

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
ST. JOHNS COUNTY, FLORIDA

CASE NO.: 2015-CA-001383

STEVEN RHODES,

Plaintiff,

vs.

JOSEPH BRYANT and

O [REDACTED] V [REDACTED],

Defendant.

DEPOSITION OF O [REDACTED] Z [REDACTED]

(Formerly O [REDACTED] V [REDACTED])

DATE: Friday, September 30, 2016

TIME: 9:00 a.m. - 11:40 a.m.

PLACE: First Coast Court Reporters
2442 Atlantic Boulevard
Jacksonville, Florida 32207

Examination of the witness taken before:

Ellen G. Watterson, RPR
Notary Public, State of Florida

FIRST COAST COURT REPORTERS
2442 ATLANTIC BOULEVARD
JACKSONVILLE, FLORIDA 32207 (904) 396-1050

ORIGINAL

A P P E A R A N C E S

BRYAN E. DeMAGGIO, Esquire

Sheppard, White, Kachergus & DeMaggio, P.A.
215 Washington Street
Jacksonville, Florida 32202
(904) 356-9661

appearing on behalf of the Plaintiff.

JULIE K. KURTZ, Esquire

Canan Law
1030 North Ponce de Leon Boulevard
St. Augustine, Florida 32084
(904) 824-9402

appearing on behalf of the Defendants.

Also present:

Steven Rhodes, Plaintiff

I N D E X

WITNESSPAGE

O [REDACTED] Z [REDACTED]

Direct Examination by Mr. DeMaggio.....4

E X H I B I T S

PLAINTIFF'S FOR IDENTIFICATIONPAGENo. 1 Ocean View Health Patient History
Form dated 7/1/13.....43No. 2 Ocean View Health patient form dated
9/27/13.....50No. 3 Ocean View Health Daily Massage Notes
dated 9/27/13.....51No. 4 Division of Insurance Fraud
ACISS Tip Information dated 2/4/14....81No. 5 Supplement to Summary Report, Re:
Case No. 14-216 dated 2/5/14.....122

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

2 It was stipulated and agreed by and between
3 counsel for the respective parties that the
4 reading and signing of the deposition by the
5 witness be waived.

6 - - -

7 O [REDACTED] Z [REDACTED],
8 having been produced and first duly sworn as a
9 witness on behalf of the Plaintiff, testified as
10 follows:

11 **DIRECT EXAMINATION**

12 BY MR. DeMAGGIO:

13 Q Good morning, ma'am. Could you please
14 state your name for us.

15 A O [REDACTED] Z [REDACTED].

16 Q How do you spell your last name?

17 A Z [REDACTED].

18 Q And were you formerly known by a
19 different name?

20 A Yes.

21 Q And what was that?

22 A V [REDACTED].

23 Q Okay. And what was the cause for the
24 name change?

25 A Divorce.

1 Q When was the divorce finalized?

2 A This past spring.

3 Q What was your maiden name?

4 A Z[REDACTED].

5 Q Okay. And the divorce case was in Duval
6 County here?

7 A Yes.

8 Q And your former husband's name was John?

9 A Yes.

10 Q Okay. The lawsuit is styled with your
11 former last name, V[REDACTED], because I
12 believe it was filed before your divorce was
13 finalized. I'll refer to you, I guess, as
14 Ms. Z[REDACTED] during this deposition, as obviously
15 that's your name now. Okay?

16 A Okay.

17 Q But if I slip into the old name, we'll
18 know who we're talking about. Okay?

19 A Okay.

20 Q Other than your divorce case -- let me
21 ask, in your divorce case, did you give a
22 deposition at all?

23 A Yes.

24 Q Okay. Have you been involved in any
25 other litigation other than your divorce case?

1 Other than the instant case, obviously.

2 A A litigation? Could you --

3 Q A lawsuit. Have you been a plaintiff or
4 a defendant in any prior lawsuits?

5 A Yes.

6 Q Tell me about those.

7 A I had a car accident in 2013 and...

8 Q Okay.

9 A Yeah. That was part of a lawsuit.

10 Q Were you the plaintiff or the defendant?

11 A Plaintiff.

12 Q Is that the car accident that ultimately
13 led you to treat with Dr. Rhodes?

14 A Correct.

15 Q Okay. And I think that was against
16 somebody -- the last name was Fox, perhaps?

17 A I believe.

18 Q Okay. Did you give a deposition in that
19 case?

20 A Yes.

21 Q Any other lawsuits that you've been a
22 part of, whether it be plaintiff or defendant?

23 A No.

24 Q Ever been arrested?

25 A No.

1 Q Since you've been deposed, I would
2 assume relatively recently, given the recent
3 nature of those cases, I'm not going to hack over
4 a bunch of rules as they relate to depositions,
5 but I'll just tell you a couple things.

6 Number one, this is not an endurance
7 contest, as we kind of talked about before going
8 on the record. If anybody needs to take a break,
9 please let me know. Just say, I need to take a
10 break, if you need to run to the bathroom or
11 anything. The only request I make as it relates
12 to that is, if I have a question pending, I want
13 you to answer the question before we take a
14 break. Okay?

15 A Okay.

16 Q You probably remember, when there's a
17 court reporter typing, we need verbal yeses and
18 noes.

19 A Yes.

20 Q Okay. And really, other than that, if I
21 ask you a question that you don't understand,
22 please let me know that you don't understand it;
23 otherwise, I'm going to presume that you
24 understood it. Okay?

25 A Okay.

1 Q And with that being said, the main rule
2 here is just to tell the truth.

3 In the car accident case, is that case
4 concluded now?

5 A Yes.

6 Q Okay. Who were you represented by in
7 that case?

8 A The firm of Ossi & Najem.

9 Q Over there in San Marco?

10 A Yes.

11 Q Okay. Was there any particular attorney
12 that you were working with at the firm?

13 A Lawrence Najem and his assistants.

14 Q Did that case go to trial? Did it
15 settle? Was it thrown out of court? Do you know
16 what happened with it?

17 A It settled.

18 Q Were the terms of the settlement
19 confidential?

20 A I don't know.

21 Q What did you settle it for?

22 A The whole amount?

23 Q Sure.

24 A I want to say 40,000.

25 Q Do you remember how much you walked away

1 with?

2 A About 19-, I think.

3 Q What's your date of birth?

4 A March 3rd, 1968.

5 Q Where do you currently live?

6 A In Jacksonville.

7 Q What's your address?

8 A [REDACTED].

9 Q That's the address you resided at when
10 you were treating with Dr. Rhodes?

11 A Yes.

12 Q And that's [REDACTED]?

13 A No.

14 Q It's not?

15 A [REDACTED].

16 Q Okay. What's your current phone number?

17 A 904 [REDACTED].

18 Q Is that a home number or a cell phone
19 number?

20 A Cell.

21 Q Who's your provider?

22 A Verizon.

23 Q How long have you had that number?

24 A Oh, I can't remember. At least seven
25 years. I don't know.

1 Q So you had that cell phone number back
2 when you were treating with Dr. Rhodes in 2013
3 and 2014?

4 A Yes.

5 Q Was Verizon the provider back then too?

6 A I think so.

7 Q Okay.

8 MR. DeMAGGIO: Off the record.

9 (Question and answer given off the
10 record.)

11 BY MR. DeMAGGIO:

12 Q What's your current email address?

13 A C[REDACTED]@comcast.net.

14 Q That's [REDACTED],
15 [REDACTED]?

16 A Yes.

17 Q At comcast.net?

18 A Right.

19 Q And is that the same email address that
20 you had back when you were treating with
21 Dr. Rhodes in 2013 and 2014?

22 A Yes.

23 Q Do you have any other email addresses?

24 A No.

25 Q Did you formerly have a home phone of

1 [REDACTED] ?

2 A Yes.

3 Q Do you not have that number anymore?

4 A No.

5 Q What happened to that number?

6 A I cancelled it.

7 Q Okay. And I know a lot of people are
8 doing that these days. They don't keep home
9 phones. But that's the old home phone number?

10 A Yes.

11 Q And that was a 904 area code?

12 A Yes.

13 Q Who was your provider with that?

14 A Comcast.

15 Q And there was a work number that I saw
16 listed in one of your records of [REDACTED]. What
17 was that?

18 A That's my cell.

19 Q That's your cell number.

20 A Right.

21 Q Okay. What do you currently do for
22 work?

23 A I'm a nanny.

24 Q Do you work for any particular family or
25 do you have --

1 A Yes.

2 Q -- a service that you work for?

3 A Yes.

4 Q Okay. Tell me about that.

5 A I work for a family in Jacksonville.

6 Q How long have you worked for that
7 family?

8 A About seven years.

9 Q So you were working for that family back
10 when you were treating with Dr. Rhodes?

11 A Yes.

12 Q What's the name of the family?

13 A C [REDACTED].

14 Q What's the husband's first name?

15 A K [REDACTED].

16 Q Can you spell C [REDACTED] for us?

17 A Yes. C [REDACTED].

18 Q Okay. In the past seven years, have you
19 held any other employment other than the nanny
20 position with the C [REDACTED] family?

21 A No.

22 Q Okay.

23 A Well, I'm sorry. I did do some brief
24 housekeeping.

25 Q Did you work for a company?

1 A No.

2 Q On your own?

3 A Yeah.

4 Q When did you do that?

5 A A little bit in 2009 and a little bit in
6 2010.

7 Q Are you on any social media websites?

8 A Yes.

9 Q Which ones are you on?

10 A Facebook. Would Snapchat be a --

11 Q Yeah. I'd probably count that, yeah.

12 A I don't really use that. I just got it,
13 but I don't -- and I'm not familiar with that
14 many other ones.

15 Q That's fine. I mean, you know, it's not
16 like we're all a bunch of spring chickens in this
17 room either that are using everything. Your
18 lawyer is probably the youngest one in here.
19 She may be on more than the rest of us.

20 What's your Facebook name?

21 A O [REDACTED] Z [REDACTED].

22 Q Has it always been O [REDACTED] Z [REDACTED], or was it
23 formerly O [REDACTED] V [REDACTED]?

24 A It used to be O [REDACTED] V [REDACTED].

25 Q When did you change the name?

1 A A few years ago. I don't remember the
2 exact date.

3 Q I noted it looked like the divorce case
4 was filed in like '09. Does that comport with
5 your recollection?

6 A Yes.

7 Q Do you know why it took so long to
8 resolve? I mean, almost seven years.

9 A Good question.

10 Q Okay.

11 A It just drug out.

12 Q Fair enough. And I think your former
13 husband was also a plaintiff in the lawsuit
14 against the young lady that hit you in the car?

15 A Yeah. His name was on there too.

16 Q Okay. Was it a loss of consortium
17 claim?

18 A What's consortium?

19 Q Don't worry about it. I'll pull the
20 pleading and I'll look at it.

21 A I don't know what that -- consortium
22 means.

23 Q About a year ago they changed the way
24 that we can access records. So I haven't had a
25 chance to look at that yet.

1 A Okay.

2 Q Is your Facebook page open to the
3 public, restricted to friends? How is it set up?

4 A It's private.

5 Q How long has it been private?

6 A Many years. I want to say since almost
7 the beginning. It's been many years. I don't
8 know if it's -- I can't answer that, but it's
9 been many years.

10 Q Okay. And then on Snapchat, what is
11 your name on that?

12 A I don't know. My daughter did it for
13 me, and I really don't --

14 Q Do you ever use it?

15 A I think I've used it a couple times.
16 This week I think we just -- I had it, then I
17 stopped it, then my daughter made me get one
18 again.

19 Q I'll send an interrogatory when we get
20 done.

21 A Okay.

22 Q What did you look at to prepare for your
23 deposition today, if anything?

24 A Not much. Just --

25 Q You've got a document in front of you.

1 Can I see that?

2 A Sure.

3 Q This is the Tip that was sent to the
4 Department of Insurance Fraud, the printout from
5 the Insurance Fraud Unit. Is that what that
6 represents to be?

7 A Yes.

8 Q I believe that's what is attached as
9 Exhibit D to the Complaint.

10 A I don't have it in front of me. I don't
11 know.

12 Q Okay. I'll show you. This is Exhibit D
13 to the Complaint. Just compare that to what you
14 have in front of you, and then that way we'll be
15 on the same sheet of music.

16 A (Examining documents.)

17 Q Probably the most telling thing is
18 there's some handwriting at the bottom of both of
19 these, and it looks pretty similar to me.

20 A Yes.

21 Q Okay. Anything else you reviewed prior
22 to coming in here today?

23 A No.

24 Q How did you find out that a lawsuit had
25 been filed against you?

1 A I had a friend call me.

2 Q Who called you?

3 A Tammy.

4 Q A friend named Tammy called you?

5 A Yes.

6 Q What's Tammy's last name?

7 A Wilson.

8 Q Do you remember when she called you?

9 A The date?

10 Q Yeah.

11 A No.

12 Q How long have you known Tammy Wilson?

13 A About three years.

14 Q Tell me how you came to meet her.

15 A I first met her at Dr. Bloom's office.

16 Q My understanding is, and correct me if
17 I'm wrong, that there was this auto accident that
18 you were involved in that occurred in January of
19 '13.

20 A Yes.

21 Q And then, shortly after the accident,
22 you treated with a doctor -- is it Mark Smith at
23 Doctors Express?

24 A Correct.

25 Q Okay. And then, from there you treated

1 with Dr. Bloom.

2 A Correct.

3 Q Dr. Bloom referred you to a pain
4 management doctor named Formoso. Is that --

5 A Yes.

6 Q Okay. And then, at some point
7 Dr. Bloom -- and Dr. Bloom is a chiropractor;
8 correct?

9 A Yes.

10 Q His practice closed at some point.

11 A Yes.

12 Q And then you were in need of a
13 chiropractor, so you started treating with
14 Dr. Rhodes.

15 A Yes.

16 Q And we'll get more into all of this. I
17 just want to get the timeline down.

18 And then, as your case progressed and
19 the insurance was going on, they had an
20 independent medical evaluation done of you by a
21 Dr. Kuchler?

22 A I believe so.

23 Q Okay. Can you remember any other
24 doctors that you may have treated with in
25 connection with the injuries that you suffered in

1 that January car crash?

2 A Treated with. No.

3 Q And the doctors that I just mentioned,
4 Dr. Smith, Dr. Bloom, Dr. Formoso, Dr. Rhodes,
5 Dr. Kuchler, when you treated with those doctors,
6 were you truthful with them when they would ask
7 you what your condition was and what you would
8 tell them?

9 A Yes. I don't remember who exactly
10 Kuchler was. Was he another chiro?

11 Q My understanding is that your insurance
12 company referred you to him for what's called an
13 independent medical evaluation.

14 A Okay.

15 Q He was off Atlantic Boulevard.

16 A Okay.

17 Q Okay. In all your treatments with these
18 people, you were truthful with them; correct?

19 A Yes.

20 Q Tammy Wilson, you said you met her
21 because she was working at Dr. Bloom's office?

22 A Briefly. She subbed for a while.

23 Q What was her position at Dr. Bloom's
24 office?

25 A I believe like a front desk.

1 Q Kind of a receptionist type?

2 A Yes.

3 Q Do you remember when it was that you
4 first started treating with Dr. Bloom?

5 A I didn't hear you.

6 Q Do you remember when it was you first
7 started treating with Dr. Bloom?

8 A When?

9 Q Yeah.

10 A Shortly after the accident. Probably in
11 January of 2013.

12 Q Okay. Dr. Smith, was he an ER doctor,
13 or how did you come to treat with him?

14 A I went to Doctors Express, because it
15 was near my house, after the accident, and he was
16 the doctor there.

17 Q Okay. Yeah, I just don't know what
18 Doctors Express is. That's why I'm asking.

19 A It's like a walk-in medical --

20 Q A walk-in clinic. Okay.

21 A But I believe he used to be an ER
22 doctor. That's what he told me.

23 Q Okay. And you just ended up there
24 because it was near your house?

25 A Yes.

1 Q Did he refer you to Dr. Bloom, or how
2 did you know about Dr. Bloom?

3 A Yes, he did.

4 Q Okay. Did he say how he knew Dr. Bloom
5 or anything?

6 A No.

7 Q So Tammy was working the front desk at
8 Dr. Bloom's office. And tell me where Tammy went
9 from there. Did she stay working at Dr. Bloom's
10 office?

11 A She wasn't there in the beginning. She
12 was only there, that I remember, for about a week
13 or two scattered before he closed his office. I
14 forgot she subbed for him, I believe.

15 Q Do you know why his office closed?

16 A He was having personal problems.

17 Q Do you remember when his office closed?

18 A June sometime, mid or end June.

19 Q Yeah. I'll represent to you that your
20 first trip to Dr. Rhodes' office was the
21 beginning of July, so --

22 A Yeah.

23 Q Okay.

24 A Yeah.

25 Q What were the personal problems he was

1 having?

2 A I believe he was in the middle of a
3 divorce and -- yeah.

4 Q Okay. Do you know if anybody ever
5 reported Dr. Bloom for any type of fraudulent
6 billing or criminal-type behavior?

7 A I think so.

8 Q You think so?

9 A But I don't have details.

10 Q What have you heard about that?

11 A I believe he mentioned to me once that
12 his ex-girlfriend had -- who was in the office
13 with him, had reported him for something.

14 Q Who was his ex-girlfriend?

15 A Her name was Stacey. I don't know what
16 her --

17 Q Stacey Reshen?

18 A Maybe.

19 Q Okay. Do you remember when he mentioned
20 that she may have reported that to somebody?

21 A Oh. I don't have the date.

22 Q Was it before he closed his practice?

23 A I can't -- before he closed -- no. It
24 must have been after.

25 Q Okay. And you stated that, when you

1 first started going to Dr. Bloom, Tammy Wilson
2 would, you know, be there once a week or
3 something like that?

4 A No, I didn't say that.

5 Q Well, at some point she was there once a
6 week?

7 A No. I said she was there on and off for
8 a week or two. She was subbing for somebody.
9 She was -- I briefly remember her a few days over
10 the course of a few weeks, probably in like April
11 or something.

12 Q Okay. And then, at what point would you
13 consider Tammy Wilson became a friend, I guess?

14 A Probably in the last two years,
15 two-and-a-half years, you know.

16 Q During the time period that she worked
17 at Dr. Bloom's office, did you and Ms. Wilson
18 ever see each other socially outside of the
19 doctor's office, Dr. --

20 A Say again.

21 Q Yeah. Did you ever see Ms. Wilson
22 outside of Dr. Bloom's office during the period
23 of time that she worked there?

24 A Dr. Bloom's?

25 Q Yeah.

1 A No.

2 Q Did there come a time when Ms. Wilson
3 worked somewhere else after Bloom's office shut
4 down?

5 A I don't know. Before -- in between
6 Bloom and Rhodes?

7 Q Yeah.

8 A I don't know.

9 Q Did she ultimately go to work for
10 Dr. Rhodes?

11 A Yes.

12 Q Do you know when that was?

13 A 2013. I can't remember if it was
14 October or November.

15 Q When you would go to Dr. Rhodes' office
16 for treatment, would you see Tammy Wilson in
17 there?

18 A At that time, yes.

19 Q At that point in time, did you guys
20 become friends?

21 A No. It was a little after. We were
22 friendly, but...

23 Q Okay. What was -- if you know, what was
24 her position at Dr. Rhodes' office?

25 A She worked at the front desk, and I

1 think she also helped with the therapies.

2 Q How so?

3 A Put on the TENS.

4 Q Is that that little electronic --

5 A Yes.

6 Q Okay. Did you see her doing paperwork
7 or anything of that nature?

8 A No. Just phones and appointments.

9 Q Is Tammy Wilson on Facebook?

10 A Yes.

11 Q Are you friends with her?

12 A Yes.

13 Q How long have you been friends with her
14 on Facebook?

15 A For probably about two-and-a-half years,
16 three years. It's under three years. It's maybe
17 two-and-a-half years, close to three.

18 Q Were you friends with her on Facebook
19 while she was working at Dr. Rhodes' office?

20 A We became friends probably towards the
21 end of it. She friended me.

22 Q At some point in time she left the
23 employment of Dr. Rhodes; correct?

24 A Yes.

25 Q Do you know why?

1 A Yes.

2 Q Tell me why.

3 A I was told that he laid her off.

4 Q Who told you that; Tammy?

5 A Yes.

6 Q Do you remember when that was?

7 A Sometime in January.

8 Q Towards the end of January of 2014?

9 A Yes.

10 Q Were you guys friends at that point?

11 A Casual.

12 Q Did you ever, during the period of time
13 that Ms. Wilson worked for Dr. Rhodes, have a
14 meal with her outside the office, have drinks,
15 anything of that nature?

16 A Wait. Repeat that again.

17 Q Yeah. Ms. Wilson worked for Dr. Rhodes
18 from, roughly, let's say -- I think you said
19 October of '13?

20 A Yeah.

21 Q Until the end of January of '14;
22 correct?

23 A Uh-huh (affirmative response).

24 Q During that time period that she worked
25 for Dr. Rhodes, did you and her ever, you know,

1 have dinner somewhere, have lunch, grab drinks,
2 anything of that nature?

3 A We would bump into each other on
4 occasion. I think we did have a light lunch one
5 afternoon.

6 Q Okay. And Ms. Wilson obviously called
7 you about this lawsuit you testified to, so she
8 has your phone number, I would assume.

9 A Yes. She would call me frequently from
10 the office to make sure I was coming in.

11 Q Okay. Do you have her cell phone
12 number?

13 A Yes.

14 Q When did you first get it?

15 A When she started texting me when she was
16 working at Dr. Rhodes' office.

17 Q What would she text you about?

18 A To see if I would come in and what time
19 I was coming in.

20 Q Do you know if she still has the same
21 phone number now that she had back then?

22 A I think so.

23 Q Do you know what that number is?

24 A Not offhand.

25 Q Is it in your phone?

1 A Yeah.

2 Q We could get it on a break?

3 A Yeah.

4 Q Okay. How often do you see Ms. Wilson
5 now on a typical week?

6 A None.

7 Q Okay. Do you ever have her over to your
8 house for any events or --

9 A Yeah. She's come over for food.

10 Q Do you ever go to her house for the same
11 type of --

12 A Not really.

13 Q Okay. So she called you and told you
14 that a lawsuit had been filed and, what, you were
15 named in it?

16 A Yes.

17 Q Did she tell you anything else?

18 A She asked me if I knew who the other
19 person was.

20 Q The other person being who?

21 A On the lawsuit.

22 Q The other person sued or the person
23 suing you?

24 A Sued.

25 Q Okay. Joseph Bryant?

1 A Correct.

2 Q Did Tammy Wilson tell you how she found
3 out about the lawsuit?

4 A Yes.

5 Q What did she say?

6 A That she got a call from Deb asking who
7 O [REDACTED] was.

8 Q A call from Deb?

9 A Yeah.

10 Q Who's Deb?

11 A One of her friends.

12 Q Do you know Deb's last name?

13 A I don't know if I'm pronouncing it
14 right. Blinton (phonetic).

15 Q Blanton?

16 A Probably.

17 Q Okay. Do you know Deb Blanton?

18 A I know of her.

19 Q Okay. Well, what do you know of her?

20 A I remember her from both Dr. Bloom's and
21 Dr. Rhodes' office.

22 Q Did she work there, or was she a
23 patient, or what?

24 A She was another doctor.

25 Q Do you know what kind of doctor she is?

1 A No. I think a weight-loss doctor.

2 Q Did she ever treat you when you were at
3 either one of those facilities?

4 A No.

5 Q Okay. Do you know how Tammy knows Deb
6 Blanton?

7 A They worked together.

8 Q Currently?

9 A No. In Dr. Rhodes' and Dr. -- I don't
10 know about Dr. Bloom's office, if she was there
11 for her.

12 Q I gotcha. So when Tammy worked at
13 Dr. Rhodes' office, that was the period of time
14 that Deb Blanton was also there, for some of that
15 at least?

16 A Yes.

17 Q Okay. Do you know how long Deb Blanton
18 worked at Dr. Rhodes' office?

19 A I want to say six months maybe. She
20 came in in the summer. I think she left in the
21 winter. I don't know the specific...

22 Q Do you know why she left Dr. Rhodes'
23 office?

24 A I can't give you a specific reason.

25 Q Have you heard any reasons why?

1 A I believe they were not getting along.

2 Q "They" being Ms. Blanton and Mr. Rhodes?

3 A Yes.

4 Q Okay. Who did you hear that from?

5 A The girls in the office.

6 Q Who are the girls in the office?

7 A Who told me or in general?

8 Q You said you heard from the girls in the
9 office. I'm assuming you mean Dr. Rhodes'
10 office.

11 A Yes.

12 Q Who were the girls that worked in
13 Dr. Rhodes' office during this time period?

14 A Well, let's see. There was a Jessie;
15 there was Tammy; there was a Sharon; there was a
16 Cindy, and a Missy. And I don't know if there
17 was anybody else.

18 Q Tammy we've covered. That's Tammy
19 Wilson?

20 A Right.

21 Q Do you know Jessie's last name?

22 A No. I don't remember it.

23 Q Mosely?

24 A Maybe.

25 Q Okay. Do you know Sharon's last name?

1 A Weaver.

2 Q Is that Dr. Rhodes' sister?

3 A Yes.

4 Q Okay. Cindy, do you know her last name?

5 A It's Spanish. I want to say Perez.

6 Perez.

7 Q Perez. Okay. Do you know Missy's last
8 name?

9 A Ross.

10 Q Jessie you can't recall?

11 A No.

12 Q Friends with any of these ladies?

13 A I was on Facebook with Cindy, but I'm
14 not friends with her. Missy -- I'm friends with
15 Missy. And Jessie, I was on Facebook with her,
16 but we're not really friends.

17 Q When you were going to Dr. Rhodes'
18 office, what was Jessie's position; do you know?

19 A She was in the office.

20 Q Do you know what she did in the office?

21 A Phones, and I don't know what else.

22 Q So she was more of a clerical,
23 administrative-type thing?

24 A I didn't pay attention.

25 Q Sure.

1 A I just signed in and got my therapy and
2 left.

3 Q Tammy you talked about. She would do
4 kind of the front desk, but also put the TENS
5 unit on people?

6 A Yes.

7 Q What about Sharon; what was her job?

8 A She was in the office.

9 Q Paperwork, or was she actually doing any
10 treatment-type stuff?

11 A I think she put the TENS on me once.
12 Mostly in the office.

13 Q Cindy Perez, what would she do?

14 A She was a masseuse.

15 Q How about Missy Ross?

16 A Masseuse.

17 Q You received some massages when you went
18 there for treatment.

19 A Yes.

20 Q Correct?

21 A Yes.

22 Q When you would get massages, was it more
23 often Cindy or Missy, an equal breakdown?

24 A The first two months it was mostly
25 Missy. I remember she went on vacation, and

1 Cindy took over for a week or maybe longer. So I
2 got a few from her.

3 And then I got a few from -- the few I
4 got in the fall were mostly from Missy. I think
5 I got one from Cindy later on.

6 Q All told how many massages do you think
7 you got when you went there?

8 A Fifteen, 18. I don't know.

9 Q Fifteen or 18? Is that what you said?

10 A Yeah.

11 Q Okay. Did anybody give you a massage
12 there other than Missy Ross or Cindy Perez?

13 A There may have been another. I vaguely
14 remember a guy maybe came in for a substitution.
15 That's all I remember.

16 Q A male masseuse?

17 A I think so.

18 Q Okay. Is Missy Missy's real first name,
19 or is that a nickname?

20 A I don't know.

21 Q You don't know. That's fair enough.

22 So Tammy called and said, I got a call
23 from Deb asking who O [REDACTED] was. Did Tammy say how
24 Deb found out about the lawsuit?

25 A I -- she knows the other person on the

1 lawsuit.

2 Q So Deb knows Joe Bryant?

3 A I believe so.

4 Q Do you know Joe Bryant?

5 A No.

6 Q How is it that you came to be
7 represented by the same lawyer that Joe Bryant is
8 represented by?

9 A How did I what?

10 Q Yeah. Joe Bryant is represented by
11 Ms. Kurtz in the Canan firm.

12 A Yeah.

13 Q So are you. How did you guys end up
14 with the same lawyer?

15 A He -- he -- he gave the information, I
16 guess, to Tammy to let me know.

17 Q What do you mean by that?

18 Bryant gave the information to Tammy to
19 let you know.

20 A Right.

21 Q What did he give and what did --

22 A Julie's name and number.

23 Q Oh. Mr. Bryant provided Julie's name
24 and number.

25 A Yes.

1 Q Okay. Is he paying for your
2 representation?

3 A No.

4 Q Other than Tammy saying, I got a call
5 from Deb asking who O [REDACTED] was because there's a
6 lawsuit with Bryant named in it --

7 A Yeah.

8 Q -- what else was discussed on that phone
9 call?

10 A Not much. It was very late at night.
11 She woke me up.

12 Q When did you first see a copy of the
13 Complaint?

14 A A few days later I was served.

15 Q Okay. Did you look at the Complaint at
16 all in preparation of your deposition today?

17 A Yes. I went through it.

18 Q So you had the Complaint, and you had
19 the Tip form that's attached as Exhibit D or 4 to
20 the Complaint. D.

21 A I'm sorry?

22 Q That Tip form. We've agreed that that's
23 what's Exhibit D to the Complaint earlier today.

24 A Yes.

25 Q So you reviewed the Complaint and you

1 reviewed that. Was there anything else you
2 reviewed today?

3 A No.

4 Q Okay. Did you, other than talking to
5 your attorney, discuss your upcoming deposition
6 with anybody?

7 A My employer briefly.

8 Q Mr. C [REDACTED]?

9 A Well, really his wife.

10 Q You gave me his name. What's her name?

11 A J [REDACTED].

12 Q J [REDACTED] C [REDACTED]?

13 A Yes.

14 Q Did you talk to Mr. Bryant at all?

15 A No. I've never spoken or met him ever.

16 Q You've never been in Mr. Bryant's
17 presence?

18 A Never.

19 Q Okay.

20 A I mean, unless he was in the office
21 without me knowing, I have never met him?

22 Q You've never knowingly been in his
23 presence.

24 A Right. Yeah.

25 Q Have you ever spoken with Ms. Blanton

1 about the lawsuit?

2 A No.

3 Q How about Ms. Wilson; other than the
4 phone call, have you talked to her about the
5 lawsuit at all?

6 A Just that I was going to go in for a
7 deposition.

8 Q Okay.

9 A Not knowing when, and that's it.

10 Q How about Jessie?

11 A No. I haven't spoken to her since --
12 years.

13 Q How about Missy Ross?

14 A I haven't spoken to her in a long time.
15 When was the last time I spoke to her?

16 Q No. I was going to ask you about the
17 lawsuit. I think you said no to that. Is that
18 the --

19 A No. I think she did ask me about it,
20 but I don't remember how she found out.

21 Q Okay. I know you said you've never been
22 in Mr. Bryant's presence. Have you ever
23 exchanged any emails, text messages --

24 A No.

25 Q -- things of that nature?

1 A Nothing.

2 Q Other than communications with your
3 attorney, have you texted or emailed anybody
4 about the lawsuit?

5 A Texted or emailed. I don't remember
6 doing so. I may have -- I don't think so.

7 Q Who is the one -- I can't recall. I
8 didn't write it down. Who's the one that
9 provided you with the name of the lawyer to
10 contact that's representing you in this thing?

11 A I'm sorry?

12 Q You said that somebody provided you with
13 the number or contact information to your lawyers
14 who are now representing you. Who was that? Was
15 that --

16 A You mean Julie?

17 Q Yeah.

18 A I got it from Tammy.

19 Q From Tammy?

20 A I don't remember how she got it.

21 Ultimately, it must have been from Joe.

22 Q Did Tammy say, Joe Bryant is being
23 represented by this law firm; give her a call?

24 A Something like that.

25 Q Okay. Is Tammy friends with Joe Bryant;

1 do you know?

2 A She didn't know who he was either.

3 Q Okay. So more of Blanton was the piece
4 that kind of --

5 A I believe so.

6 Q Fair enough. We've touched on this
7 briefly, but kind of explain to me how it was
8 that you came to be treated by Dr. Rhodes.

9 A Dr. Bloom was temporarily closing his
10 office -- well, he closed his office, and he was
11 supposed to rent a space out from Dr. Rhodes.

12 Q Where was Dr. Bloom's office physically
13 located?

14 A The original?

15 Q Yeah.

16 A On Hodges.

17 Q Okay. And then he was going to -- when
18 he shut that down, was going to rent space from
19 Dr. Rhodes' office?

20 A Correct.

21 Q Where is Dr. Rhodes' office?

22 A In Jax Beach.

23 Q That Metropolitan building that --

24 A Yes.

25 Q Okay. Go ahead.

1 A I'm sorry?

2 Q He was going to rent space from Bloom --
3 I mean, Bloom was going to rent space from
4 Rhodes.

5 A Yes.

6 Q And take it from there.

7 A Yes.

8 Q How did you end up at Rhodes' though?

9 A Well, I went in to see the office, and
10 he treated me once or twice, and I had a massage
11 there. And then I believe we had an appointment
12 and he didn't show up, and I can't remember if I
13 got treated by Dr. Rhodes that same day or we
14 made a --

15 Q So -- and I don't want to read into this
16 more than I need to, but you correct me if I'm
17 wrong here.

18 Once Bloom started renting space from
19 Dr. Rhodes, you got treated at Bloom's office
20 there within Dr. Rhodes' office.

21 A Yeah. He had a room in the -- like in
22 that break room. There was a break room kind of
23 combo office, and I did get treated there once or
24 twice. I want to say twice.

25 Q Then there was a day there, I guess,

1 where Bloom didn't show up?

2 A Something like that.

3 Q So Dr. Rhodes stepped up to pinch hit
4 that day, so to speak?

5 A Maybe, or it might have been the second
6 time around. I don't remember. Probably.

7 Q Okay. Let me show you this document.

8 This is my first record, as far as I
9 know, of you having any contact with Dr. Rhodes.

10 A (Examining document.)

11 Q And that's dated July 1.

12 A Okay. (Examining document.)

13 Q Is that your signature down at the
14 bottom there?

15 A Yes.

16 Q Okay. Was this the -- it says --

17 MR. DeMAGGIO: We'll make this Exhibit
18 1. We can make a copy of this if you want.
19 I'm sorry. I came with one less than I
20 thought I had.

21 MS. KURTZ: That's fine.

22 MR. DeMAGGIO: Do you want to make a
23 copy?

24 MS. KURTZ: We can at a break.

25 MR. DeMAGGIO: Okay.

1 (Plaintiff's Exhibit No. 1 was marked
2 for identification.)

3 BY MR. DeMAGGIO:

4 Q Okay. In the middle there it says,
5 Referred to our office by Dr. R. Bloom. Did you
6 fill that in?

7 A It looks like my handwriting.

8 Q What was this? Is this the first thing
9 you ever filled out with Dr. Rhodes' office?

10 A I don't know.

11 Q You don't know?

12 A I mean, I believe so. I don't think I
13 was in his office before then -- before July. I
14 don't know.

15 Q Okay. Is it safe to say, based on that
16 document, as of July 1 in 2013, you were done
17 treating with Dr. Bloom at that point?

18 A It was July. I don't remember if it was
19 that early because I did have a -- he did
20 schedule me a massage that week. So I don't know
21 if I was signing for that massage. I don't know
22 if I was done at that point because he kept
23 saying he was going to come in.

24 Q Did Bloom and Rhodes utilize the same
25 massage people?

1 A I think so.

2 Q Okay. How long did Bloom work out of a
3 space in Dr. Rhodes' office?

4 A I don't know. A very short time. I
5 only seen him there once or twice.

6 Q Do you know why he ceased to work out of
7 Rhodes' office?

8 A I think he just needed some personal
9 time.

10 Q Okay. When is the last time you spoke
11 to Dr. Bloom?

12 A About a month ago maybe.

13 Q Okay. Are you friendly with him?

14 A He adjusts me when I need it.

15 Q What does that mean? And I'll be honest
16 with you. I had to try to learn a little bit
17 about this industry coming into this case. And
18 I'm not a car crash lawyer, so adjust and
19 chiropractors and all that is a little new to me.
20 What does that mean, when he adjusts you?

21 A What, the medical part of it?

22 Q Yeah. Is it some type of chiropractic
23 practice?

24 A I believe so.

25 Q Okay. And does he have an office that's

1 up and running now that you go to?

2 A I believe he was working for somebody
3 for a while, and I did go there. He is working
4 for somebody now. I don't know who.

5 But, no, I've gone to his house. He has
6 a room in his house that he adjusts on occasion.

7 Q I gotcha. So you've -- I'm going to use
8 this. So you've seen him kind of privately
9 outside the office then?

10 A Yes.

11 Q Okay. Has there been anybody else that
12 you've seen privately, outside the office, for
13 any type of chiropractic adjustments, massages,
14 anything of that nature?

15 A I'm sorry. Outside of whose office?

16 Q Outside of a medical office.

17 Like, you know, you talked about Bloom.
18 He's got an office. Sometimes you go to his
19 house and get an adjustment; correct?

20 A Yes.

21 Q How long have you done that?

22 A On and off for the last two years, at
23 least.

24 Q Did you ever go get an adjustment at his
25 house when you were being treated by Dr. Rhodes?

1 A Did I ever get an adjustment -- I can't
2 remember. I might have.

3 Q How about massages outside of one of
4 these chiropractors' offices?

5 A No.

6 Q No private massages?

7 A No. I don't really do massages.

8 Q Like the two masseuses that worked at
9 Dr. Rhodes' office, either Cindy or -- I think
10 you said the other one's name was Missy.

11 A The only other time I had a massage was
12 at Dr. Bloom's office with somebody else. I
13 think I had one.

14 Q So neither Cindy nor Missy ever gave you
15 a -- I'll call it a private massage --

16 A No.

17 Q -- outside of the office?

18 A No.

19 Q Okay. Did you do any research into
20 Dr. Rhodes, you know, prior to treating with him?

21 A No.

22 Q No Googling him or anything like that?

23 A No.

24 Q Fair enough. Did you ask around, Who is
25 this guy, anything like that?

1 A No.

2 Q Did you have any discussions with
3 Dr. Bloom about Dr. Rhodes at all?

4 A Briefly. That he knew him from just
5 being a chiropractor, and he was going to rent
6 space from him.

7 Q Okay. Did you know any patients that
8 were treating with Dr. Bloom as of when you
9 started there in July of '13?

10 A Did I know any patients?

11 Q Yeah.

12 A No.

13 Q Did you get to know any of Dr. Rhodes'
14 patients as you would go treat with him there?

15 A No. I didn't really socialize.

16 Q Okay. Back during that time period,
17 were you working as a nanny for the C [REDACTED]
18 family as well?

19 A Yes.

20 Q How did you pay for the treatments that
21 Dr. Rhodes was giving you?

22 A I believe through the insurance.

23 Q What insurance company did you have?

24 A My insurance?

25 Q Yes, ma'am.

1 A Nationwide.

2 Q When you say your insurance, was there
3 another insurance that was paying for some of the
4 stuff too?

5 A I don't think so.

6 Q Okay. Did you ever have to pay any
7 copays or anything like that?

8 A No.

9 Q So you've never, for lack of a better
10 term, come out of pocket for any of your
11 treatments with Dr. Rhodes?

12 A No.

13 Q Okay. When you would get massages, did
14 you ever tip the masseuse?

15 A No.

16 Q Okay. Were there ever times where you'd
17 come into Dr. Rhodes' office for some type of
18 therapy and he wouldn't be there?

19 A The first time I came in just for a
20 massage.

21 Q Okay.

22 A He wasn't there.

23 Q Were there any other days where you
24 would come in just for massages or some type of
25 treatment he didn't have to provide?

1 A I don't think so. I don't remember. I
2 usually came in when the office was open and he
3 was there.

4 Q All right. And by coming in there, is
5 that how you kind of got to know Tammy Wilson a
6 little bit, talking with her in the office?

7 A Yes.

8 Q Same thing with Missy Ross?

9 A Yes.

10 Q Take me through, when you would come in
11 to Rhodes' office, kind of how the typical office
12 visit would go.

13 A I would walk in, sign in.

14 Q There would be a sign-in sheet up on the
15 front desk, I guess?

16 A Yes.

17 Q Okay.

18 A Then they had me sign other forms. And
19 I would wait to be put on therapy, and then I'd
20 get an adjustment and I would leave.

21 Q So there would be a sign-in sheet that
22 you'd -- Hey, I'm here for my 9:00, and you'd
23 say, I'm here at 8:45 or something like that?

24 A Correct.

25 Q I'm just, you know, hypothetically

1 speaking.

2 A Right.

3 Q And then you said they would have you
4 sign other forms. What were the other forms
5 they'd have you sign?

6 A A massage form, and I don't know what
7 the other form was.

8 Q Did they look something like -- I'm just
9 going to pick a random one.

10 This is a form from September 27th. A
11 form like that?

12 A (Examining document.) Probably. It's
13 been a couple years. It looks familiar, but --

14 MR. DeMAGGIO: Okay. We'll make that
15 form Exhibit 2.

16 (Plaintiff's Exhibit No. 2 was marked
17 for identification.)

18 BY MR. DeMAGGIO:

19 Q Is that your signature right there?

20 A Yes.

21 Q Okay. And then, can you think of any
22 other forms you may have signed?

23 A There was more.

24 Q Maybe like one that looked like that,
25 Daily Massage Notes?

1 A I think so.

2 MR. DeMAGGIO: Okay. And we'll make
3 that Exhibit 3.

4 **(Plaintiff's Exhibit No. 3 was marked**
5 **for identification.)**

6 BY MR. DeMAGGIO:

7 Q Is that your name scribbled across
8 there? It looks like it says O [REDACTED].

9 A It looks like that.

10 Q Okay. Any other forms you can remember
11 signing when you were in there?

12 A There might have been another one. I
13 can't remember how many there were. There was a
14 few.

15 Q Okay. Who would present those forms to
16 you to sign?

17 A The girls in the front -- the girl or
18 girls at the front desk.

19 Q And we said Tammy worked at the front
20 desk.

21 A Or Jessie.

22 Q Or Jessie.

23 A Or Sharon.

24 Q And when you got these forms, would they
25 have, you know, the doctor's writing on them when

1 you would sign it?

2 A No. No. They were blank.

3 Q You would just blankly sign it?

4 A Yep.

5 Q Okay. How about this other one where
6 it's -- on Exhibit 3, where you've got your name
7 scribbled across the top right here; was that
8 blank too?

9 A I believe so, yes.

10 Q Okay. And would you sign these forms
11 before you got treated or after you got treated?

12 A Before.

13 Q Okay. When they were signing them, did
14 they tell you, Here's what's going on, or
15 anything along those lines?

16 A What do you mean by "Here's what's going
17 on"?

18 Q Well, I mean, "Sign this. You're going
19 to get a massage and a TENS unit today."

20 Would you ever be told that when you
21 were signing it?

22 A No.

23 Q Okay.

24 A Not that I remember.

25 Q All right.

1 A I can't answer that.

2 Q When they gave you the forms, were they
3 on a clipboard or something, or how did you get
4 them?

5 A I can't remember.

6 Q Would you usually be given Exhibits 2
7 and 3 at the same time, or would you sign them
8 separately, you know --

9 A They were together.

10 Q Okay. And then you'd sign the forms
11 and, what, have a seat and wait to get called
12 back?

13 A Yes.

14 Q And then you'd get called -- who would
15 call you back?

16 A One of the girls who would bring me to
17 the TENS unit.

18 Q Did you always start at the TENS unit?

19 A Yes.

20 Q Okay.

21 A Not -- I -- most of the time.

22 Q Commonly started at the TENS unit?

23 A Yes. Yes.

24 Q All right. And then, when you were
25 doing the TENS unit, you said that some of the

1 non- -- I'll call them kind of the non-medical
2 staff, like the front desk people, could hook you
3 up to that?

4 A Yes.

5 Q All right. How long does a TENS unit
6 treatment take?

7 A I don't remember.

8 Q And you had --

9 A Ten minutes. I don't remember.

10 Q Yeah. And I'm not trying to pry into
11 your medical history. You had back and neck
12 problems from the accident; right?

13 A Yes.

14 Q So they would hook it up to your back
15 and your neck, I assume?

16 A Yes..

17 Q And you'd do that for a little bit, and
18 the timer would be set for something --

19 A Yes.

20 Q -- and it would be up.

21 A Yeah.

22 Q And where would you go from there?

23 A Back to reception.

24 Q Back to reception, and then what?

25 A I would get an adjustment.

1 Q Get an adjustment. Now, was that done
2 by Dr. Rhodes?

3 A Yes.

4 Q Okay. How long does an adjustment take?

5 A A few minutes.

6 Q A few minutes?

7 A Yeah.

8 Q And were those back and neck
9 adjustments?

10 A Usually.

11 Q All right. So Dr. Rhodes would -- would
12 you guys have any conversation while he's giving
13 you adjustments?

14 A Oh, briefly. Just asked me how I was --
15 what was hurting.

16 Q Okay. So you'd get your adjustment.
17 What happens after that?

18 A I would leave or make another
19 appointment.

20 Q You said you had about 15 to 18 massages
21 that you got there. Where would those fit in, in
22 the TENS unit adjustment?

23 A I did most of those massages that first
24 summer -- that summer, July and August. I was
25 not working as much, and I decided to try all the

1 therapies to see if they would work. So the
2 majority of them were spread out over a few
3 months in the beginning.

4 Q Does a massage take longer than an
5 adjustment?

6 A A little bit.

7 Q About how much of a difference are we
8 talking about?

9 A My first massage was probably 45
10 minutes, but after that they were maybe 10 or 15
11 minutes.

12 Q Okay. Would the massage -- when you got
13 them, would you have massages on the same day as
14 you got adjustments?

15 A Yes, in the beginning.

16 Q Okay. What would be the order? TENS
17 unit No. 1?

18 A (No audible response.)

19 Q You would start with the TENS unit.
20 That was kind of the basic starting one just
21 about every time, I think you said.

22 A I think so.

23 Q Would you take a massage and then an
24 adjustment, or would you take an adjustment and
25 then a massage?

1 A I didn't do that many massages. I don't
2 know. Probably the TENS first, I would say.
3 Yeah.

4 Q Okay. So the order of the massage and
5 the adjustment you just can't recall. That's
6 fine.

7 A (Shrugs shoulders.) I would say the
8 TENS first. There was more units available.

9 Q Yeah. But what I'm asking is, I know
10 you said you generally started with the TENS
11 unit.

12 A Yes.

13 Q Okay. On the days that you went and you
14 got the TENS unit, massage, and an adjustment --

15 A Right.

16 Q Okay. I know you started with the TENS
17 unit usually.

18 A Okay.

19 Q What would you do of the other two
20 first; massage or adjustment?

21 A I think we always ended with an
22 adjustment, but I can't...

23 Q Would the adjustment take place in the
24 same room where the massage took place?

25 A No.

1 Q All right. So would you get done with
2 the massage and go wait in the lobby again until
3 you got called in for the adjustment?

4 A Yes.

5 Q Okay. How long was your typical office
6 visit at Dr. Rhodes'?

7 A Are you talking average? Because if I
8 didn't get a massage, I was in and out in 20
9 minutes.

10 Q Yeah. Let's do that. Let's split it
11 into two categories: trips to Dr. Rhodes' office
12 during which you had a massage and trips during
13 which you did not have a massage.

14 A Without the massage, within a half an
15 hour. With the massage, it could be anywhere
16 from 45 minutes to two hours. I mean, it really
17 depended on what was going on in the office.

18 Q Okay. Did you ever have any discussions
19 with Dr. Rhodes about him privately adjusting you
20 out of the office?

21 A No.

22 Q Okay. Any discussions with any of the
23 masseuse there about giving you a massage out of
24 the office?

25 A No.

1 Q Okay. During your time of being treated
2 by Dr. Rhodes -- and we'll call it roughly July
3 of '13 through January of '14 -- did you ever
4 express any disappointment or concern or complain
5 at all with the treatment you were receiving
6 there?

7 A With the treatment?

8 Q Yeah.

9 A The physical treatment?

10 Q Sure.

11 A I don't believe so.

12 Q And then I know at some point in time
13 you came to complain about the billing
14 procedures, and that's part of what we're here
15 about today. When did you first start to have
16 concerns about billing?

17 A I first questioned Jessie either in
18 September or October of why I was having to sign
19 all these forms when I wasn't getting the
20 messages.

21 Q Tell me about that. What forms do you
22 think you were signing?

23 A I was signing message forms.

24 Q Whose name would be on the message form?

25 A Mine.

1 Q Would it say who was allegedly giving
2 the message?

3 A I didn't look. They just wanted me to
4 sign it.

5 Q Okay. Like is this form right here,
6 Exhibit 3, one of the message forms?

7 A Right.

8 Q Okay. And that's Missy Ross' signature
9 down at the bottom, it looks like.

10 A I mean, on that one, I don't know if it
11 was there. I don't recall it.

12 Q Okay. Is Missy Ross Melissa Ross?

13 A I guess so.

14 Q Okay.

15 A I don't know.

16 Q I mean, I don't want you to guess, but
17 that's a pretty common nickname for Melissa.

18 A I guess that's her name.

19 Q Okay. So you questioned Jessie, Why am
20 I signing all these message forms when I'm not
21 getting these messages?

22 A Correct.

23 Q Were the only forms you were signing
24 relating to messages those that looked like
25 Exhibit No. 3?

1 A (Indicating.)

2 Q You don't know?

3 A I don't know. Those look familiar.

4 Q What did Jessie tell you?

5 A She said, That's the office procedure
6 and everybody does it.

7 Q Did anybody ever tell you that the forms
8 get shredded up if the message doesn't take
9 place?

10 A Yes.

11 Q Okay. Who told you that?

12 A Missy.

13 Q And when did she tell you that?

14 A I don't remember what day it was. I
15 don't know.

16 Q Well, would it have been -- not specific
17 day, but would it have been in the early part of
18 seeing Dr. Rhodes, you know, the July period?
19 Would it have been in the September/October
20 period where you --

21 A It was in the mid period, because I was
22 getting messages over the early part of the
23 summer, if I didn't start questioning them until
24 the fall.

25 Q Okay. So she said, It's routine office

1 procedure, and you were signing for them. Okay.

2 Did you raise any questions about that
3 at a later time?

4 A Yes.

5 Q Other than this first time where you
6 said, "Hey, basically, Jessie, why am I signing
7 all these forms when I'm not getting massages,"
8 and she said, "Well, it's office procedure," was
9 there any other substance to that conversation?

10 A There was -- what?

11 Q Did you discuss anything during that
12 conversation about the billing?

13 A I asked her would I get billed. And she
14 said, No. If you don't get a massage, you're not
15 going to get billed.

16 Q Okay. And then is that how that
17 conversation resolved itself?

18 A Yes.

19 Q All right. And then there was another
20 conversation with somebody else.

21 A There was multiple with Jessie over the
22 next few weeks, because I would let it go for a
23 few weeks and then I just couldn't understand why
24 I was still being made to sign these forms.

25 Q Okay. Well, were you receiving any

1 bills from either Dr. Rhodes' office, or any
2 paperwork from your insurance company during that
3 time indicating --

4 A Yes.

5 Q Okay.

6 A I never opened them. They ended up
7 stacked on my desk.

8 Q And are these bills from Dr. Rhodes, or
9 are these papers from the insurance company?

10 A No, I don't think I got any bills from
11 Dr. Rhodes. This was just statements from the
12 insurance.

13 Q Well, you never opened them up, so how
14 do you know what was in there?

15 A I opened them up at a later date.

16 Q Okay. Okay.

17 A Like they would pile up. I didn't
18 really -- I checked in the beginning; then I let
19 them go for a few months, and then I checked at
20 the end.

21 Q These would come from Nationwide?

22 A Correct.

23 Q Okay. Do you still maintain those
24 letters? Do you have them still?

25 A Maybe. They might be in a box

1 somewhere.

2 Q All right. I'd ask that you look for
3 those if you could; and if you could, get them to
4 your lawyer so she can send them to me. Okay?

5 A Okay.

6 Q So at the time, though, you were just
7 putting them in a pile somewhere in your house?

8 A Yeah.

9 Q You were having a conversation with
10 Jessie, you know, Hey, what's going on?
11 Something back from her to the effect of, Don't
12 worry about it. We're not billing you. It's
13 office procedure.

14 A Correct.

15 Q Fair enough. When is the next time you
16 spoke to somebody else about it?

17 A I may have mentioned it a few weeks
18 later again.

19 Q Are we talking about the fall of 2013
20 now?

21 A Yeah, maybe October. I may have
22 mentioned it again to Missy, you know.

23 Q To Missy now.

24 A Yes.

25 Q Before it was Jessie. Now we're talking

1 Missy?

2 A Right.

3 Q Because Missy was the masseuse.

4 A Right.

5 Q And what did Missy say?

6 A That he makes everybody sign them.

7 Q He being who?

8 A Dr. Rhodes.

9 Q Okay. Did she say she knew anything
10 about Dr. Rhodes having people sign that and then
11 billing for massages that weren't actually
12 occurring?

13 A It's kind of a blur. I don't remember.

14 Q Okay. So you spoke to Jessie. You
15 spoke to Missy. When is the next time you
16 mentioned this issue to someone?

17 MS. KURTZ: To someone in Dr. Rhodes'
18 office?

19 BY MR. DeMAGGIO:

20 Q To anyone. To someone, at all.

21 A Maybe a few weeks after that when Jessie
22 left and the new girl came, Tammy.

23 Q Why did Jessie leave; do you know?

24 A She said she was very unhappy, and she
25 was looking for other work.

1 Q Okay. Did she say specifically what she
2 was unhappy about?

3 A She didn't want to work there anymore.

4 Q Okay. Is that it?

5 A That's all she told me.

6 Q And then that's when Tammy, who used to
7 work with Dr. Bloom, came in?

8 A Shortly after. I don't know.

9 Q Sure. But --

10 A Yeah. I think that was November. I
11 don't remember.

12 Q Same Tammy though. Tammy Wilson?

13 A Correct.

14 Q Your friend.

15 A Yes.

16 Q Okay. And then once Tammy came in, did
17 you ever talk to her at all about this concern
18 that you had?

19 A Yes.

20 Q What did Tammy say?

21 A The same thing. It's office procedure;
22 everybody does it.

23 Q All right. The next time you talked to
24 somebody about this.

25 A A few weeks later, Tammy again. I

1 didn't sign the form. And I was in the office
2 waiting for about 20 or 30 minutes. And I was on
3 a time schedule because I was coming in during my
4 lunch, and I didn't have time, and I had to walk
5 out of the office a few times.

6 And she told me that I didn't sign the
7 forms, so he was making me wait till I signed the
8 forms, or something to that effect.

9 Q Were any of these conversations that you
10 had with either Jessie or Tammy that we just
11 talked about, was any of that ever in writing or
12 was it always verbally?

13 A Verbally, just at the front desk.

14 Q All right. When is the next time after
15 this lunch break debacle?

16 A What do you mean by the lunch break
17 debacle?

18 Q Well, you wanted to get -- you were
19 there on your --

20 A I was always there on my lunch break.

21 Q Oh, okay.

22 A That was the agreement we had. He
23 called me a drive-thru patient because I squeezed
24 it in on my lunch break. So it was known that I
25 had to get my adjustment and go on my merry way.

1 Q And, see, I didn't know that. The way
2 you made it sound was, I was on my lunch break
3 and I really had to get --

4 A I was always on my lunch break. That's
5 the only way I could -- I worked during the
6 office hours. So he was only open Monday,
7 Wednesday, Friday. Those were the days I worked.

8 Q Are you watching the C [REDACTED] kids
9 during that time period or something? Is that
10 what --

11 A Partly. I kind of run errands and, you
12 know, cook, just help out.

13 Q Okay. So when is the next time after
14 the lunch situation you just talked about?

15 A About what? I'm sorry. Repeat.

16 Q That you expressed any concerns about
17 what was going on in the office to anybody.

18 A I pretty much complained every couple
19 weeks.

20 Q And I know you had testified a little
21 bit ago about how you would get the letters or
22 the mail from the insurance, but you wouldn't
23 open it. You'd stack it up in a pile.

24 A I opened them the first few months, you
25 know, and I just kind of let it go after a few

1 months. I just figured it was the same old --
2 you know.

3 Q Well, when you opened them up and you
4 looked at them, do you see that you were being
5 billed for massages you didn't think you got?

6 A No, because up until probably August, I
7 was getting massages.

8 Q Okay. Well, then after you came to have
9 an issue with signing papers for massages, and
10 you were being told it was office practice and
11 all of that, did you ever go back and look at the
12 bills and say, Well, you know, I remember signing
13 a form on August -- I mean on October 5th for a
14 massage. Did you go back and look at your
15 statement and, Well, was I billed for a massage
16 that day?

17 A Not at that -- not at that period.

18 Q Have you ever done that?

19 A I did it much later.

20 Q When did you do that?

21 A Probably at the end of the year, in
22 December sometime. I had some time and I went
23 through them.

24 Q End of December 2013?

25 A Correct.

1 Q Okay. What caused you to actually go
2 open the bills and look at them?

3 A I actually was cleaning out some desk
4 paperwork, and I decided to just organize and
5 open some up. I had time.

6 Q And when you looked at them, did you see
7 you were billed for massages you don't think you
8 got?

9 A And other therapies.

10 Q Such as?

11 A Ultrasound and traction and -- I don't
12 know -- other stuff.

13 Q Did you ever get ultrasound at
14 Dr. Rhodes?

15 A Once or twice in the beginning.

16 Q That's it; once or twice?

17 A I -- just a few times in the beginning,
18 in the summer.

19 Q But at the beginning.

20 A Yeah.

21 Q Okay. You weren't getting any in 2014
22 from them?

23 A 2014?

24 Q Yeah.

25 A I don't think so.

1 Q Okay. And you weren't getting any in
2 the winter of 2013?

3 A No.

4 Q No?

5 A No, not at the end. I don't think so.

6 Q Nor in the fall of 2013, because that
7 wouldn't be the beginning. The beginning was
8 July; right?

9 A The beginning was July.

10 Q Right.

11 A So I don't -- I don't know. I know I
12 got some in -- a few during the summer.

13 Q During the summer.

14 A And I may have gotten one or two in the
15 fall. It wasn't a consistent thing.

16 Q Okay. So you saw an ultrasound you say
17 you didn't get. What else do you think you
18 didn't get that you got billed for?

19 A I did get hot and cold packs a lot in
20 the beginning, and I may have gotten a few in the
21 fall, but that wasn't part of my regular. It
22 bothered me.

23 Q Okay. What else? You said traction.

24 A Yeah. I tried that I think once, and it
25 hurt my back. I didn't like it.

1 Q Explain for a novice like me what
2 traction is. What is that?

3 A I'm not an expert on traction.

4 Q But what was physically done to you?

5 A It's a table with something that pulls
6 your neck.

7 Q And you tried that once or twice, and
8 you didn't like it?

9 A I don't know if I did it twice. I think
10 I tried it once. I can't remember. I don't know
11 the specifics on the traction. I don't know how
12 many times.

13 Q You disliked it so much that you did it
14 so little that you didn't want to do it again?

15 A Yes.

16 Q Okay. Any other treatments --

17 A I think I had the rolling table a couple
18 of times.

19 Q Okay.

20 A And I noticed that was on the billing,
21 too.

22 Q And what time period are we talking
23 about where you had stuff done that you don't
24 think was performed?

25 A From, I guess, September -- mid

1 September to December.

2 Q How about in November?

3 A What about it?

4 Q Were you getting any traction in
5 November?

6 A I don't remember when I got it.

7 Q Well, towards the beginning you think
8 though?

9 A I tried everything in the beginning. I
10 don't remember.

11 Q How about ultrasound; were you getting
12 any of that in November?

13 A I don't remember.

14 Q You think it was closer to the beginning
15 though?

16 A I know I got it for sure over the
17 summer.

18 Q Okay. And you said that you really, I
19 guess, for the -- I'll say for the first time,
20 were able to confirm what your suspicions were
21 when you actually looked at the bills sometime in
22 December of 2013?

23 A Yes, towards the end, I believe.

24 Q Okay. And when you actually looked at
25 the bills, did you go talk to anybody about that?

1 A I remember talking to my attorney and
2 telling him about that.

3 Q Mr. Ossi?

4 A Yes, and his assistants.

5 Q Did he do anything with the information?

6 A He said he would take care of it, and
7 tally it up and see if he could -- he'd call the
8 office. He said he was going to take care of it
9 with Dr. Rhodes. I told him --

10 Q Do you know if that was ever done?

11 A I was told by his assistant that they
12 made multiple calls to his office, and there was
13 no response. They left messages for him to call
14 him back.

15 Q Who was Ossi's assistant?

16 A There's another attorney named Lauren,
17 and I know there was -- he had a couple of
18 assistants. One was Kelly something, another
19 Kelly. There was a few people working on the
20 case. I don't remember their names.

21 Q After talking to Ossi about it, did you
22 talk to anybody else about, you know, having now
23 looked at the bills and what your concerns were?

24 A Probably in January. I waited a while
25 to see if he would resolve it, and I told -- I

1 asked Tammy if my attorney had called.

2 Q What did Tammy tell you?

3 A Yes.

4 Q And what did she say about that?

5 A She said she had -- the attorney's
6 office had called a few times.

7 Q Did she say whether or not she passed on
8 the message to Rhodes?

9 A Yes. She said she did.

10 Q Did she say what Rhodes' reaction was?

11 A I don't remember.

12 Q Did you ever show her the bills and --
13 next to, you know, the message slips and say,
14 Hey, what's up?

15 A No. No. I don't have them with me.

16 Q And I don't mean to be so, you know,
17 casual about it.

18 A Yeah.

19 Q But you know what I'm saying.

20 What did those bills from Nationwide
21 look like; can you recall?

22 A Just small pieces of paper with a
23 monthly total, I guess. I don't remember.

24 Q Did they say like EOB, Explanation of
25 Benefits, or anything?

1 A Probably.

2 Q Do you know what your file number was
3 with Nationwide, or what your policy number was?

4 A No.

5 Q All right. So did you ever talk to
6 Dr. Rhodes about that directly?

7 A Not while we were in therapy.

8 Q Okay. Did you ever call him, write him
9 a letter, email him, text him?

10 A Well, he was at the reception when I
11 complained a few times.

12 Q Did he say anything when you were up
13 there?

14 A No. He walked away.

15 Q All right. Did there ever come a time
16 when you wrote him a letter or anything about it?

17 A I did. I sent him an email at the end
18 when I wanted to stop going to the office.

19 Q Do you remember when that was and what
20 was in the email?

21 A I want to say that was at the end of
22 January or early February. I can't remember.
23 Early February.

24 Q Do you still have the email?

25 A No idea. That was years ago. I

1 haven't...

2 Q Was it sent from -- you gave me your
3 email address earlier, the comcast.net email
4 address?

5 A Yes.

6 Q Did you have Florida Blue as well?

7 A That's my private insurance.

8 Q Okay.

9 A Florida Blue?

10 Q Yeah. Yeah. Did you have that?

11 A I have -- that's my insurance.

12 Q But were you using that at Dr. Rhodes'
13 office?

14 A No.

15 Q Nationwide was your auto insurance --

16 A Correct.

17 Q -- that was paying for this.

18 A Yeah.

19 Q Okay. Do you recall signing a letter of
20 protection with your law firm to give to
21 Dr. Rhodes?

22 A I don't even know what that means. What
23 is a letter of protection?

24 Q A letter of protection is a letter --
25 and your attorney will correct me if I'm wrong

1 here -- that the law firm will guarantee payment
2 for the services the doctor renders to you out of
3 the settlement proceeds if they're received. Do
4 you remember signing anything like that?

5 A I don't really remember much of what I
6 signed; but I probably did, if that's a standard
7 procedure.

8 Q Okay. Do you know if your law firm ever
9 satisfied whatever bills may have been due to
10 Dr. Rhodes pursuant to the letter of protection?

11 A I believe so.

12 Q Did you maintain a copy of your --
13 what's called a settlement or closing statement
14 as it relates to your settlement with the case
15 against Mr. or Mrs. Fox, the auto accident case?

16 A I think my attorney has everything. I
17 don't think I took anything.

18 Q Okay. Do you maintain any of those
19 explanation of benefits or mailings that you got
20 from Nationwide?

21 A Maintain meaning?

22 Q Yeah. Do you have them anywhere?

23 A I think I may have them. I don't think
24 I threw them out. I'm not sure. I'd have to
25 check.

1 Q Okay. So you sent Dr. Rhodes an email
2 towards the end of January?

3 A Or early February. I can't remember
4 when it was.

5 Q Was Tammy still working there then?

6 A I don't think so.

7 Q Do you know why Tammy left?

8 A She told me he laid her off for lack of
9 work, but she also told me that they had gotten
10 into an argument.

11 Q Did she say what the argument was about?

12 A Yes.

13 Q What was it about?

14 A She was questioning my overbilling and
15 some checks that came in.

16 Q The letter or the email that you sent
17 Dr. Rhodes about the billing, did that go to
18 Dr. Rhodes before or after Tammy was terminated?

19 A I don't remember. I think it was after.
20 Shortly after.

21 Q All right. After that email, was there
22 anything else you put in writing as it relates to
23 Dr. Rhodes and the billing issue?

24 A What do you mean?

25 Q Yeah. Did you write him another letter?

1 I mean, I know at some point -- we'll get to that
2 Tip form with the Department of Insurance, but --

3 A I don't think so.

4 Q Okay. Did Dr. Rhodes ever get back to
5 you about that?

6 A He called. He called and left me a
7 message.

8 Q Okay. In your auto accident lawsuit,
9 you had told me earlier that you gave a
10 deposition. Did the other side send you what are
11 called interrogatories? Do you know what those
12 are?

13 A No, I don't know what those are.

14 Q What they are, the opposing party in a
15 lawsuit can send you written questions that you
16 have to answer in writing under oath. You don't
17 recall whether or not you got any of those?

18 A I don't remember if I did that.

19 Q Okay. Do you know who represented the
20 defendant in that lawsuit?

21 A I don't remember.

22 Q Okay. Let's talk about --

23 MR. DeMAGGIO: You know what, let's take
24 a quick break.

25 (Brief recess.)

1 BY MR. DeMAGGIO:

2 Q You've got a document in front of you
3 there, ma'am, that's the document that's attached
4 as Exhibit D to the Amended Complaint, Demand for
5 Jury Trial, which is the operative pleading that
6 we're on now. Tell me how that form and that
7 document in front of you came to be.

8 A Are we talking about this one?

9 Q Yes, ma'am.

10 MR. DeMAGGIO: And we'll make that --
11 I'll just rip it off the Complaint here.
12 We'll make that Exhibit 4 to the deposition.

13 **(Plaintiff's Exhibit No. 4 was marked**
14 **for identification.)**

15 BY MR. DeMAGGIO:

16 Q So tell me how it came to be that you
17 made this tip to the insurance department.

18 A Well, I decided to do it after multiple
19 attempts to get it resolved through my attorney.

20 Q So I guess at some point you realized
21 that your attorney didn't get it resolved?

22 A Yes.

23 Q Did he tell you, I wasn't able to
24 resolve it?

25 A Well, his assistants and him said that

1 they were trying and they got nowhere.

2 Q And then was this form generated after
3 you sent the letter, the email to Dr. Rhodes?

4 A I believe so.

5 Q Okay. So I get why you sent this. You
6 weren't able to resolve it via the other means.

7 How did you know to go onto the
8 Department of Insurance Fraud -- I mean, how did
9 you --

10 A Well, I knew it existed.

11 Q How did you know that?

12 A Well, just in general, I knew that there
13 was sites available for, you know, reporting
14 issues.

15 Q But, I mean, who told you about that?
16 How did you know there were sites out there to
17 report issues?

18 A I think that's a general -- everybody
19 knows. There's government agencies pretty much
20 for everything.

21 Q Did you know that the State of Florida
22 had a Division of Insurance Fraud?

23 A Not specifically. But, yeah. I mean, I
24 did speak to a few people about it.

25 Q Who did you speak to?

- 1 A My sister.
- 2 Q What's her name?
- 3 A N[REDACTED].
- 4 Q Is it Nina Z[REDACTED]?
- 5 A No.
- 6 Q What's her last name?
- 7 A P[REDACTED].
- 8 Q That one you're going to have to spell
- 9 for us, ma'am.
- 10 A P[REDACTED].
- 11 Q Is that a Greek name?
- 12 A Yes.
- 13 Q Okay. Are you Greek by heritage?
- 14 A Yes.
- 15 Q Z[REDACTED]?
- 16 A Yes.
- 17 Q Okay. Have you ever had a job in the
- 18 insurance industry at all?
- 19 A No.
- 20 Q And I didn't ask you; what's your
- 21 educational background?
- 22 A I have a BA in fine arts and education
- 23 from Queens College.
- 24 Q Queens College?
- 25 A Yes.

1 Q Are you from New York?

2 A Yes.

3 Q Whereabouts?

4 A Queens.

5 Q What brought you to Florida?

6 A I visited some friends and fell in love
7 with Jacksonville.

8 Q Other than the nanny job you've told me
9 about, what year did you graduate from college,
10 ma'am?

11 A '91.

12 Q What did you do after you got out of
13 college?

14 A I worked in a private school.

15 Q In New York?

16 A Yes.

17 Q Which one?

18 A It's a preschool. I forgot the name.
19 Bright Beginnings.

20 Q Was it in Queens?

21 A Yes.

22 Q What part of Queens did you live in?

23 A I lived in Astoria.

24 Q So you worked at the private school,
25 young kids?

1 A Preschool.

2 Q Preschoolers?

3 A Yes.

4 Q How long did you work there?

5 A Almost seven years.

6 Q Where did you go after that?

7 A I helped my husband in his food trucks
8 and his restaurants.

9 Q He had a restaurant, restaurateur-type
10 guy, food business?

11 A Yeah, food business.

12 Q Was that up in New York or down here?

13 A Both.

14 Q Okay. Did you assist him with the
15 restaurant/food truck business until you guys
16 came down to Florida?

17 A On and off, yes.

18 Q Okay. And then, once you guys got down
19 to Florida -- what year did you come to Florida?

20 A 2000.

21 Q And once you got down to Florida, what
22 did you do?

23 A I helped him in his sandwich shop.

24 Q What sandwich shop was that?

25 A It was Johnny's Deli on Adams Street

1 Downtown.

2 Q Did they later move over there to
3 Riverside?

4 A Yes.

5 Q Does he still have that joint?

6 A (Nods head affirmatively.)

7 Q Okay. And you did that up until
8 approximately seven years ago when you caught on
9 as a nanny with the C [REDACTED] family?

10 A Right.

11 Q Okay. Do you have any ownership
12 interest in Johnny's Sandwich Shop?

13 A No. It's done.

14 Q Was that severed in the divorce
15 proceeding?

16 A Yes.

17 Q All right. So you had talked to your
18 sister about the -- that there may be websites or
19 something to report issues?

20 A Right.

21 Q Okay. How did you find that specific
22 website?

23 A I can't remember. I just looked it up.
24 I don't remember.

25 Q Okay. By looked it up, you mean you

1 Googled it probably?

2 A Yeah. Stuff, yeah.

3 Q I mean, let's just be honest. I mean,
4 that's --

5 A Everybody Googles.

6 Q Right.

7 A I don't remember.

8 Q Okay. So you got on the website and
9 then, what; you emailed them the tip that appears
10 in the body of the thing?

11 A (Nods head affirmatively.)

12 Q Yes?

13 A Yes.

14 Q Okay. Where were you at when you
15 actually typed up the email?

16 A At my sister's house.

17 Q Okay.

18 A My computer wasn't working.

19 Q So you used your sister's computer?

20 A Yeah.

21 Q What's Nina's address?

22 A Oh.

23 Q Do you know what road it's on?

24 A Spoonbill.

25 Q Spoonville, S-p-o-o- --

1 A Not -ville, -bill.

2 Q Spoonbill.

3 A Right.

4 Q What part of town is that in?

5 A Intracoastal.

6 Q Is it not far from Crane's Landing?

7 A Yeah, yeah. She's in my neighborhood.

8 Q She's in your neighborhood.

9 A Right.

10 Q Okay. Does she still live there?

11 A Yes.

12 Q Okay. And the email address you sent it
13 from, was it the Comcast email address? Did you
14 send it --

15 A What? I'm sorry.

16 Q The email address that you sent it from,
17 did you send it from c[REDACTED]@comcast.net?

18 A I don't know. I don't remember.

19 Q I'm looking at the body of Exhibit 4.

20 It says, The following tip was received from O[REDACTED]
21 V[REDACTED] via email. And I'm just wondering
22 what email address you sent it from.

23 A I don't remember. I don't know.

24 Q Well, is it possible you sent it from
25 somebody else's email address?

1 A Well, the only other options was me or
2 my sister's. So probably mine.

3 Q Okay. Do you know what your sister's
4 email address is?

5 A No.

6 Q Is that something you could find out?

7 A Probably.

8 Q Okay. And I'll be honest with you, I've
9 never sent a tip in to the insurance fraud unit
10 before. Tell me a little bit about how the
11 website works and how you were able to effectuate
12 this. Is there a page you click on and a form --
13 a template form?

14 A I believe there was just a little box
15 where you put your comment in.

16 Q Gotcha. And then, is there anybody you
17 interact with with the Division of Insurance
18 Fraud when you send a tip in, or is it all web
19 based?

20 A It's computer.

21 Q Okay. Other than the -- you know, like
22 the body of the thing -- which I'm assuming the
23 body of this is what you typed, starting with "I
24 have been" --

25 A Yes.

1 Q Ending with "this matter."

2 A Correct.

3 Q That's what you actually typed up.

4 A Correct.

5 Q Who's Kevin Jones? Do you know who
6 Kevin Jones is?

7 A I have no idea.

8 Q Okay. Did you type in that occurred
9 date, where it says "Occurred Date: 9/1/13"?

10 A No.

11 Q "12 a.m." Okay. What about where it
12 says like "Fraud Type: PIP fraud"?

13 A No, I didn't type anything else.

14 Q All you did was send an email in to
15 somebody?

16 A Yeah. I had nothing to do with any of
17 the other information.

18 Q So down there where it says like
19 Reporting Individual Information, and it's got
20 Victim/Witness Type, and it says LEO --

21 A Right. Nothing. That's not me.

22 Q Kevin Jones.

23 A No.

24 Q Do you know who Kevin Jones is?

25 A No.

1 Q Okay. Did your email go to
2 kevin.jones@myfloridacfo.com?

3 A I have no idea where it went.

4 Q Do you still have a copy of the email
5 you sent in, or did it go through their system --

6 A It wasn't my email. It was their site.

7 Q They call it -- all right. So maybe
8 their site says we got it via email when you type
9 it in --

10 A It was electronically, but it didn't go
11 through an email. It went through their site.

12 Q Gotcha. And then the date on there is
13 February 4, 2014, 1604?

14 A I guess that's the date -- that's when
15 they got it. I don't know if that's when I sent
16 it. I don't remember.

17 Q You don't know when you sent it?

18 A It's probably around that time, but I
19 don't know if it's the day before or that exact
20 moment. I don't know.

21 Q You don't have any reason to believe you
22 didn't send it that day, do you?

23 A I don't know.

24 Q Okay.

25 A I'm assuming that's a real time. I

1 don't know.

2 Q Yeah. The better -- we'd have to ask
3 somebody at the Department of Insurance Fraud.

4 A (Indicating.)

5 Q Fair enough. Let's go through what you
6 wrote there.

7 A Okay.

8 Q And you're saying you've never spoken
9 with Kevin Jones?

10 A No. I don't know who that is.

11 Q Okay. You said, "I've been receiving
12 services by a chiropractor due to an auto
13 accident." Correct?

14 A Yes.

15 Q The auto accident is the one from
16 January of 2013 that we had talked about.

17 A Correct.

18 Q Then you go on to say, "While reviewing
19 my insurance bills, I noticed thousands of
20 dollars for services that I did not have";
21 correct?

22 A Correct.

23 Q Did Nina help you compose this at all?

24 A No. She kept me company.

25 Q Was she looking at it while you were

1 writing it?

2 A I don't know what she was doing. She
3 was on her desk.

4 Q Okay. Do you know, was she, "Oh, you
5 have a typo there," or anything like that?

6 A I don't remember.

7 Q Okay. And you write "I was charged for
8 massages, ultrasound, and traction services for
9 every visit when, in fact, the only service I
10 received consistently was adjustments and
11 electric stimulation therapy"; correct?

12 A Correct.

13 Q So upon looking at your bills, you
14 believe you were charged for massages,
15 ultrasound, and traction services on every bill?

16 A Pretty much, in the period in question.

17 Q That's not what you wrote there. You
18 wrote "for every visit."

19 A I can't remember.

20 Q Okay. Then you wrote, "The services in
21 question," and you put "in question" in quotation
22 marks. Why is that?

23 A Because in that period, I remember going
24 to get services, but I don't recall every single
25 visit.

1 Q Okay. Well, I'm just curious why "in
2 question" is in quotation marks.

3 A Right.

4 Q And you wrote it; I didn't. You don't
5 know, I guess?

6 A Well, yes, because I'm questioning it.

7 Q Okay.

8 A That's why I put it in question.

9 Q Okay. "Were provided during the period
10 of September 1, 2013, through mid January 2014."

11 A Yes.

12 Q So can I infer from this that you have
13 no complaints about the services you received
14 from July up until August 31 of 2013?

15 A Correct.

16 Q Okay.

17 A I'm sorry. Repeat that. Did you say
18 July till August?

19 Q July to the end of August.

20 A Correct.

21 Q August 31 of 2013.

22 A Right.

23 Q Then you go on to say, "I'm very
24 disappointed this problem has occurred, since I
25 had expressed concern several times when signing

1 paperwork for services that were not rendered.
2 The doctor and staff personally assured me the
3 paperwork would be submitted correctly to the
4 insurance company, but it was not." Correct?
5 That's what you wrote?

6 A Yes.

7 Q Now, I do remember you testifying that
8 you had the conversations with Jessie and then
9 later with Tammy about the issues.

10 A Uh-huh (affirmative response).

11 Q I don't remember you saying anything
12 about speaking with Dr. Rhodes personally, other
13 than he was at the desk when you may have had
14 some of the conversation with the girls.

15 A Right. He was there.

16 Q Okay. Did he ever tell you that the
17 paperwork would be submitted correctly to the
18 insurance company, but it was not?

19 A I don't remember if he personally said
20 that.

21 Q Okay. So the part where it says, "The
22 doctor and his staff personally assured me the
23 paperwork would be submitted correctly to the
24 insurance company but it was not," we know the
25 staff may have, but we can't recall if Dr. Rhodes

1 ever did.

2 A If he -- I don't know how to answer
3 that.

4 Q Did Dr. Rhodes ever personally assure
5 you that the paperwork would be submitted
6 correctly to the insurance company but it was
7 not?

8 A I cannot remember.

9 Q Okay. Then you say, "I've sent him
10 correspondence asking him to correct the billing
11 situation." Is that the email you were talking
12 about before?

13 A Yes.

14 Q Okay. Did you ever send him any United
15 States mail?

16 A No.

17 Q Okay. "But instead he is calling me
18 asking that we meet to discuss this in person,
19 assuring me that he would, quote, make me happy,
20 close quote."

21 Do you recall ever getting a call from
22 Dr. Rhodes about meeting in person to discuss the
23 issue?

24 A He left me a voicemail saying that.

25 Q Do you still have that voicemail?

1 A It was on my other phone. I don't know
2 if it could get -- it was on a very old phone. I
3 don't know if I could retract it.

4 Q An old phone though, but was it on the
5 number of --

6 A It was the same number.

7 Q The cell phone number.

8 A Yes.

9 Q The 3 [REDACTED]?

10 A Yes.

11 Q That would have been a Verizon phone at
12 the time?

13 A Yes.

14 Q Okay. So you've had the same phone
15 number and the same provider, but the actual
16 physical cell phone itself has changed, is what
17 you're telling me.

18 A Multiple times, yes.

19 Q Do you know how many times it's changed?

20 A At least four.

21 Q Four?

22 A At least.

23 Q Back in the time you were treating with
24 Dr. Rhodes, July up until January '14, did you
25 have the same physical type of phone then, or did

1 you ever change phones during that time period?

2 A I'm sorry. What's the question?

3 Q Yeah. When you were treating with
4 Dr. -- and let's just put this in terms of
5 iPhone. There's iPhones 3, 4, 5, blah, blah,
6 blah; right?

7 Did you have the same type of phone when
8 you were treating with Dr. Rhodes the entire time
9 you were treating with him? Assuming like, let's
10 say you had an iPhone 5. Did you have an iPhone
11 5 --

12 A No. I didn't have an iPhone then. It
13 was a flip phone.

14 Q You had a flip phone.

15 A Yeah.

16 Q Okay. Would you ever send any text
17 messages while you were at Dr. Rhodes' office?

18 A I suppose maybe to my kids. I don't
19 know.

20 Q Okay. Do you know if your phone that
21 you utilized during the time period you were
22 treating with Dr. Rhodes -- do you know whether
23 or not it was GPS equipped or enabled?

24 A I had an old flip phone. I don't think
25 they even have that technology. But I can't --

1 I'm not a techy.

2 Q You're probably right about that, but
3 that's why I'm asking.

4 A I don't know.

5 Q Okay. So he left you a voicemail. Was
6 it just one voicemail?

7 A I think so. I'm not sure.

8 Q Did you ever follow up with him, give
9 him a call back?

10 A I didn't. I did not want to deal with
11 it.

12 Q When was that voicemail vis-a-vis your
13 February 4, 2014 tip to the insurance company?

14 A I'm sorry?

15 Q Yeah. When was that voicemail in
16 relation to your February 4 tip to the Department
17 of Insurance Fraud?

18 A That voicemail -- when did I tell them
19 about it?

20 Q Yeah. When --

21 A In this --

22 Q When did Rhodes leave you that voicemail
23 in comparison to when you sent this, Exhibit 4?

24 A I don't remember. Before this
25 definitely, but I don't remember the date.

1 Q Was it a day before, a week before, a
2 month before?

3 A I don't remember. Probably shortly
4 before. Within the week. Probably within a week
5 I would say.

6 Q Okay. Then you write, "I think this is
7 not" -- and you put "not" in all capital
8 letters -- "a unique situation. Just recently
9 one of his employees was laid off. The employee
10 confided in me that she had questioned my bills
11 and other similar billing inconsistencies. She
12 was told to mind her business and then laid off."

13 Is that employee Tammy Wilson?

14 A Yes.

15 Q Okay. When you mentioned that "I don't
16 think this is a unique situation," did you have
17 any information to corroborate that statement?

18 A Yes.

19 Q From who?

20 A Tammy.

21 Q Okay. Tell me about your discussions
22 you had with Tammy.

23 A It was not really even a discussion. I
24 was just told this has happened before.

25 Q "This" being what?

1 A That there was some overbilling with
2 other patients.

3 Q Did she mention any patients by name?

4 A No.

5 Q Did she mention the number of patients
6 by name?

7 A No.

8 Q Did she mention if there had been any
9 insurance fraud investigations under Dr. Rhodes?

10 A No.

11 Q Did she mention whether or not she had
12 reported alleged billing issues to any outside --

13 A No.

14 Q -- law enforcement or regulatory agency?

15 A No.

16 Q Okay. Have you ever talked to anybody
17 else that was a patient of Dr. Rhodes that had
18 similar issues that --

19 A No.

20 Q Okay.

21 A Nobody.

22 Q Then you say, quote, I can go on with
23 many more examples, close quote. What do you
24 mean by that?

25 A Because she had mentioned there was

1 multiple instances.

2 Q So what examples could you have gone on
3 with though if she mentioned that it happened all
4 the time but didn't give a name or what the
5 situation was?

6 A She had briefly touched down on
7 something that I can't remember right now.

8 Q About a specific patient?

9 A I think so.

10 Q Did she mention the patient by name?

11 A I think so. I can't remember. This was
12 three years ago. I don't remember the details.
13 This was obviously vivid to me then.

14 Q Do you know B [REDACTED] L [REDACTED]?

15 A Who?

16 Q Do you know a B [REDACTED] L [REDACTED]?

17 A No.

18 Q How about a N [REDACTED] D [REDACTED]?

19 A No.

20 Q How about -- let me just spell this

21 name -- R [REDACTED], R [REDACTED], last name

22 G [REDACTED], G [REDACTED]. Do you know that guy?

23 A No.

24 Q Okay. Do you know an A [REDACTED] N [REDACTED]?

25 A No.

1 Q E [REDACTED] R [REDACTED]?

2 A No.

3 Q M [REDACTED] S [REDACTED]?

4 A No.

5 Q L [REDACTED] J [REDACTED]?

6 A No.

7 Q J [REDACTED] T [REDACTED]?

8 A No.

9 Q D [REDACTED] B [REDACTED]?

10 A No.

11 Q H [REDACTED] C [REDACTED]?

12 A No.

13 Q Do you know a K [REDACTED] S [REDACTED]?

14 A No.

15 Q How about a T [REDACTED], T [REDACTED], R [REDACTED]?

16 A No.

17 Q And you had mentioned that Stacey --

18 there was a Stacey who was Dr. Bloom's girlfriend
19 at one point.

20 A Yes.

21 Q Do you know her?

22 A I've met her through the office.

23 Q Okay. When she worked for -- or when
24 she was dating Dr. Bloom?

25 A Correct.

1 Q You would see her in there?

2 A She was at the desk.

3 Q Okay. She actually worked for him too?

4 A I think she was his front desk person
5 for a while; but then they broke up, and I never
6 seen her again.

7 Q You had mentioned that you had heard
8 about maybe some fraud allegations or something
9 as it related to Dr. Bloom, or that Stacey had
10 made some of those. Do you remember when she
11 made those allegations?

12 A No.

13 Q Would it have been before he shut down?

14 A I don't know.

15 Q Okay.

16 A Did I hear about it before he shut
17 down --

18 Q Yeah.

19 A -- or was it --

20 Q Did you hear about it before he shut
21 down?

22 A I don't think so. I don't know.

23 Q And what about, did anybody tell you
24 when she made those allegations to somebody?

25 A No.

1 Q Do you know if she was ever interviewed
2 by any detectives or anything about it?

3 A No.

4 Q Okay. In your discussions with --
5 whether it be Jessie or Tammy or anybody else at
6 Rhodes' office about your billing concerns, did
7 they ever discuss with you like how the billing
8 system worked at Rhodes' office?

9 A No.

10 Q Okay. Did they talk about billing codes
11 or anything like that?

12 A No.

13 Q Do you know what billing codes are?

14 A No.

15 Q Fair enough. And then you say, "In
16 addition, I have just left a messages with my
17 insurance adjuster so I can give them a heads
18 up."

19 Do you remember who the insurance
20 adjuster was you left a message with?

21 A He had a Spanish name. I forgot his
22 name. Maybe Hector. I don't remember.

23 Q Okay. What was the message you left
24 with him?

25 A Just that there was a mistake in those

1 forms. I mean, there was an overbilling.

2 Q Was it one message or multiple messages?
3 Because you wrote "a messages" here.

4 A That must be a typo. Yeah. No, it was
5 just one message. I just gave him a -- let him
6 know that there was a...

7 Q Okay. You say, "Lastly, I have been
8 told by his employees that he uses intimidation
9 and threatens anyone that goes against him. So I
10 am concerned for my own personal safety."

11 Who are the employees that told you that
12 he -- I'm assuming "he" being Dr. Rhodes.

13 A Correct.

14 Q Who told you that he, quote, uses
15 intimidation and threatens anyone that goes
16 against him, close quote?

17 A Tammy and Missy.

18 Q Okay. Was Missy still working for
19 Dr. Rhodes at this point?

20 A Yes.

21 Q Did she ever get fired from there?

22 A I don't know.

23 Q Okay. Missy's profession is a massage
24 therapist?

25 A Yes. I think.

1 Q And then you wrote you're concerned for
2 your own personal safety.

3 A Yes.

4 Q Why was that?

5 A Because I was told that he was screaming
6 at Tammy during their last argument, and he got
7 very in her face and she was very frightened.
8 That made me very uncomfortable.

9 Q So that he yelled at somebody else when
10 you weren't there made you uncomfortable?

11 A Yes.

12 Q Okay. "I've stopped going to his office
13 and do not want to have any further contact with
14 him." That's pretty self-explanatory.

15 A Correct.

16 Q Do you remember when the last time you
17 went to his office was?

18 A I would say just before this was
19 written, probably within the week.

20 Q Okay.

21 A Yeah. But I don't remember the date.

22 Q Then you say, "I am willing to provide
23 you with any additional information that will
24 assist you in getting to the bottom of this
25 matter."

1 A Correct. Yeah.

2 Q That speaks for itself too.

3 In fact, were you later interviewed by
4 somebody working for the Department of Insurance
5 Fraud?

6 A Yes.

7 Q Okay. Were you interviewed by a
8 Detective Robbins on February 5?

9 A I believe that's the date, yes.

10 Q Okay. Did that meeting take place at
11 the Dunkin' Donuts in Atlantic Beach?

12 A Yes.

13 Q And were there two detectives present, a
14 Robbins and a Murphy?

15 A Murphy, yes.

16 Q Was Tammy Wilson there too?

17 A Towards the end.

18 Q How did Tammy Wilson know to be there?

19 A They asked --

20 Q Let's take a step back.

21 A Okay.

22 Q Let me strike that question.

23 How did you know to be there to meet
24 with them?

25 A They asked me to.

1 Q They called you?

2 A Yes.

3 Q On your cell phone?

4 A Yes.

5 Q So I guess at some point in this Tip
6 thing, you provided your cell phone number as
7 well. I don't know if it necessarily appears on
8 Exhibit 4.

9 A Yes. They called me.

10 Q Okay. Did they say, Bring Tammy, or how
11 did Tammy know to be there?

12 A They asked if she would be willing to
13 talk to them. And I said, I don't know. I'd
14 have to ask her.

15 And then I -- I can't remember if they
16 got her number or vice versa, but they decided
17 to -- since they were going to be in the Beaches
18 area, to meet up with both of us.

19 Q Did they bring up the name Tammy Wilson,
20 or did they come to it similar to how I just got
21 to it? You mentioned employees in your tip. Do
22 you know who they are, and you mentioned Tammy
23 Wilson?

24 A Yeah. They asked me who the employees
25 were.

1 Q And you said Tammy Wilson was one of
2 them.

3 A Right.

4 Q And they said, Well, do you think she'd
5 be willing to talk to us?

6 A Yes.

7 Q Okay. Was Tammy Wilson present for any
8 of your interview with the two detectives?

9 A No. She came in towards the end.

10 Q Were you present with her interview?

11 A Part of it, but I wasn't participating.
12 I was in the restaurant.

13 Q When they met with you, these two
14 detectives, Murphy and Robbins, did they indicate
15 that they had talked to anybody else in
16 connection with investigating Dr. Rhodes prior to
17 talking to you?

18 A I don't remember.

19 Q Okay. And I just want to go through
20 their summary report with you.

21 A Okay.

22 Q And some of this you've already told me.

23 It says, When you received your
24 Explanation of Benefits from your insurance
25 company, Nationwide Insurance, you noticed

1 Nationwide was billed for more treatments than
2 you received.

3 You've talked to me about that today.

4 A Yes.

5 Q Do you know if they recorded that
6 interview with you at all?

7 A No. No. I think it was handwriting.

8 Q Okay.

9 A Notes.

10 Q Were you truthful with the detectives?

11 A Absolutely.

12 Q The detective says you told them you
13 were treating three times per week, Monday,
14 Wednesday, and Friday, from July 2013 till
15 January of 2014.

16 A January -- July to January. Pretty
17 much, except for the days I had to walk out due
18 to time issues.

19 Q There's a discussion in here about you
20 receiving a massage just before Christmas by a
21 female named Cindy. Is that the Cindy Perez I
22 think you had talked about earlier?

23 A Yes.

24 Q Okay. Described as a Hispanic female in
25 her 40s, heavysset, and originally from Texas.

1 A Yes.

2 Q Does that describe her?

3 A Yes.

4 Q It says, "V [REDACTED] believed that
5 Cindy had been in Jacksonville for the past 20
6 years." How did you know that? Did she tell you
7 that?

8 A Yeah.

9 Q What, did y'all talk about this during
10 that one massage or --

11 A Yeah.

12 Q Okay. And then you say you also believe
13 Cindy was involved with marijuana because she
14 spoke of marijuana and making special brownies.

15 A Yeah. She talked about --

16 Q That just organically came up or how did
17 that --

18 A Yeah. She started talking about it.

19 Q Okay. And then you said that you
20 believe Cindy worked for Rhodes on and off for
21 six years. Cindy may possibly have prior
22 arrests, and Cindy's daughter B [REDACTED] helps out in
23 the office occasionally. How did this --

24 A She was a chatterbox.

25 Q Just blabbing all that to you?

1 A Absolutely.

2 Q Okay. What is the roller massage table?
3 What was that? Is that different than a regular
4 massage?

5 A Yes.

6 Q All right. Tell me about that. Is that
7 the --

8 A It's a --

9 Q That's not that thing you were talking
10 about earlier that kind of stretched you out or
11 whatever that you didn't like, is it?

12 A That was part of it. It's the same bed,
13 but the traction part is a piece that attaches.
14 So it's a separate...

15 Q So is traction and roller massage the
16 same thing? I'm just curious.

17 A No.

18 Q Okay. And then it says you recalled you
19 only signed one paper for visits in October.

20 A For what?

21 Q The detective writes down "V [REDACTED]
22 recalled that she only signed one paper for
23 visits in October."

24 A I can't remember if that was for that
25 massage or for the roller table. I don't know.

1 I don't remember.

2 Q Well, let me ask you a different way.

3 Do you remember -- I mean, you
4 obviously -- you don't dispute that you went
5 there in October of 2013; correct?

6 A Correct.

7 Q You went there.

8 A Yeah, I did.

9 Q Were you going there two to three times
10 a week?

11 A Absolutely.

12 Q Do you remember not signing paperwork
13 when you'd come in there during that month?

14 A No. I signed constantly.

15 Q Like you always did?

16 A Right.

17 Q Okay. Then it says, "V [REDACTED] said
18 Rhodes billed for treatment for \$56,000." Where
19 did you get the number \$56,000 at?

20 A From my attorney.

21 Q Did you ever mention that number to
22 anybody else besides these people?

23 A Who?

24 Q The insurance fraud investigators. It's
25 not in your Tip. I don't think I see a number in

1 your Tip.

2 A No. I didn't put it in the Tip.

3 Q 56,000, though, you got that from your
4 attorney, Mr. Ossi?

5 A Ossi.

6 Q Do you know how he derived 56,000?

7 A He printed out something from the
8 insurance and --

9 Q Did he hand that to you?

10 A I don't remember. He might have mailed
11 it. I don't remember.

12 Q Okay.

13 A I don't know. I don't remember.

14 Q Would you have any objection to me
15 getting your file from Mr. Ossi?

16 MS. KURTZ: I think we'll discuss that,
17 and we'll let you know.

18 MR. DeMAGGIO: Okay.

19 BY MR. DeMAGGIO:

20 Q So that's where you heard \$56,000, from
21 Mr. Ossi?

22 A I believe it was in the 50s. Something
23 like that.

24 Q Okay. Well, I mean, you told these
25 people 56- --

1 A That was a total.

2 Q You told these people, the detectives --

3 A Right.

4 Q -- 56 grand; right?

5 A That was the total cranked out of --
6 that's the number he gave me.

7 Q Prior to talking to the detectives that
8 day, did you ever tell anybody else that you
9 believed the services billed for were \$56,000?

10 A I know I had discussed the overbilling.
11 I don't remember if I gave an exact number. I
12 remember saying it was in the tens of thousands.
13 I don't remember --

14 Q To whom?

15 A I want to say both Tammy and Missy, but
16 I'm not a hundred percent sure. I remember
17 saying it to somebody in the office. I just
18 can't remember to whom.

19 Q Would the number -- or the thousands of
20 dollars, would that conversation have taken place
21 in the office?

22 A Yes.

23 Q Okay. Anybody else you would have told
24 about it?

25 A Well, I mentioned it to my sister and my

1 employer when I was trying to figure out what to
2 do.

3 Q Did you ever talk to Joe Bryant about
4 it?

5 A No. I've never met him or spoken to him
6 in my life.

7 Q Have you seen Exhibit C to the
8 Complaint, which is the Tip that Joe Bryant made?

9 A I briefly read it when I first got
10 served, and that was about eight months ago. I
11 don't remember what it said.

12 Q Okay. I note that in his -- in his Tip
13 he mentions, quote, In three months our insurance
14 company was billed for over \$56,000 in
15 treatments, the majority of which never took
16 place, close quote.

17 So you never told him about the \$56,000
18 number?

19 A No. No.

20 Q You don't know how he learned about that
21 number?

22 A No. I have no idea.

23 Q Okay. You didn't know that he was
24 filing a Tip with the insurance company -- or I
25 mean the Insurance Division of Fraud?

1 A No. I had no idea.

2 Q Did you know that his Tip came in eight
3 minutes before yours?

4 A I thought that was bizarre, a
5 coincidence.

6 Q Have you ever asked -- or you don't know
7 exactly what you told Tammy as far as what the
8 number was, do you?

9 A No.

10 Q You said you can't remember. You don't
11 think you told her the number. You said
12 thousands maybe.

13 A I cannot remember. I know I did discuss
14 the overbilling and the general. I don't
15 remember giving a specific number. I remember
16 saying it was in the tens of thousands. It was a
17 lot more than it should have been.

18 Q Gotcha. Because 56- is pretty specific,
19 and that's all I'm --

20 A Right. Well...

21 Q Do you know if the people from -- and
22 when I say people, detectives or any
23 representatives from the Division of Insurance
24 Fraud, ever spoke with Mr. Ossi?

25 A I don't know.

1 Q Okay. Do you know if Mr. Ossi knows
2 Mr. Bryant?

3 A I have no idea.

4 Q Okay. Do you know how long that
5 interview with the two detectives lasted?

6 A For myself or in general?

7 Q For yourself.

8 A Mine was maybe 15 minutes. I don't
9 know.

10 Q And then they interviewed Tammy.

11 A Yeah, after.

12 Q Did you hang around for the entirety of
13 that?

14 A Partly, but I was kind of in and out. I
15 was on the phone trying to get back to work and
16 -- maybe the first 10 minutes of it. Hers was a
17 little longer, I believe.

18 Q Did you leave for work before the
19 detectives were done?

20 A No. I think around the time they
21 wrapped up I left.

22 Q So how long total were the detectives,
23 you know, at that Dunkin' Donuts on Atlantic
24 Boulevard?

25 A I don't know. Probably under an hour.

1 I don't know.

2 Q You said your interview wasn't recorded.
3 Did you observe whether or not they recorded
4 Tammy's interview?

5 A I don't think so.

6 Q After that date that you met with
7 Detectives Robbins and Murphy from the Division
8 of Insurance Fraud, did you ever come to meet
9 with anybody else from the division about this?

10 A No.

11 Q Okay. When is the next contact you had
12 with anybody about the alleged overbilling by
13 Dr. Rhodes after that February 5 interview?

14 A Shortly after -- I don't know the
15 date -- I know they had asked me for my medical
16 stuff and my billing papers. And I told him I
17 would -- he could make copies of it.

18 So we met up at a Staples or Office --
19 somewhere on the beach, one of those copy places,
20 and I let him copy it.

21 Q Who's they; Robbins or Murphy?

22 A Both, I think. They both showed up.

23 Q And the stuff that you showed up with
24 and let them copy, is that the stuff we're
25 talking about --

1 A Whatever insurance papers I had. I
2 don't think I had everything. They wanted copies
3 of everything.

4 Q But you're not sure where they are now,
5 that stuff?

6 A Right.

7 Q Okay. Did you talk about things at all
8 when they were copying it or was that --

9 A No. I was inside; they were outside.

10 Q All right. What's the next thing you
11 did in connection with it? And "with it," I mean
12 the investigation into Dr. Rhodes and your
13 concerns.

14 A I can't even remember. I might have had
15 a conversation or two, but that's -- I don't
16 remember anything else.

17 Q Did you ever start going to a new
18 chiropractor after you got done with Dr. Rhodes?

19 A No. Dr. Bloom adjusted me occasionally.

20 Q The private adjustments you told me
21 about?

22 A Yeah. That's it.

23 MS. KURTZ: Before we move on, if you're
24 finished with that report, can we mark it as
25 Exhibit 5?

1 MR. DeMAGGIO: Sure. If you'd like to,
2 we can do that. Exhibit 5.

3 (Plaintiff's Exhibit No. 5 was marked
4 for identification.)

5 BY MR. DeMAGGIO:

6 Q The last thing you said to the
7 detectives is you would provide what emails or
8 text messages you saved. Did you ever do that?

9 A Yes. I believe I had two emails that he
10 had -- that Dr. Rhodes had sent me, and I had
11 forwarded them to them.

12 Q What were those emails about, if you can
13 recall?

14 A Just him wanting to get in touch with
15 me.

16 Q Were these in response to the email you
17 sent him?

18 A Yes.

19 Q Okay. Did you ever respond to those
20 emails?

21 A No.

22 Q Why not?

23 A I was done. I didn't want to -- you
24 know, I wanted him to deal with my attorney.

25 Q Did you tell him to deal with your

1 attorney?

2 A I believe I did. I don't remember what
3 I put in the email. I thought I made it clear in
4 my email to please contact my attorney. I'm not
5 sure. I can't remember though. It's three years
6 ago.

7 Q Did you ever independently go back and
8 add up the numbers? I know you said you got the
9 \$56,000 number from your attorney. Did you ever
10 go back and add them up yourself?

11 A I don't remember.

12 Q Okay. Were you present when any
13 detectives or representatives from the Division
14 of Insurance Fraud interviewed anybody else other
15 than Ms. Wilson?

16 A Yes.

17 Q Who else were you present for?

18 A Well, I don't know if this is considered
19 present; but I had gone into Dr. Bloom's house
20 for an adjustment, and he was waiting on --

21 (Interruption from cell phone.)

22 MR. DeMAGGIO: If you need to take that,
23 we can go off --

24 THE WITNESS: No, no, no.

25 BY MR. DeMAGGIO:

1 Q You were present at Dr. Bloom's house
2 when Dr. Bloom -- when somebody came by there.
3 Is what you're telling me?

4 A Yes. But I don't know what was
5 discussed. I was waiting to get an adjustment.

6 Q Did you discuss anything with the person
7 that came by that day?

8 A What person?

9 Q Was it a detective that came by?

10 A No. I just said hello.

11 Q Well, where were you at when these
12 people were speaking?

13 A I had -- I was there first and, shortly
14 after, they walked in, so...

15 Q Was anybody else present at Dr. Bloom's
16 house that day?

17 A Yes.

18 Q Who else was there?

19 A His girlfriend Tessa.

20 Q Anybody else?

21 A Yes. Missy was there looking for -- to
22 buy some equipment from him.

23 Q What kind of equipment?

24 A I think a massage table, but I'm not
25 sure. She was there before I got there.

1 Q Do you know if Dr. -- and so what,
2 Dr. Bloom spoke to somebody, but you weren't
3 privy to the conversation?

4 A No. I waited outside.

5 Q Okay. Is Tessa's last name Basler?

6 A I have no idea what her last name is.

7 Q Is Dr. Bloom still dating Tessa?

8 A He's still dating a Tessa. I don't know
9 her last name.

10 Q Okay. Have you ever spoken with Debra
11 Blanton about any of your concerns relating to
12 Dr. Rhodes?

13 A No, I have never spoken to Debra
14 Blanton.

15 Q Other than that time that somebody came
16 over to Dr. Bloom's house while you were over
17 there to get an adjustment, were you present when
18 anybody else was interviewed by anybody from the
19 Division of Insurance Fraud --

20 A No.

21 Q -- or really even broader, JSO
22 detectives, anything like that?

23 A No.

24 Q Okay. Did anybody from the Division of
25 Insurance Fraud, for lack of a better term, fill

1 you in on how the investigation was going at any
2 point?

3 A No.

4 Q Okay. Do you know what happened with
5 the investigation eventually?

6 A No. I don't know all the details. I
7 know some general stuff.

8 Q What general stuff do you know?

9 A I know that -- I believe Dr. Rhodes got
10 arrested.

11 Q How did you find out about that?

12 A Well, it was on the news.

13 Q You saw it on the news?

14 A Yeah.

15 Q Okay. Do you know what came of his
16 criminal case?

17 A No.

18 Q And as we sit here, without having
19 access to the actual letters that you received
20 from the insurance company, you couldn't sit here
21 and say, All right, on this day I got billed for
22 this thing, but I didn't get it. We'd have to
23 have the records to confirm that; right?

24 A Correct. That would be very difficult
25 though.

1 Q Are you saying that you never got a
2 message after like the first couple of months,
3 or -- is that what you're saying? I mean, you
4 said they were all at the beginning basically.

5 A The majority were at the beginning. I
6 did get a few sporadically, but I did not get
7 them every time.

8 Q Okay. And in your recollection you got
9 about 15 to 18 of them?

10 A I believe so. I can't remember the
11 exact number.

12 Q Okay. Your Facebook is -- you said it's
13 set on private setting; right?

14 A Yes.

15 Q Has it always been set on that?

16 A I think it has.

17 Q Okay. Have you taken anything down from
18 Facebook since you've found out the complaint was
19 filed against you?

20 A No.

21 Q Okay.

22 A I don't really post that much.

23 Q Other than the Department of Insurance
24 Fraud, or Division of Insurance Fraud, who we've
25 covered your interview with, have you been

1 contacted at all about doctors by any other
2 agencies or administrative bodies?

3 A No.

4 Q So not like the Sheriff's Office here?

5 A No.

6 Q The Florida Department of Health?

7 A No.

8 Q Okay.

9 A Oh, wait. Now, I think I got a letter a
10 year or two ago from the Department of Health.

11 Q Do you still have that letter?

12 A Possibly. I don't know.

13 Q Do you remember what the letter said?

14 A Something about discussing Dr. Rhodes,
15 but I didn't.

16 Q Other than that letter, have you ever
17 talked to anybody --

18 A No.

19 Q -- at the Department of Health?

20 A No.

21 Q Did you ever get any treatment -- and, I
22 guess, treatment from Missy Ross would have only
23 been massages? Is that the only treatment she
24 provided you, since she was a masseuse?

25 A Yes.

1 Q Did you ever get any massages when
2 Dr. Rhodes wasn't there?

3 A By Missy?

4 Q Yeah.

5 A I don't remember. I don't think so.

6 Q Okay. In going through the records from
7 Dr. Formoso -- was he with Coastal Spine and Pain
8 Center?

9 A Yes.

10 Q One of them referred you for a pain
11 management evaluation. Did you ever get such an
12 evaluation; do you know?

13 A I don't remember.

14 Q When you did treat with Dr. Bloom, what
15 kind of therapy was he providing you?

16 A The TENS unit and adjustments.

17 Q Did he have a masseuse on staff where
18 you ever got massages there?

19 A When I went to a place of his work a few
20 years ago in Orange Park -- I forgot the name --
21 I did get maybe one massage. But they don't do
22 anything for me, so I don't like to --

23 Q Yeah. Let me ask it differently, ma'am.
24 And I'm sorry to be unclear about that.

25 When you were going to Dr. Bloom when he

1 still had his office, before you switched over to
2 Dr. Rhodes, when you were seeing Dr. Bloom
3 initially, was it TENS unit then?

4 A Yes.

5 Q Adjustments then?

6 A That's it.

7 Q Okay. Never the traction thing --

8 A No.

9 Q -- that you were talking about?

10 Okay. The deposition that you gave in
11 the civil case relating to the automobile
12 accident --

13 A Okay.

14 Q -- did you ever get a copy of that?

15 A No.

16 Q Do you know if Mr. Ossi ordered it up?

17 A I don't know.

18 Q Did anybody else give a deposition in
19 connection with that case; for example, your
20 husband, John --

21 A No.

22 Q -- or your former husband John?

23 A No.

24 Q During the time you were treating with
25 Dr. Rhodes -- and we're talking roughly July

1 through -- July of '13 through January of '14,
2 did you keep a diary or a little daily journal or
3 anything at that time?

4 A No, I did not.

5 Q I know you've mentioned that Tammy told
6 you that there were some other patients that were
7 having issues too, and may have mentioned one by
8 name but you don't recall. And then that would
9 have been in that late January, early February of
10 '14 time period.

11 A I don't know when it was.

12 Q Okay. Since you've made your report,
13 and since all of that has come out, have you
14 spoken with any other patients or former patients
15 of Dr. Rhodes that --

16 A I don't know any patients.

17 Q Okay. When is the last time you spoke
18 to Dr. Bloom?

19 A Oh, I don't know. We text once in a
20 while, whenever I need adjustments or...

21 Q Okay. Other than Tammy contacting you
22 about the lawsuit being filed, have you ever
23 talked to her at all about the actual lawsuit?

24 A Just briefly. She wanted to know if it
25 was done or over, and I said, Nope.

1 (Interruption from cell phone.)

2 MR. DeMAGGIO: We can take a break if
3 you need to take that. I need to talk with
4 my client for a minute.

5 MS. KURTZ: Do you mind?

6 MR. DeMAGGIO: No. Go ahead.

7 MS. KURTZ: Thank you.

8 MR. DeMAGGIO: We can go off the record.

9 (Brief recess.)

10 MR. DeMAGGIO: I've got two questions,
11 and then we'll be done.

12 BY MR. DeMAGGIO:

13 Q Are you aware that Mark Smith is married
14 to Mr. Ossi's sister?

15 A Who?

16 Q Mr. Ossi, your lawyer. Remember
17 Mr. Ossi?

18 A Yes.

19 Q Okay. Do you remember Dr. Smith --

20 A Yes.

21 Q -- that you saw, Mark Smith?

22 A Yes.

23 Q Were you aware that he was married to
24 Mr. Ossi's sister?

25 A Yes.

1 Q Okay. And the last question I have for
2 you is, as it relates to Stacey Reshen or Stacey,
3 Dr. Bloom's girlfriend, at some point making
4 allegations of fraud in his practice, did that
5 occur in 2013?

6 A I don't know. I mean, it may have. I
7 mean, it wasn't recently. I mean, it was -- it
8 was either then or beforehand. I don't know. It
9 wasn't in the last year or two. I remember
10 vaguely hearing about it a few years ago, but I
11 don't know.

12 Q So either 2013 or beforehand?

13 A I think so.

14 Q Okay.

15 A I think so.

16 Q Was it before you were a patient at
17 Dr. Rhodes' office?

18 A No.

19 Q Okay.

20 A No. It was definitely after.

21 Q Would it have been sometime during the
22 period of time you were a patient at Dr. Rhodes'
23 office?

24 A I don't think so. I think it was after.

25 Q It sounds like you're just unsure.

1 A That's a blur.

2 MR. DeMAGGIO: That's fine. I don't
3 know if your attorney has any questions. I
4 don't have any further questions.

5 MS. KURTZ: I have no questions.

6 MR. DeMAGGIO: I'm assuming you'll read.

7 MS. KURTZ: We'll waive.

8 MR. DeMAGGIO: Oh, okay.

9 (Witness excused.)

10 (The deposition was concluded at 11:40.)

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1 CERTIFICATE OF OATH

2 STATE OF FLORIDA)

3 COUNTY OF DUVAL)

4 I, the undersigned authority, do hereby
5 certify that the aforementioned witness,
6 personally appeared before me and was first duly
7 sworn to testify the whole truth.

8 WITNESS my hand and official seal this
9 30th day of September, 2016.

10
11
12
13 

14 Ellen G. Watterson, RPR
15 Notary Public, State of Florida
16 at Large.



C E R T I F I C A T E

STATE OF FLORIDA)

COUNTY OF DUVAL)

I, Ellen G. Watterson, Registered Professional Reporter and Notary Public, duly qualified in and for the state of Florida, do hereby certify that I was authorized to and did stenographically report the foregoing deposition; and that the transcript is a true record of the testimony given by the witness.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 7th day of October, A.D., 2016.

Ellen G. Watterson

IN THE CIRCUIT COURT, SEVENTH
JUDICIAL CIRCUIT, IN AND FOR
ST. JOHNS COUNTY, FLORIDA
CASE NO.: 2015-CA-001383

STEVEN RHODES,
Plaintiff,
vs.
JOSEPH BRYANT and
O. [REDACTED] V. [REDACTED],
Defendant.

DEPOSITION OF O. [REDACTED] Z. [REDACTED]

(Formerly O. [REDACTED] V. [REDACTED])

DATE: Friday, September 30, 2016

TIME: 9:00 a.m. - 11:40 a.m.

PLACE: First Coast Court Reporters
2442 Atlantic Boulevard
Jacksonville, Florida 32207

Examination of the witness taken before:

Ellen G. Watterson, RPR
Notary Public, State of Florida

FIRST COAST COURT REPORTERS
2442 ATLANTIC BOULEVARD
JACKSONVILLE, FLORIDA 32207 (904) 396-1050

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A P P E A R A N C E S

BRYAN E. DeMAGGIO, Esquire

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appearing on behalf of the Plaintiff.

JULIE K. KURTZ, Esquire

Canan Law
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(904) 824-9402

appearing on behalf of the Defendants.

Also present:

Steven Rhodes, Plaintiff

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

It was stipulated and agreed by and between
counsel for the respective parties that the
reading and signing of the deposition by the
witness be waived.

O. [REDACTED] Z. [REDACTED],

having been produced and first duly sworn as a
witness on behalf of the Plaintiff, testified as
follows:

DIRECT EXAMINATION

BY MR. DeMAGGIO:

09:06 Q Good morning, ma'am. Could you please
state your name for us.

09:06 A O. [REDACTED] Z. [REDACTED].

09:06 Q How do you spell your last name?

09:06 A Z. [REDACTED].

09:06 Q And were you formerly known by a
different name?

09:06 A Yes.

09:06 Q And what was that?

09:06 A V. [REDACTED].

09:06 Q Okay. And what was the cause for the
name change?

09:06 A Divorce.

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09:06 1 Q When was the divorce finalized?
 09:06 2 A **This past spring.**
 09:06 3 Q What was your maiden name?
 09:06 4 A Z█████
 09:06 5 Q Okay. And the divorce case was in Duval
 09:06 6 County here?
 09:06 7 A **Yes.**
 09:06 8 Q And your former husband's name was John?
 09:06 9 A **Yes.**
 09:06 10 Q Okay. The lawsuit is styled with your
 09:07 11 former last name, V█████ because I
 09:07 12 believe it was filed before your divorce was
 09:07 13 finalized. I'll refer to you, I guess, as
 09:07 14 Ms. Z█████ during this deposition, as obviously
 09:07 15 that's your name now. Okay?
 09:07 16 A **Okay.**
 09:07 17 Q But if I slip into the old name, we'll
 09:07 18 know who we're talking about. Okay?
 09:07 19 A **Okay.**
 09:07 20 Q Other than your divorce case -- let me
 09:07 21 ask, in your divorce case, did you give a
 09:07 22 deposition at all?
 09:07 23 A **Yes.**
 09:07 24 Q Okay. Have you been involved in any
 09:07 25 other litigation other than your divorce case?

FIRST COAST COURT REPORTERS

09:07 1 Other than the instant case, obviously.
 09:07 2 A **A litigation? Could you --**
 09:07 3 Q A lawsuit. Have you been a plaintiff or
 09:07 4 a defendant in any prior lawsuits?
 09:07 5 A **Yes.**
 09:07 6 Q Tell me about those.
 09:07 7 A **I had a car accident in 2013 and...**
 09:07 8 Q Okay.
 09:07 9 A **Yeah. That was part of a lawsuit.**
 09:08 10 Q Were you the plaintiff or the defendant?
 09:08 11 A **Plaintiff.**
 09:08 12 Q Is that the car accident that ultimately
 09:08 13 led you to treat with Dr. Rhodes?
 09:08 14 A **Correct.**
 09:08 15 Q Okay. And I think that was against
 09:08 16 somebody -- the last name was Fox, perhaps?
 09:08 17 A **I believe.**
 09:08 18 Q Okay. Did you give a deposition in that
 09:08 19 case?
 09:08 20 A **Yes.**
 09:08 21 Q Any other lawsuits that you've been a
 09:08 22 part of, whether it be plaintiff or defendant?
 09:08 23 A **No.**
 09:08 24 Q Ever been arrested?
 09:08 25 A **No.**

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09:08 1 Q Since you've been deposed, I would
 09:08 2 assume relatively recently, given the recent
 09:08 3 nature of those cases, I'm not going to hack over
 09:08 4 a bunch of rules as they relate to depositions,
 09:08 5 but I'll just tell you a couple things.
 09:08 6 Number one, this is not an endurance
 09:08 7 contest, as we kind of talked about before going
 09:08 8 on the record. If anybody needs to take a break,
 09:08 9 please let me know. Just say, I need to take a
 09:09 10 break, if you need to run to the bathroom or
 09:09 11 anything. The only request I make as it relates
 09:09 12 to that is, if I have a question pending, I want
 09:09 13 you to answer the question before we take a
 09:09 14 break. Okay?
 09:09 15 A **Okay.**
 09:09 16 Q You probably remember, when there's a
 09:09 17 court reporter typing, we need verbal yeses and
 09:09 18 noes.
 09:09 19 A **Yes.**
 09:09 20 Q Okay. And really, other than that, if I
 09:09 21 ask you a question that you don't understand,
 09:09 22 please let me know that you don't understand it;
 09:09 23 otherwise, I'm going to presume that you
 09:09 24 understood it. Okay?
 09:09 25 A **Okay.**

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09:09 1 Q And with that being said, the main rule
 09:09 2 here is just to tell the truth.
 09:09 3 In the car accident case, is that case
 09:09 4 concluded now?
 09:09 5 A **Yes.**
 09:09 6 Q Okay. Who were you represented by in
 09:09 7 that case?
 09:09 8 A **The firm of Ossi & Najem.**
 09:09 9 Q Over there in San Marco?
 09:09 10 A **Yes.**
 09:09 11 Q Okay. Was there any particular attorney
 09:09 12 that you were working with at the firm?
 09:10 13 A **Lawrence Najem and his assistants.**
 09:10 14 Q Did that case go to trial? Did it
 09:10 15 settle? Was it thrown out of court? Do you know
 09:10 16 what happened with it?
 09:10 17 A **It settled.**
 09:10 18 Q Were the terms of the settlement
 09:10 19 confidential?
 09:10 20 A **I don't know.**
 09:10 21 Q What did you settle it for?
 09:10 22 A **The whole amount?**
 09:10 23 Q Sure.
 09:10 24 A **I want to say 40,000.**
 09:10 25 Q Do you remember how much you walked away

FIRST COAST COURT REPORTERS

09:10 1 with?

09:10 2 **A About 19-, I think.**

09:10 3 **Q** What's your date of birth?

09:11 4 **A March 3rd, 1968.**

09:11 5 **Q** Where do you currently live?

09:11 6 **A In Jacksonville.**

09:11 7 **Q** What's your address?

09:11 8 **A** [REDACTED]

09:11 9 **Q** That's the address you resided at when

09:11 10 you were treating with Dr. Rhodes?

09:11 11 **A Yes.**

09:11 12 **Q** And that's [REDACTED]?

09:11 13 **A No.**

09:11 14 **Q** It's not?

09:11 15 **A** [REDACTED]

09:11 16 **Q** Okay. What's your current phone number?

09:11 17 **A 904** [REDACTED]

09:11 18 **Q** Is that a home number or a cell phone

09:11 19 number?

09:11 20 **A Cell.**

09:11 21 **Q** Who's your provider?

09:11 22 **A Verizon.**

09:11 23 **Q** How long have you had that number?

09:11 24 **A Oh, I can't remember. At least seven**

09:12 25 **years. I don't know.**

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09:12 1 **Q** So you had that cell phone number back

09:12 2 when you were treating with Dr. Rhodes in 2013

09:12 3 and 2014?

09:12 4 **A Yes.**

09:12 5 **Q** Was Verizon the provider back then too?

09:12 6 **A I think so.**

09:12 7 **Q** Okay.

09:12 8 MR. DeMAGGIO: Off the record.

09:12 9 (Question and answer given off the

09:12 10 record.)

09:12 11 BY MR. DeMAGGIO:

09:12 12 **Q** What's your current email address?

09:12 13 **A** [REDACTED]@comcast.net.

09:12 14 **Q** That's [REDACTED]

09:13 15 [REDACTED]?

09:13 16 **A Yes.**

09:13 17 **Q** At comcast.net?

09:13 18 **A Right.**

09:13 19 **Q** And is that the same email address that

09:13 20 you had back when you were treating with

09:13 21 Dr. Rhodes in 2013 and 2014?

09:13 22 **A Yes.**

09:13 23 **Q** Do you have any other email addresses?

09:13 24 **A No.**

09:13 25 **Q** Did you formerly have a home phone of

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09:13 1 [REDACTED]?

09:13 2 **A Yes.**

09:13 3 **Q** Do you not have that number anymore?

09:13 4 **A No.**

09:13 5 **Q** What happened to that number?

09:13 6 **A I cancelled it.**

09:13 7 **Q** Okay. And I know a lot of people are

09:13 8 doing that these days. They don't keep home

09:13 9 phones. But that's the old home phone number?

09:13 10 **A Yes.**

09:13 11 **Q** And that was a 904 area code?

09:13 12 **A Yes.**

09:13 13 **Q** Who was your provider with that?

09:13 14 **A Comcast.**

09:13 15 **Q** And there was a work number that I saw

09:14 16 listed in one of your records of [REDACTED]. What

09:14 17 was that?

09:14 18 **A That's my cell.**

09:14 19 **Q** That's your cell number.

09:14 20 **A Right.**

09:14 21 **Q** Okay. What do you currently do for

09:14 22 work?

09:14 23 **A I'm a nanny.**

09:14 24 **Q** Do you work for any particular family or

09:14 25 do you have --

FIRST COAST COURT REPORTERS

09:14 1 **A Yes.**

09:14 2 **Q** -- a service that you work for?

09:14 3 **A Yes.**

09:14 4 **Q** Okay. Tell me about that.

09:14 5 **A I work for a family in Jacksonville.**

09:14 6 **Q** How long have you worked for that

09:14 7 family?

09:14 8 **A About seven years.**

09:14 9 **Q** So you were working for that family back

09:14 10 when you were treating with Dr. Rhodes?

09:14 11 **A Yes.**

09:14 12 **Q** What's the name of the family?

09:14 13 **A** [REDACTED].

09:14 14 **Q** What's the husband's first name?

09:14 15 **A** [REDACTED].

09:14 16 **Q** Can you spell [REDACTED] for us?

09:14 17 **A Yes. C** [REDACTED].

09:14 18 **Q** Okay. In the past seven years, have you

09:14 19 held any other employment other than the nanny

09:14 20 position with the [REDACTED] family?

09:15 21 **A No.**

09:15 22 **Q** Okay.

09:15 23 **A Well, I'm sorry. I did do some brief**

09:15 24 **housekeeping.**

09:15 25 **Q** Did you work for a company?

FIRST COAST COURT REPORTERS

09:15 1 **A No.**
 09:15 2 **Q** On your own?
 09:15 3 **A Yeah.**
 09:15 4 **Q** When did you do that?
 09:15 5 **A A little bit in 2009 and a little bit in**
 09:15 6 **2010.**
 09:15 7 **Q** Are you on any social media websites?
 09:15 8 **A Yes.**
 09:15 9 **Q** Which ones are you on?
 09:15 10 **A Facebook. Would Snapchat be a --**
 09:15 11 **Q** Yeah. I'd probably count that, yeah.
 09:15 12 **A I don't really use that. I just got it,**
 09:15 13 **but I don't -- and I'm not familiar with that**
 09:15 14 **many other ones.**
 09:16 15 **Q** That's fine. I mean, you know, it's not
 09:16 16 like we're all a bunch of spring chickens in this
 09:16 17 room either that are using everything. Your
 09:16 18 lawyer is probably the youngest one in here.
 09:16 19 She may be on more than the rest of us.
 09:16 20 **Q** What's your Facebook name?
 09:16 21 **A C [REDACTED] Z [REDACTED].**
 09:16 22 **Q** Has it always been C [REDACTED] Z [REDACTED], or was it
 09:16 23 formerly O [REDACTED] V [REDACTED]?
 09:16 24 **A It used to be O [REDACTED] V [REDACTED].**
 09:16 25 **Q** When did you change the name?

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09:16 1 **A A few years ago. I don't remember the**
 09:16 2 **exact date.**
 09:16 3 **Q** I noted it looked like the divorce case
 09:16 4 was filed in like '09. Does that comport with
 09:16 5 your recollection?
 09:16 6 **A Yes.**
 09:16 7 **Q** Do you know why it took so long to
 09:16 8 resolve? I mean, almost seven years.
 09:16 9 **A Good question.**
 09:16 10 **Q** Okay.
 09:16 11 **A It just drug out.**
 09:16 12 **Q** Fair enough. And I think your former
 09:16 13 husband was also a plaintiff in the lawsuit
 09:16 14 against the young lady that hit you in the car?
 09:16 15 **A Yeah. His name was on there too.**
 09:17 16 **Q** Okay. Was it a loss of consortium
 09:17 17 claim?
 09:17 18 **A What's consortium?**
 09:17 19 **Q** Don't worry about it. I'll pull the
 09:17 20 pleading and I'll look at it.
 09:17 21 **A I don't know what that -- consortium**
 09:17 22 **means.**
 09:17 23 **Q** About a year ago they changed the way
 09:17 24 that we can access records. So I haven't had a
 09:17 25 chance to look at that yet.

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09:17 1 **A Okay.**
 09:17 2 **Q** Is your Facebook page open to the
 09:17 3 public, restricted to friends? How is it set up?
 09:17 4 **A It's private.**
 09:17 5 **Q** How long has it been private?
 09:17 6 **A Many years. I want to say since almost**
 09:17 7 **the beginning. It's been many years. I don't**
 09:17 8 **know if it's -- I can't answer that, but it's**
 09:17 9 **been many years.**
 09:17 10 **Q** Okay. And then on Snapchat, what is
 09:17 11 your name on that?
 09:17 12 **A I don't know. My daughter did it for**
 09:17 13 **me, and I really don't --**
 09:17 14 **Q** Do you ever use it?
 09:17 15 **A I think I've used it a couple times.**
 09:18 16 **This week I think we just -- I had it, then I**
 09:18 17 **stopped it, then my daughter made me get one**
 09:18 18 **again.**
 09:18 19 **Q** I'll send an interrogatory when we get
 09:18 20 done.
 09:18 21 **A Okay.**
 09:18 22 **Q** What did you look at to prepare for your
 09:18 23 deposition today, if anything?
 09:18 24 **A Not much. Just --**
 09:18 25 **Q** You've got a document in front of you.

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09:18 1 Can I see that?
 09:18 2 **A Sure.**
 09:18 3 **Q** This is the Tip that was sent to the
 09:18 4 Department of Insurance Fraud, the printout from
 09:18 5 the Insurance Fraud Unit. Is that what that
 09:18 6 represents to be?
 09:18 7 **A Yes.**
 09:18 8 **Q** I believe that's what is attached as
 09:18 9 Exhibit D to the Complaint.
 09:18 10 **A I don't have it in front of me. I don't**
 09:18 11 **know.**
 09:19 12 **Q** Okay. I'll show you. This is Exhibit D
 09:19 13 to the Complaint. Just compare that to what you
 09:19 14 have in front of you, and then that way we'll be
 09:19 15 on the same sheet of music.
 09:19 16 **A (Examining documents.)**
 09:19 17 **Q** Probably the most telling thing is
 09:19 18 there's some handwriting at the bottom of both of
 09:19 19 these, and it looks pretty similar to me.
 09:19 20 **A Yes.**
 09:19 21 **Q** Okay. Anything else you reviewed prior
 09:19 22 to coming in here today?
 09:19 23 **A No.**
 09:19 24 **Q** How did you find out that a lawsuit had
 09:19 25 been filed against you?

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09:19 1 **A I had a friend call me.**
 09:19 2 **Q** Who called you?
 09:19 3 **A Tammy.**
 09:19 4 **Q** A friend named Tammy called you?
 09:19 5 **A Yes.**
 09:19 6 **Q** What's Tammy's last name?
 09:19 7 **A Wilson.**
 09:19 8 **Q** Do you remember when she called you?
 09:20 9 **A The date?**
 09:20 10 **Q** Yeah.
 09:20 11 **A No.**
 09:20 12 **Q** How long have you known Tammy Wilson?
 09:20 13 **A About three years.**
 09:20 14 **Q** Tell me how you came to meet her.
 09:20 15 **A I first met her at Dr. Bloom's office.**
 09:20 16 **Q** My understanding is, and correct me if
 09:20 17 I'm wrong, that there was this auto accident that
 09:20 18 you were involved in that occurred in January of
 09:20 19 '13.
 09:20 20 **A Yes.**
 09:20 21 **Q** And then, shortly after the accident,
 09:20 22 you treated with a doctor -- is it Mark Smith at
 09:20 23 Doctors Express?
 09:20 24 **A Correct.**
 09:20 25 **Q** Okay. And then, from there you treated
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09:21 1 with Dr. Bloom.
 09:21 2 **A Correct.**
 09:21 3 **Q** Dr. Bloom referred you to a pain
 09:21 4 management doctor named Formoso. Is that --
 09:21 5 **A Yes.**
 09:21 6 **Q** Okay. And then, at some point
 09:21 7 Dr. Bloom -- and Dr. Bloom is a chiropractor;
 09:21 8 correct?
 09:21 9 **A Yes.**
 09:21 10 **Q** His practice closed at some point.
 09:21 11 **A Yes.**
 09:21 12 **Q** And then you were in need of a
 09:21 13 chiropractor, so you started treating with
 09:21 14 Dr. Rhodes.
 09:21 15 **A Yes.**
 09:21 16 **Q** And we'll get more into all of this. I
 09:21 17 just want to get the timeline down.
 09:21 18 And then, as your case progressed and
 09:21 19 the insurance was going on, they had an
 09:21 20 independent medical evaluation done of you by a
 09:21 21 Dr. Kuchler?
 09:21 22 **A I believe so.**
 09:21 23 **Q** Okay. Can you remember any other
 09:21 24 doctors that you may have treated with in
 09:21 25 connection with the injuries that you suffered in
 FIRST COAST COURT REPORTERS

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09:21 1 that January car crash?
 09:21 2 **A Treated with. No.**
 09:22 3 **Q** And the doctors that I just mentioned,
 09:22 4 Dr. Smith, Dr. Bloom, Dr. Formoso, Dr. Rhodes,
 09:22 5 Dr. Kuchler, when you treated with those doctors,
 09:22 6 were you truthful with them when they would ask
 09:22 7 you what your condition was and what you would
 09:22 8 tell them?
 09:22 9 **A Yes. I don't remember who exactly**
 09:22 10 **Kuchler was. Was he another chiro?**
 09:22 11 **Q** My understanding is that your insurance
 09:22 12 company referred you to him for what's called an
 09:22 13 independent medical evaluation.
 09:22 14 **A Okay.**
 09:22 15 **Q** He was off Atlantic Boulevard.
 09:22 16 **A Okay.**
 09:22 17 **Q** Okay. In all your treatments with these
 09:22 18 people, you were truthful with them; correct?
 09:22 19 **A Yes.**
 09:22 20 **Q** Tammy Wilson, you said you met her
 09:22 21 because she was working at Dr. Bloom's office?
 09:22 22 **A Briefly. She subbed for a while.**
 09:22 23 **Q** What was her position at Dr. Bloom's
 09:22 24 office?
 09:22 25 **A I believe like a front desk.**
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09:22 1 **Q** Kind of a receptionist type?
 09:23 2 **A Yes.**
 09:23 3 **Q** Do you remember when it was that you
 09:23 4 first started treating with Dr. Bloom?
 09:23 5 **A I didn't hear you.**
 09:23 6 **Q** Do you remember when it was you first
 09:23 7 started treating with Dr. Bloom?
 09:23 8 **A When?**
 09:23 9 **Q** Yeah.
 09:23 10 **A Shortly after the accident. Probably in**
 09:23 11 **January of 2013.**
 09:23 12 **Q** Okay. Dr. Smith, was he an ER doctor,
 09:23 13 or how did you come to treat with him?
 09:23 14 **A I went to Doctors Express, because it**
 09:23 15 **was near my house, after the accident, and he was**
 09:23 16 **the doctor there.**
 09:23 17 **Q** Okay. Yeah, I just don't know what
 09:23 18 Doctors Express is. That's why I'm asking.
 09:23 19 **A It's like a walk-in medical --**
 09:23 20 **Q** A walk-in clinic. Okay.
 09:23 21 **A But I believe he used to be an ER**
 09:23 22 **doctor. That's what he told me.**
 09:23 23 **Q** Okay. And you just ended up there
 09:23 24 because it was near your house?
 09:23 25 **A Yes.**
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09:23 1 Q Did he refer you to Dr. Bloom, or how
 09:23 2 did you know about Dr. Bloom?
 09:23 3 A Yes, he did.
 09:23 4 Q Okay. Did he say how he knew Dr. Bloom
 09:23 5 or anything?
 09:24 6 A No.
 09:24 7 Q So Tammy was working the front desk at
 09:24 8 Dr. Bloom's office. And tell me where Tammy went
 09:24 9 from there. Did she stay working at Dr. Bloom's
 09:24 10 office?
 09:24 11 A She wasn't there in the beginning. She
 09:24 12 was only there, that I remember, for about a week
 09:24 13 or two scattered before he closed his office. I
 09:24 14 forgot she subbed for him, I believe.
 09:24 15 Q Do you know why his office closed?
 09:24 16 A He was having personal problems.
 09:24 17 Q Do you remember when his office closed?
 09:24 18 A June sometime, mid or end June.
 09:24 19 Q Yeah. I'll represent to you that your
 09:24 20 first trip to Dr. Rhodes' office was the
 09:24 21 beginning of July, so --
 09:24 22 A Yeah.
 09:24 23 Q Okay.
 09:24 24 A Yeah.
 09:24 25 Q What were the personal problems he was

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09:24 1 having?
 09:24 2 A I believe he was in the middle of a
 09:24 3 divorce and -- yeah.
 09:24 4 Q Okay. Do you know if anybody ever
 09:25 5 reported Dr. Bloom for any type of fraudulent
 09:25 6 billing or criminal-type behavior?
 09:25 7 A I think so.
 09:25 8 Q You think so?
 09:25 9 A But I don't have details.
 09:25 10 Q What have you heard about that?
 09:25 11 A I believe he mentioned to me once that
 09:25 12 his ex-girlfriend had -- who was in the office
 09:25 13 with him, had reported him for something.
 09:25 14 Q Who was his ex-girlfriend?
 09:25 15 A Her name was Stacey. I don't know what
 09:25 16 her --
 09:25 17 Q Stacey Reshen?
 09:25 18 A Maybe.
 09:25 19 Q Okay. Do you remember when he mentioned
 09:25 20 that she may have reported that to somebody?
 09:25 21 A Oh. I don't have the date.
 09:25 22 Q Was it before he closed his practice?
 09:25 23 A I can't -- before he closed -- no. It
 09:26 24 must have been after.
 09:26 25 Q Okay. And you stated that, when you

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09:26 1 first started going to Dr. Bloom, Tammy Wilson
 09:26 2 would, you know, be there once a week or
 09:26 3 something like that?
 09:26 4 A No, I didn't say that.
 09:26 5 Q Well, at some point she was there once a
 09:26 6 week?
 09:26 7 A No. I said she was there on and off for
 09:26 8 a week or two. She was subbing for somebody.
 09:26 9 She was -- I briefly remember her a few days over
 09:26 10 the course of a few weeks, probably in like April
 09:26 11 or something.
 09:26 12 Q Okay. And then, at what point would you
 09:26 13 consider Tammy Wilson became a friend, I guess?
 09:26 14 A Probably in the last two years,
 09:26 15 two-and-a-half years, you know.
 09:26 16 Q During the time period that she worked
 09:27 17 at Dr. Bloom's office, did you and Ms. Wilson
 09:27 18 ever see each other socially outside of the
 09:27 19 doctor's office, Dr. --
 09:27 20 A Say again.
 09:27 21 Q Yeah. Did you ever see Ms. Wilson
 09:27 22 outside of Dr. Bloom's office during the period
 09:27 23 of time that she worked there?
 09:27 24 A Dr. Bloom's?
 09:27 25 Q Yeah.

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09:27 1 A No.
 09:27 2 Q Did there come a time when Ms. Wilson
 09:27 3 worked somewhere else after Bloom's office shut
 09:27 4 down?
 09:27 5 A I don't know. Before -- in between
 09:27 6 Bloom and Rhodes?
 09:27 7 Q Yeah.
 09:27 8 A I don't know.
 09:27 9 Q Did she ultimately go to work for
 09:27 10 Dr. Rhodes?
 09:27 11 A Yes.
 09:27 12 Q Do you know when that was?
 09:27 13 A 2013. I can't remember if it was
 09:27 14 October or November.
 09:27 15 Q When you would go to Dr. Rhodes' office
 09:27 16 for treatment, would you see Tammy Wilson in
 09:27 17 there?
 09:27 18 A At that time, yes.
 09:27 19 Q At that point in time, did you guys
 09:27 20 become friends?
 09:27 21 A No. It was a little after. We were
 09:28 22 friendly, but...
 09:28 23 Q Okay. What was -- if you know, what was
 09:28 24 her position at Dr. Rhodes' office?
 09:28 25 A She worked at the front desk, and I

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09:28 1 **think she also helped with the therapies.**
 09:28 2 Q How so?
 09:28 3 A **Put on the TENS.**
 09:28 4 Q Is that that little electronic --
 09:28 5 A **Yes.**
 09:28 6 Q Okay. Did you see her doing paperwork
 09:28 7 or anything of that nature?
 09:28 8 A **No. Just phones and appointments.**
 09:28 9 Q Is Tammy Wilson on Facebook?
 09:28 10 A **Yes.**
 09:28 11 Q Are you friends with her?
 09:28 12 A **Yes.**
 09:28 13 Q How long have you been friends with her
 09:28 14 on Facebook?
 09:28 15 A **For probably about two-and-a-half years,**
 09:28 16 **three years. It's under three years. It's maybe**
 09:28 17 **two-and-a-half years, close to three.**
 09:28 18 Q Were you friends with her on Facebook
 09:29 19 while she was working at Dr. Rhodes' office?
 09:29 20 A **We became friends probably towards the**
 09:29 21 **end of it. She friended me.**
 09:29 22 Q At some point in time she left the
 09:29 23 employment of Dr. Rhodes; correct?
 09:29 24 A **Yes.**
 09:29 25 Q Do you know why?

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09:29 1 A **Yes.**
 09:29 2 Q Tell me why.
 09:29 3 A **I was told that he laid her off.**
 09:29 4 Q Who told you that; Tammy?
 09:29 5 A **Yes.**
 09:29 6 Q Do you remember when that was?
 09:29 7 A **Sometime in January.**
 09:29 8 Q Towards the end of January of 2014?
 09:29 9 A **Yes.**
 09:29 10 Q Were you guys friends at that point?
 09:29 11 A **Casual.**
 09:29 12 Q Did you ever, during the period of time
 09:29 13 that Ms. Wilson worked for Dr. Rhodes, have a
 09:29 14 meal with her outside the office, have drinks,
 09:29 15 anything of that nature?
 09:30 16 A **Wait. Repeat that again.**
 09:30 17 Q Yeah. Ms. Wilson worked for Dr. Rhodes
 09:30 18 from, roughly, let's say -- I think you said
 09:30 19 October of '13?
 09:30 20 A **Yeah.**
 09:30 21 Q Until the end of January of '14;
 09:30 22 correct?
 09:30 23 A **Uh-huh (affirmative response).**
 09:30 24 Q During that time period that she worked
 09:30 25 for Dr. Rhodes, did you and her ever, you know,

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09:30 1 have dinner somewhere, have lunch, grab drinks,
 09:30 2 anything of that nature?
 09:30 3 A **We would bump into each other on**
 09:30 4 **occasion. I think we did have a light lunch one**
 09:30 5 **afternoon.**
 09:30 6 Q Okay. And Ms. Wilson obviously called
 09:30 7 you about this lawsuit you testified to, so she
 09:30 8 has your phone number, I would assume.
 09:30 9 A **Yes. She would call me frequently from**
 09:30 10 **the office to make sure I was coming in.**
 09:30 11 Q Okay. Do you have her cell phone
 09:30 12 number?
 09:30 13 A **Yes.**
 09:30 14 Q When did you first get it?
 09:30 15 A **When she started texting me when she was**
 09:30 16 **working at Dr. Rhodes' office.**
 09:30 17 Q What would she text you about?
 09:30 18 A **To see if I would come in and what time**
 09:31 19 **I was coming in.**
 09:31 20 Q Do you know if she still has the same
 09:31 21 phone number now that she had back then?
 09:31 22 A **I think so.**
 09:31 23 Q Do you know what that number is?
 09:31 24 A **Not offhand.**
 09:31 25 Q Is it in your phone?

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09:31 1 A **Yeah.**
 09:31 2 Q We could get it on a break?
 09:31 3 A **Yeah.**
 09:31 4 Q Okay. How often do you see Ms. Wilson
 09:31 5 now on a typical week?
 09:31 6 A **None.**
 09:31 7 Q Okay. Do you ever have her over to your
 09:31 8 house for any events or --
 09:31 9 A **Yeah. She's come over for food.**
 09:31 10 Q Do you ever go to her house for the same
 09:31 11 type of --
 09:31 12 A **Not really.**
 09:31 13 Q Okay. So she called you and told you
 09:31 14 that a lawsuit had been filed and, what, you were
 09:31 15 named in it?
 09:31 16 A **Yes.**
 09:31 17 Q Did she tell you anything else?
 09:31 18 A **She asked me if I knew who the other**
 09:31 19 **person was.**
 09:31 20 Q The other person being who?
 09:31 21 A **On the lawsuit.**
 09:32 22 Q The other person sued or the person
 09:32 23 suing you?
 09:32 24 A **Sued.**
 09:32 25 Q Okay. Joseph Bryant?

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09:32 1 **A Correct.**
 09:32 2 **Q** Did Tammy Wilson tell you how she found
 09:32 3 out about the lawsuit?
 09:32 4 **A Yes.**
 09:32 5 **Q** What did she say?
 09:32 6 **A That she got a call from Deb asking who**
 09:32 7 **Olga was.**
 09:32 8 **Q** A call from Deb?
 09:32 9 **A Yeah.**
 09:32 10 **Q** Who's Deb?
 09:32 11 **A One of her friends.**
 09:32 12 **Q** Do you know Deb's last name?
 09:32 13 **A I don't know if I'm pronouncing it**
 09:32 14 **right. Blinton (phonetic).**
 09:32 15 **Q** Blanton?
 09:32 16 **A Probably.**
 09:32 17 **Q** Okay. Do you know Deb Blanton?
 09:32 18 **A I know of her.**
 09:32 19 **Q** Okay. Well, what do you know of her?
 09:32 20 **A I remember her from both Dr. Bloom's and**
 09:33 21 **Dr. Rhodes' office.**
 09:33 22 **Q** Did she work there, or was she a
 09:33 23 patient, or what?
 09:33 24 **A She was another doctor.**
 09:33 25 **Q** Do you know what kind of doctor she is?

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09:33 1 **A No. I think a weight-loss doctor.**
 09:33 2 **Q** Did she ever treat you when you were at
 09:33 3 either one of those facilities?
 09:33 4 **A No.**
 09:33 5 **Q** Okay. Do you know how Tammy knows Deb
 09:33 6 Blanton?
 09:33 7 **A They worked together.**
 09:33 8 **Q** Currently?
 09:33 9 **A No. In Dr. Rhodes' and Dr. -- I don't**
 09:33 10 **know about Dr. Bloom's office, if she was there**
 09:33 11 **for her.**
 09:33 12 **Q** I gotcha. So when Tammy worked at
 09:33 13 Dr. Rhodes' office, that was the period of time
 09:33 14 that Deb Blanton was also there, for some of that
 09:33 15 at least?
 09:33 16 **A Yes.**
 09:33 17 **Q** Okay. Do you know how long Deb Blanton
 09:33 18 worked at Dr. Rhodes' office?
 09:33 19 **A I want to say six months maybe. She**
 09:33 20 **came in in the summer. I think she left in the**
 09:34 21 **winter. I don't know the specific...**
 09:34 22 **Q** Do you know why she left Dr. Rhodes'
 09:34 23 office?
 09:34 24 **A I can't give you a specific reason.**
 09:34 25 **Q** Have you heard any reasons why?

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09:34 1 **A I believe they were not getting along.**
 09:34 2 **Q** "They" being Ms. Blanton and Mr. Rhodes?
 09:34 3 **A Yes.**
 09:34 4 **Q** Okay. Who did you hear that from?
 09:34 5 **A The girls in the office.**
 09:34 6 **Q** Who are the girls in the office?
 09:34 7 **A Who told me or in general?**
 09:34 8 **Q** You said you heard from the girls in the
 09:34 9 office. I'm assuming you mean Dr. Rhodes'
 09:34 10 office.
 09:34 11 **A Yes.**
 09:34 12 **Q** Who were the girls that worked in
 09:34 13 Dr. Rhodes' office during this time period?
 09:34 14 **A Well, let's see. There was a Jessie;**
 09:34 15 **there was Tammy; there was a Sharon; there was a**
 09:34 16 **Cindy, and a Missy. And I don't know if there**
 09:34 17 **was anybody else.**
 09:34 18 **Q** Tammy we've covered. That's Tammy
 09:35 19 Wilson?
 09:35 20 **A Right.**
 09:35 21 **Q** Do you know Jessie's last name?
 09:35 22 **A No. I don't remember it.**
 09:35 23 **Q** Mosely?
 09:35 24 **A Maybe.**
 09:35 25 **Q** Okay. Do you know Sharon's last name?

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09:35 1 **A Weaver.**
 09:35 2 **Q** Is that Dr. Rhodes' sister?
 09:35 3 **A Yes.**
 09:35 4 **Q** Okay. Cindy, do you know her last name?
 09:35 5 **A It's Spanish. I want to say Perez.**
 09:35 6 **Perez.**
 09:35 7 **Q** Perez. Okay. Do you know Missy's last
 09:35 8 name?
 09:35 9 **A Ross.**
 09:35 10 **Q** Jessie you can't recall?
 09:35 11 **A No.**
 09:35 12 **Q** Friends with any of these ladies?
 09:35 13 **A I was on Facebook with Cindy, but I'm**
 09:35 14 **not friends with her. Missy -- I'm friends with**
 09:36 15 **Missy. And Jessie, I was on Facebook with her,**
 09:36 16 **but we're not really friends.**
 09:36 17 **Q** When you were going to Dr. Rhodes'
 09:36 18 office, what was Jessie's position; do you know?
 09:36 19 **A She was in the office.**
 09:36 20 **Q** Do you know what she did in the office?
 09:36 21 **A Phones, and I don't know what else.**
 09:36 22 **Q** So she was more of a clerical,
 09:36 23 administrative-type thing?
 09:36 24 **A I didn't pay attention.**
 09:36 25 **Q** Sure.

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09:36 1 **A I just signed in and got my therapy and**
 09:36 2 **left.**
 09:36 3 **Q** Tammy you talked about. She would do
 09:36 4 kind of the front desk, but also put the TENS
 09:36 5 unit on people?
 09:36 6 **A Yes.**
 09:36 7 **Q** What about Sharon; what was her job?
 09:36 8 **A She was in the office.**
 09:36 9 **Q** Paperwork, or was she actually doing any
 09:36 10 treatment-type stuff?
 09:36 11 **A I think she put the TENS on me once.**
 09:36 12 **Mostly in the office.**
 09:36 13 **Q** Cindy Perez, what would she do?
 09:36 14 **A She was a masseuse.**
 09:37 15 **Q** How about Missy Ross?
 09:37 16 **A Masseuse.**
 09:37 17 **Q** You received some massages when you went
 09:37 18 there for treatment.
 09:37 19 **A Yes.**
 09:37 20 **Q** Correct?
 09:37 21 **A Yes.**
 09:37 22 **Q** When you would get massages, was it more
 09:37 23 often Cindy or Missy, an equal breakdown?
 09:37 24 **A The first two months it was mostly**
 09:37 25 **Missy. I remember she went on vacation, and**

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09:37 1 **Cindy took over for a week or maybe longer. So I**
 09:37 2 **got a few from her.**
 09:37 3 **And then I got a few from -- the few I**
 09:37 4 **got in the fall were mostly from Missy. I think**
 09:37 5 **I got one from Cindy later on.**
 09:37 6 **Q** All told how many massages do you think
 09:37 7 you got when you went there?
 09:37 8 **A Fifteen, 18. I don't know.**
 09:38 9 **Q** Fifteen or 18? Is that what you said?
 09:38 10 **A Yeah.**
 09:38 11 **Q** Okay. Did anybody give you a massage
 09:38 12 there other than Missy Ross or Cindy Perez?
 09:38 13 **A There may have been another. I vaguely**
 09:38 14 **remember a guy maybe came in for a substitution.**
 09:38 15 **That's all I remember.**
 09:38 16 **Q** A male masseuse?
 09:38 17 **A I think so.**
 09:38 18 **Q** Okay. Is Missy Missy's real first name,
 09:38 19 or is that a nickname?
 09:38 20 **A I don't know.**
 09:38 21 **Q** You don't know. That's fair enough.
 09:38 22 **So Tammy called and said, I got a call**
 09:38 23 **from Deb asking who Olga was. Did Tammy say how**
 09:38 24 **Deb found out about the lawsuit?**
 09:39 25 **A I -- she knows the other person on the**

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09:39 1 **lawsuit.**
 09:39 2 **Q** So Deb knows Joe Bryant?
 09:39 3 **A I believe so.**
 09:39 4 **Q** Do you know Joe Bryant?
 09:39 5 **A No.**
 09:39 6 **Q** How is it that you came to be
 09:39 7 represented by the same lawyer that Joe Bryant is
 09:39 8 represented by?
 09:39 9 **A How did I what?**
 09:39 10 **Q** Yeah. Joe Bryant is represented by
 09:39 11 Ms. Kurtz in the Canan firm.
 09:39 12 **A Yeah.**
 09:39 13 **Q** So are you. How did you guys end up
 09:39 14 with the same lawyer?
 09:39 15 **A He -- he -- he gave the information, I**
 09:39 16 **guess, to Tammy to let me know.**
 09:39 17 **Q** What do you mean by that?
 09:40 18 Bryant gave the information to Tammy to
 09:40 19 let you know.
 09:40 20 **A Right.**
 09:40 21 **Q** What did he give and what did --
 09:40 22 **A Julie's name and number.**
 09:40 23 **Q** Oh. Mr. Bryant provided Julie's name
 09:40 24 and number.
 09:40 25 **A Yes.**

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09:40 1 **Q** Okay. Is he paying for your
 09:40 2 representation?
 09:40 3 **A No.**
 09:40 4 **Q** Other than Tammy saying, I got a call
 09:40 5 from Deb asking who Olga was because there's a
 09:40 6 lawsuit with Bryant named in it --
 09:40 7 **A Yeah.**
 09:40 8 **Q** -- what else was discussed on that phone
 09:40 9 call?
 09:40 10 **A Not much. It was very late at night.**
 09:40 11 **She woke me up.**
 09:40 12 **Q** When did you first see a copy of the
 09:40 13 Complaint?
 09:40 14 **A A few days later I was served.**
 09:40 15 **Q** Okay. Did you look at the Complaint at
 09:40 16 all in preparation of your deposition today?
 09:40 17 **A Yes. I went through it.**
 09:41 18 **Q** So you had the Complaint, and you had
 09:41 19 the Tip form that's attached as Exhibit D or 4 to
 09:41 20 the Complaint. D.
 09:41 21 **A I'm sorry?**
 09:41 22 **Q** That Tip form. We've agreed that that's
 09:41 23 what's Exhibit D to the Complaint earlier today.
 09:41 24 **A Yes.**
 09:41 25 **Q** So you reviewed the Complaint and you

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09:41 1 reviewed that. Was there anything else you
 09:41 2 reviewed today?
 09:41 3 **A No.**
 09:41 4 **Q** Okay. Did you, other than talking to
 09:41 5 your attorney, discuss your upcoming deposition
 09:41 6 with anybody?
 09:41 7 **A My employer briefly.**
 09:41 8 **Q** Mr. C [REDACTED]?
 09:41 9 **A Well, really his wife.**
 09:41 10 **Q** You gave me his name. What's her name?
 09:41 11 **A J [REDACTED].**
 09:41 12 **Q** J [REDACTED] C [REDACTED]?
 09:41 13 **A Yes.**
 09:41 14 **Q** Did you talk to Mr. Bryant at all?
 09:41 15 **A No. I've never spoken or met him ever.**
 09:41 16 **Q** You've never been in Mr. Bryant's
 09:41 17 presence?
 09:41 18 **A Never.**
 09:41 19 **Q** Okay.
 09:41 20 **A I mean, unless he was in the office**
 09:41 21 **without me knowing, I have never met him?**
 09:41 22 **Q** You've never knowingly been in his
 09:42 23 presence.
 09:42 24 **A Right. Yeah.**
 09:42 25 **Q** Have you ever spoken with Ms. Blanton

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09:42 1 about the lawsuit?
 09:42 2 **A No.**
 09:42 3 **Q** How about Ms. Wilson; other than the
 09:42 4 phone call, have you talked to her about the
 09:42 5 lawsuit at all?
 09:42 6 **A Just that I was going to go in for a**
 09:42 7 **deposition.**
 09:42 8 **Q** Okay.
 09:42 9 **A Not knowing when, and that's it.**
 09:42 10 **Q** How about Jessie?
 09:42 11 **A No. I haven't spoken to her since --**
 09:42 12 **years.**
 09:42 13 **Q** How about Missy Ross?
 09:42 14 **A I haven't spoken to her in a long time.**
 09:42 15 **When was the last time I spoke to her?**
 09:42 16 **Q** No. I was going to ask you about the
 09:42 17 lawsuit. I think you said no to that. Is that
 09:42 18 the --
 09:42 19 **A No. I think she did ask me about it,**
 09:42 20 **but I don't remember how she found out.**
 09:42 21 **Q** Okay. I know you said you've never been
 09:42 22 in Mr. Bryant's presence. Have you ever
 09:43 23 exchanged any emails, text messages --
 09:43 24 **A No.**
 09:43 25 **Q** -- things of that nature?

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09:43 1 **A Nothing.**
 09:43 2 **Q** Other than communications with your
 09:43 3 attorney, have you texted or emailed anybody
 09:43 4 about the lawsuit?
 09:43 5 **A Texted or emailed. I don't remember**
 09:43 6 **doing so. I may have -- I don't think so.**
 09:43 7 **Q** Who is the one -- I can't recall. I
 09:43 8 didn't write it down. Who's the one that
 09:43 9 provided you with the name of the lawyer to
 09:43 10 contact that's representing you in this thing?
 09:43 11 **A I'm sorry?**
 09:43 12 **Q** You said that somebody provided you with
 09:43 13 the number or contact information to your lawyers
 09:43 14 who are now representing you. Who was that? Was
 09:44 15 that --
 09:44 16 **A You mean Julie?**
 09:44 17 **Q** Yeah.
 09:44 18 **A I got it from Tammy.**
 09:44 19 **Q** From Tammy?
 09:44 20 **A I don't remember how she got it.**
 09:44 21 **Ultimately, it must have been from Joe.**
 09:44 22 **Q** Did Tammy say, Joe Bryant is being
 09:44 23 represented by this law firm; give her a call?
 09:44 24 **A Something like that.**
 09:44 25 **Q** Okay. Is Tammy friends with Joe Bryant;

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09:44 1 do you know?
 09:44 2 **A She didn't know who he was either.**
 09:44 3 **Q** Okay. So more of Blanton was the piece
 09:44 4 that kind of --
 09:44 5 **A I believe so.**
 09:44 6 **Q** Fair enough. We've touched on this
 09:44 7 briefly, but kind of explain to me how it was
 09:44 8 that you came to be treated by Dr. Rhodes.
 09:44 9 **A Dr. Bloom was temporarily closing his**
 09:44 10 **office -- well, he closed his office, and he was**
 09:45 11 **supposed to rent a space out from Dr. Rhodes.**
 09:45 12 **Q** Where was Dr. Bloom's office physically
 09:45 13 located?
 09:45 14 **A The original?**
 09:45 15 **Q** Yeah.
 09:45 16 **A On Hodges.**
 09:45 17 **Q** Okay. And then he was going to -- when
 09:45 18 he shut that down, was going to rent space from
 09:45 19 Dr. Rhodes' office?
 09:45 20 **A Correct.**
 09:45 21 **Q** Where is Dr. Rhodes' office?
 09:45 22 **A In Jax Beach.**
 09:45 23 **Q** That Metropolitan building that --
 09:45 24 **A Yes.**
 09:45 25 **Q** Okay. Go ahead.

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09:45 1 **A I'm sorry?**
 09:45 2 **Q** He was going to rent space from Bloom --
 09:45 3 I mean, Bloom was going to rent space from
 09:45 4 Rhodes.
 09:45 5 **A Yes.**
 09:45 6 **Q** And take it from there.
 09:45 7 **A Yes.**
 09:45 8 **Q** How did you end up at Rhodes' though?
 09:45 9 **A Well, I went in to see the office, and**
 09:45 10 **he treated me once or twice, and I had a massage**
 09:45 11 **there. And then I believe we had an appointment**
 09:45 12 **and he didn't show up, and I can't remember if I**
 09:45 13 **got treated by Dr. Rhodes that same day or we**
 09:45 14 **made a --**
 09:45 15 **Q** So -- and I don't want to read into this
 09:46 16 more than I need to, but you correct me if I'm
 09:46 17 wrong here.
 09:46 18 Once Bloom started renting space from
 09:46 19 Dr. Rhodes, you got treated at Bloom's office
 09:46 20 there within Dr. Rhodes' office.
 09:46 21 **A Yeah. He had a room in the -- like in**
 09:46 22 **that break room. There was a break room kind of**
 09:46 23 **combo office, and I did get treated there once or**
 09:46 24 **twice. I want to say twice.**
 09:46 25 **Q** Then there was a day there, I guess,

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09:46 1 where Bloom didn't show up?
 09:46 2 **A Something like that.**
 09:46 3 **Q** So Dr. Rhodes stepped up to pinch hit
 09:46 4 that day, so to speak?
 09:46 5 **A Maybe, or it might have been the second**
 09:46 6 **time around. I don't remember. Probably.**
 09:46 7 **Q** Okay. Let me show you this document.
 09:46 8 This is my first record, as far as I
 09:46 9 know, of you having any contact with Dr. Rhodes.
 09:46 10 **A (Examining document.)**
 09:46 11 **Q** And that's dated July 1.
 09:47 12 **A Okay. (Examining document.)**
 09:47 13 **Q** Is that your signature down at the
 09:47 14 bottom there?
 09:47 15 **A Yes.**
 09:47 16 **Q** Okay. Was this the -- it says --
 09:47 17 MR. DeMAGGIO: We'll make this Exhibit
 09:47 18 1. We can make a copy of this if you want.
 09:47 19 I'm sorry. I came with one less than I
 09:47 20 thought I had.
 09:47 21 MS. KURTZ: That's fine.
 09:47 22 MR. DeMAGGIO: Do you want to make a
 09:47 23 copy?
 09:47 24 MS. KURTZ: We can at a break.
 09:47 25 MR. DeMAGGIO: Okay.

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09:47 1 **(Plaintiff's Exhibit No. 1 was marked**
 09:47 2 **for identification.)**
 09:47 3 BY MR. DeMAGGIO:
 09:47 4 **Q** Okay. In the middle there it says,
 09:47 5 Referred to our office by Dr. R. Bloom. Did you
 09:47 6 fill that in?
 09:47 7 **A It looks like my handwriting.**
 09:47 8 **Q** What was this? Is this the first thing
 09:47 9 you ever filled out with Dr. Rhodes' office?
 09:47 10 **A I don't know.**
 09:47 11 **Q** You don't know?
 09:47 12 **A I mean, I believe so. I don't think I**
 09:47 13 **was in his office before then -- before July. I**
 09:47 14 **don't know.**
 09:47 15 **Q** Okay. Is it safe to say, based on that
 09:47 16 document, as of July 1 in 2013, you were done
 09:47 17 treating with Dr. Bloom at that point?
 09:48 18 **A It was July. I don't remember if it was**
 09:48 19 **that early because I did have a -- he did**
 09:48 20 **schedule me a massage that week. So I don't know**
 09:48 21 **if I was signing for that massage. I don't know**
 09:48 22 **if I was done at that point because he kept**
 09:48 23 **saying he was going to come in.**
 09:48 24 **Q** Did Bloom and Rhodes utilize the same
 09:48 25 massage people?

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09:48 1 **A I think so.**
 09:48 2 **Q** Okay. How long did Bloom work out of a
 09:48 3 space in Dr. Rhodes' office?
 09:48 4 **A I don't know. A very short time. I**
 09:48 5 **only seen him there once or twice.**
 09:48 6 **Q** Do you know why he ceased to work out of
 09:48 7 Rhodes' office?
 09:48 8 **A I think he just needed some personal**
 09:48 9 **time.**
 09:48 10 **Q** Okay. When is the last time you spoke
 09:48 11 to Dr. Bloom?
 09:48 12 **A About a month ago maybe.**
 09:49 13 **Q** Okay. Are you friendly with him?
 09:49 14 **A He adjusts me when I need it.**
 09:49 15 **Q** What does that mean? And I'll be honest
 09:49 16 with you. I had to try to learn a little bit
 09:49 17 about this industry coming into this case. And
 09:49 18 I'm not a car crash lawyer, so adjust and
 09:49 19 chiropractors and all that is a little new to me.
 09:49 20 What does that mean, when he adjusts you?
 09:49 21 **A What, the medical part of it?**
 09:49 22 **Q** Yeah. Is it some type of chiropractic
 09:49 23 practice?
 09:49 24 **A I believe so.**
 09:49 25 **Q** Okay. And does he have an office that's

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09:49 1 up and running now that you go to?

09:49 2 **A I believe he was working for somebody**

09:49 3 **for a while, and I did go there. He is working**

09:49 4 **for somebody now. I don't know who.**

09:49 5 **But, no, I've gone to his house. He has**

09:49 6 **a room in his house that he adjusts on occasion.**

09:49 7 **Q** I gotcha. So you've -- I'm going to use

09:49 8 this. So you've seen him kind of privately

09:49 9 outside the office then?

09:49 10 **A Yes.**

09:50 11 **Q** Okay. Has there been anybody else that

09:50 12 you've seen privately, outside the office, for

09:50 13 any type of chiropractic adjustments, massages,

09:50 14 anything of that nature?

09:50 15 **A I'm sorry. Outside of whose office?**

09:50 16 **Q** Outside of a medical office.

09:50 17 Like, you know, you talked about Bloom.

09:50 18 He's got an office. Sometimes you go to his

09:50 19 house and get an adjustment; correct?

09:50 20 **A Yes.**

09:50 21 **Q** How long have you done that?

09:50 22 **A On and off for the last two years, at**

09:50 23 **least.**

09:50 24 **Q** Did you ever go get an adjustment at his

09:50 25 house when you were being treated by Dr. Rhodes?

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09:50 1 **A Did I ever get an adjustment -- I can't**

09:50 2 **remember. I might have.**

09:50 3 **Q** How about massages outside of one of

09:50 4 these chiropractors' offices?

09:50 5 **A No.**

09:50 6 **Q** No private massages?

09:50 7 **A No. I don't really do massages.**

09:50 8 **Q** Like the two masseuses that worked at

09:50 9 Dr. Rhodes' office, either Cindy or -- I think

09:50 10 you said the other one's name was Missy.

09:50 11 **A The only other time I had a massage was**

09:50 12 **at Dr. Bloom's office with somebody else. I**

09:51 13 **think I had one.**

09:51 14 **Q** So neither Cindy nor Missy ever gave you

09:51 15 a -- I'll call it a private massage --

09:51 16 **A No.**

09:51 17 **Q** -- outside of the office?

09:51 18 **A No.**

09:51 19 **Q** Okay. Did you do any research into

09:51 20 Dr. Rhodes, you know, prior to treating with him?

09:51 21 **A No.**

09:51 22 **Q** No Googling him or anything like that?

09:51 23 **A No.**

09:51 24 **Q** Fair enough. Did you ask around, Who is

09:51 25 this guy, anything like that?

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09:51 1 **A No.**

09:51 2 **Q** Did you have any discussions with

09:51 3 Dr. Bloom about Dr. Rhodes at all?

09:51 4 **A Briefly. That he knew him from just**

09:51 5 **being a chiropractor, and he was going to rent**

09:51 6 **space from him.**

09:51 7 **Q** Okay. Did you know any patients that

09:51 8 were treating with Dr. Bloom as of when you

09:51 9 started there in July of '13?

09:51 10 **A Did I know any patients?**

09:51 11 **Q** Yeah.

09:51 12 **A No.**

09:51 13 **Q** Did you get to know any of Dr. Rhodes'

09:51 14 patients as you would go treat with him there?

09:51 15 **A No. I didn't really socialize.**

09:51 16 **Q** Okay. Back during that time period,

09:52 17 were you working as a nanny for the Clausen

09:52 18 family as well?

09:52 19 **A Yes.**

09:52 20 **Q** How did you pay for the treatments that

09:52 21 Dr. Rhodes was giving you?

09:52 22 **A I believe through the insurance.**

09:52 23 **Q** What insurance company did you have?

09:52 24 **A My insurance?**

09:52 25 **Q** Yes, ma'am.

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09:52 1 **A Nationwide.**

09:52 2 **Q** When you say your insurance, was there

09:52 3 another insurance that was paying for some of the

09:52 4 stuff too?

09:52 5 **A I don't think so.**

09:52 6 **Q** Okay. Did you ever have to pay any

09:52 7 copays or anything like that?

09:52 8 **A No.**

09:52 9 **Q** So you've never, for lack of a better

09:52 10 term, come out of pocket for any of your

09:52 11 treatments with Dr. Rhodes?

09:52 12 **A No.**

09:52 13 **Q** Okay. When you would get massages, did

09:52 14 you ever tip the masseuse?

09:52 15 **A No.**

09:52 16 **Q** Okay. Were there ever times where you'd

09:53 17 come into Dr. Rhodes' office for some type of

09:53 18 therapy and he wouldn't be there?

09:53 19 **A The first time I came in just for a**

09:53 20 **massage.**

09:53 21 **Q** Okay.

09:53 22 **A He wasn't there.**

09:53 23 **Q** Were there any other days where you

09:53 24 would come in just for massages or some type of

09:53 25 treatment he didn't have to provide?

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09:53 1 **A I don't think so. I don't remember. I**
 09:53 2 **usually came in when the office was open and he**
 09:53 3 **was there.**

09:53 4 **Q** All right. And by coming in there, is
 09:53 5 that how you kind of got to know Tammy Wilson a
 09:53 6 little bit, talking with her in the office?

09:53 7 **A Yes.**

09:53 8 **Q** Same thing with Missy Ross?

09:53 9 **A Yes.**

09:53 10 **Q** Take me through, when you would come in
 09:53 11 to Rhodes' office, kind of how the typical office
 09:54 12 visit would go.

09:54 13 **A I would walk in, sign in.**

09:54 14 **Q** There would be a sign-in sheet up on the
 09:54 15 front desk, I guess?

09:54 16 **A Yes.**

09:54 17 **Q** Okay.

09:54 18 **A Then they had me sign other forms. And**
 09:54 19 **I would wait to be put on therapy, and then I'd**
 09:54 20 **get an adjustment and I would leave.**

09:54 21 **Q** So there would be a sign-in sheet that
 09:54 22 you'd -- Hey, I'm here for my 9:00, and you'd
 09:54 23 say, I'm here at 8:45 or something like that?

09:54 24 **A Correct.**

09:54 25 **Q** I'm just, you know, hypothetically

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09:54 1 speaking.

09:54 2 **A Right.**

09:54 3 **Q** And then you said they would have you
 09:54 4 sign other forms. What were the other forms
 09:54 5 they'd have you sign?

09:54 6 **A A massage form, and I don't know what**
 09:54 7 **the other form was.**

09:54 8 **Q** Did they look something like -- I'm just
 09:55 9 going to pick a random one.

09:55 10 This is a form from September 27th. A
 09:55 11 form like that?

09:55 12 **A (Examining document.) Probably. It's**
 09:55 13 **been a couple years. It looks familiar, but --**

09:55 14 MR. DeMAGGIO: Okay. We'll make that
 09:55 15 form Exhibit 2.

09:55 16 **(Plaintiff's Exhibit No. 2 was marked**
 09:55 17 **for identification.)**

09:55 18 BY MR. DeMAGGIO:

09:55 19 **Q** Is that your signature right there?

09:55 20 **A Yes.**

09:55 21 **Q** Okay. And then, can you think of any
 09:55 22 other forms you may have signed?

09:55 23 **A There was more.**

09:55 24 **Q** Maybe like one that looked like that,
 09:55 25 Daily Massage Notes?

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09:55 1 **A I think so.**

09:55 2 MR. DeMAGGIO: Okay. And we'll make
 09:55 3 that Exhibit 3.

09:55 4 **(Plaintiff's Exhibit No. 3 was marked**
 09:55 5 **for identification.)**

09:55 6 BY MR. DeMAGGIO:

09:55 7 **Q** Is that your name scribbled across
 09:55 8 there? It looks like it says Olga.

09:55 9 **A It looks like that.**

09:55 10 **Q** Okay. Any other forms you can remember
 09:55 11 signing when you were in there?

09:55 12 **A There might have been another one. I**
 09:55 13 **can't remember how many there were. There was a**
 09:55 14 **few.**

09:55 15 **Q** Okay. Who would present those forms to
 09:56 16 you to sign?

09:56 17 **A The girls in the front -- the girl or**
 09:56 18 **girls at the front desk.**

09:56 19 **Q** And we said Tammy worked at the front
 09:56 20 desk.

09:56 21 **A Or Jessie.**

09:56 22 **Q** Or Jessie.

09:56 23 **A Or Sharon.**

09:56 24 **Q** And when you got these forms, would they
 09:56 25 have, you know, the doctor's writing on them when

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09:56 1 you would sign it?

09:56 2 **A No. No. They were blank.**

09:56 3 **Q** You would just blankly sign it?

09:56 4 **A Yep.**

09:56 5 **Q** Okay. How about this other one where
 09:56 6 it's -- on Exhibit 3, where you've got your name
 09:56 7 scribbled across the top right here; was that
 09:56 8 blank too?

09:56 9 **A I believe so, yes.**

09:56 10 **Q** Okay. And would you sign these forms
 09:56 11 before you got treated or after you got treated?

09:56 12 **A Before.**

09:56 13 **Q** Okay. When they were signing them, did
 09:56 14 they tell you, Here's what's going on, or
 09:57 15 anything along those lines?

09:57 16 **A What do you mean by "Here's what's going**
 09:57 17 **on"?**

09:57 18 **Q** Well, I mean, "Sign this. You're going
 09:57 19 to get a massage and a TENS unit today."

09:57 20 Would you ever be told that when you
 09:57 21 were signing it?

09:57 22 **A No.**

09:57 23 **Q** Okay.

09:57 24 **A Not that I remember.**

09:57 25 **Q** All right.

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09:57 1 **A I can't answer that.**
 09:57 2 **Q** When they gave you the forms, were they
 09:57 3 on a clipboard or something, or how did you get
 09:57 4 them?
 09:57 5 **A I can't remember.**
 09:57 6 **Q** Would you usually be given Exhibits 2
 09:57 7 and 3 at the same time, or would you sign them
 09:57 8 separately, you know --
 09:57 9 **A They were together.**
 09:57 10 **Q** Okay. And then you'd sign the forms
 09:57 11 and, what, have a seat and wait to get called
 09:57 12 back?
 09:57 13 **A Yes.**
 09:57 14 **Q** And then you'd get called -- who would
 09:57 15 call you back?
 09:57 16 **A One of the girls who would bring me to**
 09:57 17 **the TENS unit.**
 09:57 18 **Q** Did you always start at the TENS unit?
 09:57 19 **A Yes.**
 09:57 20 **Q** Okay.
 09:57 21 **A Not -- I -- most of the time.**
 09:58 22 **Q** Commonly started at the TENS unit?
 09:58 23 **A Yes. Yes.**
 09:58 24 **Q** All right. And then, when you were
 09:58 25 doing the TENS unit, you said that some of the

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09:58 1 non- -- I'll call them kind of the non-medical
 09:58 2 staff, like the front desk people, could hook you
 09:58 3 up to that?
 09:58 4 **A Yes.**
 09:58 5 **Q** All right. How long does a TENS unit
 09:58 6 treatment take?
 09:58 7 **A I don't remember.**
 09:58 8 **Q** And you had --
 09:58 9 **A Ten minutes. I don't remember.**
 09:58 10 **Q** Yeah. And I'm not trying to pry into
 09:58 11 your medical history. You had back and neck
 09:58 12 problems from the accident; right?
 09:58 13 **A Yes.**
 09:58 14 **Q** So they would hook it up to your back
 09:58 15 and your neck, I assume?
 09:58 16 **A Yes.**
 09:58 17 **Q** And you'd do that for a little bit, and
 09:58 18 the timer would be set for something --
 09:58 19 **A Yes.**
 09:58 20 **Q** -- and it would be up.
 09:58 21 **A Yeah.**
 09:58 22 **Q** And where would you go from there?
 09:58 23 **A Back to reception.**
 09:58 24 **Q** Back to reception, and then what?
 09:58 25 **A I would get an adjustment.**

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09:58 1 **Q** Get an adjustment. Now, was that done
 09:58 2 by Dr. Rhodes?
 09:58 3 **A Yes.**
 09:58 4 **Q** Okay. How long does an adjustment take?
 09:58 5 **A A few minutes.**
 09:58 6 **Q** A few minutes?
 09:58 7 **A Yeah.**
 09:58 8 **Q** And were those back and neck
 09:58 9 adjustments?
 09:58 10 **A Usually.**
 09:58 11 **Q** All right. So Dr. Rhodes would -- would
 09:58 12 you guys have any conversation while he's giving
 09:59 13 you adjustments?
 09:59 14 **A Oh, briefly. Just asked me how I was --**
 09:59 15 **what was hurting.**
 09:59 16 **Q** Okay. So you'd get your adjustment.
 09:59 17 What happens after that?
 09:59 18 **A I would leave or make another**
 09:59 19 **appointment.**
 09:59 20 **Q** You said you had about 15 to 18 massages
 09:59 21 that you got there. Where would those fit in, in
 09:59 22 the TENS unit adjustment?
 09:59 23 **A I did most of those massages that first**
 09:59 24 **summer -- that summer, July and August. I was**
 09:59 25 **not working as much, and I decided to try all the**

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09:59 1 **therapies to see if they would work. So the**
 09:59 2 **majority of them were spread out over a few**
 09:59 3 **months in the beginning.**
 09:59 4 **Q** Does a massage take longer than an
 09:59 5 adjustment?
 09:59 6 **A A little bit.**
 09:59 7 **Q** About how much of a difference are we
 09:59 8 talking about?
 09:59 9 **A My first massage was probably 45**
 09:59 10 **minutes, but after that they were maybe 10 or 15**
 09:59 11 **minutes.**
 09:59 12 **Q** Okay. Would the massage -- when you got
 09:59 13 them, would you have massages on the same day as
 10:00 14 you got adjustments?
 10:00 15 **A Yes, in the beginning.**
 10:00 16 **Q** Okay. What would be the order? TENS
 10:00 17 unit No. 1?
 10:00 18 **A (No audible response.)**
 10:00 19 **Q** You would start with the TENS unit.
 10:00 20 That was kind of the basic starting one just
 10:00 21 about every time, I think you said.
 10:00 22 **A I think so.**
 10:00 23 **Q** Would you take a massage and then an
 10:00 24 adjustment, or would you take an adjustment and
 10:00 25 then a massage?

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10:00 1 **A I didn't do that many massages. I don't**
 10:00 2 **know. Probably the TENS first, I would say.**
 10:00 3 **Yeah.**

10:00 4 **Q** Okay. So the order of the massage and
 10:00 5 the adjustment you just can't recall. That's
 10:00 6 fine.

10:00 7 **A (Shrugs shoulders.) I would say the**
 10:00 8 **TENS first. There was more units available.**

10:01 9 **Q** Yeah. But what I'm asking is, I know
 10:01 10 you said you generally started with the TENS
 10:01 11 unit.

10:01 12 **A Yes.**

10:01 13 **Q** Okay. On the days that you went and you
 10:01 14 got the TENS unit, massage, and an adjustment --

10:01 15 **A Right.**

10:01 16 **Q** Okay. I know you started with the TENS
 10:01 17 unit usually.

10:01 18 **A Okay.**

10:01 19 **Q** What would you do of the other two
 10:01 20 first; massage or adjustment?

10:01 21 **A I think we always ended with an**
 10:01 22 **adjustment, but I can't...**

10:01 23 **Q** Would the adjustment take place in the
 10:01 24 same room where the massage took place?

10:01 25 **A No.**

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10:01 1 **Q** All right. So would you get done with
 10:01 2 the massage and go wait in the lobby again until
 10:01 3 you got called in for the adjustment?

10:01 4 **A Yes.**

10:01 5 **Q** Okay. How long was your typical office
 10:01 6 visit at Dr. Rhodes'?

10:01 7 **A Are you talking average? Because if I**
 10:01 8 **didn't get a massage, I was in and out in 20**
 10:02 9 **minutes.**

10:02 10 **Q** Yeah. Let's do that. Let's split it
 10:02 11 into two categories: trips to Dr. Rhodes' office
 10:02 12 during which you had a massage and trips during
 10:02 13 which you did not have a massage.

10:02 14 **A Without the massage, within a half an**
 10:02 15 **hour. With the massage, it could be anywhere**
 10:02 16 **from 45 minutes to two hours. I mean, it really**
 10:02 17 **depended on what was going on in the office.**

10:02 18 **Q** Okay. Did you ever have any discussions
 10:02 19 with Dr. Rhodes about him privately adjusting you
 10:02 20 out of the office?

10:02 21 **A No.**

10:02 22 **Q** Okay. Any discussions with any of the
 10:02 23 masseuse there about giving you a massage out of
 10:02 24 the office?

10:02 25 **A No.**

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10:02 1 **Q** Okay. During your time of being treated
 10:02 2 by Dr. Rhodes -- and we'll call it roughly July
 10:02 3 of '13 through January of '14 -- did you ever
 10:02 4 express any disappointment or concern or complain
 10:02 5 at all with the treatment you were receiving
 10:02 6 there?

10:02 7 **A With the treatment?**

10:03 8 **Q** Yeah.

10:03 9 **A The physical treatment?**

10:03 10 **Q** Sure.

10:03 11 **A I don't believe so.**

10:03 12 **Q** And then I know at some point in time
 10:03 13 you came to complain about the billing

10:03 14 procedures, and that's part of what we're here
 10:03 15 about today. When did you first start to have
 10:03 16 concerns about billing?

10:03 17 **A I first questioned Jessie either in**
 10:03 18 **September or October of why I was having to sign**
 10:03 19 **all these forms when I wasn't getting the**
 10:03 20 **messages.**

10:03 21 **Q** Tell me about that. What forms do you
 10:03 22 think you were signing?

10:03 23 **A I was signing massage forms.**

10:03 24 **Q** Whose name would be on the massage form?

10:03 25 **A Mine.**

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10:03 1 **Q** Would it say who was allegedly giving
 10:03 2 the massage?

10:03 3 **A I didn't look. They just wanted me to**
 10:03 4 **sign it.**

10:03 5 **Q** Okay. Like is this form right here,
 10:03 6 Exhibit 3, one of the massage forms?

10:03 7 **A Right.**

10:03 8 **Q** Okay. And that's Missy Ross' signature
 10:04 9 down at the bottom, it looks like.

10:04 10 **A I mean, on that one, I don't know if it**
 10:04 11 **was there. I don't recall it.**

10:04 12 **Q** Okay. Is Missy Ross Melissa Ross?

10:04 13 **A I guess so.**

10:04 14 **Q** Okay.

10:04 15 **A I don't know.**

10:04 16 **Q** I mean, I don't want you to guess, but
 10:04 17 that's a pretty common nickname for Melissa.

10:04 18 **A I guess that's her name.**

10:04 19 **Q** Okay. So you questioned Jessie, Why am
 10:04 20 I signing all these massage forms when I'm not
 10:04 21 getting these massages?

10:04 22 **A Correct.**

10:04 23 **Q** Were the only forms you were signing
 10:04 24 relating to massages those that looked like
 10:04 25 Exhibit No. 3?

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10:04 1 **A (Indicating.)**
 10:04 2 **Q** You don't know?
 10:04 3 **A I don't know. Those look familiar.**
 10:04 4 **Q** What did Jessie tell you?
 10:04 5 **A She said, That's the office procedure**
 10:04 6 **and everybody does it.**
 10:04 7 **Q** Did anybody ever tell you that the forms
 10:04 8 get shredded up if the massage doesn't take
 10:04 9 place?
 10:04 10 **A Yes.**
 10:04 11 **Q** Okay. Who told you that?
 10:04 12 **A Missy.**
 10:04 13 **Q** And when did she tell you that?
 10:04 14 **A I don't remember what day it was. I**
 10:04 15 **don't know.**
 10:04 16 **Q** Well, would it have been -- not specific
 10:04 17 day, but would it have been in the early part of
 10:05 18 seeing Dr. Rhodes, you know, the July period?
 10:05 19 Would it have been in the September/October
 10:05 20 period where you --
 10:05 21 **A It was in the mid period, because I was**
 10:05 22 **getting massages over the early part of the**
 10:05 23 **summer, if I didn't start questioning them until**
 10:05 24 **the fall.**
 10:05 25 **Q** Okay. So she said, It's routine office

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10:05 1 procedure, and you were signing for them. Okay.
 10:05 2 Did you raise any questions about that
 10:05 3 at a later time?
 10:05 4 **A Yes.**
 10:05 5 **Q** Other than this first time where you
 10:05 6 said, "Hey, basically, Jessie, why am I signing
 10:05 7 all these forms when I'm not getting massages,"
 10:05 8 and she said, "Well, it's office procedure," was
 10:05 9 there any other substance to that conversation?
 10:05 10 **A There was -- what?**
 10:05 11 **Q** Did you discuss anything during that
 10:05 12 conversation about the billing?
 10:05 13 **A I asked her would I get billed. And she**
 10:05 14 **said, No. If you don't get a massage, you're not**
 10:05 15 **going to get billed.**
 10:05 16 **Q** Okay. And then is that how that
 10:05 17 conversation resolved itself?
 10:05 18 **A Yes.**
 10:05 19 **Q** All right. And then there was another
 10:05 20 conversation with somebody else.
 10:05 21 **A There was multiple with Jessie over the**
 10:06 22 **next few weeks, because I would let it go for a**
 10:06 23 **few weeks and then I just couldn't understand why**
 10:06 24 **I was still being made to sign these forms.**
 10:06 25 **Q** Okay. Well, were you receiving any

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10:06 1 bills from either Dr. Rhodes' office, or any
 10:06 2 paperwork from your insurance company during that
 10:06 3 time indicating --
 10:06 4 **A Yes.**
 10:06 5 **Q** Okay.
 10:06 6 **A I never opened them. They ended up**
 10:06 7 **stacked on my desk.**
 10:06 8 **Q** And are these bills from Dr. Rhodes, or
 10:06 9 are these papers from the insurance company?
 10:06 10 **A No, I don't think I got any bills from**
 10:06 11 **Dr. Rhodes. This was just statements from the**
 10:06 12 **insurance.**
 10:06 13 **Q** Well, you never opened them up, so how
 10:06 14 do you know what was in there?
 10:06 15 **A I opened them up at a later date.**
 10:06 16 **Q** Okay. Okay.
 10:06 17 **A Like they would pile up. I didn't**
 10:06 18 **really -- I checked in the beginning; then I let**
 10:06 19 **them go for a few months, and then I checked at**
 10:06 20 **the end.**
 10:06 21 **Q** These would come from Nationwide?
 10:06 22 **A Correct.**
 10:06 23 **Q** Okay. Do you still maintain those
 10:06 24 letters? Do you have them still?
 10:06 25 **A Maybe. They might be in a box**

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10:06 1 **somewhere.**
 10:06 2 **Q** All right. I'd ask that you look for
 10:06 3 those if you could; and if you could, get them to
 10:06 4 your lawyer so she can send them to me. Okay?
 10:06 5 **A Okay.**
 10:06 6 **Q** So at the time, though, you were just
 10:07 7 putting them in a pile somewhere in your house?
 10:07 8 **A Yeah.**
 10:07 9 **Q** You were having a conversation with
 10:07 10 Jessie, you know, Hey, what's going on?
 10:07 11 Something back from her to the effect of, Don't
 10:07 12 worry about it. We're not billing you. It's
 10:07 13 office procedure.
 10:07 14 **A Correct.**
 10:07 15 **Q** Fair enough. When is the next time you
 10:07 16 spoke to somebody else about it?
 10:07 17 **A I may have mentioned it a few weeks**
 10:07 18 **later again.**
 10:07 19 **Q** Are we talking about the fall of 2013
 10:07 20 now?
 10:07 21 **A Yeah, maybe October. I may have**
 10:07 22 **mentioned it again to Missy, you know.**
 10:07 23 **Q** To Missy now.
 10:07 24 **A Yes.**
 10:07 25 **Q** Before it was Jessie. Now we're talking

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10:07 1 Missy?

10:07 2 **A Right.**

10:07 3 **Q** Because Missy was the masseuse.

10:07 4 **A Right.**

10:07 5 **Q** And what did Missy say?

10:07 6 **A That he makes everybody sign them.**

10:08 7 **Q** He being who?

10:08 8 **A Dr. Rhodes.**

10:08 9 **Q** Okay. Did she say she knew anything

10:08 10 about Dr. Rhodes having people sign that and then

10:08 11 billing for massages that weren't actually

10:08 12 occurring?

10:08 13 **A It's kind of a blur. I don't remember.**

10:08 14 **Q** Okay. So you spoke to Jessie. You

10:08 15 spoke to Missy. When is the next time you

10:08 16 mentioned this issue to someone?

10:08 17 **MS. KURTZ:** To someone in Dr. Rhodes'

10:08 18 office?

10:08 19 **BY MR. DeMAGGIO:**

10:08 20 **Q** To anyone. To someone, at all.

10:08 21 **A Maybe a few weeks after that when Jessie**

10:08 22 **left and the new girl came, Tammy.**

10:08 23 **Q** Why did Jessie leave; do you know?

10:08 24 **A She said she was very unhappy, and she**

10:08 25 **was looking for other work.**

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10:08 1 **Q** Okay. Did she say specifically what she

10:08 2 was unhappy about?

10:08 3 **A She didn't want to work there anymore.**

10:08 4 **Q** Okay. Is that it?

10:08 5 **A That's all she told me.**

10:08 6 **Q** And then that's when Tammy, who used to

10:09 7 work with Dr. Bloom, came in?

10:09 8 **A Shortly after. I don't know.**

10:09 9 **Q** Sure. But --

10:09 10 **A Yeah. I think that was November. I**

10:09 11 **don't remember.**

10:09 12 **Q** Same Tammy though. Tammy Wilson?

10:09 13 **A Correct.**

10:09 14 **Q** Your friend.

10:09 15 **A Yes.**

10:09 16 **Q** Okay. And then once Tammy came in, did

10:09 17 you ever talk to her at all about this concern

10:09 18 that you had?

10:09 19 **A Yes.**

10:09 20 **Q** What did Tammy say?

10:09 21 **A The same thing. It's office procedure;**

10:09 22 **everybody does it.**

10:09 23 **Q** All right. The next time you talked to

10:09 24 somebody about this.

10:09 25 **A A few weeks later, Tammy again. I**

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10:09 1 **didn't sign the form. And I was in the office**

10:09 2 **waiting for about 20 or 30 minutes. And I was on**

10:09 3 **a time schedule because I was coming in during my**

10:09 4 **lunch, and I didn't have time, and I had to walk**

10:09 5 **out of the office a few times.**

10:09 6 **And she told me that I didn't sign the**

10:09 7 **forms, so he was making me wait till I signed the**

10:09 8 **forms, or something to that effect.**

10:09 9 **Q** Were any of these conversations that you

10:10 10 had with either Jessie or Tammy that we just

10:10 11 talked about, was any of that ever in writing or

10:10 12 was it always verbally?

10:10 13 **A Verbally, just at the front desk.**

10:10 14 **Q** All right. When is the next time after

10:10 15 this lunch break debacle?

10:10 16 **A What do you mean by the lunch break**

10:10 17 **debacle?**

10:10 18 **Q** Well, you wanted to get -- you were

10:10 19 there on your --

10:10 20 **A I was always there on my lunch break.**

10:10 21 **Q** Oh, okay.

10:10 22 **A That was the agreement we had. He**

10:10 23 **called me a drive-thru patient because I squeezed**

10:10 24 **it in on my lunch break. So it was known that I**

10:10 25 **had to get my adjustment and go on my merry way.**

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10:10 1 **Q** And, see, I didn't know that. The way

10:10 2 you made it sound was, I was on my lunch break

10:10 3 and I really had to get --

10:10 4 **A I was always on my lunch break. That's**

10:10 5 **the only way I could -- I worked during the**

10:10 6 **office hours. So he was only open Monday,**

10:10 7 **Wednesday, Friday. Those were the days I worked.**

10:10 8 **Q** Are you watching the [REDACTED] kids

10:10 9 during that time period or something? Is that

10:10 10 what --

10:10 11 **A Partly. I kind of run errands and, you**

10:11 12 **know, cook, just help out.**

10:11 13 **Q** Okay. So when is the next time after

10:11 14 the lunch situation you just talked about?

10:11 15 **A About what? I'm sorry. Repeat.**

10:11 16 **Q** That you expressed any concerns about

10:11 17 what was going on in the office to anybody.

10:11 18 **A I pretty much complained every couple**

10:11 19 **weeks.**

10:11 20 **Q** And I know you had testified a little

10:11 21 bit ago about how you would get the letters or

10:11 22 the mail from the insurance, but you wouldn't

10:11 23 open it. You'd stack it up in a pile.

10:11 24 **A I opened them the first few months, you**

10:11 25 **know, and I just kind of let it go after a few**

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10:11 1 **months. I just figured it was the same old --**
 10:11 2 **you know.**
 10:11 3 **Q** Well, when you opened them up and you
 10:11 4 looked at them, do you see that you were being
 10:11 5 billed for massages you didn't think you got?
 10:11 6 **A** **No, because up until probably August, I**
 10:11 7 **was getting massages.**
 10:11 8 **Q** Okay. Well, then after you came to have
 10:11 9 an issue with signing papers for massages, and
 10:11 10 you were being told it was office practice and
 10:11 11 all of that, did you ever go back and look at the
 10:12 12 bills and say, Well, you know, I remember signing
 10:12 13 a form on August -- I mean on October 5th for a
 10:12 14 massage. Did you go back and look at your
 10:12 15 statement and, Well, was I billed for a massage
 10:12 16 that day?
 10:12 17 **A** **Not at that -- not at that period.**
 10:12 18 **Q** Have you ever done that?
 10:12 19 **A** **I did it much later.**
 10:12 20 **Q** When did you do that?
 10:12 21 **A** **Probably at the end of the year, in**
 10:12 22 **December sometime. I had some time and I went**
 10:12 23 **through them.**
 10:12 24 **Q** End of December 2013?
 10:12 25 **A** **Correct.**

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10:12 1 **Q** Okay. What caused you to actually go
 10:12 2 open the bills and look at them?
 10:12 3 **A** **I actually was cleaning out some desk**
 10:12 4 **paperwork, and I decided to just organize and**
 10:12 5 **open some up. I had time.**
 10:12 6 **Q** And when you looked at them, did you see
 10:12 7 you were billed for massages you don't think you
 10:12 8 got?
 10:12 9 **A** **And other therapies.**
 10:12 10 **Q** Such as?
 10:12 11 **A** **Ultrasound and traction and -- I don't**
 10:12 12 **know -- other stuff.**
 10:12 13 **Q** Did you ever get ultrasound at
 10:12 14 Dr. Rhodes?
 10:12 15 **A** **Once or twice in the beginning.**
 10:12 16 **Q** That's it; once or twice?
 10:12 17 **A** **I -- just a few times in the beginning,**
 10:13 18 **in the summer.**
 10:13 19 **Q** But at the beginning.
 10:13 20 **A** **Yeah.**
 10:13 21 **Q** Okay. You weren't getting any in 2014
 10:13 22 from them?
 10:13 23 **A** **2014?**
 10:13 24 **Q** Yeah.
 10:13 25 **A** **I don't think so.**

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10:13 1 **Q** Okay. And you weren't getting any in
 10:13 2 the winter of 2013?
 10:13 3 **A** **No.**
 10:13 4 **Q** No?
 10:13 5 **A** **No, not at the end. I don't think so.**
 10:13 6 **Q** Nor in the fall of 2013, because that
 10:13 7 wouldn't be the beginning. The beginning was
 10:13 8 July; right?
 10:13 9 **A** **The beginning was July.**
 10:13 10 **Q** Right.
 10:13 11 **A** **So I don't -- I don't know. I know I**
 10:13 12 **got some in -- a few during the summer.**
 10:13 13 **Q** During the summer.
 10:13 14 **A** **And I may have gotten one or two in the**
 10:13 15 **fall. It wasn't a consistent thing.**
 10:13 16 **Q** Okay. So you saw an ultrasound you say
 10:13 17 you didn't get. What else do you think you
 10:13 18 didn't get that you got billed for?
 10:13 19 **A** **I did get hot and cold packs a lot in**
 10:13 20 **the beginning, and I may have gotten a few in the**
 10:13 21 **fall, but that wasn't part of my regular. It**
 10:13 22 **bothered me.**
 10:13 23 **Q** Okay. What else? You said traction.
 10:13 24 **A** **Yeah. I tried that I think once, and it**
 10:13 25 **hurt my back. I didn't like it.**

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10:13 1 **Q** Explain for a novice like me what
 10:14 2 traction is. What is that?
 10:14 3 **A** **I'm not an expert on traction.**
 10:14 4 **Q** But what was physically done to you?
 10:14 5 **A** **It's a table with something that pulls**
 10:14 6 **your neck.**
 10:14 7 **Q** And you tried that once or twice, and
 10:14 8 you didn't like it?
 10:14 9 **A** **I don't know if I did it twice. I think**
 10:14 10 **I tried it once. I can't remember. I don't know**
 10:14 11 **the specifics on the traction. I don't know how**
 10:14 12 **many times.**
 10:14 13 **Q** You disliked it so much that you did it
 10:14 14 so little that you didn't want to do it again?
 10:14 15 **A** **Yes.**
 10:14 16 **Q** Okay. Any other treatments --
 10:14 17 **A** **I think I had the rolling table a couple**
 10:14 18 **of times.**
 10:14 19 **Q** Okay.
 10:14 20 **A** **And I noticed that was on the billing,**
 10:14 21 **too.**
 10:14 22 **Q** And what time period are we talking
 10:14 23 about where you had stuff done that you don't
 10:14 24 think was performed?
 10:14 25 **A** **From, I guess, September -- mid**

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10:14 1 **September to December.**
 10:15 2 **Q** How about in November?
 10:15 3 **A** **What about it?**
 10:15 4 **Q** Were you getting any traction in
 10:15 5 November?
 10:15 6 **A** **I don't remember when I got it.**
 10:15 7 **Q** Well, towards the beginning you think
 10:15 8 though?
 10:15 9 **A** **I tried everything in the beginning. I**
 10:15 10 **don't remember.**
 10:15 11 **Q** How about ultrasound; were you getting
 10:15 12 any of that in November?
 10:15 13 **A** **I don't remember.**
 10:15 14 **Q** You think it was closer to the beginning
 10:15 15 though?
 10:15 16 **A** **I know I got it for sure over the**
 10:15 17 **summer.**
 10:15 18 **Q** Okay. And you said that you really, I
 10:15 19 guess, for the -- I'll say for the first time,
 10:15 20 were able to confirm what your suspicions were
 10:15 21 when you actually looked at the bills sometime in
 10:15 22 December of 2013?
 10:15 23 **A** **Yes, towards the end, I believe.**
 10:15 24 **Q** Okay. And when you actually looked at
 10:15 25 the bills, did you go talk to anybody about that?

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10:16 1 **A** **I remember talking to my attorney and**
 10:16 2 **telling him about that.**
 10:16 3 **Q** Mr. Ossi?
 10:16 4 **A** **Yes, and his assistants.**
 10:16 5 **Q** Did he do anything with the information?
 10:16 6 **A** **He said he would take care of it, and**
 10:16 7 **tally it up and see if he could -- he'd call the**
 10:16 8 **office. He said he was going to take care of it**
 10:16 9 **with Dr. Rhodes. I told him --**
 10:16 10 **Q** Do you know if that was ever done?
 10:16 11 **A** **I was told by his assistant that they**
 10:16 12 **made multiple calls to his office, and there was**
 10:16 13 **no response. They left messages for him to call**
 10:16 14 **him back.**
 10:16 15 **Q** Who was Ossi's assistant?
 10:16 16 **A** **There's another attorney named Lauren,**
 10:16 17 **and I know there was -- he had a couple of**
 10:16 18 **assistants. One was Kelly something, another**
 10:17 19 **Kelly. There was a few people working on the**
 10:17 20 **case. I don't remember their names.**
 10:17 21 **Q** After talking to Ossi about it, did you
 10:17 22 talk to anybody else about, you know, having now
 10:17 23 looked at the bills and what your concerns were?
 10:17 24 **A** **Probably in January. I waited a while**
 10:17 25 **to see if he would resolve it, and I told -- I**

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10:17 1 **asked Tammy if my attorney had called.**
 10:17 2 **Q** What did Tammy tell you?
 10:17 3 **A** **Yes.**
 10:17 4 **Q** And what did she say about that?
 10:17 5 **A** **She said she had -- the attorney's**
 10:17 6 **office had called a few times.**
 10:17 7 **Q** Did she say whether or not she passed on
 10:17 8 the message to Rhodes?
 10:17 9 **A** **Yes. She said she did.**
 10:17 10 **Q** Did she say what Rhodes' reaction was?
 10:17 11 **A** **I don't remember.**
 10:17 12 **Q** Did you ever show her the bills and --
 10:17 13 next to, you know, the message slips and say,
 10:18 14 Hey, what's up?
 10:18 15 **A** **No. No. I don't have them with me.**
 10:18 16 **Q** And I don't mean to be so, you know,
 10:18 17 casual about it.
 10:18 18 **A** **Yeah.**
 10:18 19 **Q** But you know what I'm saying.
 10:18 20 What did those bills from Nationwide
 10:18 21 look like; can you recall?
 10:18 22 **A** **Just small pieces of paper with a**
 10:18 23 **monthly total, I guess. I don't remember.**
 10:18 24 **Q** Did they say like EOB, Explanation of
 10:18 25 Benefits, or anything?

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10:18 1 **A** **Probably.**
 10:18 2 **Q** Do you know what your file number was
 10:18 3 with Nationwide, or what your policy number was?
 10:18 4 **A** **No.**
 10:18 5 **Q** All right. So did you ever talk to
 10:18 6 Dr. Rhodes about that directly?
 10:18 7 **A** **Not while we were in therapy.**
 10:18 8 **Q** Okay. Did you ever call him, write him
 10:18 9 a letter, email him, text him?
 10:18 10 **A** **Well, he was at the reception when I**
 10:18 11 **complained a few times.**
 10:18 12 **Q** Did he say anything when you were up
 10:18 13 there?
 10:18 14 **A** **No. He walked away.**
 10:19 15 **Q** All right. Did there ever come a time
 10:19 16 when you wrote him a letter or anything about it?
 10:19 17 **A** **I did. I sent him an email at the end**
 10:19 18 **when I wanted to stop going to the office.**
 10:19 19 **Q** Do you remember when that was and what
 10:19 20 was in the email?
 10:19 21 **A** **I want to say that was at the end of**
 10:19 22 **January or early February. I can't remember.**
 10:19 23 **Early February.**
 10:19 24 **Q** Do you still have the email?
 10:19 25 **A** **No idea. That was years ago. I**

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10:19 1 **haven't...**
 10:19 2 **Q** Was it sent from -- you gave me your
 10:19 3 email address earlier, the comcast.net email
 10:19 4 address?
 10:19 5 **A** Yes.
 10:19 6 **Q** Did you have Florida Blue as well?
 10:19 7 **A** That's my private insurance.
 10:19 8 **Q** Okay.
 10:19 9 **A** Florida Blue?
 10:19 10 **Q** Yeah. Yeah. Did you have that?
 10:19 11 **A** I have -- that's my insurance.
 10:19 12 **Q** But were you using that at Dr. Rhodes'
 10:19 13 office?
 10:19 14 **A** No.
 10:19 15 **Q** Nationwide was your auto insurance --
 10:19 16 **A** Correct.
 10:19 17 **Q** -- that was paying for this.
 10:19 18 **A** Yeah.
 10:19 19 **Q** Okay. Do you recall signing a letter of
 10:20 20 protection with your law firm to give to
 10:20 21 Dr. Rhodes?
 10:20 22 **A** I don't even know what that means. What
 10:20 23 is a letter of protection?
 10:20 24 **Q** A letter of protection is a letter --
 10:20 25 and your attorney will correct me if I'm wrong

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10:20 1 here -- that the law firm will guarantee payment
 10:20 2 for the services the doctor renders to you out of
 10:20 3 the settlement proceeds if they're received. Do
 10:20 4 you remember signing anything like that?
 10:20 5 **A** I don't really remember much of what I
 10:20 6 signed; but I probably did, if that's a standard
 10:20 7 procedure.
 10:20 8 **Q** Okay. Do you know if your law firm ever
 10:20 9 satisfied whatever bills may have been due to
 10:20 10 Dr. Rhodes pursuant to the letter of protection?
 10:20 11 **A** I believe so.
 10:20 12 **Q** Did you maintain a copy of your --
 10:20 13 what's called a settlement or closing statement
 10:21 14 as it relates to your settlement with the case
 10:21 15 against Mr. or Mrs. Fox, the auto accident case?
 10:21 16 **A** I think my attorney has everything. I
 10:21 17 don't think I took anything.
 10:21 18 **Q** Okay. Do you maintain any of those
 10:21 19 explanation of benefits or mailings that you got
 10:21 20 from Nationwide?
 10:21 21 **A** Maintain meaning?
 10:21 22 **Q** Yeah. Do you have them anywhere?
 10:21 23 **A** I think I may have them. I don't think
 10:21 24 I threw them out. I'm not sure. I'd have to
 10:21 25 check.

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10:21 1 **Q** Okay. So you sent Dr. Rhodes an email
 10:21 2 towards the end of January?
 10:21 3 **A** Or early February. I can't remember
 10:21 4 when it was.
 10:21 5 **Q** Was Tammy still working there then?
 10:21 6 **A** I don't think so.
 10:21 7 **Q** Do you know why Tammy left?
 10:21 8 **A** She told me he laid her off for lack of
 10:22 9 work, but she also told me that they had gotten
 10:22 10 into an argument.
 10:22 11 **Q** Did she say what the argument was about?
 10:22 12 **A** Yes.
 10:22 13 **Q** What was it about?
 10:22 14 **A** She was questioning my overbilling and
 10:22 15 some checks that came in.
 10:22 16 **Q** The letter or the email that you sent
 10:22 17 Dr. Rhodes about the billing, did that go to
 10:22 18 Dr. Rhodes before or after Tammy was terminated?
 10:22 19 **A** I don't remember. I think it was after.
 10:22 20 Shortly after.
 10:22 21 **Q** All right. After that email, was there
 10:22 22 anything else you put in writing as it relates to
 10:22 23 Dr. Rhodes and the billing issue?
 10:22 24 **A** What do you mean?
 10:22 25 **Q** Yeah. Did you write him another letter?

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10:22 1 I mean, I know at some point -- we'll get to that
 10:23 2 Tip form with the Department of Insurance, but --
 10:23 3 **A** I don't think so.
 10:23 4 **Q** Okay. Did Dr. Rhodes ever get back to
 10:23 5 you about that?
 10:23 6 **A** He called. He called and left me a
 10:23 7 message.
 10:23 8 **Q** Okay. In your auto accident lawsuit,
 10:23 9 you had told me earlier that you gave a
 10:23 10 deposition. Did the other side send you what are
 10:23 11 called interrogatories? Do you know what those
 10:23 12 are?
 10:23 13 **A** No, I don't know what those are.
 10:23 14 **Q** What they are, the opposing party in a
 10:23 15 lawsuit can send you written questions that you
 10:23 16 have to answer in writing under oath. You don't
 10:23 17 recall whether or not you got any of those?
 10:24 18 **A** I don't remember if I did that.
 10:24 19 **Q** Okay. Do you know who represented the
 10:24 20 defendant in that lawsuit?
 10:24 21 **A** I don't remember.
 10:24 22 **Q** Okay. Let's talk about --
 10:24 23 MR. DeMAGGIO: You know what, let's take
 10:24 24 a quick break.
 10:32 25 (Brief recess.)

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10:32 1 BY MR. DeMAGGIO:
 10:32 2 Q You've got a document in front of you
 10:32 3 there, ma'am, that's the document that's attached
 10:32 4 as Exhibit D to the Amended Complaint, Demand for
 10:32 5 Jury Trial, which is the operative pleading that
 10:32 6 we're on now. Tell me how that form and that
 10:32 7 document in front of you came to be.

10:32 8 A Are we talking about this one?

10:32 9 Q Yes, ma'am.

10:32 10 MR. DeMAGGIO: And we'll make that --
 10:32 11 I'll just rip it off the Complaint here.

10:32 12 We'll make that Exhibit 4 to the deposition.
 10:32 13 (Plaintiff's Exhibit No. 4 was marked
 10:32 14 for identification.)

10:32 15 BY MR. DeMAGGIO:

10:32 16 Q So tell me how it came to be that you
 10:33 17 made this tip to the insurance department.

10:33 18 A Well, I decided to do it after multiple
 10:33 19 attempts to get it resolved through my attorney.

10:33 20 Q So I guess at some point you realized
 10:33 21 that your attorney didn't get it resolved?

10:33 22 A Yes.

10:33 23 Q Did he tell you, I wasn't able to
 10:33 24 resolve it?

10:33 25 A Well, his assistants and him said that
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10:33 1 they were trying and they got nowhere.

10:33 2 Q And then was this form generated after
 10:33 3 you sent the letter, the email to Dr. Rhodes?

10:33 4 A I believe so.

10:33 5 Q Okay. So I get why you sent this. You
 10:33 6 weren't able to resolve it via the other means.

10:33 7 How did you know to go onto the
 10:33 8 Department of Insurance Fraud -- I mean, how did
 10:33 9 you --

10:33 10 A Well, I knew it existed.

10:34 11 Q How did you know that?

10:34 12 A Well, just in general, I knew that there
 10:34 13 was sites available for, you know, reporting
 10:34 14 issues.

10:34 15 Q But, I mean, who told you about that?
 10:34 16 How did you know there were sites out there to
 10:34 17 report issues?

10:34 18 A I think that's a general -- everybody
 10:34 19 knows. There's government agencies pretty much
 10:34 20 for everything.

10:34 21 Q Did you know that the State of Florida
 10:34 22 had a Division of Insurance Fraud?

10:34 23 A Not specifically. But, yeah. I mean, I
 10:34 24 did speak to a few people about it.

10:34 25 Q Who did you speak to?

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10:34 1 A My sister.

10:34 2 Q What's her name?

10:34 3 A N[REDACTED]

10:34 4 Q Is it N[REDACTED] Z[REDACTED]?

10:34 5 A No.

10:34 6 Q What's her last name?

10:34 7 A [REDACTED].

10:34 8 Q That one you're going to have to spell
 10:34 9 for us, ma'am.

10:34 10 A P[REDACTED]

10:35 11 Q Is that a Greek name?

10:35 12 A Yes.

10:35 13 Q Okay. Are you Greek by heritage?

10:35 14 A Yes.

10:35 15 Q Z[REDACTED]?

10:35 16 A Yes.

10:35 17 Q Okay. Have you ever had a job in the
 10:35 18 insurance industry at all?

10:35 19 A No.

10:35 20 Q And I didn't ask you; what's your
 10:35 21 educational background?

10:35 22 A I have a BA in fine arts and education
 10:35 23 from Queens College.

10:35 24 Q Queens College?

10:35 25 A Yes.

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10:35 1 Q Are you from New York?

10:35 2 A Yes.

10:35 3 Q Whereabouts?

10:35 4 A Queens.

10:35 5 Q What brought you to Florida?

10:35 6 A I visited some friends and fell in love
 10:35 7 with Jacksonville.

10:35 8 Q Other than the nanny job you've told me
 10:35 9 about, what year did you graduate from college,
 10:35 10 ma'am?

10:35 11 A '91.

10:35 12 Q What did you do after you got out of
 10:35 13 college?

10:35 14 A I worked in a private school.

10:35 15 Q In New York?

10:35 16 A Yes.

10:35 17 Q Which one?

10:35 18 A It's a preschool. I forgot the name.
 10:36 19 Bright Beginnings.

10:36 20 Q Was it in Queens?

10:36 21 A Yes.

10:36 22 Q What part of Queens did you live in?

10:36 23 A I lived in Astoria.

10:36 24 Q So you worked at the private school,
 10:36 25 young kids?

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- 10:36 1 **A Preschool.**
 10:36 2 **Q** Preschoolers?
 10:36 3 **A Yes.**
 10:36 4 **Q** How long did you work there?
 10:36 5 **A Almost seven years.**
 10:36 6 **Q** Where did you go after that?
 10:36 7 **A I helped my husband in his food trucks**
 10:36 8 **and his restaurants.**
 10:36 9 **Q** He had a restaurant, restaurateur-type
 10:36 10 guy, food business?
 10:36 11 **A Yeah, food business.**
 10:36 12 **Q** Was that up in New York or down here?
 10:36 13 **A Both.**
 10:36 14 **Q** Okay. Did you assist him with the
 10:36 15 restaurant/food truck business until you guys
 10:36 16 came down to Florida?
 10:36 17 **A On and off, yes.**
 10:36 18 **Q** Okay. And then, once you guys got down
 10:36 19 to Florida -- what year did you come to Florida?
 10:36 20 **A 2000.**
 10:36 21 **Q** And once you got down to Florida, what
 10:36 22 did you do?
 10:36 23 **A I helped him in his sandwich shop.**
 10:37 24 **Q** What sandwich shop was that?
 10:37 25 **A It was Johnny's Deli on Adams Street**

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- 10:37 1 **Downtown.**
 10:37 2 **Q** Did they later move over there to
 10:37 3 Riverside?
 10:37 4 **A Yes.**
 10:37 5 **Q** Does he still have that joint?
 10:37 6 **A (Nods head affirmatively.)**
 10:37 7 **Q** Okay. And you did that up until
 10:37 8 approximately seven years ago when you caught on
 10:37 9 as a nanny with the C [REDACTED] family?
 10:37 10 **A Right.**
 10:37 11 **Q** Okay. Do you have any ownership
 10:37 12 interest in Johnny's Sandwich Shop?
 10:37 13 **A No. It's done.**
 10:37 14 **Q** Was that severed in the divorce
 10:37 15 proceeding?
 10:37 16 **A Yes.**
 10:37 17 **Q** All right. So you had talked to your
 10:37 18 sister about the -- that there may be websites or
 10:37 19 something to report issues?
 10:37 20 **A Right.**
 10:37 21 **Q** Okay. How did you find that specific
 10:37 22 website?
 10:37 23 **A I can't remember. I just looked it up.**
 10:37 24 **I don't remember.**
 10:37 25 **Q** Okay. By looked it up, you mean you

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- 10:37 1 Googled it probably?
 10:37 2 **A Yeah. Stuff, yeah.**
 10:37 3 **Q** I mean, let's just be honest. I mean,
 10:38 4 that's --
 10:38 5 **A Everybody Googles.**
 10:38 6 **Q** Right.
 10:38 7 **A I don't remember.**
 10:38 8 **Q** Okay. So you got on the website and
 10:38 9 then, what; you emailed them the tip that appears
 10:38 10 in the body of the thing?
 10:38 11 **A (Nods head affirmatively.)**
 10:38 12 **Q** Yes?
 10:38 13 **A Yes.**
 10:38 14 **Q** Okay. Where were you at when you
 10:38 15 actually typed up the email?
 10:38 16 **A At my sister's house.**
 10:38 17 **Q** Okay.
 10:38 18 **A My computer wasn't working.**
 10:38 19 **Q** So you used your sister's computer?
 10:38 20 **A Yeah.**
 10:38 21 **Q** What's N [REDACTED] address?
 10:38 22 **A Oh.**
 10:38 23 **Q** Do you know what road it's on?
 10:38 24 **A Spoonbill.**
 10:38 25 **Q** Spoonville, S-p-o-o- --

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- 10:38 1 **A Not -ville, -bill.**
 10:38 2 **Q** Spoonbill.
 10:38 3 **A Right.**
 10:38 4 **Q** What part of town is that in?
 10:38 5 **A Intracoastal.**
 10:38 6 **Q** Is it not far from Crane's Landing?
 10:38 7 **A Yeah, yeah. She's in my neighborhood.**
 10:38 8 **Q** She's in your neighborhood.
 10:38 9 **A Right.**
 10:38 10 **Q** Okay. Does she still live there?
 10:39 11 **A Yes.**
 10:39 12 **Q** Okay. And the email address you sent it
 10:39 13 from, was it the Comcast email address? Did you
 10:39 14 send it --
 10:39 15 **A What? I'm sorry.**
 10:39 16 **Q** The email address that you sent it from,
 10:39 17 did you send it from [REDACTED]@comcast.net?
 10:39 18 **A I don't know. I don't remember.**
 10:39 19 **Q** I'm looking at the body of Exhibit 4.
 10:39 20 It says, The following tip was received from C [REDACTED]
 10:39 21 V [REDACTED] via email. And I'm just wondering
 10:39 22 what email address you sent it from.
 10:39 23 **A I don't remember. I don't know.**
 10:39 24 **Q** Well, is it possible you sent it from
 10:39 25 somebody else's email address?

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10:39 1 **A Well, the only other options was me or**
 10:39 2 **my sister's. So probably mine.**
 10:39 3 **Q** Okay. Do you know what your sister's
 10:39 4 email address is?
 10:39 5 **A No.**
 10:39 6 **Q** Is that something you could find out?
 10:39 7 **A Probably.**
 10:39 8 **Q** Okay. And I'll be honest with you, I've
 10:39 9 never sent a tip in to the insurance fraud unit
 10:40 10 before. Tell me a little bit about how the
 10:40 11 website works and how you were able to effectuate
 10:40 12 this. Is there a page you click on and a form --
 10:40 13 a template form?
 10:40 14 **A I believe there was just a little box**
 10:40 15 **where you put your comment in.**
 10:40 16 **Q** Gotcha. And then, is there anybody you
 10:40 17 interact with with the Division of Insurance
 10:40 18 Fraud when you send a tip in, or is it all web
 10:40 19 based?
 10:40 20 **A It's computer.**
 10:40 21 **Q** Okay. Other than the -- you know, like
 10:40 22 the body of the thing -- which I'm assuming the
 10:40 23 body of this is what you typed, starting with "I
 10:40 24 have been" --
 10:40 25 **A Yes.**

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10:40 1 **Q** Ending with "this matter."
 10:40 2 **A Correct.**
 10:40 3 **Q** That's what you actually typed up.
 10:40 4 **A Correct.**
 10:40 5 **Q** Who's Kevin Jones? Do you know who
 10:40 6 Kevin Jones is?
 10:40 7 **A I have no idea.**
 10:41 8 **Q** Okay. Did you type in that occurred
 10:41 9 date, where it says "Occurred Date: 9/1/13"?
 10:41 10 **A No.**
 10:41 11 **Q** "12 a.m." Okay. What about where it
 10:41 12 says like "Fraud Type: PIP fraud"?
 10:41 13 **A No, I didn't type anything else.**
 10:41 14 **Q** All you did was send an email in to
 10:41 15 somebody?
 10:41 16 **A Yeah. I had nothing to do with any of**
 10:41 17 **the other information.**
 10:41 18 **Q** So down there where it says like
 10:41 19 Reporting Individual Information, and it's got
 10:41 20 Victim/Witness Type, and it says LEO --
 10:41 21 **A Right. Nothing. That's not me.**
 10:41 22 **Q** Kevin Jones.
 10:41 23 **A No.**
 10:41 24 **Q** Do you know who Kevin Jones is?
 10:41 25 **A No.**

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10:41 1 **Q** Okay. Did your email go to
 10:41 2 kevin.jones@myfloridacfo.com?
 10:41 3 **A I have no idea where it went.**
 10:41 4 **Q** Do you still have a copy of the email
 10:41 5 you sent in, or did it go through their system --
 10:41 6 **A It wasn't my email. It was their site.**
 10:41 7 **Q** They call it -- all right. So maybe
 10:41 8 their site says we got it via email when you type
 10:41 9 it in --
 10:41 10 **A It was electronically, but it didn't go**
 10:41 11 **through an email. It went through their site.**
 10:41 12 **Q** Gotcha. And then the date on there is
 10:42 13 February 4, 2014, 1604?
 10:42 14 **A I guess that's the date -- that's when**
 10:42 15 **they got it. I don't know if that's when I sent**
 10:42 16 **it. I don't remember.**
 10:42 17 **Q** You don't know when you sent it?
 10:42 18 **A It's probably around that time, but I**
 10:42 19 **don't know if it's the day before or that exact**
 10:42 20 **moment. I don't know.**
 10:42 21 **Q** You don't have any reason to believe you
 10:42 22 didn't send it that day, do you?
 10:42 23 **A I don't know.**
 10:42 24 **Q** Okay.
 10:42 25 **A I'm assuming that's a real time. I**

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10:42 1 **don't know.**
 10:42 2 **Q** Yeah. The better -- we'd have to ask
 10:42 3 somebody at the Department of Insurance Fraud.
 10:42 4 **A (Indicating.)**
 10:42 5 **Q** Fair enough. Let's go through what you
 10:42 6 wrote there.
 10:42 7 **A Okay.**
 10:42 8 **Q** And you're saying you've never spoken
 10:42 9 with Kevin Jones?
 10:42 10 **A No. I don't know who that is.**
 10:42 11 **Q** Okay. You said, "I've been receiving
 10:42 12 services by a chiropractor due to an auto
 10:42 13 accident." Correct?
 10:42 14 **A Yes.**
 10:42 15 **Q** The auto accident is the one from
 10:42 16 January of 2013 that we had talked about.
 10:42 17 **A Correct.**
 10:42 18 **Q** Then you go on to say, "While reviewing
 10:42 19 my insurance bills, I noticed thousands of
 10:43 20 dollars for services that I did not have";
 10:43 21 correct?
 10:43 22 **A Correct.**
 10:43 23 **Q** Did N help you compose this at all?
 10:43 24 **A No. She kept me company.**
 10:43 25 **Q** Was she looking at it while you were

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10:43 1 writing it?

10:43 2 **A I don't know what she was doing. She**
10:43 3 **was on her desk.**

10:43 4 **Q** Okay. Do you know, was she, "Oh, you
10:43 5 have a typo there," or anything like that?

10:43 6 **A I don't remember.**

10:43 7 **Q** Okay. And you write "I was charged for
10:43 8 massages, ultrasound, and traction services for
10:43 9 every visit when, in fact, the only service I
10:43 10 received consistently was adjustments and
10:43 11 electric stimulation therapy"; correct?

10:43 12 **A Correct.**

10:43 13 **Q** So upon looking at your bills, you
10:43 14 believe you were charged for massages,
10:43 15 ultrasound, and traction services on every bill?

10:43 16 **A Pretty much, in the period in question.**

10:43 17 **Q** That's not what you wrote there. You
10:43 18 wrote "for every visit."

10:43 19 **A I can't remember.**

10:44 20 **Q** Okay. Then you wrote, "The services in
10:44 21 question," and you put "in question" in quotation
10:44 22 marks. Why is that?

10:44 23 **A Because in that period, I remember going**
10:44 24 **to get services, but I don't recall every single**
10:44 25 **visit.**

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10:44 1 **Q** Okay. Well, I'm just curious why "in
10:44 2 question" is in quotation marks.

10:44 3 **A Right.**

10:44 4 **Q** And you wrote it; I didn't. You don't
10:44 5 know, I guess?

10:44 6 **A Well, yes, because I'm questioning it.**

10:44 7 **Q** Okay.

10:44 8 **A That's why I put it in question.**

10:44 9 **Q** Okay. "Were provided during the period
10:44 10 of September 1, 2013, through mid January 2014."

10:44 11 **A Yes.**

10:44 12 **Q** So can I infer from this that you have
10:44 13 no complaints about the services you received
10:44 14 from July up until August 31 of 2013?

10:44 15 **A Correct.**

10:44 16 **Q** Okay.

10:44 17 **A I'm sorry. Repeat that. Did you say**
10:44 18 **July till August?**

10:44 19 **Q** July to the end of August.

10:44 20 **A Correct.**

10:44 21 **Q** August 31 of 2013.

10:44 22 **A Right.**

10:44 23 **Q** Then you go on to say, "I'm very
10:45 24 disappointed this problem has occurred, since I
10:45 25 had expressed concern several times when signing

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10:45 1 paperwork for services that were not rendered.

10:45 2 The doctor and staff personally assured me the
10:45 3 paperwork would be submitted correctly to the
10:45 4 insurance company, but it was not." Correct?

10:45 5 That's what you wrote?

10:45 6 **A Yes.**

10:45 7 **Q** Now, I do remember you testifying that
10:45 8 you had the conversations with Jessie and then
10:45 9 later with Tammy about the issues.

10:45 10 **A Uh-huh (affirmative response).**

10:45 11 **Q** I don't remember you saying anything
10:45 12 about speaking with Dr. Rhodes personally, other
10:45 13 than he was at the desk when you may have had
10:45 14 some of the conversation with the girls.

10:45 15 **A Right. He was there.**

10:45 16 **Q** Okay. Did he ever tell you that the
10:45 17 paperwork would be submitted correctly to the
10:45 18 insurance company, but it was not?

10:45 19 **A I don't remember if he personally said**
10:45 20 **that.**

10:45 21 **Q** Okay. So the part where it says, "The
10:45 22 doctor and his staff personally assured me the
10:46 23 paperwork would be submitted correctly to the
10:46 24 insurance company but it was not," we know the
10:46 25 staff may have, but we can't recall if Dr. Rhodes

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10:46 1 ever did.

10:46 2 **A If he -- I don't know how to answer**
10:46 3 **that.**

10:46 4 **Q** Did Dr. Rhodes ever personally assure
10:46 5 you that the paperwork would be submitted
10:46 6 correctly to the insurance company but it was
10:46 7 not?

10:46 8 **A I cannot remember.**

10:46 9 **Q** Okay. Then you say, "I've sent him
10:46 10 correspondence asking him to correct the billing
10:46 11 situation." Is that the email you were talking
10:46 12 about before?

10:46 13 **A Yes.**

10:46 14 **Q** Okay. Did you ever send him any United
10:46 15 States mail?

10:46 16 **A No.**

10:46 17 **Q** Okay. "But instead he is calling me
10:46 18 asking that we meet to discuss this in person,
10:46 19 assuring me that he would, quote, make me happy,
10:46 20 close quote."

10:47 21 Do you recall ever getting a call from
10:47 22 Dr. Rhodes about meeting in person to discuss the
10:47 23 issue?

10:47 24 **A He left me a voicemail saying that.**

10:47 25 **Q** Do you still have that voicemail?

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10:47 1 **A It was on my other phone. I don't know**
 10:47 2 **if it could get -- it was on a very old phone. I**
 10:47 3 **don't know if I could retract it.**

10:47 4 **Q** An old phone though, but was it on the
 10:47 5 number of --

10:47 6 **A It was the same number.**

10:47 7 **Q** The cell phone number.

10:47 8 **A Yes.**

10:47 9 **Q** The [REDACTED]?

10:47 10 **A Yes.**

10:47 11 **Q** That would have been a Verizon phone at
 10:47 12 the time?

10:47 13 **A Yes.**

10:47 14 **Q** Okay. So you've had the same phone
 10:47 15 number and the same provider, but the actual
 10:47 16 physical cell phone itself has changed, is what
 10:47 17 you're telling me.

10:47 18 **A Multiple times, yes.**

10:47 19 **Q** Do you know how many times it's changed?

10:47 20 **A At least four.**

10:47 21 **Q** Four?

10:47 22 **A At least.**

10:47 23 **Q** Back in the time you were treating with
 10:47 24 Dr. Rhodes, July up until January '14, did you
 10:47 25 have the same physical type of phone then, or did

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10:48 1 you ever change phones during that time period?

10:48 2 **A I'm sorry. What's the question?**

10:48 3 **Q** Yeah. When you were treating with
 10:48 4 Dr. -- and let's just put this in terms of
 10:48 5 iPhone. There's iPhones 3, 4, 5, blah, blah,
 10:48 6 blah; right?

10:48 7 Did you have the same type of phone when
 10:48 8 you were treating with Dr. Rhodes the entire time
 10:48 9 you were treating with him? Assuming like, let's
 10:48 10 say you had an iPhone 5. Did you have an iPhone
 10:48 11 5 --

10:48 12 **A No. I didn't have an iPhone then. It**
 10:48 13 **was a flip phone.**

10:48 14 **Q** You had a flip phone.

10:48 15 **A Yeah.**

10:48 16 **Q** Okay. Would you ever send any text
 10:48 17 messages while you were at Dr. Rhodes' office?

10:48 18 **A I suppose maybe to my kids. I don't**
 10:48 19 **know.**

10:48 20 **Q** Okay. Do you know if your phone that
 10:48 21 you utilized during the time period you were
 10:48 22 treating with Dr. Rhodes -- do you know whether
 10:48 23 or not it was GPS equipped or enabled?

10:48 24 **A I had an old flip phone. I don't think**
 10:48 25 **they even have that technology. But I can't --**

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10:49 1 **I'm not a techy.**

10:49 2 **Q** You're probably right about that, but
 10:49 3 that's why I'm asking.

10:49 4 **A I don't know.**

10:49 5 **Q** Okay. So he left you a voicemail. Was
 10:49 6 it just one voicemail?

10:49 7 **A I think so. I'm not sure.**

10:49 8 **Q** Did you ever follow up with him, give
 10:49 9 him a call back?

10:49 10 **A I didn't. I did not want to deal with**
 10:49 11 **it.**

10:49 12 **Q** When was that voicemail vis-a-vis your
 10:49 13 February 4, 2014 tip to the insurance company?

10:49 14 **A I'm sorry?**

10:49 15 **Q** Yeah. When was that voicemail in
 10:49 16 relation to your February 4 tip to the Department
 10:49 17 of Insurance Fraud?

10:49 18 **A That voicemail -- when did I tell them**
 10:49 19 **about it?**

10:49 20 **Q** Yeah. When --

10:49 21 **A In this --**

10:49 22 **Q** When did Rhodes leave you that voicemail
 10:49 23 in comparison to when you sent this, Exhibit 4?

10:49 24 **A I don't remember. Before this**
 10:49 25 **definitely, but I don't remember the date.**

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10:49 1 **Q** Was it a day before, a week before, a
 10:49 2 month before?

10:49 3 **A I don't remember. Probably shortly**
 10:49 4 **before. Within the week. Probably within a week**
 10:49 5 **I would say.**

10:49 6 **Q** Okay. Then you write, "I think this is
 10:50 7 not" -- and you put "not" in all capital
 10:50 8 letters -- "a unique situation. Just recently
 10:50 9 one of his employees was laid off. The employee
 10:50 10 confided in me that she had questioned my bills
 10:50 11 and other similar billing inconsistencies. She
 10:50 12 was told to mind her business and then laid off."

10:50 13 Is that employee Tammy Wilson?

10:50 14 **A Yes.**

10:50 15 **Q** Okay. When you mentioned that "I don't
 10:50 16 think this is a unique situation," did you have
 10:50 17 any information to corroborate that statement?

10:50 18 **A Yes.**

10:50 19 **Q** From who?

10:50 20 **A Tammy.**

10:50 21 **Q** Okay. Tell me about your discussions
 10:50 22 you had with Tammy.

10:50 23 **A It was not really even a discussion. I**
 10:50 24 **was just told this has happened before.**

10:50 25 **Q** "This" being what?

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10:51 1 **A That there was some overbilling with**
 10:51 2 **other patients.**
 10:51 3 **Q** Did she mention any patients by name?
 10:51 4 **A No.**
 10:51 5 **Q** Did she mention the number of patients
 10:51 6 by name?
 10:51 7 **A No.**
 10:51 8 **Q** Did she mention if there had been any
 10:51 9 insurance fraud investigations under Dr. Rhodes?
 10:51 10 **A No.**
 10:51 11 **Q** Did she mention whether or not she had
 10:51 12 reported alleged billing issues to any outside --
 10:51 13 **A No.**
 10:51 14 **Q** -- law enforcement or regulatory agency?
 10:51 15 **A No.**
 10:51 16 **Q** Okay. Have you ever talked to anybody
 10:51 17 else that was a patient of Dr. Rhodes that had
 10:51 18 similar issues that --
 10:51 19 **A No.**
 10:51 20 **Q** Okay.
 10:51 21 **A Nobody.**
 10:51 22 **Q** Then you say, quote, I can go on with
 10:51 23 many more examples, close quote. What do you
 10:51 24 mean by that?
 10:51 25 **A Because she had mentioned there was**
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10:51 1 **multiple instances.**
 10:51 2 **Q** So what examples could you have gone on
 10:51 3 with though if she mentioned that it happened all
 10:51 4 the time but didn't give a name or what the
 10:51 5 situation was?
 10:51 6 **A She had briefly touched down on**
 10:51 7 **something that I can't remember right now.**
 10:52 8 **Q** About a specific patient?
 10:52 9 **A I think so.**
 10:52 10 **Q** Did she mention the patient by name?
 10:52 11 **A I think so. I can't remember. This was**
 10:52 12 **three years ago. I don't remember the details.**
 10:52 13 **This was obviously vivid to me then.**
 10:52 14 **Q** Do you know B [REDACTED] L [REDACTED]?
 10:52 15 **A Who?**
 10:52 16 **Q** Do you know a B [REDACTED] L [REDACTED]?
 10:52 17 **A No.**
 10:52 18 **Q** How about a N [REDACTED] D [REDACTED]?
 10:52 19 **A No.**
 10:52 20 **Q** How about -- let me just spell this
 10:52 21 name -- R [REDACTED], R [REDACTED], last name
 10:52 22 G [REDACTED], G [REDACTED]. Do you know that guy?
 10:52 23 **A No.**
 10:52 24 **Q** Okay. Do you know an A [REDACTED] N [REDACTED]?
 10:52 25 **A No.**
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10:52 1 **Q** E [REDACTED] R [REDACTED]?
 10:52 2 **A No.**
 10:52 3 **Q** M [REDACTED] S [REDACTED]?
 10:52 4 **A No.**
 10:52 5 **Q** L [REDACTED] J [REDACTED]?
 10:52 6 **A No.**
 10:52 7 **Q** J [REDACTED] T [REDACTED]?
 10:52 8 **A No.**
 10:52 9 **Q** D [REDACTED] B [REDACTED]?
 10:52 10 **A No.**
 10:52 11 **Q** H [REDACTED] C [REDACTED]?
 10:52 12 **A No.**
 10:52 13 **Q** Do you know a K [REDACTED] S [REDACTED]?
 10:53 14 **A No.**
 10:53 15 **Q** How about a T [REDACTED], T [REDACTED], R [REDACTED]?
 10:53 16 **A No.**
 10:53 17 **Q** And you had mentioned that Stacey --
 10:53 18 there was a Stacey who was Dr. Bloom's girlfriend
 10:53 19 at one point.
 10:53 20 **A Yes.**
 10:53 21 **Q** Do you know her?
 10:53 22 **A I've met her through the office.**
 10:53 23 **Q** Okay. When she worked for -- or when
 10:53 24 she was dating Dr. Bloom?
 10:53 25 **A Correct.**
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10:53 1 **Q** You would see her in there?
 10:53 2 **A She was at the desk.**
 10:53 3 **Q** Okay. She actually worked for him too?
 10:53 4 **A I think she was his front desk person**
 10:53 5 **for a while; but then they broke up, and I never**
 10:53 6 **seen her again.**
 10:53 7 **Q** You had mentioned that you had heard
 10:53 8 about maybe some fraud allegations or something
 10:53 9 as it related to Dr. Bloom, or that Stacey had
 10:53 10 made some of those. Do you remember when she
 10:53 11 made those allegations?
 10:53 12 **A No.**
 10:53 13 **Q** Would it have been before he shut down?
 10:53 14 **A I don't know.**
 10:53 15 **Q** Okay.
 10:53 16 **A Did I hear about it before he shut**
 10:53 17 **down --**
 10:53 18 **Q** Yeah.
 10:53 19 **A -- or was it --**
 10:53 20 **Q** Did you hear about it before he shut
 10:53 21 down?
 10:53 22 **A I don't think so. I don't know.**
 10:54 23 **Q** And what about, did anybody tell you
 10:54 24 when she made those allegations to somebody?
 10:54 25 **A No.**
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10:54 1 **Q** Do you know if she was ever interviewed
 10:54 2 by any detectives or anything about it?
 10:54 3 **A No.**
 10:54 4 **Q** Okay. In your discussions with --
 10:54 5 whether it be Jessie or Tammy or anybody else at
 10:54 6 Rhodes' office about your billing concerns, did
 10:54 7 they ever discuss with you like how the billing
 10:54 8 system worked at Rhodes' office?
 10:54 9 **A No.**
 10:54 10 **Q** Okay. Did they talk about billing codes
 10:54 11 or anything like that?
 10:54 12 **A No.**
 10:54 13 **Q** Do you know what billing codes are?
 10:54 14 **A No.**
 10:54 15 **Q** Fair enough. And then you say, "In
 10:54 16 addition, I have just left a messages with my
 10:54 17 insurance adjuster so I can give them a heads
 10:54 18 up."
 10:55 19 Do you remember who the insurance
 10:55 20 adjuster was you left a message with?
 10:55 21 **A He had a Spanish name. I forgot his**
 10:55 22 **name. Maybe Hector. I don't remember.**
 10:55 23 **Q** Okay. What was the message you left
 10:55 24 with him?
 10:55 25 **A Just that there was a mistake in those**
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10:55 1 **forms. I mean, there was an overbilling.**
 10:55 2 **Q** Was it one message or multiple messages?
 10:55 3 Because you wrote "a messages" here.
 10:55 4 **A That must be a typo. Yeah. No, it was**
 10:55 5 **just one message. I just gave him a -- let him**
 10:55 6 **know that there was a...**
 10:55 7 **Q** Okay. You say, "Lastly, I have been
 10:55 8 told by his employees that he uses intimidation
 10:55 9 and threatens anyone that goes against him. So I
 10:55 10 am concerned for my own personal safety."
 10:55 11 Who are the employees that told you that
 10:55 12 he -- I'm assuming "he" being Dr. Rhodes.
 10:55 13 **A Correct.**
 10:55 14 **Q** Who told you that he, quote, uses
 10:55 15 intimidation and threatens anyone that goes
 10:55 16 against him, close quote?
 10:55 17 **A Tammy and Missy.**
 10:56 18 **Q** Okay. Was Missy still working for
 10:56 19 Dr. Rhodes at this point?
 10:56 20 **A Yes.**
 10:56 21 **Q** Did she ever get fired from there?
 10:56 22 **A I don't know.**
 10:56 23 **Q** Okay. Missy's profession is a massage
 10:56 24 therapist?
 10:56 25 **A Yes. I think.**
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10:56 1 **Q** And then you wrote you're concerned for
 10:56 2 your own personal safety.
 10:56 3 **A Yes.**
 10:56 4 **Q** Why was that?
 10:56 5 **A Because I was told that he was screaming**
 10:56 6 **at Tammy during their last argument, and he got**
 10:56 7 **very in her face and she was very frightened.**
 10:56 8 **That made me very uncomfortable.**
 10:56 9 **Q** So that he yelled at somebody else when
 10:56 10 you weren't there made you uncomfortable?
 10:56 11 **A Yes.**
 10:56 12 **Q** Okay. "I've stopped going to his office
 10:56 13 and do not want to have any further contact with
 10:56 14 him." That's pretty self-explanatory.
 10:56 15 **A Correct.**
 10:56 16 **Q** Do you remember when the last time you
 10:56 17 went to his office was?
 10:56 18 **A I would say just before this was**
 10:56 19 **written, probably within the week.**
 10:56 20 **Q** Okay.
 10:57 21 **A Yeah. But I don't remember the date.**
 10:57 22 **Q** Then you say, "I am willing to provide
 10:57 23 you with any additional information that will
 10:57 24 assist you in getting to the bottom of this
 10:57 25 matter."
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10:57 1 **A Correct. Yeah.**
 10:57 2 **Q** That speaks for itself too.
 10:57 3 In fact, were you later interviewed by
 10:57 4 somebody working for the Department of Insurance
 10:57 5 Fraud?
 10:57 6 **A Yes.**
 10:57 7 **Q** Okay. Were you interviewed by a
 10:57 8 Detective Robbins on February 5?
 10:57 9 **A I believe that's the date, yes.**
 10:57 10 **Q** Okay. Did that meeting take place at
 10:57 11 the Dunkin' Donuts in Atlantic Beach?
 10:57 12 **A Yes.**
 10:57 13 **Q** And were there two detectives present, a
 10:57 14 Robbins and a Murphy?
 10:57 15 **A Murphy, yes.**
 10:57 16 **Q** Was Tammy Wilson there too?
 10:57 17 **A Towards the end.**
 10:57 18 **Q** How did Tammy Wilson know to be there?
 10:57 19 **A They asked --**
 10:57 20 **Q** Let's take a step back.
 10:57 21 **A Okay.**
 10:57 22 **Q** Let me strike that question.
 10:57 23 How did you know to be there to meet
 10:57 24 with them?
 10:57 25 **A They asked me to.**
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10:57 1 Q They called you?
 10:57 2 A Yes.
 10:57 3 Q On your cell phone?
 10:57 4 A Yes.
 10:58 5 Q So I guess at some point in this Tip
 10:58 6 thing, you provided your cell phone number as
 10:58 7 well. I don't know if it necessarily appears on
 10:58 8 Exhibit 4.
 10:58 9 A Yes. They called me.
 10:58 10 Q Okay. Did they say, Bring Tammy, or how
 10:58 11 did Tammy know to be there?
 10:58 12 A They asked if she would be willing to
 10:58 13 talk to them. And I said, I don't know. I'd
 10:58 14 have to ask her.
 10:58 15 And then I -- I can't remember if they
 10:58 16 got her number or vice versa, but they decided
 10:58 17 to -- since they were going to be in the Beaches
 10:58 18 area, to meet up with both of us.
 10:58 19 Q Did they bring up the name Tammy Wilson,
 10:58 20 or did they come to it similar to how I just got
 10:58 21 to it? You mentioned employees in your tip. Do
 10:58 22 you know who they are, and you mentioned Tammy
 10:58 23 Wilson?
 10:58 24 A Yeah. They asked me who the employees
 10:58 25 were.

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10:58 1 Q And you said Tammy Wilson was one of
 10:58 2 them.
 10:58 3 A Right.
 10:58 4 Q And they said, Well, do you think she'd
 10:58 5 be willing to talk to us?
 10:58 6 A Yes.
 10:58 7 Q Okay. Was Tammy Wilson present for any
 10:58 8 of your interview with the two detectives?
 10:58 9 A No. She came in towards the end.
 10:58 10 Q Were you present with her interview?
 10:59 11 A Part of it, but I wasn't participating.
 10:59 12 I was in the restaurant.
 10:59 13 Q When they met with you, these two
 10:59 14 detectives, Murphy and Robbins, did they indicate
 10:59 15 that they had talked to anybody else in
 10:59 16 connection with investigating Dr. Rhodes prior to
 10:59 17 talking to you?
 10:59 18 A I don't remember.
 10:59 19 Q Okay. And I just want to go through
 10:59 20 their summary report with you.
 10:59 21 A Okay.
 10:59 22 Q And some of this you've already told me.
 10:59 23 It says, When you received your
 10:59 24 Explanation of Benefits from your insurance
 10:59 25 company, Nationwide Insurance, you noticed

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10:59 1 Nationwide was billed for more treatments than
 10:59 2 you received.
 10:59 3 You've talked to me about that today.
 10:59 4 A Yes.
 10:59 5 Q Do you know if they recorded that
 10:59 6 interview with you at all?
 10:59 7 A No. No. I think it was handwriting.
 10:59 8 Q Okay.
 10:59 9 A Notes.
 10:59 10 Q Were you truthful with the detectives?
 10:59 11 A Absolutely.
 10:59 12 Q The detective says you told them you
 11:00 13 were treating three times per week, Monday,
 11:00 14 Wednesday, and Friday, from July 2013 till
 11:00 15 January of 2014.
 11:00 16 A January -- July to January. Pretty
 11:00 17 much, except for the days I had to walk out due
 11:00 18 to time issues.
 11:00 19 Q There's a discussion in here about you
 11:00 20 receiving a massage just before Christmas by a
 11:00 21 female named Cindy. Is that the Cindy Perez I
 11:00 22 think you had talked about earlier?
 11:00 23 A Yes.
 11:00 24 Q Okay. Described as a Hispanic female in
 11:00 25 her 40s, heavyset, and originally from Texas.

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11:01 1 A Yes.
 11:01 2 Q Does that describe her?
 11:01 3 A Yes.
 11:01 4 Q It says, "V [REDACTED] believed that
 11:01 5 Cindy had been in Jacksonville for the past 20
 11:01 6 years." How did you know that? Did she tell you
 11:01 7 that?
 11:01 8 A Yeah.
 11:01 9 Q What, did y'all talk about this during
 11:01 10 that one massage or --
 11:01 11 A Yeah.
 11:01 12 Q Okay. And then you say you also believe
 11:01 13 Cindy was involved with marijuana because she
 11:01 14 spoke of marijuana and making special brownies.
 11:01 15 A Yeah. She talked about --
 11:01 16 Q That just organically came up or how did
 11:01 17 that --
 11:01 18 A Yeah. She started talking about it.
 11:01 19 Q Okay. And then you said that you
 11:01 20 believe Cindy worked for Rhodes on and off for
 11:01 21 six years. Cindy may possibly have prior
 11:01 22 arrests, and Cindy's daughter E [REDACTED] helps out in
 11:01 23 the office occasionally. How did this --
 11:01 24 A She was a chatterbox.
 11:01 25 Q Just blabbing all that to you?

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11:01 1 **A Absolutely.**
 11:01 2 **Q** Okay. What is the roller massage table?
 11:01 3 What was that? Is that different than a regular
 11:01 4 massage?
 11:01 5 **A Yes.**
 11:01 6 **Q** All right. Tell me about that. Is that
 11:01 7 the --
 11:02 8 **A It's a --**
 11:02 9 **Q** That's not that thing you were talking
 11:02 10 about earlier that kind of stretched you out or
 11:02 11 whatever that you didn't like, is it?
 11:02 12 **A That was part of it. It's the same bed,**
 11:02 13 **but the traction part is a piece that attaches.**
 11:02 14 **So it's a separate...**
 11:02 15 **Q** So is traction and roller massage the
 11:02 16 same thing? I'm just curious.
 11:02 17 **A No.**
 11:02 18 **Q** Okay. And then it says you recalled you
 11:02 19 only signed one paper for visits in October.
 11:02 20 **A For what?**
 11:02 21 **Q** The detective writes down "Varamogiannis
 11:02 22 recalled that she only signed one paper for
 11:02 23 visits in October."
 11:02 24 **A I can't remember if that was for that**
 11:02 25 **massage or for the roller table. I don't know.**

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11:02 1 **I don't remember.**
 11:02 2 **Q** Well, let me ask you a different way.
 11:02 3 Do you remember -- I mean, you
 11:02 4 obviously -- you don't dispute that you went
 11:02 5 there in October of 2013; correct?
 11:02 6 **A Correct.**
 11:02 7 **Q** You went there.
 11:02 8 **A Yeah, I did.**
 11:02 9 **Q** Were you going there two to three times
 11:02 10 a week?
 11:02 11 **A Absolutely.**
 11:02 12 **Q** Do you remember not signing paperwork
 11:02 13 when you'd come in there during that month?
 11:03 14 **A No. I signed constantly.**
 11:03 15 **Q** Like you always did?
 11:03 16 **A Right.**
 11:03 17 **Q** Okay. Then it says, "V[REDACTED] said
 11:03 18 Rhodes billed for treatment for \$56,000." Where
 11:03 19 did you get the number \$56,000 at?
 11:03 20 **A From my attorney.**
 11:03 21 **Q** Did you ever mention that number to
 11:03 22 anybody else besides these people?
 11:03 23 **A Who?**
 11:03 24 **Q** The insurance fraud investigators. It's
 11:03 25 not in your Tip. I don't think I see a number in

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11:03 1 your Tip.
 11:03 2 **A No. I didn't put it in the Tip.**
 11:03 3 **Q** \$56,000, though, you got that from your
 11:03 4 attorney, Mr. Ossi?
 11:03 5 **A Ossi.**
 11:03 6 **Q** Do you know how he derived \$56,000?
 11:03 7 **A He printed out something from the**
 11:03 8 **insurance and --**
 11:03 9 **Q** Did he hand that to you?
 11:03 10 **A I don't remember. He might have mailed**
 11:04 11 **it. I don't remember.**
 11:04 12 **Q** Okay.
 11:04 13 **A I don't know. I don't remember.**
 11:04 14 **Q** Would you have any objection to me
 11:04 15 getting your file from Mr. Ossi?
 11:04 16 MS. KURTZ: I think we'll discuss that,
 11:04 17 and we'll let you know.
 11:04 18 MR. DeMAGGIO: Okay.
 11:04 19 BY MR. DeMAGGIO:
 11:04 20 **Q** So that's where you heard \$56,000, from
 11:04 21 Mr. Ossi?
 11:04 22 **A I believe it was in the 50s. Something**
 11:04 23 **like that.**
 11:04 24 **Q** Okay. Well, I mean, you told these
 11:04 25 people \$56- --

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11:04 1 **A That was a total.**
 11:04 2 **Q** You told these people, the detectives --
 11:04 3 **A Right.**
 11:04 4 **Q** -- \$56 grand; right?
 11:04 5 **A That was the total cranked out of --**
 11:04 6 **that's the number he gave me.**
 11:04 7 **Q** Prior to talking to the detectives that
 11:04 8 day, did you ever tell anybody else that you
 11:04 9 believed the services billed for were \$56,000?
 11:04 10 **A I know I had discussed the overbilling.**
 11:04 11 **I don't remember if I gave an exact number. I**
 11:04 12 **remember saying it was in the tens of thousands.**
 11:04 13 **I don't remember --**
 11:04 14 **Q** To whom?
 11:04 15 **A I want to say both Tammy and Missy, but**
 11:04 16 **I'm not a hundred percent sure. I remember**
 11:04 17 **saying it to somebody in the office. I just**
 11:05 18 **can't remember to whom.**
 11:05 19 **Q** Would the number -- or the thousands of
 11:05 20 dollars, would that conversation have taken place
 11:05 21 in the office?
 11:05 22 **A Yes.**
 11:05 23 **Q** Okay. Anybody else you would have told
 11:05 24 about it?
 11:05 25 **A Well, I mentioned it to my sister and my**

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11:05 1 **employer when I was trying to figure out what to**
 11:05 2 **do.**
 11:05 3 **Q** Did you ever talk to Joe Bryant about
 11:05 4 it?
 11:05 5 **A** **No. I've never met him or spoken to him**
 11:05 6 **in my life.**
 11:05 7 **Q** Have you seen Exhibit C to the
 11:05 8 Complaint, which is the Tip that Joe Bryant made?
 11:05 9 **A** **I briefly read it when I first got**
 11:05 10 **served, and that was about eight months ago. I**
 11:05 11 **don't remember what it said.**
 11:05 12 **Q** Okay. I note that in his -- in his Tip
 11:05 13 he mentions, quote, In three months our insurance
 11:06 14 company was billed for over \$56,000 in
 11:06 15 treatments, the majority of which never took
 11:06 16 place, close quote.
 11:06 17 So you never told him about the \$56,000
 11:06 18 number?
 11:06 19 **A** **No. No.**
 11:06 20 **Q** You don't know how he learned about that
 11:06 21 number?
 11:06 22 **A** **No. I have no idea.**
 11:06 23 **Q** Okay. You didn't know that he was
 11:06 24 filing a Tip with the insurance company -- or I
 11:06 25 mean the Insurance Division of Fraud?

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11:06 1 **A** **No. I had no idea.**
 11:06 2 **Q** Did you know that his Tip came in eight
 11:06 3 minutes before yours?
 11:06 4 **A** **I thought that was bizarre, a**
 11:06 5 **coincidence.**
 11:06 6 **Q** Have you ever asked -- or you don't know
 11:06 7 exactly what you told Tammy as far as what the
 11:06 8 number was, do you?
 11:06 9 **A** **No.**
 11:06 10 **Q** You said you can't remember. You don't
 11:06 11 think you told her the number. You said
 11:06 12 thousands maybe.
 11:06 13 **A** **I cannot remember. I know I did discuss**
 11:06 14 **the overbilling and the general. I don't**
 11:07 15 **remember giving a specific number. I remember**
 11:07 16 **saying it was in the tens of thousands. It was a**
 11:07 17 **lot more than it should have been.**
 11:07 18 **Q** Gotcha. Because 56- is pretty specific,
 11:07 19 and that's all I'm --
 11:07 20 **A** **Right. Well...**
 11:07 21 **Q** Do you know if the people from -- and
 11:07 22 when I say people, detectives or any
 11:07 23 representatives from the Division of Insurance
 11:07 24 Fraud, ever spoke with Mr. Ossi?
 11:07 25 **A** **I don't know.**

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11:07 1 **Q** Okay. Do you know if Mr. Ossi knows
 11:07 2 Mr. Bryant?
 11:07 3 **A** **I have no idea.**
 11:07 4 **Q** Okay. Do you know how long that
 11:07 5 interview with the two detectives lasted?
 11:07 6 **A** **For myself or in general?**
 11:07 7 **Q** For yourself.
 11:07 8 **A** **Mine was maybe 15 minutes. I don't**
 11:08 9 **know.**
 11:08 10 **Q** And then they interviewed Tammy.
 11:08 11 **A** **Yeah, after.**
 11:08 12 **Q** Did you hang around for the entirety of
 11:08 13 that?
 11:08 14 **A** **Partly, but I was kind of in and out. I**
 11:08 15 **was on the phone trying to get back to work and**
 11:08 16 **-- maybe the first 10 minutes of it. Hers was a**
 11:08 17 **little longer, I believe.**
 11:08 18 **Q** Did you leave for work before the
 11:08 19 detectives were done?
 11:08 20 **A** **No. I think around the time they**
 11:08 21 **wrapped up I left.**
 11:08 22 **Q** So how long total were the detectives,
 11:08 23 you know, at that Dunkin' Donuts on Atlantic
 11:08 24 Boulevard?
 11:08 25 **A** **I don't know. Probably under an hour.**

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11:08 1 **I don't know.**
 11:08 2 **Q** You said your interview wasn't recorded.
 11:08 3 Did you observe whether or not they recorded
 11:08 4 Tammy's interview?
 11:08 5 **A** **I don't think so.**
 11:08 6 **Q** After that date that you met with
 11:08 7 Detectives Robbins and Murphy from the Division
 11:08 8 of Insurance Fraud, did you ever come to meet
 11:08 9 with anybody else from the division about this?
 11:08 10 **A** **No.**
 11:08 11 **Q** Okay. When is the next contact you had
 11:08 12 with anybody about the alleged overbilling by
 11:08 13 Dr. Rhodes after that February 5 interview?
 11:09 14 **A** **Shortly after -- I don't know the**
 11:09 15 **date -- I know they had asked me for my medical**
 11:09 16 **stuff and my billing papers. And I told him I**
 11:09 17 **would -- he could make copies of it.**
 11:09 18 **So we met up at a Staples or Office --**
 11:09 19 **somewhere on the beach, one of those copy places,**
 11:09 20 **and I let him copy it.**
 11:09 21 **Q** Who's they; Robbins or Murphy?
 11:09 22 **A** **Both, I think. They both showed up.**
 11:09 23 **Q** And the stuff that you showed up with
 11:09 24 and let them copy, is that the stuff we're
 11:09 25 talking about --

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11:09 1 **A Whatever insurance papers I had. I**
 11:09 2 **don't think I had everything. They wanted copies**
 11:09 3 **of everything.**

11:09 4 **Q** But you're not sure where they are now,
 11:09 5 that stuff?

11:09 6 **A Right.**

11:09 7 **Q** Okay. Did you talk about things at all
 11:09 8 when they were copying it or was that --

11:09 9 **A No. I was inside; they were outside.**

11:09 10 **Q** All right. What's the next thing you
 11:09 11 did in connection with it? And "with it," I mean
 11:09 12 the investigation into Dr. Rhodes and your
 11:10 13 concerns.

11:10 14 **A I can't even remember. I might have had**
 11:10 15 **a conversation or two, but that's -- I don't**
 11:10 16 **remember anything else.**

11:10 17 **Q** Did you ever start going to a new
 11:10 18 chiropractor after you got done with Dr. Rhodes?

11:10 19 **A No. Dr. Bloom adjusted me occasionally.**

11:10 20 **Q** The private adjustments you told me
 11:10 21 about?

11:10 22 **A Yeah. That's it.**

11:10 23 MS. KURTZ: Before we move on, if you're
 11:10 24 finished with that report, can we mark it as
 11:10 25 Exhibit 5?

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11:10 1 MR. DeMAGGIO: Sure. If you'd like to,
 11:10 2 we can do that. Exhibit 5.

11:10 3 **(Plaintiff's Exhibit No. 5 was marked**
 11:11 4 **for identification.)**

11:11 5 BY MR. DeMAGGIO:

11:11 6 **Q** The last thing you said to the
 11:11 7 detectives is you would provide what emails or
 11:11 8 text messages you saved. Did you ever do that?

11:11 9 **A Yes. I believe I had two emails that he**
 11:11 10 **had -- that Dr. Rhodes had sent me, and I had**
 11:11 11 **forwarded them to them.**

11:11 12 **Q** What were those emails about, if you can
 11:11 13 recall?

11:11 14 **A Just him wanting to get in touch with**
 11:11 15 **me.**

11:11 16 **Q** Were these in response to the email you
 11:11 17 sent him?

11:11 18 **A Yes.**

11:11 19 **Q** Okay. Did you ever respond to those
 11:11 20 emails?

11:11 21 **A No.**

11:11 22 **Q** Why not?

11:11 23 **A I was done. I didn't want to -- you**
 11:11 24 **know, I wanted him to deal with my attorney.**

11:11 25 **Q** Did you tell him to deal with your

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11:11 1 attorney?

11:11 2 **A I believe I did. I don't remember what**
 11:11 3 **I put in the email. I thought I made it clear in**
 11:11 4 **my email to please contact my attorney. I'm not**
 11:11 5 **sure. I can't remember though. It's three years**
 11:11 6 **ago.**

11:11 7 **Q** Did you ever independently go back and
 11:12 8 add up the numbers? I know you said you got the
 11:12 9 \$56,000 number from your attorney. Did you ever
 11:12 10 go back and add them up yourself?

11:12 11 **A I don't remember.**

11:12 12 **Q** Okay. Were you present when any
 11:12 13 detectives or representatives from the Division
 11:12 14 of Insurance Fraud interviewed anybody else other
 11:12 15 than Ms. Wilson?

11:12 16 **A Yes.**

11:12 17 **Q** Who else were you present for?

11:12 18 **A Well, I don't know if this is considered**
 11:12 19 **present; but I had gone into Dr. Bloom's house**
 11:12 20 **for an adjustment, and he was waiting on --**
 11:12 21 **(Interruption from cell phone.)**

11:12 22 MR. DeMAGGIO: If you need to take that,
 11:12 23 we can go off --

11:12 24 THE WITNESS: No, no, no.

11:12 25 BY MR. DeMAGGIO:

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11:12 1 **Q** You were present at Dr. Bloom's house
 11:13 2 when Dr. Bloom -- when somebody came by there.
 11:13 3 Is what you're telling me?

11:13 4 **A Yes. But I don't know what was**
 11:13 5 **discussed. I was waiting to get an adjustment.**

11:13 6 **Q** Did you discuss anything with the person
 11:13 7 that came by that day?

11:13 8 **A What person?**

11:13 9 **Q** Was it a detective that came by?

11:13 10 **A No. I just said hello.**

11:13 11 **Q** Well, where were you at when these
 11:13 12 people were speaking?

11:13 13 **A I had -- I was there first and, shortly**
 11:13 14 **after, they walked in, so...**

11:13 15 **Q** Was anybody else present at Dr. Bloom's
 11:13 16 house that day?

11:13 17 **A Yes.**

11:13 18 **Q** Who else was there?

11:13 19 **A His girlfriend Tessa.**

11:13 20 **Q** Anybody else?

11:13 21 **A Yes. Missy was there looking for -- to**
 11:13 22 **buy some equipment from him.**

11:13 23 **Q** What kind of equipment?

11:13 24 **A I think a massage table, but I'm not**
 11:13 25 **sure. She was there before I got there.**

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11:13 1 Q Do you know if Dr. -- and so what,
 11:13 2 Dr. Bloom spoke to somebody, but you weren't
 11:14 3 privy to the conversation?
 11:14 4 A No. I waited outside.
 11:14 5 Q Okay. Is Tessa's last name Basler?
 11:14 6 A I have no idea what her last name is.
 11:14 7 Q Is Dr. Bloom still dating Tessa?
 11:14 8 A He's still dating a Tessa. I don't know
 11:14 9 her last name.
 11:14 10 Q Okay. Have you ever spoken with Debra
 11:14 11 Blanton about any of your concerns relating to
 11:14 12 Dr. Rhodes?
 11:14 13 A No, I have never spoken to Debra
 11:14 14 Blanton.
 11:14 15 Q Other than that time that somebody came
 11:14 16 over to Dr. Bloom's house while you were over
 11:14 17 there to get an adjustment, were you present when
 11:14 18 anybody else was interviewed by anybody from the
 11:14 19 Division of Insurance Fraud --
 11:14 20 A No.
 11:14 21 Q -- or really even broader, JSO
 11:14 22 detectives, anything like that?
 11:14 23 A No.
 11:14 24 Q Okay. Did anybody from the Division of
 11:15 25 Insurance Fraud, for lack of a better term, fill
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11:15 1 you in on how the investigation was going at any
 11:15 2 point?
 11:15 3 A No.
 11:15 4 Q Okay. Do you know what happened with
 11:15 5 the investigation eventually?
 11:15 6 A No. I don't know all the details. I
 11:15 7 know some general stuff.
 11:15 8 Q What general stuff do you know?
 11:15 9 A I know that -- I believe Dr. Rhodes got
 11:15 10 arrested.
 11:15 11 Q How did you find out about that?
 11:15 12 A Well, it was on the news.
 11:15 13 Q You saw it on the news?
 11:15 14 A Yeah.
 11:15 15 Q Okay. Do you know what came of his
 11:15 16 criminal case?
 11:15 17 A No.
 11:15 18 Q And as we sit here, without having
 11:16 19 access to the actual letters that you received
 11:16 20 from the insurance company, you couldn't sit here
 11:16 21 and say, All right, on this day I got billed for
 11:16 22 this thing, but I didn't get it. We'd have to
 11:16 23 have the records to confirm that; right?
 11:16 24 A Correct. That would be very difficult
 11:16 25 though.
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11:16 1 Q Are you saying that you never got a
 11:16 2 massage after like the first couple of months,
 11:16 3 or -- is that what you're saying? I mean, you
 11:16 4 said they were all at the beginning basically.
 11:16 5 A The majority were at the beginning. I
 11:16 6 did get a few sporadically, but I did not get
 11:16 7 them every time.
 11:16 8 Q Okay. And in your recollection you got
 11:16 9 about 15 to 18 of them?
 11:16 10 A I believe so. I can't remember the
 11:16 11 exact number.
 11:16 12 Q Okay. Your Facebook is -- you said it's
 11:17 13 set on private setting; right?
 11:17 14 A Yes.
 11:17 15 Q Has it always been set on that?
 11:17 16 A I think it has.
 11:17 17 Q Okay. Have you taken anything down from
 11:17 18 Facebook since you've found out the complaint was
 11:17 19 filed against you?
 11:17 20 A No.
 11:17 21 Q Okay.
 11:17 22 A I don't really post that much.
 11:17 23 Q Other than the Department of Insurance
 11:17 24 Fraud, or Division of Insurance Fraud, who we've
 11:17 25 covered your interview with, have you been
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11:17 1 contacted at all about doctors by any other
 11:17 2 agencies or administrative bodies?
 11:17 3 A No.
 11:17 4 Q So not like the Sheriff's Office here?
 11:17 5 A No.
 11:17 6 Q The Florida Department of Health?
 11:17 7 A No.
 11:17 8 Q Okay.
 11:17 9 A Oh, wait. Now, I think I got a letter a
 11:17 10 year or two ago from the Department of Health.
 11:17 11 Q Do you still have that letter?
 11:17 12 A Possibly. I don't know.
 11:17 13 Q Do you remember what the letter said?
 11:17 14 A Something about discussing Dr. Rhodes,
 11:17 15 but I didn't.
 11:17 16 Q Other than that letter, have you ever
 11:17 17 talked to anybody --
 11:17 18 A No.
 11:18 19 Q -- at the Department of Health?
 11:18 20 A No.
 11:18 21 Q Did you ever get any treatment -- and, I
 11:18 22 guess, treatment from Missy Ross would have only
 11:18 23 been massages? Is that the only treatment she
 11:18 24 provided you, since she was a masseuse?
 11:18 25 A Yes.
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11:18 1 Q Did you ever get any massages when
 11:18 2 Dr. Rhodes wasn't there?
 11:18 3 A **By Missy?**
 11:18 4 Q Yeah.
 11:18 5 A **I don't remember. I don't think so.**
 11:18 6 Q Okay. In going through the records from
 11:19 7 Dr. Formoso -- was he with Coastal Spine and Pain
 11:19 8 Center?
 11:19 9 A **Yes.**
 11:19 10 Q One of them referred you for a pain
 11:19 11 management evaluation. Did you ever get such an
 11:19 12 evaluation; do you know?
 11:19 13 A **I don't remember.**
 11:19 14 Q When you did treat with Dr. Bloom, what
 11:19 15 kind of therapy was he providing you?
 11:19 16 A **The TENS unit and adjustments.**
 11:19 17 Q Did he have a masseuse on staff where
 11:19 18 you ever got massages there?
 11:19 19 A **When I went to a place of his work a few**
 11:19 20 **years ago in Orange Park -- I forgot the name --**
 11:19 21 **I did get maybe one massage. But they don't do**
 11:19 22 **anything for me, so I don't like to --**
 11:19 23 Q Yeah. Let me ask it differently, ma'am.
 11:19 24 And I'm sorry to be unclear about that.
 11:19 25 When you were going to Dr. Bloom when he

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11:19 1 still had his office, before you switched over to
 11:19 2 Dr. Rhodes, when you were seeing Dr. Bloom
 11:20 3 initially, was it TENS unit then?
 11:20 4 A **Yes.**
 11:20 5 Q Adjustments then?
 11:20 6 A **That's it.**
 11:20 7 Q Okay. Never the traction thing --
 11:20 8 A **No.**
 11:20 9 Q -- that you were talking about?
 11:20 10 Okay. The deposition that you gave in
 11:20 11 the civil case relating to the automobile
 11:20 12 accident --
 11:20 13 A **Okay.**
 11:20 14 Q -- did you ever get a copy of that?
 11:20 15 A **No.**
 11:20 16 Q Do you know if Mr. Ossi ordered it up?
 11:20 17 A **I don't know.**
 11:20 18 Q Did anybody else give a deposition in
 11:20 19 connection with that case; for example, your
 11:20 20 husband, John --
 11:20 21 A **No.**
 11:20 22 Q -- or your former husband John?
 11:20 23 A **No.**
 11:20 24 Q During the time you were treating with
 11:20 25 Dr. Rhodes -- and we're talking roughly July

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11:21 1 through -- July of '13 through January of '14,
 11:21 2 did you keep a diary or a little daily journal or
 11:21 3 anything at that time?
 11:21 4 A **No, I did not.**
 11:21 5 Q I know you've mentioned that Tammy told
 11:21 6 you that there were some other patients that were
 11:21 7 having issues too, and may have mentioned one by
 11:21 8 name but you don't recall. And then that would
 11:21 9 have been in that late January, early February of
 11:21 10 '14 time period.
 11:21 11 A **I don't know when it was.**
 11:21 12 Q Okay. Since you've made your report,
 11:21 13 and since all of that has come out, have you
 11:21 14 spoken with any other patients or former patients
 11:21 15 of Dr. Rhodes that --
 11:21 16 A **I don't know any patients.**
 11:21 17 Q Okay. When is the last time you spoke
 11:22 18 to Dr. Bloom?
 11:22 19 A **Oh, I don't know. We text once in a**
 11:22 20 **while, whenever I need adjustments or...**
 11:22 21 Q Okay. Other than Tammy contacting you
 11:22 22 about the lawsuit being filed, have you ever
 11:22 23 talked to her at all about the actual lawsuit?
 11:22 24 A **Just briefly. She wanted to know if it**
 11:22 25 **was done or over, and I said, Nope.**

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11:23 1 (Interruption from cell phone.)
 11:23 2 MR. DeMAGGIO: We can take a break if
 11:23 3 you need to take that. I need to talk with
 11:23 4 my client for a minute.
 11:23 5 MS. KURTZ: Do you mind?
 11:23 6 MR. DeMAGGIO: No. Go ahead.
 11:23 7 MS. KURTZ: Thank you.
 11:23 8 MR. DeMAGGIO: We can go off the record.
 11:23 9 (Brief recess.)
 11:36 10 MR. DeMAGGIO: I've got two questions,
 11:36 11 and then we'll be done.
 11:36 12 BY MR. DeMAGGIO:
 11:36 13 Q Are you aware that Mark Smith is married
 11:36 14 to Mr. Ossi's sister?
 11:36 15 A **Who?**
 11:36 16 Q Mr. Ossi, your lawyer. Remember
 11:36 17 Mr. Ossi?
 11:36 18 A **Yes.**
 11:36 19 Q Okay. Do you remember Dr. Smith --
 11:36 20 A **Yes.**
 11:36 21 Q -- that you saw, Mark Smith?
 11:36 22 A **Yes.**
 11:36 23 Q Were you aware that he was married to
 11:36 24 Mr. Ossi's sister?
 11:36 25 A **Yes.**

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11:36 1 Q Okay. And the last question I have for
 11:36 2 you is, as it relates to Stacey Reshen or Stacey,
 11:37 3 Dr. Bloom's girlfriend, at some point making
 11:37 4 allegations of fraud in his practice, did that
 11:37 5 occur in 2013?
 11:37 6 A I don't know. I mean, it may have. I
 11:37 7 mean, it wasn't recently. I mean, it was -- it
 11:37 8 was either then or beforehand. I don't know. It
 11:37 9 wasn't in the last year or two. I remember
 11:37 10 vaguely hearing about it a few years ago, but I
 11:37 11 don't know.

11:37 12 Q So either 2013 or beforehand?

11:37 13 A I think so.

11:37 14 Q Okay.

11:37 15 A I think so.

11:37 16 Q Was it before you were a patient at
 11:37 17 Dr. Rhodes' office?

11:37 18 A No.

11:38 19 Q Okay.

11:38 20 A No. It was definitely after.

11:38 21 Q Would it have been sometime during the
 11:38 22 period of time you were a patient at Dr. Rhodes'
 11:38 23 office?

11:38 24 A I don't think so. I think it was after.

11:38 25 Q It sounds like you're just unsure.

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11:38 1 A That's a blur.
 11:38 2 MR. DeMAGGIO: That's fine. I don't
 11:38 3 know if your attorney has any questions. I
 11:38 4 don't have any further questions.
 11:38 5 MS. KURTZ: I have no questions.
 11:38 6 MR. DeMAGGIO: I'm assuming you'll read.
 11:38 7 MS. KURTZ: We'll waive.
 11:38 8 MR. DeMAGGIO: Oh, okay.
 11:38 9 (Witness excused.)
 11:38 10 (The deposition was concluded at 11:40.)
 11:38 11
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1 CERTIFICATE OF OATH
 2 STATE OF FLORIDA)
 3 COUNTY OF DUVAL)
 4 I, the undersigned authority, do hereby
 5 certify that the aforementioned witness,
 6 personally appeared before me and was first duly
 7 sworn to testify the whole truth.

8 WITNESS my hand and official seal this
 9 30th day of September, 2016.
 10
 11
 12
 13

Ellen G. Watterson

Ellen G. Watterson, RPR
 Notary Public, State of Florida
 at Large.



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FIRST COAST COURT REPORTERS

1 CERTIFICATE
 2 STATE OF FLORIDA)
 3 COUNTY OF DUVAL)
 4 I, Ellen G. Watterson, Registered
 5 Professional Reporter and Notary Public, duly
 6 qualified in and for the state of Florida, do
 7 hereby certify that I was authorized to and did
 8 stenographically report the foregoing deposition;
 9 and that the transcript is a true record of the
 10 testimony given by the witness.

11 I further certify that I am not a relative,
 12 employee, attorney or counsel of any of the
 13 parties, nor am I a relative or employee of any
 14 of the parties' attorney or counsel connected
 15 with the action, nor am I financially interested
 16 in the action.

17 Dated this 7th day of October, A.D., 2016.
 18
 19
 20
 21
 22
 23
 24
 25

Ellen G. Watterson

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