. I do. I do. I didn't get the full amount

5 that I would have gotten if I stayed until I was 65.
6 Q. Did you have plans to retire at 65?
7 A. Yes, I did.
8 Q. So if this incident had not happened, you
9 would have worked till about 65?
10 A. Probably even longer because I loved it.
11 I absolutely loved my job.
12 Q. Are you claiming any medical bills as part
13 of what I call your economic, your actual damages?
14 Are you claiming any medical bills?
15 A. No. The bank took care of all of that for
16 me.
17 Q. And you're claiming you can't work
18 anymore. So I think you've testified that your
19 salary when you left was about \$30,000 a year; is
20 that right?
21 A. Right.
22 Q. Was that salaried or by the hour?
23 A. It was by the hour.
24 Q. Okay. Do you recall what you made by the
25 hour?
0139
1 A. No, I don't.
2 Q. Like I said, math was never my strong
3 suit.
4 A. Me either. I never looked at my pay stub.
5 Whatever they gave me I took. So I don't know.
6 Q. When you went back to work after your
7 incident was your salary the same? Did you take --
8 was your salary the same or did you take any
9 increase or decrease or any impact?
10 A. It was the same.
11 Q. Okay. Did you receive any demotion or
12 anything when you went back?
13 A. No.
14 Q. Were you cited for any problems or
15 anything when you went back?
16 A. A couple of times.
17 Q. What were the problems?
18 A. Cashing a bad check. I think one time I
19 got wrote up for not putting a proper hold on a
20 deposit, things that I should have known better and
21 would have known better.
22 Q. Had those kind of things ever happened
23 before?
24 A. Yeah.

25 Q. Did you ever have any discussions with
0140

1 your supervisor at work about your ability to work,
2 that kind of thing?

3 A. Yes.

4 Q. Who was that?

5 A. Karen Metts was one of them. Diane Brewer
6 was another. Michelle Pilcher, who was my manager
7 at the time, we talked.

8 Q. In terms of your compensation, was any of
9 it ever tied to any bonuses or anything like that,
10 any bonus compensation?

11 A. Yes.

12 Q. How did that work?

13 A. Every time I worked on a merger, which I
14 would go to a bank that we bought in another state,
15 there was a bonus for every time we went.

16 Q. Has there been any kind of merger since
17 your incident?

18 A. No. There was nothing.

19 Q. Did you get the money that you withdrew
20 from the ATM back from your bank?

21 A. Yes, I did.

22 Q. So you're not missing any money as a
23 result of the incident from your personal funds?

24 A. Right.

25 MR. COMER: I'll tell you what.
0141

1 Let's take a five-minute break.

2 (A recess transpired.)

3 BY MR. COMER:

4 Q. Back on the record. But, Ms. Wright, I've
5 asked you a lot of questions about documents and
6 your memory and so forth. Have you -- do you use
7 E-mail?

8 A. Yes, I do.

9 Q. What is your E-mail address?

10 A. TWright1020@aol.com.

11 Q. Have you sent any E-mails about this
12 incident to anybody other than your counsel?

13 A. To Amber to get the pictures, which I
14 found out she had some pictures. I did send her an
15 E-mail and ask her to E-mail them to him for me
16 because I don't know how to do pictures on the
17 computer.

18 Q. Do you still have that E-mail in your sent

19 items?

20 A. You know what? When my son-in-law
21 upgraded my computer for me he said he took
22 everything off of that. I don't know. He would
23 know if it's there. So I really don't know.

24 Q. I'll follow up with your counsel, but
25 would you look for me?

0142

1 A. I will.

2 Q. Just see if you have any E-mails.

3 A. If it's still on file.

4 Q. Sure. And by the same token, if you'll
5 look and just see if there's any other E-mails
6 relating to --

7 A. To this case?

8 Q. -- this incident. Yes, ma'am. Do you
9 keep copies of your tax returns?

10 A. Yes, I do.

11 Q. Do you have copies now?

12 A. There's like three years there that I
13 don't have because nobody told me when you do
14 TurboTax you have to put the thing to save it in a
15 file or some folder somewhere. I didn't do that. I
16 just printed it. So there's like three years in
17 there that I don't have.

18 Q. Okay. And I'll follow up with your
19 counsel about this. I don't -- I think we've asked
20 for that. We haven't received it yet. I'll follow
21 up with your counsel, but if you would provide it to
22 him, I would appreciate that.

23 A. Okay.

24 Q. Going back to when you were riding around
25 in your car. You mentioned they made fun of your

0143

1 cell phone. Were these guys ever using your cell
2 phone to make any of these calls?

3 A. No. No.

4 Q. I think in the interrogatories and also in
5 your testimony you indicated that you were told that
6 SCE&G had responsibility for that lamp out in front?

7 A. The light pole.

8 Q. Do you think that they should have done
9 anything to prevent this incident, SCE&G?

10 A. Not really because it was on Wellspring's
11 property. I didn't really think about that.

12 Q. Okay. How about -- and as I ask these

13 questions I'm asking you to assume that what you
14 were told is true, which is that SCE&G had
15 jurisdiction, for lack of a better word, over the
16 light and that the POA had authority over the
17 bushes. If you assume that is true, do you think
18 that the POA should have done anything to prevent
19 this incident?

20 A. And what does POA mean?

21 Q. I'm sorry. The Harbison Property Owners
22 Association or the Harbison Community.

23 A. No.

24 Q. So you don't think they should have done
25 anything about the bushes?

0144

1 A. No. It was on Wellspring's property.

2 Q. Okay. So even if Wellspring had no
3 control over it, you don't think the Community
4 Association bears any fault?

5 A. It's a big enough complex that they should
6 have been able to say, "Look here, guys. We need to
7 protect our people." No, I never thought about
8 that.

9 Q. I've asked you about E-mails. Have you
10 sent, other than your counsel, any written letters
11 or any written documentation of this incident to
12 anybody?

13 A. Not that I can think of offhand, no.

14 Q. Do you have an understanding as you sit
15 here today -- I know you said the bank took care of
16 your counseling fees. Have you ever seen a
17 statement as to what those fees would be if you had
18 to pay for them?

19 A. No.

20 Q. So you don't know what the amount --

21 A. No, I don't know.

22 Q. Okay.

23 MR. COMER: I think that's all the
24 questions I have. I greatly appreciate your
25 patience.

0145

1 THE WITNESS: Thank you.

2 EXAMINATION

3 BY MR. RIDGEWAY:

4 Q. I've just got two quick questions for you.
5 The bank paid for the counseling, correct?

6 A. Right.

7 Q. Was the counseling necessary because of
8 this event?
9 A. Yeah. It was a requirement of the bank.
10 I couldn't come back to work if --
11 Q. But you don't -- you don't know what the
12 counseling costs?
13 A. No, I don't.
14 Q. Okay. Earlier you said you felt like you
15 had been deceived by the apartment complex. Is that
16 what you said?
17 A. Yes, I did.
18 Q. And then later you said you didn't feel
19 like you had been treated unfairly. Do you remember
20 saying that?
21 A. Yes.
22 Q. Do you think that when somebody deceives
23 you they also treat --
24 A. Unfairly, yes. You're right.
25 Q. Let me finish my question. When they
0146
1 deceive you they are also treating you unfairly? Is
2 that what you believe?
3 A. Yes.
4 MR. RIDGEWAY: That's all I've got.
5 RE-EXAMINATION
6 BY MR. COMER:
7 Q. And one quick follow-up. Other than the
8 counseling, and I think I asked and you answered
9 this, there isn't any other sort of medical
10 treatment relating to this incident?
11 A. No.
12 MR. COMER: Okay. That's it.
13 RE-EXAMINATION
14 BY MR. RIDGEWAY:
15 Q. Ms. Wright, the only question I have, was
16 there any sort of -- I understand this Linda, and I
17 can't pronounce her last name, at Barabas?
18 A. Uh-huh.
19 Q. She was somebody that the bank was
20 associated with?
21 A. Right.
22 Q. All right. Was there any sort of
23 counseling that you went through that Richland
24 County Sheriff's Department Victim's Advocate
25 Program had put you through?
0147

1 A. Yes.
2 Q. And who was that with?
3 A. Wendy. Her name is Wendy and it was with
4 the Lexington County Mental Health.
5 Q. Okay. So the counseling medical expenses,
6 if you will, that we're talking about are the Linda
7 lady at Barabas and then whoever you just said at
8 Lexington County?
9 A. That's correct.
10 MR. RIDGEWAY: That's all I've got.
11 Further Deponent sayeth not.
12 (Whereupon, the taking of the
13 deposition was concluded at 1:02 p.m.)
14
15
16
17
18
19
20
21
22
23
24
25

0148

1 Certificate of Reporter
2

3 I, Brad H. Thomas, Certified Realtime
Reporter and Notary Public in and for the State of
4 South Carolina, do hereby certify that I reported
the deposition of DENISE WRIGHT on the 16th day of
5 April, 2012; that the witness was first duly sworn
by me, and that the foregoing 147 pages constitute a
6 true and correct transcription of the said
deposition.
7

I further certify that I am neither
8 attorney nor counsel for, nor related to or employed
by, any of the parties connected with this action,
9 nor am I financially interested in said cause.

10 I further certify that the original of
said transcript shall be hereafter sealed and
11 delivered to BRIAN A. COMER, ESQUIRE, Collins &
Lacy, P.C., 1330 Lady Street, Suite 601, Columbia,
12 South Carolina 29211. This sealed original

transcript shall be retained by the above party, who
13 shall be responsible for filing same with Court
prior to trial or any hearing which might result in
14 a final order on any issue.

15

16 In witness whereof I set my hand and seal
this 23rd day of April, 2012.

17

18

19

Brad H. Thomas, CRR

20 My Commission and Notary Public for the
expires 12/12/17 State of South Carolina

21

22

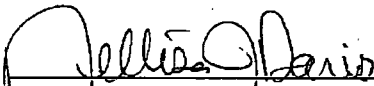
23

24

25

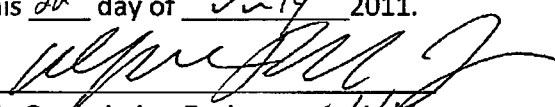
1. I am Nellisa Davis, a resident of Lexington County, South Carolina.
2. From approximately February of 2006 until March of 2011 I resided at Wellspring Apartments, Unit # 1405 located at 500 Harbison Blvd in Columbia, S.C.
3. The area between my building and the building next door was very dark at night. These buildings did not have exterior lighting between them and I requested that lighting be installed. I complained of the lack of lighting between these buildings an average of 3 times per month for most of my stay. I was often told by the Wellspring employees that this lighting was on the "budget list" and would be installed when the money was available. Toward the end of my stay at Wellspring Apartments I stopped complaining about the lighting because my complaints were never addressed. At the time that I moved out of this apartment, exterior lighting had still not been installed. This lack of lighting caused me to be fearful for my safety and I shared this concern often with the Wellspring Apartments employees.
4. In addition to the lighting, I also complained about the height and size of the shrubbery leading up to and around my door area. Over the course of my stay at Wellspring Apartments I complained about the height and size of this shrubbery at least 25 times. In response to my complaints, the shrubbery was not trimmed. With regards to the shrubbery I was also told by the Wellspring staff that this was an item that was not in the budget and that they would get to it when they could. After complaining over the course of my first year at Wellspring, my father actually brought a pair of clippers to my unit and trimmed this shrubbery for me. He only did this on one occasion and this was the only time prior to the kidnapping of another resident in the Fall of 2008 that the shrubbery was trimmed. There appeared to be extended periods of time during my stay when there was no lawn or landscaping maintenance being performed on the property. The shrubbery leading up to and around my door area reached approximately 10 feet in height before it was finally trimmed after the kidnapping.
5. During the Fall of 2008, a lady that lived across the parking lot from me was kidnapped and robbed as she was attempting to enter her unit at night. This lady's name was Toni Wright. The shrubbery in front of Ms. Wright's building was very high. Immediately after the kidnapping of Ms. Wright the shrubbery was trimmed significantly. After the kidnapping of Ms. Wright I spoke with the property manager at Wellspring and was told that she would not be discussing the event involving Ms. Wright and that I should not be discussing this event with anyone either.

6. During early November of 2010 I had a burglary at my apartment. I contacted the Richland County Sheriff's Office and the office staff at Wellspring Apartments and informed of this event. When I spoke with Wellspring Apartments, I requested that the locks to my apartment be changed. I was told that this would be taken care of and a work order would be completed. Before the work order was completed, and approximately one week later, I had a second burglary occur at my unit. When the second burglary occurred, the locks had not been changed as requested after the first burglary.
7. This testimony has been freely given and reflects my recollection of these events of which I have personal knowledge.


Nellisa Davis

Sworn to before me

this 22nd day of July 2011.


My Commission Expires: 6/1/16

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

) AFFIDAVIT OF SHAWN HOWLAND
)

PERSONALLY APPEARED BEFORE ME, the undersigned, who after being duly sworn, hereby deposes and states as follows:

1. My name is Shawn Howland and I am a resident of Spartanburg County, South Carolina.
2. The matters set forth in this affidavit are based upon my personal knowledge.
3. This testimony is being freely given.
4. During 2007 and 2008 I was the owner and operator of H&S Landscaping. My company provided landscaping services for commercial properties, including apartment complexes.
5. In approximately May of 2007, I began to provide landscaping services for Wellspring Apartments located on Harbison Boulevard in Columbia, SC. I maintained this property until approximately October of 2008.
6. During the time that I provided landscaping services for this complex I had numerous conversations with property manager, Karen Campbell regarding overgrown shrubbery on the property, including but not limited to shrubbery located near resident buildings. See attached Exhibit "A", which I understand are the shrubs as they appeared on the morning of September 19, 2008 at Building 2210. It is also my understanding Denise Wright resided in that building.
7. The shrubbery condition shown in Exhibit "A" is representative of the shrubbery throughout the Wellsprings complex.
8. Prior to September 19, 2008, I was approached on numerous occasions by residents of Wellsprings with requests that I prune shrubbery surrounding their building. In response to those requests, I would approach the Wellsprings management, including Karen Campbell, and explain that the condition of the shrubbery posed safety and security hazards for the residents and that the shrubbery was in need of major pruning.
9. Despite my recommendations to improve the safety and security for the residents, Karen Campbell, property manager, informed me that the shrubbery maintenance I proposed was not in the budget for Wellsprings Apartments and I was to only perform the services in my contract, attached as Exhibit "B".

10. The maintenance and trimming of shrubs set forth in my contract with Wellsprings was of a minimal nature and not sufficient to maintain the property in a safe and secure manner with respect to landscaping issues.

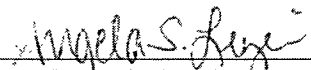
11. This affidavit does in fact reflect my testimony on this matter.

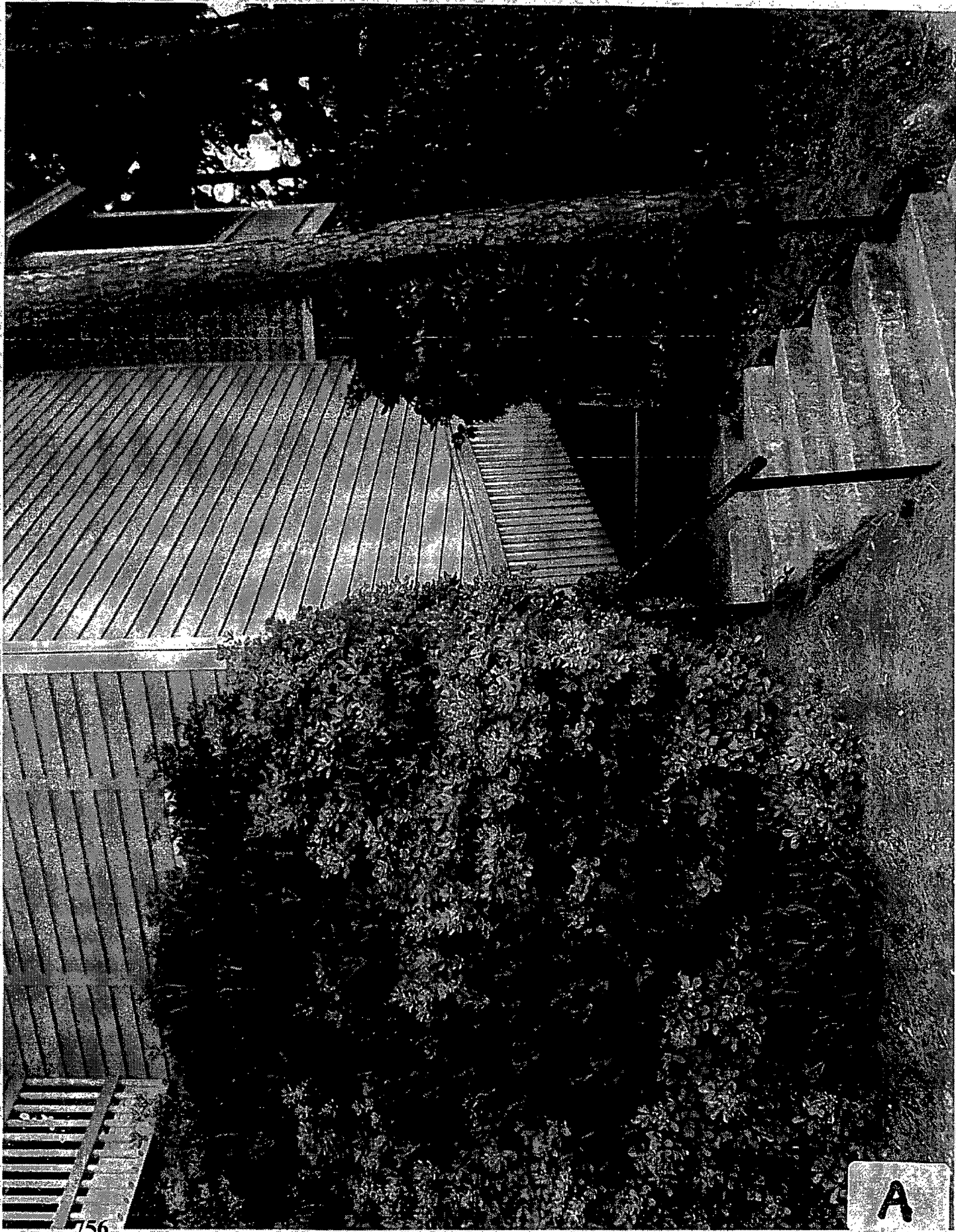
FURTHER, THE AFFIANT SAYETH NAUGHT.


Shawn Howland

Sworn to before me

this Sept. 11 2012.


My Commission Expires: August 23, 2016



756

A

PRG Def 000862

Maintenance Contract

PRG Real Estate dba Wellspring

Weekly services include:

- Cut and maintain grass at the proper height
- Edge all curbs and walkways on as needed basis
- Weed eat around buildings, sidewalks, fences, flower beds and driveways
- Remove and dispose of trash found on property while working
- Fallen and low hanging limbs will be removed and disposed of
- Fallen limbs due to bad weather will be removed as soon as possible
- Shrubs will be trimmed and shaped as needed
- Spraying weeds with Round Up at least every six weeks
- Roadways, sidewalks, entrances, breezeways and parking areas will be blown off to remove debris

Other services included in this contract:

- Pine straw installation in October (at extra cost)
- Fertilize turf in spring
- Seed as needed in spring and fall

Other services not included in this contract:

- Flower installation
- Aeration
- Mulch/ pine needle installation
- Installing plants/ shrubs
- Removing plants/ shrubs/ small trees
- Pressure washing
- Other services not limited to landscaping available upon request

This contract is based on a 7 month period from May 1, 2007 and ending November 30, 2007. This contract may be terminated by written thirty day notice including reason for termination. H&S maintenance will provide PRG Management with proof of insurance. Work lost due to bad weather will be rescheduled to comply with the contract.

Monthly Quote- \$1950

Client Signature Karen Campbell Date 5/2/07

H&S Maintenance Shawn White Date 5-2-07

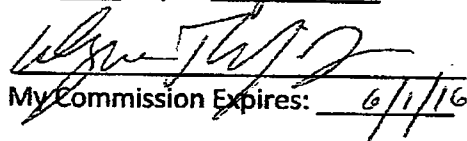
1. I am Timir Patel, a resident of Richland County, South Carolina.
2. From approximately 2006 to 2007 I resided in Apartment 1101 at Wellspring Apartments, located at 500 Harbison Blvd in Columbia, S.C.
3. On October 18, 2007 my apartment was burglarized. The door and entrance area to my apartment were hidden from passers-by with foliage that was overgrown during the time that I resided in this apartment. At the time of this burglary the door that was forced open was not easily visible because of this foliage. During the time that I resided in this apartment my wife voiced complaints regarding this overgrown foliage however the foliage was never cut back enough to make us feel secure
4. Also, while we were residents of Wellspring Apartments we had concerns about exterior lighting that was intended to illuminate the area around our building. It was our experience that the exterior lighting which we utilized to come and go from our building was out approximately 60% of the time. We complained at least twice and were told that the problems would be resolved. After these complaints the lighting would work only sporadically and never illuminated the area for any extended periods of time. Eventually, my wife and I moved away from this complex in part due to safety and security concerns that we had regarding the foliage and lighting.
5. Attached to this affidavit as Exhibit A is the incident report from the above referenced burglary. This testimony has been freely given and reflects my recollection of these matters of which I have personal knowledge.



Timir Patel

Sworn to before me

this 19th day of April 2011.


My Commission Expires: 6/1/16

RICHLAND COUNTY SHERIFFS
DEPT
SCD400000

INFORMATION
ONLY

CASE NUMBER
0710070808

NCIC
INQ. ENTD.

INCIDENT REPORT

INCIDENT TYPE				COMPLETED	FORCED ENTRY	PREMISE TYPE	UNITS ENTERED	TYPE VICTIM				
1. 220 R-4 BURGLARY/ATTEMPTED				☐ YES ☒ NO	☐ YES ☒ NO	RESIDENCE/HOME		☒ Individual ☐ Business ☐ Financial Inst. ☐ Government ☐ Relig. Orgn. ☐ Soc./Public ☐ Other ☐ Unknown ☐ Police Off.				
2. 290 290 DESTRUCTIVE/DAMAGE/VANDALISM OF PROPERTY				☐ YES ☒ NO	☐ YES ☒ NO	RESIDENCE/HOME						
3.				☐ YES ☒ NO	☐ YES ☒ NO							
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER) 500 HARBISON RD, COLA, SC						ZIP CODE 29212	WEAPON TYPE					
INCIDENT DATE	24 HR. CLOCK	TO	DATE	24 HR. CLOCK	DISPATCH DATE/TIME 24 HR. CLOCK		LOCATION NO.					
10/08/2007	11:04		10/08/2007	11:10	DISP. DATE	DISP. TIME	TIME ARRIVED	DEPART. TIME				
					10/08/2007	11:15	11:40	12:00				
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE) PATEL, TIMIR, K				RELATIONSHIP TO SUBJECT #1 RU #2 #3		RESIDENT J	RACE W	SEX M	AGE 28 /	ETH N	DAYTIME PHONE 803-467-1249	EVENING PHONE
ADDRESS 500 HARBISON RD, 1101				CITY COLUMBIA		STATE SC	ZIP CODE 29212		LOCATION NO.			
VICTIM'S NAME (LAST, FIRST, MIDDLE) PATEL, TIMIR, K				RELATIONSHIP TO SUBJECT #1 #2 #3		RESIDENT J	RACE W	SEX M	AGE 28 /	ETH N	DAYTIME PHONE 803-467-1249	EVENING PHONE
HEIGHT 508	WEIGHT 160	HAIR BLK	EYES BRO	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.								
ADDRESS 500 HARBISON RD, 1101				CITY COLUMBIA		STATE SC	ZIP CODE 29212		LOCATION NO.			
VISIT ENLURY (MCI) ☐ YES ☒ NO ☐ EXPLAIN: COMPLAINT OF ANY NON-VISIT ENLURES ☐ YES ☒ NO ☐												
VICTIM (NO. 1) USING: ALCOHOL ☐ YES ☒ NO ☐ UNK ☐ DRUGS: ☐ YES ☒ NO ☐ UNK ☐ TYPE: TWO MAN VEH. ☐ ONE MAN VEH. ☐ DETECTIVE PLASMT. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐												
*J-This Jurisdiction. S-State. O-Out of State. U-Unknown.												
☒ SUSPECT NAME (LAST, FIRST, MIDDLE) UNKNOWN, BLACK, MALE RACE B SEX M AGE 00 / ETH N DATE OF BIRTH HEIGHT 508 WEIGHT 160 HAIR BLK EYES BRO												
☐ RUNAWAY												
☐ WANTED FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC. DAYTIME PHONE EVENING PHONE												
☐ WARRANT												
☐ ARREST ADDRESS CITY STATE SC ZIP CODE LOCATION NO.												
☐ JAIL												
☐ SUMMONS SUBJECT (NO. 1) USING: ALCOHOL ☐ YES ☒ NO ☐ UNK ☐ DRUGS ☐ YES ☒ NO ☐ UNK ☐ TYPE: ARRESTED NEAR OFFENSE SCENE ☐ YES ☒ NO ☐ DATE/TIME OF OFFENSE 10/8/2007 11:04:00 AM DATE/TIME OF ARREST												
TOTAL # ARRESTED												
DAY OF THE WEEK HOW REPORTED A= OFFICER DISPATCHED ON CALL D= COMPLAINT WRITTEN IN DIFF. FACTOR A= RESISTANCE/HOSTILITY E= COMPLAINANT FRE- S M T W T F S UNK 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057 1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078 1079 1080 1081 1082 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092 1093 1094 1095 1096 1097 1098 1099 1100 1101 1102 1103 1104 1105 1106 1107 1108 1109 1110 1111 1112 1113 1114 1115 1116 1117 1118 1119 1120 1121 1122 1123 1124 1125 1126 1127 1128 1129 1130 1131 1132 1133 1134 1135 1136 1137 1138 1139 1140 1141 1142 1143 1144 1145 1146 1147 1148 1149 1150 1151 1152 1153 1154 1155 1156 1157 1158 1159 1160 1161 1162 1163 1164 1165 1166 1167 1168 1169 1170 1171 1172 1173 1174 1175 1176 1177 1178 1179 1180 1181 1182 1183 1184 1185 1186 1187 1188 1189 1190 1191 1192 1193 1194 1195 1196 1197 1198 1199 1200 1201 1202 1203 1204 1205 1206 1207 1208 1209 1210 1211 1212 1213 1214 1215 1216 1217 1218 1219 1220 1221 1222 1223 1224 1225 1226 1227 1228 1229 1230 1231 1232 1233 1234 1235 1236 1237 1238 1239 1240 1241 1242 1243 1244 1245 1246 1247 1248 1249 1250 1251 1252 1253 1254 1255 1256 1257 1258 1259 1260 1261 1262 1263 1264 1265 1266 1267 1268 1269 1270 1271 1272 1273 1274 1275 1276 1277 1278 1279 1280 1281 1282 1283 1284 1285 1286 1287 1288 1289 1290 1291 1292 1293 1294 1295 1296 1297 1298 1299 1300 1301 1302 1303 1304 1305 1306 1307 1308 1309 1310 1311 1312 1313 1314 1315 1316 1317 1318 1319 1320 1321 1322 1323 1324 1325 1326 1327 1328 1329 1330 1331 1332 1333 1334 1335 1336 1337 1338 1339 1340 1341 1342 1343 1344 1345 1346 1347 1348 1349 1350 1351 1352 1353 1354 1355 1356 1357 1358 1359 1360 1361 1362 1363 1364 1365 1366 1367 1368 1369 1370 1371 1372 1373 1374 1375 1376 1377 1378 1379 1380 1381 1382 1383 1384 1385 1386 1387 1388 1389 1390 1391 1392 1393 1394 1395 1396 1397 1398 1399 1400 1401 1402 1403 1404 1405 1406 1407 1408 1409 1410 1411 1412 1413 1414 1415 1416 1417 1418 1419 1420 1421 1422 1423 1424 1425 1426 1427 1428 1429 1430 1431 1432 1433 1434 1435 1436 1437 1438 1439 1440 1441 1442 1443 1444 1445 1446 1447 1448 1449 1450 1451 1452 1453 1454 1455 1456 1457 1458 1459 1460 1461 1462 1463 1464 1465 1466 1467 1468 1469 1470 1471 1472 1473 1474 1475 1476 1477 1478 1479 1480 1481 1482 1483 1484 1485 1486 1487 1488 1489 1490 1491 1492 1493 1494 1495 1496 1497 1498 1499 1500 1501 1502 1503 1504 1505 1506 1507 1508 1509 1510 1511 1512 1513 1514 1515 1516 1517 1518 1519 1520 1521 1522 1523 1524 1525 1526 1527 1528 1529 1530 1531 1532 1533 1534 1535 1536 1537 1538 1539 1540 1541 1542 1543 1544 1545 1546 1547 1548 1549 1550 1551 1552 1553 1554 1555 1556 1557 1558 1559 1560 1561 1562 1563 1564 1565 1566 1567 1568 1569 1570 1571 1572 1573 1574 1575 1576 1577 1578 1579 1580 1581 1582 1583 1584 1585 1586 1587 1588 1589 1590 1591 1592 1593 1594 1595 1596 1597 1598 1599 1600 1601 1602 1603 1604 1605 1606 1607 1608 1609 1610 1611 1612 1613 1614 1615 1616 1617 1618 1619 1620 1621 1622 1623 1624 1625 1626 1627 1628 1629 1630 1631 1632 1633 1634 1635 1636 1637 1638 1639 1640 1641 1642 1643 1644 1645 1646 1647 1648 1649 1650 1651 1652 1653 1654 1655 1656 1657 1658 1659 1660 1661 1662 1663 1664 1665 1666 1667 1668 1669 1670 1671 1672 1673 1674 1675 1676 1677 1678 1679 1680 1681 1682 1683 1684 1685 1686 1687 1688 1689 1690 1691 1692 1693 1694 1695 1696 1697 1698 1699 1700 1701 1702 1703 1704 1705 1706 1707 1708 1709 1710 1711 1712 1713 1714 1715 1716 1717 1718 1719 1720 1721 1722 1723 1724 1725 1726 1727 1728 1729 1730 1731 1732 1733 1734 1735 1736 1737 1738 1739 1740 1741 1742 1743 1744 1745 1746 1747 1748 1749 1750 1751 1752 1753 1754 1755 1756 1757 1758 1759 1760 1761 1762 1763 1764 1765 1766 1767 1768 1769 1770 1771 1772 1773 1774 1775 1776 1777 1778 1779 1780 1781 1782 1783 1784 1785 1786 1787 1788 1789 1790 1791 1792 1793 1794 1795 1796 1797 1798 1799 1800 1801 1802 1803 1804 1805 1806 1807 1808 1809 1810 1811 1812 1813 1814 1815 1816 1817 1818 1819 1820 1821 1822 1823 1824 1825 1826 1827 1828 1829 1830 1831 1832 1833 1834 1835 1836 1837 1838 1839 1840 1841 1842 1843 1844 1845 1846 1847 1848 1849 1850 1851 1852 1853 1854 1855 1856 1857 1858 1859 1860 1861 1862 1863 1864 1865 1866 1867 1868 1869 1870 1871 1872 1873 1874 1875 1876 1877 1878 1879 1880 1881 1882 1883 1884 1885 1886 1887 1888 1889 1890 1891 1892 1893 1894 1895 1896 1897 1898 1899 1900 1901 1902 1903 1904 1905 1906 1907 1908 1909 1910 1911 1912 1913 1914 1915 1916 1917 1918 1919 1920 1921 1922 1923 1924 1925 1926 1927 1928 1929 1930 1931 1932 1933 1934 1935 1936 1937 1938 1939 1940 1941 1942 1943 1944 1945 1946 1947 1948 1949 1950 1951 1952 1953 1954 1955 1956 1957 1958 1959 1960 1961 1962 1963 1964 1965 1966 1967 1968 1969 1970 1971 1972 1973 1974 1975 1976 1977 1978 1979 1980 1981 1982 1983 1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2063 2064 2065 2066 2067 2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2079 2080 2081 2082 2083 2084 2085 2086 2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098 2099 2100 2101 2102 2103 2104 2105 2106 2107 2108 2109 2110 2111 2112 2113 2114 2115 2116 2117 2118 2119 2120 2121 2122 2123 2124 2125 2126 2127 2128 2129 2130 2131 2132 2133 2134 2135 2136 2137 2138 2139 2140 2141 2142 2143 2144 2145 2146 2147 2148 2149 2150 2151 2152 2153 2154 2155 2156 2157 2158 2159 2160 2161 2162 2163 2164 2165 2166 2167 2168 2169 2170 2171 2172 2173 2174 2175 2176 2177 2178 2179 2180 2181 2182 2183 2184 2185 2186 2187 2188 2189 2190 2191 2192 2193 2194 2195 2196 2197 2198 2199 2200 2201 2202 2203 2204 2205 2206 2207 2208 2209 2210 2211 2212 2213 2214 2215 2216 2217 2218 2219 2220 2221 2222 2223 2224 2225 2226 2227 2228 2229 2230 2231 2232 2233 2234 2235 2236 2237 2238 2239 2240 2241 2242 2243 2244 2245 2246 2247 2248 2249 2250 2251 2252 2253 2254 2255 2256 2257 2258 2259 2260 2261 2262 2263 2264												

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

W. Jeffrey Young, Circuit Court Judge

Case No. 2011-CP-40-4068

RECEIVED

MAY 15 2014

SC Court of Appeals

Denise Wright Appellant

v.

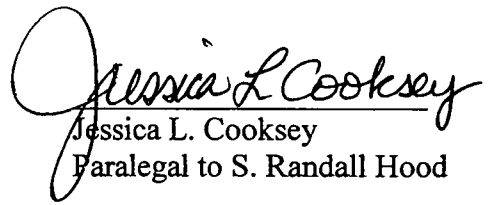
PRG Real Estate Management,
Inc., Franklin Pineridge
Associates, Karen Campbell
Individually and in her
Representative Capacity as an
Agent of PRG Real Estate
Management

..... Respondents.

PROOF OF SERVICE

The undersigned hereby certifies that on this 24th day of March, 2014, she served counsel for the Defendants with a copy of the Record on Appeal along with Certificate of Counsel in this matter by mailing a copy of the same by United States Mail with first class postage prepaid to the following addresses:

Brian A. Comer, Esquire
COLLINS & LACY, PC
Post Office Box 12487
Columbia, South Carolina 29211


Jessica L. Cooksey
Paralegal to S. Randall Hood

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

W. Jeffrey Young, Circuit Court Judge

Case No. 2011-CP-40-4068

RECEIVED

MAY 15 2014

SC Court of Appeals

Denise Wright

.....

Appellant

v.

PRG Real Estate Management,
Inc.; Franklin Pineridge
Associates; Karen Campbell
Individually, and in her
Representative Capacity as an
Agent of PRG Real Estate
Management

.....

Respondents.

CERTIFICATE OF COUNSEL

Pursuant to Rule 210, SCACR, counsel hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.


S. Randall Hood
Jordan C. Calloway
Deborah G. Casey
McGowan, Hood & Felder, LLC
1539 Health Care Drive
Rock Hill, SC 29732
(803) 327-7800
(803) 328-5656 (fax)
rhood@mcgowanhood.com

jcalloway@mcgowanhood.com
dcasey@mcgowanhood.com

E. Wayne Ridgeway, Jr.
Burris Ridgeway
907 Elmwood Avenue
Columbia, SC 29201
(803) 779-5842

Attorneys for Appellant

March 24, 2014
Rock Hill, SC