

IN THE COUNTY COURT  
IN AND FOR POLK COUNTY, FLORIDA  
VOLUME I

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- - - - - x
RAYMOND E. GUNDER, JR., on      :
behalf of Skelly,              :
                                :
      Plaintiff,                : No.:
                                : 53-2012SC-001383-
vs.                             : 0000-LK
                                :
STATE FARM MUTUAL AUTOMOBILE   : Section:  L1
INSURANCE COMPANY, a Florida  :
corporation,                   :
                                :
      Defendant.                :
- - - - - x

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DEPOSITION OF:                CHRISTOPHER ROBINSON

DATE:                         June 26, 2013

TIME:                          10:25 a.m. to 12:34 p.m.

PLACE:                         450 South Orange Avenue
                               Orlando, Florida 32801

PURSUANT TO:                   Notice by counsel for the
                               Plaintiff for purposes of
                               discovery, use at trial or
                               such other purposes as are
                               permitted under Florida
                               Rules of Civil Procedure

BEFORE:                        Catherine L. Ferrell
                               Court Reporter, Notary
                               Public, State of Florida

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1 APPEARANCES:  
 2 A. BRENT GEOHAGAN, ESQUIRE  
 3 Geohagan, P.A.  
 4 3001 Bartow Road  
 5 Lakeland, Florida 33803  
 6  
 7 Attorney for the Plaintiff.  
 8  
 9 JOHANNA W. CLARK, ESQUIRE  
 10 Carlton Fields, P.A.  
 11 450 South Orange Avenue  
 12 Suite 500  
 13 Orlando, Florida 32801-3370  
 14  
 15 Attorney for the Defendants.

16 ALSO PRESENT:  
 17 Raymond E. Gunder, Jr.

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 23 EXHIBITS  
 24 (None)  
 25

1 conduct myself the same way. It's only when I  
 2 encounter unprofessional conduct that I sometimes  
 3 respond in a way that sometimes later I regret a  
 4 little bit. But, in this instance, I don't expect  
 5 that to occur and the eating the snake by the tail  
 6 is, I think, a -- when they have used it before  
 7 anyway so everybody understands is a way that you  
 8 go about analyzing something or whereby you go from  
 9 the back to the front so that you don't encounter  
 10 the mouth in the beginning. But either way,  
 11 nonetheless --

DIRECT EXAMINATION

BY MR. GEOHAGAN:

12 Q Okay, can you give us your name for the  
 13 record?

14 A My name is Chris Robinson. Christopher  
 15 Robinson.

16 Q What is your middle name?

17 A David.

18 Q I'll just let you know, Mr. Robinson, that on  
 19 some of the questions you're going to, you may very  
 20 well think, well geez, that's pretty obvious, but  
 21 because we are trying to make a record here. If we  
 22 were sitting around talking and we didn't have madam  
 23 court reporter here, it wouldn't make any difference  
 24  
 25

1 CHRISTOPHER ROBINSON,  
 2 the witness herein, being first duly sworn on oath, was  
 3 examined and deposed as follows:

4 MS. CLARK.: Before we begin, I just would  
 5 like to put on the record that in preparation for  
 6 this deposition, the Plaintiff had made comments to  
 7 my client about having to eat the snake by the tail  
 8 and that this was going to be somewhat of a  
 9 tough -- may be tough on him, something to those  
 10 comments so I hope that this would be a  
 11 professionally conducted deposition. I think it  
 12 will be because I know Mr. Geohagan but just so  
 13 that's on the record.

14 MR. GEOHAGAN: Okay. I'll conduct the  
 15 deposition as I always do. I think I have  
 16 conducted professional depositions, although I have  
 17 gotten heated in different instances. I'm not  
 18 suggesting that I haven't. I don't expect that is  
 19 going to happen here today particularly given the  
 20 counsel. I do respect Ms. Clark and Mr. Moore and  
 21 the manner in which they conduct themselves.  
 22 Again, I'll maintain that they typically -- not  
 23 typically, but without exception have conducted  
 24 themselves in a professional manner as far as I'm  
 25 concerned. So, as a result thereof, I typically

1 but, because we are trying to make a record, there will  
 2 be things that aisle ask such as your middle name that  
 3 you otherwise might think, well that's a little silly.

4 And then also let me ask you, have you ever  
 5 had your deposition taken before?

6 A No.

7 Q -- let me just go over a few things in that  
 8 regard, and your attorney may have already gone over  
 9 them with you, but just to be sure, if I ask you a  
 10 questions and you do not understand it or you don't  
 11 hear it for whatever reason, then, ask me to either  
 12 repeat it or rephrase it or otherwise we'll assume that  
 13 you understood the question; is that okay?

14 A Yes.

15 Q And then, also, there is a tendency of, given  
 16 just our natural, as it relates to our natural  
 17 inclination, when we talk to one another on a day to  
 18 day basis to maybe say, un-huh or uh-huh in response to  
 19 a question that otherwise solicits a yes or no answer,  
 20 but because we have madam court reporter here, it's  
 21 difficult for her to pick the un-huhs or uh-huhs so if  
 22 you will try to say yes or no, we would appreciate that  
 23 as it relates to those type of questions; is that good?

24 A Yes.

25 Q And then, also, we certainly don't want you

1 to guess at anything, so if you ask you something and  
2 you don't know or you don't recall then, you know, as I  
3 tell anybody and everybody, there is only one right  
4 answer in a deposition or for trial purposes, and  
5 that's the honest answer. So if you don't remember or  
6 you don't know, please let me know as opposed to  
7 guessing, okay?

8 A Yes.

9 Q Okay. And what I'm going to do right now is  
10 go through the typical background that we always go  
11 through with just about every witness. There is a few  
12 exceptions but, for purposes of a fact witness, which  
13 is what we consider you to be in these cases, we go  
14 through this type of background, okay?

15 Your date of birth?

16 A August 26, 1987.

17 MR. GEOHAGAN: Can we go off the record for a  
18 second?

19 (Discussion off the record.)

20 MR. GEOHAGAN: And just for purposes of a  
21 question that I did ask off the record, but I do  
22 need to certify just in case, we asked the deponent  
23 his social security number and he did not feel  
24 comfortable providing us with that information so  
25 to the degree that we feel like we need to obtain

1 A Correct.

2 Q Okay. Can you give us the benefit of your  
3 educational background?

4 A I have completed high school and I have taken  
5 some college course.

6 Q Okay. And did you go to Auburndale?

7 A No, I went to Lake Region High School.

8 Q They came along after I graduated. They are  
9 the Thunder or something like that?

10 A Correct.

11 Q And what year did you graduate from Lake  
12 Region?

13 A I believe it was 2006.

14 Q You said you took some college courses?

15 A Correct.

16 Q Where were those, Polk State?

17 A South University.

18 Q South University?

19 A Correct.

20 Q And where is that located?

21 A Georgia.

22 Q Where in Georgia?

23 A Savannah.

24 Q And did you attend South University or was it  
25 on-line or --

1 his social security number, we certify that  
2 question for the Court.

3 BY MR. GEOHAGAN:

4 Q Your address, please?

5 A It's -- are you asking for my home address?

6 Q Personal address, yes.

7 A 1203 Kittansett --

8 Q Is that kitten like --

9 A K-i-t-t-a-n-s-e-t-t.

10 Q K-i-t-t-a-n --

11 A All one word -- s-e-t-t, and Lane;

12 Auburndale.

13 Q And the zip?

14 A 33823.

15 Q And is that a home or an apartment complex  
16 and the only reason I ask because I would need to get  
17 an apartment number?

18 A It's a home.

19 Q Okay. And, again, another question not  
20 directed at you personally. I ask every deponent, at  
21 least a fact witness, have you ever been charged with a  
22 crime?

23 A No.

24 Q And safe to assume then, therefore, you have  
25 never been convicted of a crime?

1 A They were on-line courses.

2 Q What type of -- was there a particular area  
3 that you were focused on or was that liberal arts type  
4 of courses?

5 A I was pursuing an accounting degree.

6 Q And, again, maybe a silly question, but I  
7 need to ask it, was there anything about that that  
8 involved auto body repair or repair of damaged vehicles  
9 as far as the courses you took at South University?

10 A I didn't take any correspondence on auto body  
11 repair or anything like that at South University.

12 Q Like I said, silly question. Got to make  
13 sure.

14 Okay. Any other type of vocational school,  
15 post-high school type of education other than South  
16 University that you recall?

17 A Not at this time, no.

18 Q Okay. Do you hold any degrees beyond your  
19 high school degree that you recall otherwise?

20 A Not that I can recall, no.

21 Q Any certificates that you hold, you know,  
22 other than, you know, I'm not talking about what we got  
23 at, like, vacation Bible school, but certificates with  
24 regard to, you know, a vocation or something along  
25 those lines?

1 A I do have some certificates, like, regarding,  
 2 like, driving forklifts.  
 3 Q Okay. What kind of certificates do you have  
 4 with regard to that?  
 5 A Just like a forklift license.  
 6 Q Any other certificates you can think of?  
 7 A Not at this time, no.  
 8 Q Any licenses other than your driver's  
 9 license? People love to pop that one out whenever I  
 10 ask for that. Other than your driver's license, do you  
 11 have any licenses, you know, as it relates to what you  
 12 do or otherwise?  
 13 A I do hold an insurance license. I'm not  
 14 exactly sure which one it is though.  
 15 Q Do you know if it's directly related to auto  
 16 insurance or is it one that is, you know, a larger --  
 17 A I'm not exactly sure.  
 18 Q When did you obtain that license?  
 19 A Approximately around three years ago. Three  
 20 and half years ago.  
 21 Q So around 2010, something like that?  
 22 A Yes, probably earlier. 2009.  
 23 Q And were you working for any insurance  
 24 company at that time?  
 25 A Correct.

1 Q Who were you working for?  
 2 A State Farm.  
 3 Q Okay. Any other certificates or licenses as  
 4 it relates to what you do -- as it relates to your  
 5 career that you can recall other than the one insurance  
 6 license that you obtained, more than likely, in 2009?  
 7 A Not that I can recall, no.  
 8 Q Do you know if that was a license that was,  
 9 you may not know, but was it a license that you were  
 10 required to have for purposes of what you do now as far  
 11 as your career is concerned?  
 12 A No, I don't think it was.  
 13 Q Okay. And then just to be sure, with regards  
 14 to -- well let me get this first. How long have you  
 15 been employed with State Farm?  
 16 A Approximately around five and a half years.  
 17 Q Okay. So since around 2007, something like  
 18 that?  
 19 A Somewhere around there.  
 20 Q Okay. And who did you work for prior to  
 21 being hired by State Farm?  
 22 A I worked for Wal-Mart.  
 23 Q Okay. And how long did you work for  
 24 Wal-Mart?  
 25 A Approximately around five years.

1 Q Okay. So since about around 2002 or  
 2 something like that, is that when you got hired at  
 3 Wal-Mart?  
 4 A Somewhere around there.  
 5 Q It's not a test so I'm just trying to get an  
 6 idea.  
 7 A Right. I'm trying to -- it's close to there.  
 8 Q All right. And you were -- I'm assuming you  
 9 were -- well safe assumption, you were still in school  
 10 and this was prior to graduating from high school when  
 11 you were hired by Wal-Mart, correct?  
 12 A Yes. I was still in high school. I was  
 13 employed by Wal-Mart.  
 14 Q Were you employed by a particular store or  
 15 were you in some other capacity?  
 16 A I was employed at the distribution center.  
 17 Q In Winter Haven.  
 18 A Yes, sir.  
 19 Q What did you do? What was your job title  
 20 when you were with Wal-Mart?  
 21 A I had several job titles. One of the titles  
 22 that I was a forklift driver.  
 23 Q Which, by the way, I think is a very cool  
 24 job. I would much rather be doing that than this.  
 25 A I don't agree.

1 Q Well if you did this for awhile, you might  
 2 think different.  
 3 MS. CLARK:: Depends what you do in the law.  
 4 MR. GEOHAGAN: Or how much you are getting  
 5 paid and how much time you're putting into it.  
 6 BY MR. GEOHAGAN:  
 7 Q But, anyway, I diverge. Forklift driver,  
 8 anything else you did at the distribution center while  
 9 you were with Wal-Mart?  
 10 A Another one of the titles I held was an order  
 11 filler.  
 12 Q Anything else while you were at Wal-Mart?  
 13 A No. Those are the only titles that I held  
 14 there.  
 15 Q While you were with Wal-Mart for  
 16 approximately five years, were those all of the jobs  
 17 that you had; forklift driver and order filler, or was  
 18 there anything else during those approximately five  
 19 years?  
 20 A No, those are the only jobs I had.  
 21 Q And with regard to those jobs, again, my  
 22 apologies, I know it may seem like a silly question,  
 23 was there anything about that had anything to do with  
 24 auto repair or repair of damaged vehicles?  
 25 A No, not that I can recall.

1 Q Have you ever worked at an auto body repair  
2 shop or for somebody that repairs damaged vehicles?  
3 A No, I've never worked for somebody that  
4 repairs vehicles.  
5 Q And you have never worked for an auto body  
6 repair shop?  
7 A No.  
8 Q And under what circumstances did you leave  
9 Wal-Mart?  
10 A Just was new job opportunity. I was working  
11 both jobs at the same time so, I guess, the reason  
12 would have been I kind of started overloading myself.  
13 Q I hear you. Okay.  
14 By the way, going back, you were born in  
15 1987. Where were you born?  
16 A Winter Haven.  
17 Q Have you lived in Polk County your entire  
18 life?  
19 A Yes.  
20 Q What brought you to State Farm in  
21 approximately 2007? I don't have my reading glasses so  
22 if I start looking like -- I left them in my other coat  
23 unfortunately.  
24 What brought you to State Farm?  
25 A Job opportunities.

1 Q And when you were first hired, what was your  
2 first -- may be the same job you have now, but what was  
3 your first role, job, title at State Farm?  
4 A When I was hired with State Farm, I first  
5 worked in the mail room.  
6 Q Was that in Winter Haven?  
7 A Correct.  
8 Q And what were your duties and  
9 responsibilities at that time when you were working in  
10 the mail room?  
11 A I handled incoming mail was one of the things  
12 that I did.  
13 Q Anything else while you worked in the mail  
14 room in Winter Haven?  
15 A The other thing I did was handle faxes.  
16 Q Anything else?  
17 A That's really all I can recall at this time.  
18 Q Did you have a supervisor when you worked in  
19 the mail room in Winter Haven?  
20 A Yes.  
21 Q Who was that?  
22 A Her name was Sonya.  
23 Q Do you recall her last name? You may not?  
24 A I don't recall.  
25 Q Was that your only supervisor when you were

1 in the mail room at Winter Haven?  
2 A That was my direct supervisor.  
3 Q How long did you work in the mail room for  
4 State Farm?  
5 A Approximately around a year.  
6 Q What was your next position with State Farm?  
7 A I worked in the flood department.  
8 Q Okay. Then going back to the mail room  
9 again, may otherwise appear to be a silly question, but  
10 did you do any type of -- when you worked in the mail  
11 room anyway for approximately a year, did you do any  
12 kind of claims work or estimating or anything that  
13 directly related to the payment at it relates to the  
14 repair of damaged vehicles or any type of claim  
15 analysis?  
16 MS. CLARK:: Object to form.  
17 A I really didn't handle any estimating duties.  
18 I mainly just handled mail at that time.  
19 BY MR. GEOHAGAN:  
20 Q Then you say you worked in flood, is that  
21 a -- what do you mean? I know what a flood is, but if  
22 you can tell me what it means as it relates to your  
23 position at State Farm at that point?  
24 A It was a department that housed flood  
25 employees.

1 Q I guess what I'm asking is, do you mean flood  
2 insurance? Is that what you're talking about?  
3 Insurance with regard to floods or are you talking  
4 about a flood, you know, came about at the Winter Haven  
5 office? That's what I'm asking. What do you mean when  
6 you say flood? Are you taking about flood insurance?  
7 A I really don't understand what you're asking.  
8 Q You say you worked in flood, right?  
9 A Correct.  
10 Q Let me ask it this way, what did you do?  
11 A I handled incoming correspondence as well as  
12 mail.  
13 Q Anything else when you worked in, as you  
14 refer to it, flood?  
15 A Nothing else I can recall right now.  
16 Q And what was the primary objective of the  
17 people that worked in flood? Do you know what they  
18 did?  
19 A No. I don't know what other people did.  
20 Q Do you know if it was related to insurance in  
21 any way, shape, or form?  
22 A I don't know. I mean, I know what I did in  
23 the department. I don't -- I wasn't aware of what  
24 other people were doing.  
25 Q So you didn't really know, like, even with

1 the correspondence you got or anything, you weren't  
2 aware of what they were doing or, at least, for State  
3 Farm? I mean, again, what I'm trying to figure out --  
4 it may be a dumb question, but I've never been in  
5 insurance. My mom actually worked in the Winter Haven  
6 office in State Farm, like, in the early 70's but, of  
7 course, I was a little baby.

8 But, with regard to that department, I mean,  
9 was it with regard to if a flood happened at the Winter  
10 Haven office or was it with regard to floods that might  
11 come about with regard to insureds of State Farm? I  
12 mean, do you have any idea as to what that division was  
13 doing in general?

14 MS. CLARK: Object to form. Asked and  
15 answered.

16 A I really don't understand what you're asking  
17 me, the question.

18 BY MR. GEOHAGAN:

19 Q I'm trying figure out what you mean by flood.  
20 You said you worked in flood and, you know, if you said  
21 you worked in the law, I would understand that, but  
22 when you say you worked in flood, I mean, without  
23 having some context to it, unless I was involved in  
24 insurance, I'm assuming, I expect that, you know, you  
25 could very well, you know, whenever a flood happens,

1 THE WITNESS: Can you repeat that question?

2 BY MR. GEOHAGAN:

3 Q Sure. Were they involved -- was that  
4 department, were they dealing with flood insurance for  
5 purposes of their insureds?

6 MS. CLARK: Object to form?

7 A I'm not exactly sure. I never worked any  
8 other job except for that one job so I knew what was  
9 coming to me and, I mean, I don't know what happened  
10 from that process on. I mean, I just knew my  
11 responsibilities.

12 BY MR. GEOHAGAN:

13 Q I'll ask one last question and we'll move on.  
14 Do you know -- do you have any idea as to whether or  
15 not, though, specifically it was with regard to flood  
16 insurance?

17 MS. CLARK: Object to form.

18 A I don't know.

19 BY MR. GEOHAGAN:

20 Q Okay. Well let me ask this, did it have  
21 anything to do with auto body claims from insureds or  
22 did it have anything to do with any claims analysis or  
23 Estimations as it relates to auto body repair, to your  
24 knowledge?

25 A Not that I can recall.

1 you know, you go to the flood. You worked in the  
2 flood. I don't know. But, you were there. How long  
3 did you work in flood, as you put it?

4 MS. CLARK: Object to form. You can answer.

5 A I worked in the flood department for  
6 approximately a year.

7 BY MR. GEOHAGAN:

8 Q Okay. So you were there for approximately a  
9 year and you didn't have any idea what they were doing  
10 in the flood department?

11 MS. CLARK: Object to form.

12 A I understand my job responsibilities. I  
13 mean, I don't know what other people were doing. It  
14 was a big department.

15 BY MR. GEOHAGAN:

16 Q I apologize. I didn't mean to interrupt you.  
17 I'm not asking you specifically what other people were  
18 doing. You were there in a department. For instance,  
19 if I work in a shoe store and I do the accounting, I  
20 still know they are selling shoes, even though I'm not  
21 the one selling them.

22 My question is, do you have any idea what  
23 they were doing in flood? Was it with regard to flood  
24 insurance? Do you have any idea?

25 MS. CLARK: Object to form.

1 Q Okay. You left the flood department at some  
2 point, correct?

3 A Yes. Correct.

4 Q What was your next position with State Farm?

5 A I worked in the PIP department.

6 Q What did you do in the PIP department?

7 A I handled outgoing correspondence.

8 Q Anything else?

9 A That's all I can recall at this time.

10 Q When you say you handled outgoing  
11 correspondence, did you -- did you prepare any type of  
12 correspondence and send it out or were you just  
13 handling what was handed to you from someone else?

14 A I was handling correspondence that were set  
15 by other employees and sending those out.

16 Q Did you have any involvement in the substance  
17 of the correspondence that was going out?

18 A What do you mean by substance?

19 Q Well would a letter be something you would  
20 have been handling when you were with the PIP  
21 department?

22 A Correct.

23 Q Did you have any involvement in the language  
24 in the letter as far as editing it, revising it,  
25 authoring it?

1 A Sometimes.  
 2 Q Let me go back for a second with regard to  
 3 flood. You said you handled incoming correspondence  
 4 and mail, correct?  
 5 A Correct.  
 6 Q With regard to that, were you just taking the  
 7 correspondence that came in and handing it to somebody  
 8 or were you reviewing the correspondence and taking so  
 9 action depending upon what the correspondence was  
 10 related to?  
 11 A At that point I would, in the flood  
 12 department, I would receive correspondence and deliver  
 13 them to the correct people in the department.  
 14 Q Okay. Did you review the substance of the  
 15 correspondence -- what was within in the  
 16 correspondence?  
 17 A No, that wasn't my job.  
 18 Q So you didn't do any of that in flood,  
 19 correct?  
 20 A I don't understand.  
 21 Q You didn't do anything with regard to -- all  
 22 did you in flood is take incoming mail and get it to  
 23 whoever it was supposed to go to; is that right?  
 24 A Correct.  
 25 Q And then now on PIP, going back to PIP,

1 Q I have certain favorite words you will hear,  
 2 unfortunately. Otherwise is one of them. I don't know  
 3 why I use it all the time, but effectively is another.  
 4 MS. CLARK: I'll keep a tally.  
 5 MR. GEOHAGAN: It will get up there, I'm  
 6 sure.  
 7 BY MR. GEOHAGAN:  
 8 Q I'm going to try to remember what I was going  
 9 to ask but -- see I was about to say it right there,  
 10 but what I'm trying to ask is, is there anything other  
 11 than that that you did whenever you did anything with  
 12 the language in any of that correspondence other than  
 13 what you just told me as far as there being  
 14 preformatted letters and inputting info into those  
 15 letters?  
 16 A Not that I can recall.  
 17 Q Okay. And with regard to -- how long were  
 18 you in the PIP department?  
 19 A Approximately, around a half a year.  
 20 Q While you were there, was there any type of  
 21 claims work, Estimatics work, as it's relates to auto  
 22 body repair damage, property damage?  
 23 A I can't recall.  
 24 Q And there was no training with regard to  
 25 claims or Estimatics work as it relates to auto body

1 sometimes you would deal with whatever was written in  
 2 some of that correspondence; is that correct?  
 3 A Can you repeat that?  
 4 Q Yes, I put dealt with -- well anyway, I think  
 5 you had just testified a few moments ago that at least  
 6 sometimes you would actually have some involvement in  
 7 the language that was in the correspondence, in the  
 8 letter, whatever it may be, before it went out,  
 9 correct?  
 10 A Correct.  
 11 Q What would you do -- again, I'm not asking  
 12 you to go back to every single letter and tell me  
 13 exactly what you did. I'm asking in general what you  
 14 would do?  
 15 A There was some kind of preformatted letter  
 16 that you would pretty much select and it would  
 17 basically prep that letter for another associate to  
 18 input their information or the information needed for  
 19 that letter.  
 20 Q Was that effectively what you did for  
 21 purposes of anything you might have put into the  
 22 language of any -- of that correspondence or letters or  
 23 whatever it may be?  
 24 A What do you mean by effectively? I don't  
 25 understand what you're asking.

1 repair damage or damaged vehicles or anything like  
 2 that?  
 3 A Not in that specific department, no.  
 4 Q I was only focusing on PIP.  
 5 A Right.  
 6 Q Where did you go next? What was your next  
 7 position at State Farm?  
 8 A It was in Estimatics.  
 9 Q When did you -- so far I have got and, again,  
 10 this is not that I'll hold you to this, but just maybe  
 11 to help you out here, we have got that you started  
 12 there approximately 2007. May not be 2007. It's okay.  
 13 Then I have you approximately one year in the mail room  
 14 and approximately one year in flood and approximately a  
 15 half year in PIP, so that's approximately two and a  
 16 half years. So that's -- were you -- did you move to  
 17 Estimatics in 2009 or thereabouts?  
 18 MS. CLARK: Object to form.  
 19 A Somewhere close to there. You know, I'm not  
 20 exactly sure of the date, but it might have been  
 21 somewhere in there.  
 22 BY MR. GEOHAGAN:  
 23 Q That's just fine but just to clean the  
 24 record, you can't necessarily recall exactly what year  
 25 you took a position in Estimatics, correct?

1 A I think it was 2009.  
 2 Q Again, if later you say it's something else,  
 3 that's just fine, if you recall something differently.  
 4 Okay.  
 5 And what was your first position with  
 6 Estimating in 2009?  
 7 A I was an AEI.  
 8 Q What does a AEI stand for?  
 9 A Auto Estimating inspector.  
 10 Q And who was your supervisor when you first  
 11 became -- when you first went into Estimating as an  
 12 auto Estimating inspector?  
 13 A My first supervisor was Mike McGuirk  
 14 (phonetic).  
 15 Q Do you know how to spell his last name?  
 16 A I'm not sure.  
 17 Q But it's Mike McGirt?  
 18 A McGuirk.  
 19 Q Guirk?  
 20 A Right.  
 21 Q Is that the position you now hold?  
 22 A I hold an AEI position, but I don't work for  
 23 Mike McGuirk.  
 24 Q I'll get back to that with regard to  
 25 supervisors and whatnot, but after you were hired in

1 basically, I would write estimates and my trainer at  
 2 that time would go over them with me and give me a  
 3 better understanding what I could do better or what I  
 4 was doing good at the time.  
 5 Q And who was the one that was training you out  
 6 at Copart?  
 7 A It was my trainer at the time. His name was  
 8 Bob Brunowsko (phonetic).  
 9 Q Do you recall how it's spelled?  
 10 A No, I don't recall.  
 11 Q Kind of sounding it out, Madam Court  
 12 Reporter, but I could be wrong, B-r-u-n-o-w-s-k-o, is  
 13 how I spelled it anyway.  
 14 Okay. Did you have any other trainer other  
 15 than Bob Brunowsko out at Copart.  
 16 A Other AEIs on my team that would be doing  
 17 work out there as well that would help me out with  
 18 training.  
 19 Q Who were those other AEIs that would help  
 20 out?  
 21 A I don't recall. There was different ones out  
 22 there all the time.  
 23 Q So is it fair to say there was a number of  
 24 them that would help out?  
 25 A Right.

1 2009 as an auto Estimating inspector for State Farm,  
 2 have you had any other positions with State Farm since  
 3 then?  
 4 A No. I have been an auto Estimating inspector  
 5 since then.  
 6 Q Nothing else, correct?  
 7 A Correct.  
 8 Q And Mike McGuirk was your supervisor when you  
 9 first became an auto Estimating inspector, correct?  
 10 A Correct.  
 11 Q How long was he your supervisor?  
 12 A Slightly over a year.  
 13 Q Who was your next supervisor?  
 14 A Ralph Bennett.  
 15 Q Did he become your supervisor in 2010 or  
 16 2011, do you recall?  
 17 A Somewhere in that time frame.  
 18 Q Somewhere in 2010 or 2011, correct?  
 19 A Correct.  
 20 Q Okay. When you first became an auto  
 21 Estimating inspector, did you have any particular  
 22 geographical area that you were assigned to?  
 23 A The first area I was assigned to was a  
 24 salvage yard called Copart. They kept me out there for  
 25 awhile to train me and kind of go over my work and,

1 Q Okay. Where is Copart located?  
 2 A It's in Orlando.  
 3 Q And was -- you know whether or not Bob  
 4 Brunowski was a State Farm employee or was he an  
 5 employee of Copart?  
 6 A He worked for State Farm.  
 7 Q Do you know whether or not that was his sole  
 8 job at the time is to train either you or others or did  
 9 he have some other duty while he was out at Copart when  
 10 you were there anyway?  
 11 A His title was PCT which stands for property  
 12 claims trainer at that time.  
 13 Q Okay. How long did you stay out at Copart  
 14 being trained or whatever else you may have done out at  
 15 Copart?  
 16 A I was out at Copart for slightly over a year.  
 17 Q Did you have the opportunity, while you were  
 18 out at Copart, to repair any damaged vehicles?  
 19 A No. My job wasn't to repair vehicles. It  
 20 was to write estimates on the vehicles.  
 21 Q I understand. I'm just asking whether or  
 22 not, as part of that training, you repaired any  
 23 vehicles?  
 24 A Not that I can recall.  
 25 Q Were there others repairing vehicles as part

1 of your training?  
 2 A I don't know.  
 3 Q Did you observe anybody repairing any  
 4 vehicles while you were out at Copart?  
 5 A Not that I can recall.  
 6 Q And you were there for slightly over one  
 7 year. Now we are, what, in 2010 or into 2010 you moved  
 8 on to another position?  
 9 A No. I think we are closer to --  
 10 Q Not position. I apologize. You moved --  
 11 started doing something else under the same title,  
 12 correct?  
 13 A Correct. I think we are a little bit further  
 14 along than what you're saying than 2010.  
 15 Q Okay. Well tell me.  
 16 A I think we are closer to 2012 at this point.  
 17 We are maybe 2011/2012.  
 18 Q Okay. So in 2011, beginning 2012?  
 19 A Correct.  
 20 Q And then where did you move to as -- or what  
 21 changed in or around the end of 2011 or the beginning  
 22 of 2012 for purposes of your position as an auto  
 23 Estimatrics inspector?  
 24 MS. CLARK: Object to form. You can answer.  
 25 A At that time, basically what changed was,

1 they housed me out of the Winter Haven office versus  
 2 the Orlando office.  
 3 BY MR. GEOHAGAN:  
 4 Q Okay. Just to be sure, I mean, when you were  
 5 out at Copart, were you at a State Farm office while  
 6 you were there?  
 7 A No.  
 8 Q So when you say Orlando office, are you  
 9 referring to Copart's Orlando office?  
 10 A No, sir.  
 11 Q Where were you at when you were in Orlando?  
 12 A I was working Copart, the Orlando area.  
 13 Q Okay.  
 14 A But I was housed out of the Orlando office,  
 15 State Farm.  
 16 Q I see. Okay. And then when you moved along  
 17 you were housed out of the Winter Haven office,  
 18 correct?  
 19 A Correct.  
 20 Q Okay. And at the time that you made that  
 21 move at the end of 2011, beginning of 2012, what was  
 22 your geographical area that you were assigned to?  
 23 A Well --  
 24 Q If you were?  
 25 A -- I mean, I worked a lot of different areas

1 so it's kind of hard to say you were assigned to one.  
 2 Q That's fair. And what counties were those  
 3 areas in?  
 4 A One county was Polk County.  
 5 Q What other counties did you -- were you  
 6 involved in for purposes of your job at that time?  
 7 A I worked in Orange County.  
 8 Q Any other?  
 9 A That's really all I can recall at this time.  
 10 Q And at that time, if I have my notes down  
 11 correct, Ralph Bennett was your supervisor, correct?  
 12 A At the time I that was housed out of the  
 13 Winter Haven office, correct.  
 14 Q And has, as far as the different areas --  
 15 well let me ask it this way. Has anything changed  
 16 since then as far as being assigned to any particular  
 17 geographical area for purposes of your work as an  
 18 automatic Estimatrics inspector?  
 19 A I don't understand what you say by has  
 20 anything changed.  
 21 Q Well what I was asking initially was when you  
 22 went there end of 2011 or beginning of 2012, what  
 23 geographical areas were you assigned to and I believe  
 24 your response was lots of different areas which include  
 25 Polk or Orange, correct? Has that changed? Has it

1 been restricted or expanded? Now you work more areas  
 2 or now you focus just on one area or is it pretty much  
 3 the same?  
 4 MS. CLARK: Form. You can answer.  
 5 A I help out where it's needed so wherever, you  
 6 know, the most work is at, that's where I'm going to  
 7 help out and write estimates.  
 8 BY MR. GEOHAGAN:  
 9 Q Okay. Let me put it this way -- and I don't  
 10 know the answer to this question so it's not a trick  
 11 question. Since the end the 2011, beginning of 2012  
 12 when you were -- started being housed out of the Winter  
 13 Haven office, what counties have you worked in?  
 14 A One of the counties I worked in was Polk  
 15 County.  
 16 Q One of them is Orange, correct?  
 17 A Correct.  
 18 Q Is there any other counties that you have  
 19 worked out of or worked in as an auto Estimatrics  
 20 inspector since approximately the end of 2011,  
 21 beginning of 2012?  
 22 A I can't recall.  
 23 Q Currently, as far as your job duties and  
 24 responsibilities as an auto Estimatrics inspector,  
 25 where -- what location are you doing most of your work

1 in when you're out in the field?  
 2 A Wherever State Farm needs me at. Wherever we  
 3 have the most work at, that's where I get sent so  
 4 it's --  
 5 Q I apologize. What I'm asking is for purposes  
 6 of counties right now and so I understand you're going  
 7 to go wherever they tell you. If they tell you to go  
 8 down to Dade County, you're going to go. If they tell  
 9 you to go up to Pensacola, you're going to go. I  
 10 understand that, but my question is, as a matter of  
 11 fact, where have you gone mostly? Has it been mostly  
 12 Polk or mostly Orange?  
 13 MS. CLARK: Form.  
 14 A I would say the majority of my work has been  
 15 in Polk County.  
 16 BY MR. GEOHAGAN:  
 17 Q Has that been the case since you were housed  
 18 out of Winter Haven in approximately 2011, beginning of  
 19 2012?  
 20 A Since I've been housed out of the Winter  
 21 Haven office, I would say the majority of my work is in  
 22 Polk County.  
 23 Q And let me ask you this, you said that Ralph  
 24 Bennett has been your --  
 25 Excuse me. Go off the record.

1 (Brief discussion off the record.)  
 2 BY MR. GEOHAGAN  
 3 Q Okay. Back on the record.  
 4 You said that, I believe, that Ralph Bennett  
 5 has been your supervisor and maybe longer than this,  
 6 but at least since the end of 2011, beginning of 2012,  
 7 correct?  
 8 MS. CLARK: Form.  
 9 A Approximately. You know, I don't know exact  
 10 timeline.  
 11 BY MR. GEOHAGAN:  
 12 Q I'm just using that to help you out. It  
 13 doesn't necessarily need to be exact for my purposes  
 14 anyway. But do you know who Mark Elwood is?  
 15 A Yes.  
 16 Q Okay. And he works at State Farm too,  
 17 correct?  
 18 A At that time, yes. I don't know as of today.  
 19 Q And what -- do you know what Mark Elwood's  
 20 position was when he was working at State Farm? At  
 21 least -- I'm only saying that because that's the way  
 22 you put it -- what his position with State Farm was?  
 23 MS. CLARK: Object to the form.  
 24 A At that time he was a PCT.  
 25 BY MR. GEOHAGAN:

1 Q Property claims trainer?  
 2 A Correct.  
 3 Q And would you, since you went to the --  
 4 started being housed in the Winter Haven office, did  
 5 you have any interaction with Mark Elwood since that  
 6 time? I'm not talking socially necessarily. I'm  
 7 taking business as far as your work at State Farm?  
 8 A When I joined the Winter Haven -- when I was  
 9 housed out of the Winter Haven office, Mark Elwood  
 10 basically rode with me on multiple, multiple days on  
 11 multiple cars and would kind of go over the cars with  
 12 me, go over the damages, make sure that, you know, if  
 13 anything he saw I could do better, he would let me know  
 14 at that time. Just doing training with me.  
 15 Q And did that start whenever you were first  
 16 housed out of the Winter Haven office for State Farm?  
 17 A Yes, it started in the beginning.  
 18 Q The beginning of when you were first housed  
 19 out of the Winter Haven office of State Farm?  
 20 A I don't recall if it was the first day, but  
 21 was sometime in the beginning.  
 22 Q Right, and I'm making it clear for the  
 23 record. Not the beginning of when you first started  
 24 working with State Farm, but the beginning of whenever  
 25 it was, the first day or the first month or the first

1 six months, it was when you first began being housed  
 2 out of the Winter Haven office, correct?  
 3 MS. CLARK: Object to form. You can answer.  
 4 A It was sometime in the beginning after I  
 5 started at the Winter Haven office. I don't know if it  
 6 was the first day after I started, but it was sometime  
 7 in that time frame. It might have been that first day,  
 8 but I'm not exactly sure.  
 9 BY MR. GEOHAGAN:  
 10 Q Yes, sir. Okay. And how long did Mr. Elwood  
 11 ride with you and act as property claims trainer for  
 12 your purposes?  
 13 A Multiple days. I don't recall the exact  
 14 amount of days.  
 15 Q Okay. Really what I'm getting at, though, is  
 16 like, when did that come to an end or maybe it never  
 17 did. Did it ever come to an end or is he still riding  
 18 with you as a property claims trainer?  
 19 MS. CLARK: Object to form.  
 20 A Not every day, but he does pick days out and  
 21 he will ride with me.  
 22 BY MR. GEOHAGAN:  
 23 Q All right. Even up until the present time;  
 24 is that correct?  
 25 A Correct.

1 Q As far as you know, he is still employed by  
 2 State Farm?  
 3 A I don't know as of today. I haven't talked  
 4 to him.  
 5 Q I mean, the last time you saw him he was  
 6 employed by State Farm?  
 7 A Last time I saw him, yes.  
 8 Q When was the last time you saw him?  
 9 A I don't recall.  
 10 Q Was it a month ago or over the past month  
 11 or --  
 12 A I don't recall.  
 13 Q Was it a year ago?  
 14 A No, it's been sooner than a year ago.  
 15 Q And did he ride along with you when you first  
 16 started as it relates to being housed out of the Winter  
 17 Office more frequently in the beginning and then, as  
 18 time moved forward up until the present, less  
 19 frequently?  
 20 A In the beginning, don't know exact date,  
 21 after I was housed in the Winter Haven office, he rode  
 22 with me multiple days back to back and then he picks  
 23 and chooses days when he wants to come and ride with me  
 24 to go over training materials or anything I need to be  
 25 aware of.

1 Q So it has become, since the beginning, less  
 2 frequent, is that a fair statement?  
 3 A Since the beginning, correct.  
 4 Q Do you know, you may not, do you know whether  
 5 or not Ralph Bennett is Mark Elwood's supervisor too?  
 6 A I don't know.  
 7 Q Do you know who his supervisor is?  
 8 A No.  
 9 Q As an auto Estimations inspector what are your  
 10 responsibilities and duties as it relates to that  
 11 position?  
 12 A One of my responsibilities is to take quality  
 13 photos of the vehicles.  
 14 Q What other responsibilities and duties do you  
 15 have as an auto Estimations inspector?  
 16 A Another responsibility is to write an  
 17 estimate that properly repairs the vehicle from how I  
 18 can see it, where I can see it.  
 19 I need to use the restroom. Can we take a  
 20 break?  
 21 (Deposition in brief recess.)  
 22 BY MR. GEOHAGAN:  
 23 Q Back on the record.  
 24 We were talking about your responsibilities  
 25 and duties as an auto Estimations inspector. Is that

1 the same thing, by the way, as what is otherwise  
 2 referred to as an estimator?  
 3 A Yes. They kind of mean the same thing.  
 4 Q Okay. And I'm thinking of this now but, for  
 5 your purposes, is -- would Mr. Bennett be referred to  
 6 also as an Estimations team leader?  
 7 A I would refer to Mr. Bennett as an Estimations  
 8 team manager.  
 9 Q That's what I meant. I'm sorry. Does he  
 10 have any geographical areas that he is responsible for  
 11 as an Estimations team manager as compared to any other  
 12 Estimations team managers?  
 13 A I don't exactly know.  
 14 Q Okay. So getting back to -- so far, and tell  
 15 me if I am correct, and just doing this more because we  
 16 took a break -- for purposes of your responsibilities  
 17 and duties as an auto Estimations inspector, so far I  
 18 have taking quality photos. Photos of vehicles,  
 19 correct?  
 20 A Correct.  
 21 Q And writing an estimate that properly repairs  
 22 the vehicle the way, at least, you see it at the time  
 23 you're putting together your estimate, correct?  
 24 A Correct.  
 25 Q Anything else as far as your responsibilities

1 and duties as an auto Estimations inspector?  
 2 A It's all I can really recall at this time.  
 3 Q You said, as one your responsibilities of the  
 4 two that you mentioned, that to write an estimate that  
 5 properly repairs the vehicles the way you see it at the  
 6 time and, from that standpoint, are you looking at  
 7 writing an estimate that properly repairs the vehicle  
 8 in bringing it back as much as possible to pre-loss  
 9 condition?  
 10 MS. CLARK: Object to form.  
 11 A I think pre-loss condition is a hard term to  
 12 use because, obviously, it's been damaged. You can't  
 13 take away the damage, but my role as an estimator is to  
 14 write the best estimate that I can to properly repair  
 15 the vehicle.  
 16 BY MR. GEOHAGAN:  
 17 Q Okay. What does it mean when you say  
 18 properly repair the vehicle? What does that mean?  
 19 A To me that means, that I have written  
 20 everything on that estimate to properly repair the  
 21 vehicle and to completely repair the vehicle.  
 22 Q I guess that's what I'm asking. What does  
 23 that mean when you say to properly repair the vehicle  
 24 or completely repair the vehicle? What does that mean  
 25 to you?

1 MS. CLARK: Object to form.  
 2 A It means to properly repair the vehicle.  
 3 BY MR. GEOHAGAN:  
 4 Q Okay. But, for the Court's purposes who is  
 5 not in insurance, at least as far as I know, and he is  
 6 not an auto body repair guy, what is properly repairing  
 7 the vehicle? What does that entail?  
 8 MS. CLARK: Object to form.  
 9 A Having a complete estimate to properly repair  
 10 the vehicle.  
 11 BY MR. GEOHAGAN:  
 12 Q Does it mean bringing it back as much as  
 13 possible? You mentioned a few moments ago that it's, I  
 14 think effectively what you were saying was, at least,  
 15 is that, you know, when a vehicle has been damaged,  
 16 it's difficult to bring it completely back to pre-loss  
 17 condition; is that fair?  
 18 MS. CLARK: Object to form.  
 19 THE WITNESS: Can you repeat that?  
 20 BY MR. GEOHAGAN:  
 21 Q I think what you said, tell me if I'm  
 22 incorrect, is that it's difficult to bring a vehicle  
 23 completely back to pre-loss condition after the vehicle  
 24 has been damaged; is that correct?  
 25 MS. CLARK: Form.

1 A I think what I meant was it's hard to say --  
 2 to put it in pre-loss condition because there was  
 3 damage at one point.  
 4 BY MR. GEOHAGAN:  
 5 Q I guess what I'm trying to find out is when  
 6 you say properly repair the vehicle, one person may  
 7 think that, you know, there is three different bits of  
 8 damage to the vehicle and then they say, well just fix  
 9 that quarter panel, forget about the rest, and from my  
 10 standpoint, that is properly repairing the vehicle.  
 11 I'm trying to find out, you know, what does that mean  
 12 as auto Estimations inspector for purposes of properly  
 13 repairing the vehicle. Is it related to pre-loss  
 14 condition or what is it?  
 15 MS. CLARK: Object. Form.  
 16 A To me, it means that I'm properly documenting  
 17 all the damages to properly repair that vehicle on my  
 18 estimate.  
 19 BY MR. GEOHAGAN:  
 20 Q Tell me if you -- from the standpoint of  
 21 being an auto Estimations inspector, tell me if you  
 22 agree with this. Do you think it's your  
 23 responsibility, as an auto Estimations inspector for  
 24 State Farm, to do what you can to cause the damaged  
 25 vehicle, whatever vehicle it may be, to be restored to

1 it's physical condition as to performance and  
 2 appearance immediately prior to the loss?  
 3 MS. CLARK: Object to form.  
 4 A I don't think that it's my duty to restore it  
 5 because I'm not repairing the vehicle. I think it's my  
 6 duty to, like I said before, properly document the  
 7 damages on my estimate to properly repair that vehicle.  
 8 BY MR. GEOHAGAN:  
 9 Q Okay. Let me ask you this and tell me if you  
 10 agree with this. Do you think it's your responsibility  
 11 as an Estimations or auto Estimations inspector for State  
 12 Farm to do what you can with regard to any particular  
 13 vehicle that you're responsible for to cause that  
 14 damaged vehicle to be restored to it's physical  
 15 condition as to performance and appearance immediately  
 16 prior to the loss at no additional cost to the insured  
 17 for purposes of that particular vehicle?  
 18 MS. CLARK: Object to form.  
 19 THE WITNESS: Can you repeat that question?  
 20 BY MR. GEOHAGAN:  
 21 Q Yes. Do you agree, as an auto Estimations  
 22 inspector that for State Farm, that it's your  
 23 responsibility as a -- in that capacity for State Farm,  
 24 to do what you can to cause the damaged vehicle,  
 25 whatever vehicle it may be, to be restored to it's

1 physical condition as to performance and appearance  
 2 immediately prior to the loss at no additional cost to  
 3 the insured?  
 4 MS. CLARK: Object to form.  
 5 A I really don't understand that question.  
 6 BY MR. GEOHAGAN:  
 7 Q What don't you understand about it?  
 8 A Well it seems like you're asking multiple  
 9 things in there.  
 10 Q Are you familiar with the statutes and laws  
 11 as it relates to claims settlement practices for  
 12 insurance companies?  
 13 A No.  
 14 Q No one has ever gone over that with you at  
 15 State Farm?  
 16 A Not that I can recall.  
 17 Q Let me try to break it down for you. With  
 18 regard to any of particular vehicle that you are  
 19 responsible for writing an estimate for as it relates  
 20 to your position with State Farm, do you have a  
 21 position as to whether or not you should be doing what  
 22 you can in that capacity to cause that particular  
 23 damaged vehicle to be restored to it's physical  
 24 condition as to performance and appearance as it was  
 25 immediately prior to the loss at no additional cost to

1 the insured?  
 2 MS. CLARK: Object to form.  
 3 A I think that my role as the auto inspector is  
 4 to write the best estimate that I can and to properly  
 5 repair the vehicle, like I said before, and to write it  
 6 the way that I have been trained within my guidelines.  
 7 BY MR. GEOHAGAN:  
 8 Q Okay. Well let's go with that then. How  
 9 have you been trained to write an estimate?  
 10 A Well I've been trained in many ways. One of  
 11 the ways I've been trained, like I mentioned before, is  
 12 I spent over a year at Copart going over vehicles with  
 13 my trainer and other estimators seeing what I'm doing  
 14 right as well as what I'm doing wrong, things I could  
 15 be better at.  
 16 Another one of the things that -- the  
 17 training opportunities that I received from State Farm  
 18 is spent two week in Bloomington, Illinois at  
 19 Estimatics school where I learned a lot about repairing  
 20 vehicles, how to do Audatex. Another way I have been  
 21 trained by State Farm is spending time with different  
 22 trainers and the best way to use Audatex and to repair  
 23 vehicles or to write the best estimate to repair  
 24 vehicles.  
 25 Q If I recall, with regards to all those things

1 you just mentioned and as part of the training you just  
 2 mentioned, did you have to repair a damaged vehicle as  
 3 part of any of that training?  
 4 A No, I never repaired a vehicle. My role was  
 5 to write the estimates to repair the vehicle.  
 6 Q Did you ever observe, as part of that  
 7 training, someone else repairing a vehicle?  
 8 A Yes.  
 9 Q And where was that?  
 10 A That was in Illinois; Bloomington, Illinois.  
 11 Q And was it one vehicle or how many vehicles  
 12 were repaired for your observation?  
 13 A It was one vehicle.  
 14 Q And do you recall what aspects of the vehicle  
 15 were repaired?  
 16 A No, I don't recall.  
 17 Q Were there several things that were repaired  
 18 as part of that vehicle, to your recollection?  
 19 A Yes. They were doing small repairs on the  
 20 vehicle. They would do small repairs, then we would go  
 21 over them in a classroom setting on how to best  
 22 document the repairs and the best way to basically use  
 23 the Audatex system or whatever system you were going to  
 24 be using in your area.  
 25 Q What type of small repairs were they making?

1 A I don't recall.  
 2 Q Any other time that you've observed someone  
 3 else or other people repairing vehicle other than that?  
 4 A Sure. I go to shops all the time when they  
 5 are repairing the vehicles.  
 6 Q You stop and observe those repairs?  
 7 A Sometimes, yes.  
 8 Q Have you ever stopped -- you've been out to  
 9 Gunder's Auto Center, correct?  
 10 A Correct.  
 11 Q And you have been out there on several  
 12 occasions, correct?  
 13 A Correct.  
 14 Q Have you ever stopped to observe a repair job  
 15 being done at Gunder's Auto Center?  
 16 A Yes, I've seen them repair vehicles, yes.  
 17 I've never fully observed the whole process, but I've  
 18 seen them doing a repair. I just haven't observed the  
 19 whole process.  
 20 Q Have you, other than Illinois, have you ever  
 21 observed someone doing the whole process?  
 22 MS. CLARK: Object to form.  
 23 A Would you be specific on the process of what  
 24 exactly you're --  
 25 BY MR. GEOHAGAN:

1 Q You're the one that said you didn't -- you've  
 2 never seen them or observed them repair a vehicle, the  
 3 whole process of repairing a vehicle, so however you  
 4 are defining that in your mind, have you ever observed  
 5 another repair shop or person or persons repairing a  
 6 damaged vehicle throughout the whole process, as you  
 7 put it?  
 8 MS. CLARK: Form.  
 9 A Yes.  
 10 BY MR. GEOHAGAN:  
 11 Q Where was that at?  
 12 A It was at Regal Collision. I don't know the  
 13 correct naming of the shop.  
 14 Q Do you know if they are out there on --  
 15 A Lakeland.  
 16 Q Lakeland Hills Boulevard?  
 17 A Correct.  
 18 Q Okay. And did you observe the whole process  
 19 with regard to one vehicle or more than one?  
 20 A It was just one vehicle.  
 21 Q Any other time where you have observed the  
 22 repair -- the whole process of repairing a vehicle?  
 23 A Not that I can recall.  
 24 Q Do you recall who at Regal was there at the  
 25 time that you observed that particular repair?

1 A No, I don't recall. I was just in the shop  
 2 and writing an estimate and they were doing a repair to  
 3 a vehicle.  
 4 Q Do you recall the shop manager at Regal?  
 5 A Not at that time.  
 6 Q Was it Sherry?  
 7 A I don't know.  
 8 Q How long ago was this?  
 9 A Approximately around six months ago.  
 10 Q How long were you there watching the whole  
 11 process of this repair job?  
 12 A Well the process was very small. They were  
 13 just buffing a scratch out of a door so it didn't take  
 14 long. It was, maybe, ten minutes.  
 15 Q So that was the only thing that needed to be  
 16 repaired in that situation?  
 17 A Yes, in that case.  
 18 Q Do you recall what process they used to buff  
 19 the scratch out of the door?  
 20 A They used a buffing wheel, was one of the  
 21 things that they used.  
 22 Q Going back to -- I was originally talking  
 23 about as far as how you go about writing the estimates.  
 24 You told me that you base it on how you were trained,  
 25 correct?

1 A I base it on how I was trained and my past  
 2 experiences as well.  
 3 Q What have you learned from your training  
 4 since you base that -- for purposes of writing or  
 5 properly repairing a vehicle, you base it on your  
 6 training? What have you learned from your training and  
 7 experience as far as how you write an estimate for  
 8 properly repairing the vehicle?  
 9 A Well I've learned many things. One of the  
 10 things I have learned is to proficiently use the  
 11 Audatex system.  
 12 Q What else?  
 13 A Another thing I have learned is how to search  
 14 for parts.  
 15 Q Okay. What else?  
 16 A Another thing I have learned is how to take  
 17 quality photos.  
 18 Q What else?  
 19 A Another thing I have learned is how to  
 20 properly document the file.  
 21 Q What else?  
 22 A That's really all I can recall as of right  
 23 now.  
 24 Q And with regard to any of those, do any of  
 25 those help you determine what is necessary or

1 reasonable for purposes of repairing any vehicle in an  
 2 endeavor to bring that vehicle back to pre-loss  
 3 condition as much as possible?  
 4 MS. CLARK: Object to form.  
 5 A What do you mean by endeavor?  
 6 BY MR. GEOHAGAN:  
 7 Q Try.  
 8 A Try?  
 9 Q I think try would be a synonym for endeavor,  
 10 so I'll use that term. With regards to these one, two,  
 11 three, four items that you've learned from your  
 12 training as it relates to writing an estimates to  
 13 properly repair a vehicle, have any of those one items  
 14 or more than one, helped you for purposes of trying to  
 15 pay for whatever would help bring that vehicle back to  
 16 pre-loss condition as much as possible?  
 17 MS. CLARK: Object to form.  
 18 A No, because I don't pay for any items.  
 19 BY MR. GEOHAGAN:  
 20 Q I know you don't pay for it, but what I'm  
 21 talking about as far as your estimate, as far as what  
 22 should be paid, do any of those items help you  
 23 determine what should be paid for purposes of bringing  
 24 that vehicle back to pre-loss condition as much as  
 25 possible?

1 A Can you repeat that please?  
 2 Q Sure.  
 3 With regards to any of these items as it  
 4 relates to the estimate that you write for purposes of  
 5 properly repairing a vehicle, any of those items, as it  
 6 relates to your training, do any of those help you in  
 7 writing that estimate for purposes of writing an  
 8 estimate that will help in bringing the vehicle back to  
 9 pre-loss condition as much as possible?  
 10 MS. CLARK: Form.  
 11 A I really don't understand what you're asking.  
 12 BY MR. GEOHAGAN:  
 13 Q All right. Let me back up.  
 14 A Okay.  
 15 Q You told me that you were trained, correct?  
 16 A Correct.  
 17 Q Then you told me what you learned from your  
 18 training, right?  
 19 A Correct.  
 20 Q Okay, and with regards to these, I have, one,  
 21 proficiently use Audatex, correct?  
 22 A Okay.  
 23 Q Two, how to search for parts, correct?  
 24 A Correct.  
 25 Q Three, how to take quality photos, correct?

1 A Correct.

2 Q Four, how to properly document a file,

3 correct?

4 A Correct.

5 Q With regard to those four things that you

6 have learned from your training --

7 A Okay.

8 Q -- do any one or more than one of those items

9 help you in trying to write an estimate that will help

10 bring the vehicle back to pre-loss condition as much as

11 possible for purposes of what State Farm pays as it

12 relates to those repairs?

13 MS. CLARK: Object to form.

14 A Like I said before, I don't make any payments

15 for State Farms so I don't know what they are going to

16 pay or not pay.

17 BY MR. GEOHAGAN:

18 Q Well do you know what the estimate is for?

19 When you write an estimate, do you know what that's

20 for?

21 A Yes, to properly repair the vehicle.

22 Q The estimate is going to properly repair the

23 vehicle?

24 A Yes, it's going to try to.

25 Q How does it do it without money coming out?

1 MS. CLARK: Object to form.

2 THE WITNESS: Can you repeat that?

3 BY MR. GEOHAGAN:

4 Q You write an estimate, okay?

5 A Right.

6 Q How does that estimate help repair the

7 vehicle?

8 A Because it sets a guideline.

9 Q I want to get this straight. So are you

10 suggesting that your estimate is something that should

11 be used by the shop?

12 A It's a guideline by the shop so if they, on

13 inspection, they find more, they are able to put in a

14 supplement and we can go back and add to that estimate

15 and, like I said before, properly try to complete that

16 estimate to properly repair that vehicle.

17 Q Okay. But an estimate ultimately has charges

18 in it, correct? I mean, you're not just setting

19 guidelines out; Bob, go do this? Bill, go do this?

20 The estimate has charges associated with all these

21 things that you put in there, money figures, correct.

22 A Yes.

23 Q And so, ultimately, the estimate, I'm

24 assuming, is used by more than just the repair shop if

25 it's used at all by the repair shop. It's used by

1 State Farm in determining in some way, shape or form

2 what should be paid for purposes of the repair,

3 correct?

4 A I don't know that.

5 MS. CLARK: Form.

6 BY MR. GEOHAGAN:

7 Q You don't know why you're writing an

8 estimate, Mr. Robinson?

9 MS. CLARK: Whoa. Whoa. Object to form.

10 Go ahead.

11 A You asked me if I know what State Farm is

12 going to pay for via that estimate and I don't know if

13 State Farm is going pay via that estimate. I know what

14 I have written and that's to properly repair that

15 vehicle or give a guideline so that the shop can

16 inspect the vehicle and create a supplement and let me

17 come back out and inspect those damages to add to my

18 guideline or my estimate to properly repair the

19 vehicle, but I don't know what State Farm is going to

20 pay for.

21 BY MR. GEOHAGAN:

22 Q Well let's back up here. Do you think

23 Gunder's Auto Center needs Mr. Robinson, who has never

24 repaired a vehicle, who just became an auto Estimatatics

25 inspector in 2009 to come out and show them how to

1 repair vehicles?

2 MS. CLARK: Objection to form.

3 A I don't know what Gunder's Auto Center needs.

4 I don't work there.

5 BY MR. GEOHAGAN:

6 Q What do you think?

7 MS. CLARK: Object to form.

8 A Can you repeat that question?

9 BY MR. GEOHAGAN:

10 Q Do you think that Gunder's Auto Center or any

11 other auto body repair shop, for that matter, needs you

12 to determine how that vehicle needs to be repaired?

13 MS. CLARK: Object to form.

14 A I don't know because I don't work for a shop

15 so I can't put myself in that position.

16 BY MR. GEOHAGAN:

17 Q Okay. Let me back up. Let's get this clear.

18 If I understand you correctly -- well let me back up.

19 Do you understand why you -- if I understand

20 you correctly -- strike that.

21 If I understand you correctly, you're writing

22 an estimate to show what needs to be done to repair a

23 vehicle; is that right?

24 MS. CLARK: Object to form.

25 A Can you repeat that one more time?

1 BY MR. GEOHAGAN:  
 2 Q Are you writing an estimate to show what  
 3 needs to be done to repair that vehicle?  
 4 MS. CLARK: Form.  
 5 A I'm not showing -- I'm showing what needs to  
 6 be done to properly repair the vehicle.  
 7 BY MR. GEOHAGAN:  
 8 Q Okay. Fine. So you're writing an estimate  
 9 to show what needs to be done to properly, as you put  
 10 it, to repair the vehicle, correct?  
 11 A At the time that I see it, correct.  
 12 Q And then knowing that, do you know, given  
 13 your role as an auto Estimatics inspector, the ultimate  
 14 reason why you're doing what you do for State Farm's  
 15 purposes anyway?  
 16 MS. CLARK: Object to form.  
 17 A To come up with an estimate for a guideline  
 18 to properly repair that vehicle.  
 19 BY MR. GEOHAGAN:  
 20 Q But why does State Farm need that?  
 21 MS. CLARK: Object to form.  
 22 A I don't know.  
 23 BY MR. GEOHAGAN:  
 24 Q You don't know really?  
 25 MS. CLARK: Object to form. Argumentative.

1 Let me get my record here. Object to form.  
 2 Argumentative.  
 3 MR. GEOHAGAN: No speaking objections.  
 4 MS. CLARK: It's not a speaking objection.  
 5 MR. GEOHAGAN: Yes, it is.  
 6 MS. CLARK: A speaking objection --  
 7 MR. GEOHAGAN: Unless you're going to instruct  
 8 him, I'm not going to have the record tainted.  
 9 I've got somebody here who in Estimatics, okay,  
 10 that doesn't even know what State Farm uses it for  
 11 so I think --  
 12 MS. CLARK: So if you have a question you  
 13 would like to ask, you may ask it and I'm allowed  
 14 to give a one-word objection to form, argumentative  
 15 or one-word objection, asked and answered.  
 16 MR. GEOHAGAN: No, you're not. The most you  
 17 can do, Johanna, and you know this, is to say,  
 18 object to form, unless you're going to instruct him  
 19 not to answer based upon --  
 20 MS. CLARK: I have never ever had a deposition  
 21 where I have had opposing counsel say I cannot  
 22 object to give a one-word form objection. Not  
 23 once. And I --  
 24 MR. GEOHAGAN: You haven't done many  
 25 depositions, then. You can't do speaking

1 objections.  
 2 MS. CLARK: That is not speaking -- a speaking  
 3 objection, Brent, would be if I said, you can't ask  
 4 him that. He wasn't there because then he is going  
 5 to say, I wasn't there. That's a speaking  
 6 objection. I'm objecting to the form of your  
 7 question.  
 8 MR. GEOHAGAN: All right. I'll put it on the  
 9 record right now, pursuant to the Florida Rules of  
 10 Civil Procedure and the comment thereto, the only  
 11 appropriate objection in a deposition is, object to  
 12 form, unless you're going to instruct the witness  
 13 not to answer based upon privilege and, beyond  
 14 that, whenever you say, for instance, like you did  
 15 earlier, asked and answered, that taints the  
 16 question because then it's in the head of the  
 17 deponent, ah, it's been asked and answered. I have  
 18 already told you. Anything you say -- then when  
 19 you say argumentative, it taints the question.  
 20 MS. CLARK: I'm simply helping you reformulate  
 21 your question.  
 22 MR. GEOHAGAN: Just say, object to form. I'm  
 23 good.  
 24 BY MR. GEOHAGAN:  
 25 Q Okay. Mr. Robinson, just so I'm clear to be

1 fair to you, frankly, as much as you know with regard  
 2 to what you do for State Farm as an auto Estimatics  
 3 inspector, for purposes of what you do, is that you do  
 4 it to show what needs to be done to repair the vehicle  
 5 in question and no more, correct?  
 6 MS. CLARK: Form. I object to the form of  
 7 that question.  
 8 MR. GEOHAGAN: Thank you.  
 9 THE WITNESS: You mind repeating that again?  
 10 MR. GEOHAGAN: Sure. I just want to be clear.  
 11 THE WITNESS: Okay.  
 12 BY MR. GEOHAGAN:  
 13 Q That as far as your knowledge is concerned as  
 14 to why you do what you do for State Farm, that as far  
 15 as you know, the only reason that you write an estimate  
 16 is to show what needs to be done to repair that  
 17 vehicle, correct?  
 18 MS. CLARK: I object to the form.  
 19 A From my understanding, my role is to go out,  
 20 take an estimate to properly repair that vehicle.  
 21 BY MR. GEOHAGAN:  
 22 Q Okay. And then with regard to what that  
 23 means to State Farm, you don't know, correct?  
 24 MS. CLARK: I object to the form.  
 25 A What State Farm pays off that estimate, I

1 don't know.  
 2 BY MR. GEOHAGAN:  
 3 Q That wasn't my question. Do you know  
 4 what -- when you do what you just talked about doing as  
 5 far as preparing an estimate --  
 6 A Okay.  
 7 Q Do you know why State Farm needs that?  
 8 MS. CLARK: Object to the form.  
 9 A So other associates in my company can take a  
 10 look at what was damaged on the vehicle.  
 11 BY MR. GEOHAGAN:  
 12 Q Who would those type of associates be?  
 13 A I don't know.  
 14 Q Let me back up for a second. I think you  
 15 said so other associates in your company can look at  
 16 what was damaged; is that right?  
 17 A Yes.  
 18 Q Okay. So you don't know -- do you know who  
 19 you give these estimates to in State Farm, if anybody?  
 20 A I don't hand them to anybody. I complete an  
 21 estimate and I hit a button that is called  
 22 "synchronize" and that sends it back to State Farm.  
 23 What happens from there, I don't know.  
 24 Q Okay. So you have this estimate and, as far  
 25 as anyone else at State Farm that uses it, you put it

1 Estimating inspector has these estimates and hits  
 2 the synchronize button and has no idea where in all  
 3 of State Farm these things go or who looks at them  
 4 is the testimony thus far.  
 5 MS. CLARK: Let's move forward with the  
 6 deposition.  
 7 THE WITNESS: It's not my role.  
 8 MR. GEOHAGAN: Hold on. You made your  
 9 comment. There was no laughing by the way.  
 10 MS. CLARK: There was a smirk.  
 11 MR. GEOHAGAN: There was definitely a smirk.  
 12 In light of that response, I think everybody in  
 13 here should be smirking. You made the comment.  
 14 I'm putting it on the record.  
 15 BY MR. GEOHAGAN:  
 16 Q All right. So have you ever talked to  
 17 anybody that otherwise has received any of your  
 18 estimates?  
 19 A Yes.  
 20 Q Who has received --  
 21 A I don't know if they actually personally  
 22 received it so I don't know who received it. I know  
 23 somebody that talked to -- somebody that has viewed my  
 24 estimate.  
 25 Q In State Farm?

1 in your computer or it's in your computer already, one  
 2 or the other, and you hit the button that says  
 3 synchronize. Correct so far?  
 4 MS. CLARK: Objection.  
 5 A After I complete an estimate that's on my  
 6 computer, I hit synchronize, correct.  
 7 BY MR. GEOHAGAN:  
 8 Q As far as you know, it's goes to someone in  
 9 State Farm somewhere, but you have no idea who that  
 10 might be?  
 11 A I don't know who it goes to.  
 12 Q Do you know where it goes or --  
 13 A It could go multiple places. I'm not exactly  
 14 sure.  
 15 Q You have never asked anybody, when you hit  
 16 the synchronize button, where this thing goes?  
 17 A No.  
 18 MS. CLARK: Let the record reflect that both  
 19 Plaintiff's counsel and the Plaintiff just laughed  
 20 at the response from the witness.  
 21 MR. GEOHAGAN: What? Hold on a second. We  
 22 didn't laugh. There was no laughing.  
 23 MS. CLARK: Smirked.  
 24 MR. GEOHAGAN: We definitely smirked in light  
 25 of the response that Mr. Robinson, who is an auto

1 A Correct.  
 2 Q Who would that be?  
 3 A My PCT.  
 4 Q Mark Elwood?  
 5 A Correct.  
 6 Q Does it get there as a result of your hitting  
 7 the synchronize button?  
 8 A No, he does not receive it. I don't know who  
 9 receives it. I just know that he is able to view it.  
 10 Q After you hit the synchronize button?  
 11 A Correct. After I complete my work and hit  
 12 the button.  
 13 Q Anyone else in State Farm that you have  
 14 talked to that has received your estimates through  
 15 hitting the synchronize button or you handing it to  
 16 them or any other way, shape or form?  
 17 A I have spoken to various claim reps, but they  
 18 didn't receive it. They were able to view it. I don't  
 19 know who receives the document or the estimate.  
 20 Q Why did you speak to these claims reps with  
 21 regard to any of your estimates?  
 22 A I don't recall. I have spoken to so many.  
 23 Q Okay. Well why do you talk to claim reps at  
 24 State Farm?  
 25 A I speaking to them for various reasons?

1 Q Give me all the reasons why you talk to claim  
 2 reps at State Farm?  
 3 A Because I haven't been able to get ahold of  
 4 an owner of a vehicle.  
 5 Q Any other reasons why you have talked to, as  
 6 you put it, so many claim reps, other than can't get in  
 7 touch with an owner of a vehicle?  
 8 A Another reason is the phone number doesn't  
 9 work for an owner of a vehicle.  
 10 Q Which would come under you can't get in touch  
 11 with the owner of the vehicle, correct; is that right?  
 12 A Sort of. It's not exactly the same, but --  
 13 Q Okay. Any other reasons that you have talked  
 14 to so many of these claim reps other than you can't get  
 15 in touch with the owner of the vehicle and the phone  
 16 number doesn't work for the owner of the vehicle?  
 17 A Sure. Sometimes the address doesn't work.  
 18 That's another way or that's another reason why I  
 19 talked to them.  
 20 Q The address doesn't work?  
 21 A The address isn't correct, I'm sorry, for the  
 22 owner of the vehicle?  
 23 Q Okay. Other than not being able to get in  
 24 touch with the owner of the vehicle, the phone number  
 25 doesn't work for the owner, the address isn't correct

1 for the owner of the vehicle, any other reason why you  
 2 have talked to so many of these claim reps?  
 3 A Sure. Another reason is sometimes the damage  
 4 isn't consistent with what I was told was damaged.  
 5 Q Any other reasons that you have spoken to so  
 6 many of these claims reps?  
 7 A Sure. Another one would be the owner wants  
 8 to know about rental coverage.  
 9 Q What other reasons for speaking to so many of  
 10 these State Farm claim reps?  
 11 A It's all I can recall at this time.  
 12 Q Okay. With regard to not getting in touch  
 13 with the owner of the vehicle, the phone number doesn't  
 14 work for owner of the vehicle, the address is not  
 15 correct for the owner of the vehicle, why is the claim  
 16 rep somebody that you would want to talk to for that  
 17 information?  
 18 A For what information?  
 19 Q My assumption may be incorrect, but I'm  
 20 assuming you talk to the claim reps because you need to  
 21 get information to get in touch with the owner of the  
 22 vehicle if you're talking to them because you can't get  
 23 in touch with the owner of the vehicle; is that  
 24 correct?  
 25 MS. CLARK: Object to form.

1 A Yes. Sometimes I call the claim rep to see  
 2 if maybe they have any other numbers for the owner.  
 3 BY MR. GEOHAGAN:  
 4 Q And that would also apply to the one where  
 5 the phone number doesn't work for the owner of the  
 6 vehicle; is that correct?  
 7 A It could.  
 8 Q And then, I'm assuming that when the address  
 9 is not correct for the owner of the vehicle, that  
 10 you're contacting the claim rep in order to get a  
 11 better address for the owner vehicle; is that correct?  
 12 MS. CLARK: Form.  
 13 A Yes.  
 14 BY MR. GEOHAGAN:  
 15 Q And now my question is, why would you contact  
 16 a claim rep to get that kind of information?  
 17 A Because they have previously spoken to the  
 18 owner. I think they have.  
 19 Q And tell me if I am wrong, I assume from that  
 20 answer, that those would be situations where you have  
 21 not spoken to the owner of the vehicle?  
 22 A Not in every situation.  
 23 Q Is there any reason why the claim rep would  
 24 have better information for those purposes than you  
 25 would?

1 A Can you repeat that?  
 2 Q Sure. To the degree you're looking for  
 3 better information, is there any reason why the claim  
 4 rep would have this information and you would not?  
 5 A I don't know.  
 6 Q Is it just as likely that you would have just  
 7 as good of information with regard to phone numbers and  
 8 addresses as would the claim rep?  
 9 A Well maybe in an instance when a claim rep  
 10 has spoken to the owner and I have not, maybe they will  
 11 have more information than I would and that could just  
 12 be an instance.  
 13 Q Sure. Then you also said you would talk to  
 14 claim reps when the damage is not consistent with what  
 15 you were told was damaged; is that right?  
 16 A Yes.  
 17 Q Okay. What are you talking to claim rep  
 18 about there in those situations?  
 19 A Well I can't remember an exact situation, but  
 20 it would go somewhere along the lines, if I would have  
 21 that conversation, that I would say the estimate  
 22 reflects that an owner has damage to the right front  
 23 door. Owner has damage to right side of rear bumper.  
 24 Maybe they have some more information that I don't.  
 25 Q Okay. So when would you -- what would prompt

1 you contacting a claim rep for purposes of their might  
 2 being something that you're not aware of as it relates  
 3 to damage to a vehicle?  
 4 A Well ultimately it's their call on what is  
 5 going to be covered.  
 6 Q It's the claim reps -- from you perspective,  
 7 it's the claim reps call as to what is going to be  
 8 covered, correct?  
 9 A Well they are going to tell me what to write  
 10 for.  
 11 Q They are going to tell you what to write for,  
 12 correct?  
 13 A The claim rep will tell me what they want --  
 14 what damages are going to be consistent, I guess, with  
 15 what the owner has told them.  
 16 Q Okay. Let me try to unpack this and  
 17 understand it. Do you contact a claim rep on every  
 18 claim, collision claim?  
 19 A No.  
 20 Q And what, again, prompts you in some  
 21 instances to contact the claim rep for purposes of  
 22 identifying additional damage?  
 23 MS. CLARK: Object to the form.  
 24 A Like I said before, and I can't remember an  
 25 exact case, but to make up a scenario, I could have on

1 my notes to go see the vehicle, right front door  
 2 damage. There might be right side, rear bumper damage,  
 3 so I'm going to call the claim rep and make them aware  
 4 of what I found and what I need to do about it or what  
 5 they would advise me to do about it.  
 6 Q Why wouldn't you do that on every collision  
 7 claim?  
 8 A Because sometimes or most of the time, the  
 9 collision or the damage is consistent from what they  
 10 are saying is damaged in the notes.  
 11 Q Who is they?  
 12 A I'm guessing it comes from the claim rep.  
 13 Whoever sets up the assignments.  
 14 Q I see. So, just to be clear, then, before  
 15 you do any estimate, you have something from the claim  
 16 rep as far as what they understand the damages to be,  
 17 correct?  
 18 A Yes. I got some notes from the claim rep  
 19 explaining what the damages could possibly be.  
 20 Q So then when you take those notes, you go to  
 21 do your estimate and then you identify something in  
 22 addition to what they have in the notes that you have  
 23 from them, then you contact them thereafter to advise  
 24 them of that, correct?  
 25 A Yes. Sometime it's not even in addition.

1 Sometimes it's just a whole other situation so then I  
 2 do contact them and I make them aware of that.  
 3 Q But if it's, generally speaking anyway, the  
 4 same, then there is no need to contact the claim rep at  
 5 least for those purposes?  
 6 A As long as nothing looks out of the ordinary.  
 7 Q Got you. Okay.  
 8 Then you also said that sometimes you contact  
 9 claim reps when the owner, I'm assuming, comes to you  
 10 and wants to know about rental coverage and then you  
 11 would turn around and contact the claim rep; is that  
 12 right?  
 13 A Correct.  
 14 Q And do you know whether or not the estimate  
 15 you ultimately write -- do you have any idea since  
 16 you've been there as an auto Estimatatics inspector  
 17 whether or not that estimate goes to, maybe among  
 18 others, but nonetheless, goes to a claim rep or reps?  
 19 A Like I said before, I don't know who it goes  
 20 to directly, but I know that associates are able to  
 21 view it or employees are able to view the estimate.  
 22 Not all, but --  
 23 Q And are those associates of all sorts of  
 24 different capacities from the janitor up to the guy in  
 25 Bloomington, Illinois or are you even aware whether or

1 not there is a specific set of associates that these  
 2 estimates that you have been writing now for over a  
 3 year, at least, go to?  
 4 A I don't exactly know who it goes to. I just  
 5 know that when I have somebody call me, obviously, they  
 6 are able to view it, so I don't know. I don't even  
 7 know the guidelines of who is able to view it or who is  
 8 not able to view it.  
 9 Q Okay. And, again, I'm not asking whether or  
 10 not, again, the janitor all the way up to the head guy  
 11 in Bloomington gets to see it, but what I am asking is  
 12 do you have any clue or idea as to whether or not these  
 13 thing are things that the claim reps actually look at?  
 14 MS. CLARK: Object to the form.  
 15 THE WITNESS: Can you repeat that?  
 16 BY MR. GEOHAGAN:  
 17 Q Do you have any clue as to whether or not,  
 18 when you do an estimate, that actual State Farm claim  
 19 representatives look at this thing?  
 20 MS. CLARK: Form.  
 21 A I don't know. I don't know what they look  
 22 at.  
 23 BY MR. GEOHAGAN:  
 24 Q Let me go back. I think you mentioned a few  
 25 moments ago, from you perspective, that the claim reps

1 are the ones that decide what is going to be paid,  
 2 correct?  
 3 A I don't know who decides on what gets paid.  
 4 Q I thought you told me that was, in fact, what  
 5 they --  
 6 A I don't know who makes payment.  
 7 Q Do you even know what claim reps do at State  
 8 Farm?  
 9 A No. I'm an estimator. I don't do the claim  
 10 rep job.  
 11 Q I understand you don't do it, but it's always  
 12 good to know what is going on in an organization, I  
 13 would suggest. So to that degree, do you have any idea  
 14 of what the job is of a claims representative at State  
 15 Farm?  
 16 MS. CLARK: Object to form.  
 17 A No. I focus on my job and the best that I  
 18 can do at my job. I don't try to focus on other  
 19 people's jobs.  
 20 BY MR. GEOHAGAN:  
 21 Q Okay. Are you a team player?  
 22 MS. CLARK: Object to form.  
 23 BY MR. GEOHAGAN:  
 24 Q Think of yourself as a team player?  
 25 MS. CLARK: Form.

1 A Yes, within my team.  
 2 BY MR. GEOHAGAN:  
 3 Q Just within your team, not all of State Farm?  
 4 MS. CLARK: Object to form.  
 5 A I think that if I do the best job that I can  
 6 and they do the best job they can, we work as a team.  
 7 BY MR. GEOHAGAN:  
 8 Q But you don't even know what they use your  
 9 estimate for --  
 10 A I'm sorry. Go ahead.  
 11 Q -- so how do you know whether or not what  
 12 your doing helps anybody?  
 13 MS. CLARK: Object to form.  
 14 A I don't need to know what they do with my  
 15 estimate. I need to know that I can properly write  
 16 that estimate and do the best I can with that estimate  
 17 so they can do the best they can at their job to view  
 18 it or what they need to do with that estimate. To me,  
 19 that's what makes the team is that you have different  
 20 people doing the best they can and that comes together  
 21 as a good team.  
 22 BY MR. GEOHAGAN:  
 23 Q And you think not having a clue what other  
 24 people do is a good way to operate a team?  
 25 MS. CLARK: Object to form.

1 A I didn't say I didn't have a clue.  
 2 BY MR. GEOHAGAN:  
 3 Q Well tell me what your clue is then with  
 4 regard to what the claims representatives do.  
 5 MS. CLARK: Object to form.  
 6 A They obviously view the estimates because I  
 7 have had them call me before or I have had to call them  
 8 and they are able to view it.  
 9 BY MR. GEOHAGAN:  
 10 Q What do they talk to you about when they have  
 11 your estimate?  
 12 MS. CLARK: Object to form.  
 13 A I talked to so many, I just don't recall.  
 14 BY MR. GEOHAGAN:  
 15 Q I'm not asking you specifically going through  
 16 every estimate, I'm asking you when a claim rep  
 17 contacts you -- contacts you with regard to one of your  
 18 estimates, what is the area of discussion, generally  
 19 speaking, when they contact you?  
 20 MS. CLARK: Object to form of the question.  
 21 A That's a hard question to answer, you know  
 22 because it's such a broad question.  
 23 BY MR. GEOHAGAN:  
 24 Q Can you recall? I mean, when is the last  
 25 time you talked to a claim rep, Mr. Robinson?

1 MS. CLARK: Object to form  
 2 A Say, it's been within two weeks, past two  
 3 weeks.  
 4 BY MR. GEOHAGAN:  
 5 Q You can't recall at all what the nature of  
 6 the discussion was with the claim rep?  
 7 MS. CLARK: Object to form.  
 8 A No, I don't recall.  
 9 BY MR. GEOHAGAN:  
 10 Q You've been talking, as you testified before,  
 11 to many claim reps --  
 12 A Correct.  
 13 BY MR. GEOHAGAN:  
 14 Q Correct?  
 15 A Correct.  
 16 Q And they contacted you over time with regard  
 17 to your estimate, correct, like you just testified to?  
 18 A Yes. They have contacted me about my  
 19 estimates, correct.  
 20 Q You don't have any idea why they were  
 21 contacting you with regard to your estimate?  
 22 MS. CLARK: Object to the form.  
 23 A You would just have to be more specific on  
 24 what you're asking. It's hard for me to give an  
 25 accurate answer for what you're asking.

1 BY MR. GEOHAGAN:  
 2 Q Why?  
 3 A Because, like I said before, I have talked to  
 4 so many claim reps, you know, it's just you got a lot  
 5 of different vehicles that I look at. I look at  
 6 anything from boats to motorcycles to campers to, you  
 7 know, regular vehicles, cars and trucks so that's such  
 8 a broad question --  
 9 Q Let me get more specific.  
 10 A -- it's hard to answer it.  
 11 Q I apologize. I didn't mean to interrupt you.  
 12 Let me get more specific. Give me some of the reasons  
 13 over the time now that you have been an auto Estimatix  
 14 estimator as to why a claim rep, claim representatives  
 15 for State Farm have contacted you with regard to your  
 16 estimate?  
 17 MS. CLARK: Object to form.  
 18 A I have had a claim rep call me and ask me if  
 19 I was going to be available to see a vehicle.  
 20 BY MR. GEOHAGAN:  
 21 Q Okay. Give me some other reasons.  
 22 A I can't really recall at this time.  
 23 Q So the only thing you can remember, just so  
 24 I'm clear, over the past year and even including within  
 25 the last two weeks with regard to why a claim rep would

1 A Because they have a question.  
 2 BY MR. GEOHAGAN:  
 3 Q And what is the general nature of the  
 4 questions? Since you're on this team that you're  
 5 working so well with, what is the nature of the  
 6 questions from the claim representative to you?  
 7 MS. CLARK: Object to form.  
 8 A It's going to have something to do with the  
 9 claim that they are calling me about.  
 10 BY MR. GEOHAGAN:  
 11 Q Okay. And what would they want to know about  
 12 the claim that you're dealing with?  
 13 MS. CLARK: Object to form.  
 14 A Like I said before, it's hard to say because  
 15 it's such a broad area.  
 16 BY MR. GEOHAGAN:  
 17 Q Do you know if there is anybody we can talk  
 18 to that would know this information? Are you aware of  
 19 anyone at State Farm, that is?  
 20 A Can you repeat that question?  
 21 Q Sure. Since you don't know why claims  
 22 representatives contact you with regard to your  
 23 estimates, do you know of anyone at State Farm we could  
 24 talk to that you think would have that information?  
 25 Since we are in a lawsuit here and I'm involved in

1 contact you was, one in particular, to determine  
 2 whether or not you were available to see a vehicle; is  
 3 that correct?  
 4 MS. CLARK: Object to the form.  
 5 A I have just spoken to so many, I just it's  
 6 hard to say.  
 7 BY MR. GEOHAGAN:  
 8 Q Well I have spoken to a lot of clients, but I  
 9 can tell you generally why they are coming to me over  
 10 time over the past 18 years. I can even go back to the  
 11 front part of my career and tell you why, okay? I  
 12 can't tell you the specifics, but I don't have any  
 13 problem remembering generally why I've talked to  
 14 clients and so what I'm asking you is, do you know why  
 15 claim reps are contacting you with regard to your  
 16 estimates without giving me any specifics, but what is  
 17 the reason whenever you get a call from a claim rep, as  
 18 to why they are contacting you about your estimate?  
 19 MS. CLARK: Object to the form of that  
 20 question.  
 21 THE WITNESS: Can you repeat that?  
 22 BY MR. GEOHAGAN:  
 23 Q Sure. Why are claim representatives  
 24 contacting with regard to your estimates?  
 25 MS. CLARK: Object to the form.

1 discovery, I would like to find out. Do you know who  
 2 that might be?  
 3 MS. CLARK: Object to the form of the  
 4 question.  
 5 A I real don't know because I'm not going to  
 6 speak on behalf of anybody else but myself.  
 7 Q I'm not asking you to speak on their behalf,  
 8 sir. I'm asking whether or not you know if there is  
 9 anybody that would have that knowledge?  
 10 MS. CLARK: Object to the form. Now you may  
 11 answer it.  
 12 A I don't know.  
 13 MS. CLARK: It's 12:30 right now and I know  
 14 we got started a little bit late, but I would like  
 15 to take a break for lunch.  
 16 MR. GEOHAGAN: Fine, if you all want to take a  
 17 break.  
 18 (Deposition in luncheon recess at 12:34 p.m.)  
 19 (Testimony continues in Volume II)  
 20  
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