

1 CASE NO. A-11-636515-C

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CLERK OF THE COURT

4
5 DISTRICT COURT

6 CLARK COUNTY, NEVADA

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9 MARGARET G. SEASTRAND,)

10 Plaintiff,)

11 vs.)

12 RAYMOND RIAD KHOURY, DOES 1)
13 through 10; and ROE ENTITIES)
11 through 20, inclusive,)

14 Defendants.)
15

16
17 REPORTER'S TRANSCRIPT

18 OF

19 JURY TRIAL

20 BEFORE THE HONORABLE JERRY A. WIESE, II

21 DEPARTMENT XXX

22 DATED TUESDAY, JULY 23, 2013

23
24
25 REPORTED BY: JENNIFER O'NEILL, RPR, NV CCR #763

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1 LAS VEGAS, NEVADA, TUESDAY, JULY 23, 2013;

2 10:35 A.M.

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4 P R O C E E D I N G S

5 * * * * *

6
7 THE COURT: We're on the record in Case
8 No. 636515. We're outside the presence of the jury.

9 Mr. Jaffe has made a request to do a jury
10 view of the defendant's vehicle tomorrow.

11 MR. JAFFE: That's correct, Your Honor.

12 THE COURT: Here's the concern. Whenever you
13 do a jury view of anything, the concern is not
14 necessarily as much with, at least in my mind, the
15 prejudice to the other party for not being able to see
16 her car, but the risk of contaminating the jury by
17 something that might be said by someone on the way
18 down, on the way up, or during the view.

19 MR. JAFFE: What we would do, if the Court is
20 okay with it, is have Mr. Khoury park the vehicle maybe
21 like in the back by that loading dock area because I
22 think that's probably sort of an area that there's not
23 going to be a risk of traffic. Walk away. The Court
24 can bring them down. We won't stand anywhere near
25 them. They can take a look at it.

1 If the Court would like to inspect it and
2 counsel beforehand so that they just look at the front
3 and then go back up, we won't -- we can stand 50 feet
4 back. We'll stand back by the stairway, if you want.
5 This way it's simply there for them to take a look at
6 and that eliminates the risk of anybody at the scene
7 saying or doing anything. And if the Court, and
8 certainly the marshal, monitors them on the way down
9 and on the way up and we limit it to ten minutes for
10 them to take a look at it, whatever it may very well
11 be, that's fine.

12 THE COURT: Do we have pictures of the front
13 of the vehicle?

14 MR. JAFFE: Yes. They're in evidence.

15 THE COURT: Is there something about the
16 pictures that makes them inaccurate?

17 MR. JAFFE: I don't know that it's
18 necessarily inaccurate, but the point is the hook is
19 difficult to actually understand and see the
20 perspective of how it sits vis-a-vis the bumper, you
21 know, from the photographs. And since the experts had
22 the opportunity to have inspected and seen that hook,
23 and the car is in the exact condition as it was when
24 the experts saw it, the exact same -- and it's the same
25 situation, in fact, for the plaintiff, her vehicle is

1 in the exact same condition as it was when the experts
2 saw it, at least as we know -- there's nothing of any
3 particular prejudice.

4 THE COURT: Let me think about it and then
5 I'll let you know by the end of the day. I understand
6 your argument is that it's prejudicial because your
7 client's vehicle has been repaired and we can't look at
8 it in its unrepaired state.

9 MR. CLOWARD: Correct. And the important
10 thing that -- counsel indicated that, you know, that
11 the experts have looked at it so what's the difference
12 of letting the jurors. Well, there's a reason why
13 experts are hired for this specific issue. It's
14 because it requires specialized knowledge to realize
15 that you can't equate property damage to injury. They
16 have specialized knowledge and background and studies
17 and, you know, education to help formulate their
18 opinions. So to allow the jury to go down there and
19 examine it, it would be overly prejudicial to
20 Ms. Seastrand specifically because her vehicle is -- we
21 can't show the damage to her vehicle. It's only the
22 damage to his vehicle and so it would definitely be
23 prejudicial to her.

24 MR. JAFFE: My response to that, Your Honor,
25 is this: Obviously, they would be seeing exactly what

1 the experts saw. And if they want to show her vehicle
2 now, which is exactly what the experts saw, I'm fine
3 with that.

4 By the same token, with respect to that's why
5 we have experts, well, if you've got a case where a
6 kitchen appliance catches fire and causes damage and
7 burns down a house, does it mean that the kitchen
8 appliance in its ended final state, charred state,
9 whatever, doesn't necessarily get admitted as evidence?
10 Of course not. The jury may have that and see that
11 even though experts are going to talk about how the
12 fire started, why the fire started, what the defect
13 was, things of that nature. So the simple fact that
14 you have experts dealing with it, I don't think is in
15 any way a dispositive argument with respect to that
16 issue.

17 MR. CLOWARD: Judge, one last thing. It will
18 be really, really short. This has not been identified
19 as an exhibit either at any point during the course of
20 litigation. That's another reason why it's prejudicial
21 to us.

22 MR. JAFFE: Well, then if that's the case,
23 why did the experts inspect it if it wasn't identified?
24 I think it's certainly presumed that the vehicles are
25 evidence in the case without having to be specifically

1 disclosed under 16.1, particularly when the experts
2 have seen them and considered them.

3 THE COURT: All right. I'll let you know by
4 the end of the day.

5 MR. JAFFE: Thank you, sir.

6 THE COURT: Let's bring the jury in. I'm
7 going to go grab a notepad here real fast. I'll be
8 back before you bring them in.

9 THE BAILIFF: All rise.

10 (Whereupon, jury enters the courtroom.)

11 THE COURT: Go ahead and be seated. Good
12 morning, folks. Welcome back. We're getting towards
13 the end. Back on the record in Case No. 636515.

14 Do the parties stipulate to the presence of
15 the jury?

16 MR. JAFFE: Yes, sir.

17 MR. CLOWARD: Yes, Judge.

18 THE COURT: All right. We're still in the
19 plaintiff's case.

20 Mr. Cloward or Ms. Brasier.

21 MS. BRASIER: Your Honor, plaintiff calls
22 Margaret Seastrand to the stand.

23 THE COURT: Come on up, Ms. Seastrand. If
24 you would, remain standing and raise your right hand,
25 please.

1 THE CLERK: You do solemnly swear the
2 testimony you're about to give in this action shall be
3 the truth, the whole truth, and nothing but the truth,
4 so help you God.

5 THE WITNESS: Yes.

6 THE CLERK: Please state your name and spell
7 it for the record, please.

8 THE WITNESS: Margaret Seastrand.
9 M-A-R-G-A-R-E-T S-E-A-S-T-R-A-N-D.

10 THE COURT: Go ahead and be seated. Try to
11 talk into that microphone so everybody can hear you
12 well.

13

14 DIRECT EXAMINATION

15 BY MS. BRASIER:

16 Q. All right. Margie, if you need some water,
17 there's water right up there next to you.

18 A. May I do that now. Thank you.

19 Q. Ready?

20 A. Yeah.

21 Q. All right, Margie. Let's tell the jury a
22 little bit about yourself. How long have you been in
23 Las Vegas, your educational background. Let's just
24 give them a quick overview of who you are.

25 A. Okay. I've been in Las Vegas since 1970.

1 And I graduated from Bonanza High School. And I went
2 to Ricks College up in Idaho, which is now BYU, Idaho.
3 And I graduated in 1982 from there with a degree in
4 early childhood education and a special reading
5 tutoring certification.

6 And then I went to BYU in Provo, Utah, and
7 studied vocal performance and education.

8 Then I transferred down to UNLV, and I was on
9 a full vocal performance scholarship there, and I
10 studied education and vocal performance there.

11 Q. And you married your husband, Doug, in 1985;
12 is that right?

13 A. I did.

14 Q. What does Doug do for a living?

15 A. Doug works for a company called National
16 Securities Technologies, which is a company that
17 supports the Department of Defense and he works in the
18 Counter Terrorism Unit for Homeland Security.

19 Q. Where do you work now?

20 A. I'm sorry?

21 Q. What do you do now? Where do you work?

22 A. I own a children's theater called Hollywood
23 Kids Academy, and it is place where we teach musical
24 theater and dance and voice to children 3 to 19 years
25 old. We do plays and all that wonderful stuff.

1 Q. What did you do for work before you started
2 Hollywood Kids?

3 A. Well, I had always been kind of a
4 stay-at-home mom before then, but I did have -- when we
5 were first married, my husband -- I put him through
6 school. I had a tutoring company called the Tutoring
7 Center from 1985 to 1987, and then he graduated and I
8 came home and had my babies.

9 And then I went -- in 1993, I think January
10 of '93, I started at -- I became a distributor for a
11 children's book company called Dorling Kindersley
12 Family Learning. And we sold educational books that
13 have real pictures and just really beautiful, so. For
14 the kids.

15 Q. All right. You mentioned your kids. Tell us
16 how many kids you have, how old they are.

17 A. I have four kids. My daughter Beth, who you
18 saw yesterday. She is 26. And then my son Daniel is
19 24. And then I lost two kids. And then I had another
20 one, Melissa. She's going to be 21 next month. And
21 then my daughter Melanie. She's 19.

22 Q. And give the jury a little bit of an idea of
23 what kinds of things you like to do with your family
24 before this crash happened. What were some activities
25 you guys used to do together?

1 A. We're just a normal family who likes to be
2 together so we would go to the beach and we would go to
3 our cabin up in Strawberry Point, Utah, and we would go
4 hiking and -- my husband likes to get the family
5 together and go do stuff, so we would go do whatever --
6 whatever, you know. Rappelling and we loved to do
7 Sea-Doos, go to the lake. Just any of that kind of
8 stuff. I'm sorry.

9 Q. That's okay. Take a deep breath.

10 A. Okay.

11 Q. All right. Tell us before this crash, what
12 kinds of -- did you do any community service or service
13 for any organizations?

14 A. I did. My father-in-law is -- well, was the
15 mayor of North Las Vegas for 16 years. He was elected
16 four terms. He was also a city councilman before that.
17 And he died in 1997. And so when he died, some of his
18 friends formed -- because he was such a
19 service-oriented man, he and my mother-in-law. They
20 named -- they started one in North Las Vegas, a branch
21 of the Helping Hands organization, and they call it the
22 James Seastrand Helping Hands.

23 And so when my father-in-law died in '97, my
24 mother-in-law started to do plays and direct to earn
25 money for them because that organization organizes

1 volunteers to help old people and gets paper products
2 and grocery store -- you know, volunteers to help take
3 them to the grocery store and all that.

4 So when she died in 2002, then I took over in
5 2004, I think it was, 2003, '4, and started directing
6 for them to earn money and I directed up in Summerlin
7 theater and -- you know, just to help them earn money
8 for the cause.

9 Q. Have you done any volunteer work for your
10 church?

11 A. I do. I'm a member of what's called Relief
12 Society for my church. And it's an organization where
13 we go and we help people who are in our -- we're
14 divided into wards or boundaries and we go and help
15 keep track of each other. And if somebody gets sick or
16 somebody dies or if there's something that somebody
17 needs, we're there for each other and to help. So we
18 would take in meals and we'd plan funerals and we would
19 be there to support one another. It's awesome.

20 Q. And tell us a little bit about how Hollywood
21 Kids progressed into the business that it is today.

22 A. Well, I wasn't really happy with the values
23 that I've seen in Las Vegas for children. Like the
24 modesty and things. Kids were asked to be in, you
25 know, midriffs and things like that, and I felt like

1 this was just not appropriate and so -- and I have
2 three daughters. And so what I decided was I was going
3 to start doing plays in my own, you know, home for them
4 and so we started doing Annie. That was our first play
5 in the fall of 2006, and I directed it.

6 And my friend Jackie was there with me and we
7 had 26 kids. And then the next semester in January, we
8 had 82 kids in my garage, so it was a little bit crazy.
9 And, I mean, it was a real compliment to us because
10 they loved it and the children loved it.

11 And so a friend of mine asked me to start
12 Hollywood Kids in the northwest. And I said, well, if
13 we're going to do that, then we're going to do our own
14 stage and we're going to do it right. We're going to
15 have a dance room and a vocal room and a theater. So
16 we kind of probably overdid it but it's awesome. It
17 even has a balcony for those little kids. It's great.

18 Q. When did you move into that building that was
19 outside of your garage?

20 A. Oh, into Hollywood Kids over there on Rancho
21 and Craig?

22 Q. Yeah.

23 A. Well, we took the lease in December of '07,
24 and we moved in officially after it was done in May of
25 '07. But we were practicing Annie -- we started doing

1 Annie. I had a couple of classes doing Annie because
2 every child at Hollywood Kids performs. I had like two
3 or three classes doing their own production of Annie
4 over there.

5 Q. You said you moved in May 2007.

6 Did you mean 2008?

7 A. I'm sorry. Yes. 2008.

8 Q. Okay.

9 A. Right. Yes.

10 Q. During that time when you first moved into
11 the new building and you're starting Hollywood Kids,
12 what kind of activities were you doing to get the place
13 ready for the kids and get the business going?

14 A. Well, Hollywood Kids has a theater. And then
15 in front of the theater we have a dance room. We have
16 mirrors. So we convert the dance room during the shows
17 into -- we put up chairs and then that becomes the
18 audience space. But the floors are dance floors and we
19 laid them. I think they're like 8-by-8. So we laid
20 them and we put them on foam so that they give for the
21 dance -- for the kids so they don't hurt themselves as
22 much. So we all laid that and we all did all -- it's a
23 17-foot building. No. Maybe 20. I don't know. We
24 all painted and cleaned.

25 I had to do all of the advertising and talk

1 to all the parents and hire all the teachers and go and
2 get all the stuff for Hollywood Kids. I had to
3 decorate it. I had to lay the floors and paint and
4 paint the stage and put on the productions. I was also
5 teaching and directing two classes -- three classes of
6 Annie and, you know, little kids, so I was very busy.

7 Q. During that time any -- it sounds like you
8 had a real busy active schedule.

9 Did you ever have neck or back pain from
10 doing all these activities you just told us about?

11 A. I would, you know, because it was a lot of
12 physical labor, so I would have some occasionally. You
13 know, but it didn't bother me. Nothing to go to the
14 doctor for.

15 Q. Would you notice anything that would trigger
16 your neck or your back to bug you?

17 A. Well, when we were laying floors or if we're,
18 you know, doing the extender rods and I was up on the
19 big, tall ladder painting. And I hung a star above the
20 stage so I was up -- just stuff -- anything that
21 required too much exertion -- maybe lifting that was --
22 then my back would hurt some, but I never went to the
23 doctor for it or anything like that.

24 Q. You didn't go to the doctor.

25 What would you do when you would have this

1 neck or back pain before the crash?

2 A. I would just take some ibuprofen or Tylenol
3 and march on. Lots of things to do.

4 Q. We've heard about some accidents that you've
5 had in the 1980s.

6 You were involved in one in 1981, 1985; is
7 that right?

8 A. Right.

9 Q. Let's talk about the 1981 accident.

10 What kind of injuries did you have from that
11 accident?

12 A. That was a rollover, and I was a passenger.
13 And I was very blessed. We landed on our heads. I got
14 a whiplash in my neck and a puncture wound in my knee.

15 Q. What did you do for treatment after that
16 accident?

17 A. Well, they took us by ambulance. I and my
18 roommate, we were on our way to another roommate's
19 wedding. They took us to some hospital up there in
20 Idaho Falls, I think, or something. And then my aunt
21 came and got me. She lived in Pocatello. And she was
22 the sweetest farm wife and she took me to a holistic
23 doctor who did colonics on me and that was it.

24 Q. Did you have anything else besides that
25 treatment?

1 A. No.

2 Q. Let's talk about the 1985 accident.

3 How old were you in 1985?

4 A. I was 23 when I got married in May. I was --
5 I'm a December birthday, so I was 23.

6 Q. What kind of injuries did you have from that
7 accident?

8 A. I had a whiplash and that -- and the low
9 back, you know, pain. And so I did physical therapy
10 with that.

11 Q. Do you remember how long you did physical
12 therapy?

13 A. I think it was like a year because I couldn't
14 have my daughter Beth because of my back. They told me
15 not to do that. And so it was just -- because she was
16 born in March of '87, so, you know, maybe six months to
17 eight months, and then I had my baby.

18 Q. Would you consider the injuries that you had
19 in either one of those accidents to be significant
20 injuries?

21 A. Well, they were to me because I was a healthy
22 person. So for me they were very intense at the time
23 but not anything that stopped me from having more
24 babies and doing all the things I've done.

25 Q. After you stopped your physical therapy from

1 the 1985 accident, did you ever go to a doctor again
2 because of neck or back pain before this crash?

3 A. Before this crash?

4 Q. Uh-huh.

5 A. You mean complaining of neck and back pain
6 seeking treatment for that? No.

7 Q. Okay.

8 A. Not seeking treatment, no.

9 Q. Other than what you just told us about when
10 you were getting ready for Hollywood Kids and doing
11 some manual labor, were there any other activities that
12 you'd notice before this crash that would either
13 trigger your neck or your back to start bothering you?

14 A. Well, the thing I noticed was a stiff neck.
15 I would wake up with a stiff neck and also back pain.
16 Sometimes I would wake up with back pain. And so we
17 actually bought an adjustable bed and that was nice.
18 But it wasn't every day and it wasn't hardly anything,
19 so.

20 Q. Nothing you ever went to the doctor for?

21 A. No. It was occasional.

22 Q. During this time from 1985 until the time of
23 this crash, about 24 years, did you go to the doctor
24 for other things?

25 A. I did.

1 Q. Without getting into too much detail, can you
2 just kind of tell us what other things you went to the
3 doctor for during that time?

4 A. From 1985 to I'm sorry?

5 Q. Yes. Besides pregnancies, of course.

6 A. Right. I lost two babies so I had to go in
7 and get, you know, those taken care of. And then I
8 also had -- I'm trying to chronologically here.

9 I had my hysterectomy in 2003 because I have
10 polycystic ovarian syndrome and then I had -- I also
11 had a couple of surgeries before that because I had
12 cysts and tumors and things like that.

13 And then in 2004 I hit my head and --
14 twice -- and so I went to the hospital for that twice
15 because I had a concussion and had a terrible headache
16 for over a year.

17 And then I had my feet operated on because I
18 had bone spurs in my heels because I was walking
19 everyday four to six miles. I developed bone spurs and
20 I also had bunions. So they did all that surgery at
21 once because I was -- and I think that was in 2006. I
22 can't remember. I don't know what year.

23 And then I also had -- in 2008 I thought I
24 was having a heart attack, and I had taken care of my
25 mother for 12 years and she died in open-heart surgery.

1 So my husband and I were very concerned about that.

2 And so I went to see my GP about that because I was
3 having, you know, chest pain and pain down my arm and
4 numbness and -- down my arms, so I was very worried
5 about that.

6 Q. During that time was -- did you ever hesitate
7 to go to the doctor if something was wrong?

8 A. No. We have great insurance.

9 Q. We've seen a lot of medical records that
10 indicate -- where you've indicated that you had chronic
11 neck or back pain or a history of neck or back pain.

12 What did you mean when you gave your doctors
13 that history?

14 A. Well, what I meant was it didn't go away. I
15 thought I understood what chronic meant because I
16 thought, you know, I'm still having neck and back pain
17 occasionally so, therefore, that must be what chronic
18 is. Now that I've had chronic pain, I know it's 24/7
19 and it's tough. And if I had to go back, I would say
20 that was occasional. This is chronic. And I
21 understand and I have great compassion for people who
22 have that, who have chronic pain now.

23 Q. Are you okay? There's some tissues right
24 there.

25 A. Thanks.

1 Q. You told us you had two incidents where you
2 hit your head and they were in 2004.

3 Can you give us the months that those
4 happened?

5 A. Labor Day weekend. We had just come back
6 from the beach and we were Boogie Boarding with our
7 kids, and we were dropping off my son's best friend and
8 his driveway was on an incline. So our Preve
9 hatchback -- 11:30 at night -- we lifted it up, and I
10 was getting his stuff out and I came up and whacked my
11 head right there. And it was like, oh, gosh.

12 And then in -- then the second time was in --

13 Q. Well, let's talk about this one.

14 A. You want to keep going on that one. Okay.

15 And then I went the next -- Sunday morning --
16 I just kind of had a headache all week and then it got
17 worse by Thursday and Friday and Saturday. Sunday
18 morning I woke up and I had a stiff neck and my head
19 was just pounding.

20 I said to my husband, I think I might be
21 having an aneurysm or something because it hurt so bad
22 and I had never had a headache like that before. So
23 I -- my husband called an ambulance because we were
24 worried, you know, that it could be something like
25 that, and then I went to the hospital and they did

1 that.

2 Q. All right. Let's talk a little bit about
3 that.

4 MS. BRASIER: Judge, can I have the ELMO?

5 THE BAILIFF: You probably have to turn the
6 TV on.

7 MR. CLOWARD: I got it.

8 BY MS. BRASIER:

9 Q. For the record, this is Defendant's Exhibit
10 M006, and this is the record from when you went to
11 Summerlin Hospital following that visit.

12 What was the main reason why you decided to
13 go to the hospital that day?

14 A. I just had this excruciating headache and I
15 had a stiff neck but the headache was incredible.

16 Q. It also indicates besides headache that you
17 were having numbness and tingling down your left arm
18 and fingers; is that accurate?

19 A. I'm sure it was, but I don't remember that.
20 I just remember the headache because it was so long
21 ago. It was just a long time ago.

22 Q. And also circled under some complaints are
23 visual disturbance, blurred vision, nausea, and neck
24 discomfort.

25 Were you also having those symptoms when you

1 went to the hospital?

2 A. Yeah. I remember being nauseous and not
3 being able to see very clearly, but I don't remember
4 that very much. I just remember the headache, but it
5 was a long time ago.

6 Q. And describe for us, if you can, what kind of
7 neck discomfort you were having at that time.

8 A. I just remember waking up with a stiff neck
9 that day, and I just thought it was probably because I
10 couldn't -- my head hurt so badly I couldn't hardly
11 turn my head or do anything. I just was in a lot of
12 pain.

13 Q. And it also has a history. It indicates
14 chronic neck and back pain.

15 Do you remember telling Summerlin Hospital
16 that you had chronic neck and back pain?

17 A. I'm sure I did, but I don't remember telling
18 them that. Now that I understand about chronic, I
19 would say that was occasional.

20 Q. Did they do any imaging of your neck that day
21 when you went to Summerlin Hospital?

22 A. It was so long ago I don't remember, but I
23 believe they did.

24 Q. For the record, I'm showing Defendant's
25 Exhibit M012. This is a report of some neck imaging

1 that they did.

2 Does that refresh your recollection about
3 whether or not they did any imaging?

4 A. I'm sure that that's accurate. I just don't
5 remember anything except for my head was terrible.

6 Q. Aside from this imaging, did they recommend
7 any other treatment for your neck?

8 A. Not that I remember at all. He didn't do
9 anything.

10 Q. And do you know what your diagnosis was after
11 that visit at Summerlin?

12 A. I understood I had a concussion.

13 Q. Let's talk about the 2004 -- the second time
14 you hit your head. Tell us what happened then.

15 A. Well, I was directing a play. Once upon a --
16 no, not that one. Best Christmas pageant ever for the
17 church for the children in the church, and we were
18 doing this Christmas play for the church. We had about
19 30 kids in it. And I was doing it with my friend
20 Victor Austin and we would go from different churches.
21 And we had this portable stage that we would set up and
22 we did what's called theater in the round.

23 Anyway so we were at this church and I didn't
24 want to leave it messy so I was checking the rooms. I
25 went into the bathroom, the girl's bathroom. There was

1 paper towels on the floor. So I just picked them up.
2 As I was coming up, bam. I hit my head on the towel,
3 towel dispenser. And I went, oh, no.

4 And so that was on -- I think that was on
5 Saturday night. And then Thursday -- by Thursday, I
6 had -- you know, I had a headache every day and it was
7 just getting worse and worse and then I blanked out and
8 I woke up in the hospital.

9 Q. And did you have the same kind of neck
10 stiffness that you had the first time you hit your
11 head?

12 A. I don't remember my neck at all. All I
13 remember is this intense headache and it lasted for
14 over a year.

15 Q. Let me back up just a little bit.

16 After the September incident, how long did
17 your neck bother you?

18 A. It was so long ago that I just don't have
19 much of a memory of that, so I just -- you know, a few
20 weeks maybe, but I just don't have a memory of that.
21 It wasn't an issue to me. My head was.

22 Q. The jury has heard a lot about a visit that
23 you had with Dr. Kermani where you had chest pain.

24 Do you remember going to see Dr. Kermani for
25 chest pain?

1 A. Yes, I did.

2 Q. And had you seen Dr. Kermani before that day?

3 A. Yes. He was my GP.

4 Q. And did you give him prior medical history
5 when you went to see him?

6 A. Yes.

7 Q. And for the record, I'm showing Defendant's
8 Exhibit J009. If you can see it on your TV screen -- I
9 know it might be kind of hard to see. But No. 5 it
10 says -- and this is from 2007.

11 It says, Motor vehicle accident per history
12 with back pain, though quite infrequent flare-ups.

13 Is that an accurate description of what your
14 low back pain was like back in 2007?

15 A. Absolutely. Yes.

16 Q. So quite infrequent flare-ups would be --

17 A. Occasional, yes.

18 Q. All right. So let's talk about that visit
19 with Dr. Kermani when you had the chest pain.

20 Do you remember when that was?

21 A. I don't remember the exact date, but it was
22 fall of 2008.

23 Q. And what symptoms were you having that led
24 you to go see Dr. Kermani?

25 A. Well, my chest was hurting and I had chest

1 pains and I had pain down my arm and I had numbness
2 down both arms. And as I said, I had taken care of my
3 mom and my dad for 12 years and my mother-in-law also
4 had died of heart -- open-heart surgery and a
5 consequence of that. So we were very concerned that I
6 too was having some problem like my mom. And so we
7 just -- I made an appointment and went right in, so.

8 Q. And his records indicate reason for visit is
9 requesting heart check.

10 Does that summarize why you were there?

11 A. Yes. Absolutely.

12 Q. Did Dr. Kermani send you for any x-rays or
13 perform any x-rays after that visit?

14 A. You know, it was a long time ago, but I
15 remember that he did do a chest x-ray and a neck x-ray
16 in his office because he has or had, you know, the
17 x-ray machines there.

18 Q. What's your understanding of what the neck
19 x-ray showed?

20 A. Degeneration in my neck.

21 Q. Were you having any neck pain at that time?

22 A. No.

23 Q. Did Dr. Kermani ever send you for any more
24 follow-up or any more treatment on your neck after he
25 took the x-ray?

1 A. No.

2 Q. From the time of that visit with him in 2008
3 until this crash, did anyone ever send you for any
4 treatment on your neck?

5 A. 2008 to the crash, did you say?

6 Q. Yes.

7 A. No.

8 Q. Were you sent for more treatment or testing
9 for any other reason after you saw Dr. Kermani?

10 A. Yes. Because he ordered a stress test on my
11 heart, and I failed.

12 Q. And after you failed the stress test, were
13 you sent for any more evaluation?

14 A. I was.

15 Q. Tell us about that.

16 A. On the 23rd of December, right before
17 Christmas, that night I had to go into the hospital and
18 get an angiogram the next morning. We were worried I
19 wouldn't make it home for Christmas Eve with the
20 children, with the family, but I was able to go home.

21 Q. And then from that time of Dr. Kermani's
22 visit until the time of the crash, just so we're clear,
23 you didn't have any physical therapy, chiropractic, or
24 any treatment with an orthopedic?

25 A. No. My neck wasn't an issue.

1 Q. All right. Let's talk about the day of the
2 accident.

3 Tell us where were you coming from, where
4 were you going to when the accident happened.

5 A. Well, okay. So we did -- we do this little
6 class called Fairytale Theater for little three and
7 four year olds. It's adorable. We dress them up in
8 costumes and we put them on stage and we do a different
9 fairytale every month and then they perform for their
10 parents at the end of the month. They're absolutely
11 adorable.

12 Well, my friend, whose little daughter was in
13 the class, said -- called me that morning -- I was
14 still in my exercise clothes from walking -- and she
15 said, Margie, nobody is here. The teacher is not here.
16 And so I immediately got off with her and called the
17 teacher, Jessica, and couldn't get in touch with her.
18 Her phone was off. She had slept in.

19 So I changed and got in my clothes or -- and
20 got in my car from my house on Sunrise Mountain and
21 drove over there to Hollywood Kids west.

22 Q. I'm going to ask you some details about the
23 accident. We're going to go step-by-step through it.
24 Okay?

25 A. Yes.

1 Q. So what intersection did the accident take
2 place?

3 A. Craig Road and Rancho.

4 Q. What street were you on?

5 A. I was on Craig Road.

6 Q. What lane were you in on Craig?

7 A. I was in the right-hand lane getting ready to
8 turn right to go to Hollywood Kids.

9 Q. Were you moving or were you stopped before
10 the accident?

11 A. I was stopped.

12 Q. What color was the light there?

13 A. It was red.

14 Q. Did the light ever turn to green before the
15 accident happened?

16 A. I don't remember that at all.

17 Q. And we'll talk a little bit more about this
18 later, but did you ever hear any tires screeching
19 before the impact?

20 A. I have no memory of tires screeching and -- I
21 just don't have any memory of that right at this time
22 at all and I haven't since then.

23 Q. So you're waiting at the light. Tell us what
24 happened from the time you stopped until the time of
25 the impact, and then I'll pick up the questions after

1 that.

2 A. Well, I was looking forward and checking
3 the -- all of the traffic and it kind of goes on a
4 diagonal. So you have to look back this way and I was
5 not looking behind me. I was looking forward. And so
6 I was checking the traffic because I was going to make
7 a right-hand turn.

8 I was looking this way and the next thing I
9 knew, it was like, boom. And I, you know, whipped
10 forward and -- and I thought, what happened to me? Oh,
11 my gosh, you know.

12 And then I began to hurt really bad and I
13 began to -- my neck and my shoulder just were
14 incredibly hurt. And that's what I remember.

15 Q. So let me just back up a little bit. You
16 said you were looking at traffic.

17 Do you remember how your head was positioned
18 at the time of the impact?

19 A. Well, I was getting ready to make a
20 right-hand turn so I was having to look that way, but I
21 was not looking behind me. I was looking forward this
22 way paying attention to the traffic.

23 Q. And when you're indicating, just so the
24 record is clear, you're indicating to the left?

25 A. Oh, yes, to the left right there because

1 that's where the traffic that I had to merge into.

2 Q. And yesterday Mr. Jaffe pointed out that
3 during your deposition you indicated that your head was
4 forward at the time. So is what you're telling us
5 today different from what you told him during your
6 deposition?

7 A. No. My head was forward. I wasn't looking
8 backwards at all.

9 Q. So would it be fair to characterize that you
10 were looking forward and to the left?

11 A. Yes. Yes. I was looking to the left.

12 MR. JAFFE: Objection. It's leading, Your
13 Honor.

14 THE COURT: Sustained. She already answered.

15 MR. JAFFE: Move to strike it.

16 BY MS. BRASIER:

17 Q. Margie, how would you characterize exactly
18 how your head was turned at the time?

19 A. Well, I was getting ready to make a
20 right-hand turn so my head was here. I wasn't thinking
21 at all about what was going on behind me. I was
22 looking at the traffic that was coming this way. And
23 so that's how I would characterize -- I was paying
24 attention to what was going on in front of me. Looking
25 forward, so.

1 Q. And you said you immediately felt some pain;
2 is that right?

3 A. I did.

4 Q. Did you get out of your vehicle after the
5 crash happened?

6 A. No.

7 Q. Did you ever talk to the defendant after the
8 crash happened?

9 A. Mr. Khoury came up to talk to me I remember
10 and he was outside of my window. I looked at him. I
11 said, I'm so sorry. I just can't talk right now. I
12 said I'm hurting. You know, kind of mouthed it to him
13 because I was hurting so badly and I was just shocked.
14 I just could not believe what happened to me.

15 Q. And remind us again where were you feeling
16 pain right when you were sitting there in your car?

17 A. I was feeling pain mostly that I remember
18 right here and right here in my neck and my shoulder.
19 That was my first feeling was, oh, my gosh, that hurt
20 so bad.

21 Q. And how was -- was that neck pain different
22 from neck pain that you had felt before?

23 A. This was intense. This was very intense.

24 Q. So if you can describe what was -- what
25 was -- how was it different? Besides being intense,

1 was it in a different location? Describe for the jury
2 so they can get an understanding of what the difference
3 was.

4 A. Well, before I would just have stiff neck,
5 you know, and so when you have a stiff neck you just --
6 you know, it hurts. It hurts to move it at all. In
7 this one moving, staying right here, it hurt. If I
8 was -- it didn't matter whether I was trying to look at
9 Mr. Khoury or I was doing this. I was crying and it
10 just hurt to move at all, any movement.

11 Q. And did you ever get out of your car at any
12 time at the scene?

13 A. The paramedics helped me out.

14 Q. And why did they have to help you out?

15 A. Because I couldn't get out. I couldn't move.
16 And I thought, oh, my gosh, I've done something.
17 What's wrong with me? I just didn't know. I didn't
18 know.

19 Q. Why did you decide to take the ambulance from
20 the scene?

21 A. Well, because I didn't know what was wrong
22 with me and I was in so much pain. I couldn't move. I
23 couldn't -- I could hardly -- it was just awful. I
24 could hardly even breathe it hurt so badly.

25 Q. Did you ever get out and look at your -- the

1 damage to your vehicle before you left the scene that
2 day?

3 A. No. No.

4 Q. At any point later did you see the damage to
5 your car?

6 A. I did, yes.

7 Q. And what did you think when you saw that
8 damage?

9 A. Well, I thought you're kidding me. Is this
10 possible? Could this have really happened to me? It
11 was just like I can't -- this is incredible. That, you
12 know, I could be feeling this way from that, so.

13 Q. During opening statements it was pointed out
14 that -- or indicated that your story has changed over
15 time about how this accident happened. I want to ask
16 you some questions about that.

17 Did you ever intentionally exaggerate or
18 change the facts of the crash when you were telling
19 things to your doctors?

20 A. No.

21 Q. Explain to the jury how it would typically
22 happen. When you would see a new doctor, how they
23 would get the history from you about what happened in
24 the crash.

25 A. Well, we would -- you know, they would hand

1 me a form in the waiting room sometimes or they -- I
2 would be laying there on the table, the exam table, and
3 they would ask me questions.

4 Q. So some things would be written down and some
5 things you would talk to them about?

6 A. Different doctors did it different ways. I
7 just did whatever they asked me to do. I just wanted
8 to get better.

9 Q. All right. Let's talk about some of the
10 records that were discussed during opening statements.
11 This is Defendant's Exhibit D003. I'll just -- I'll
12 read it for you. It says -- talking about the
13 accident -- the accident involved two vehicles and a
14 low-impact velocity and resulted in mild damage to the
15 patient's vehicle. Estimated speed of the collision,
16 in parentheses, other vehicle 10 miles an hour.

17 Did you give that history to the physicians
18 at MountainView Hospital?

19 A. I don't talk like that so that's not my
20 words. No, I didn't. That was probably Doug or the
21 police officer.

22 Q. As you read that description, is there
23 anything that's inaccurate about it or does it seem
24 about right?

25 A. It seems right to me. I -- I don't remember

1 it at all and I was hurting and they gave me morphine
2 and I didn't care. I just wanted to get better.

3 Q. Let's look at the next record. This is from
4 when you saw Dr. Lurie on March 12, 2009, a week after
5 the accident. And this is defendant or this is
6 plaintiff's exhibit -- Plaintiff's Exhibit 5. It's
7 007.

8 This history indicates Ms. Seastrand stated
9 that she stopped at a red light and was suddenly
10 rear-ended, pushed forward more than a little.
11 Ms. Seastrand stated she was unaware she was about to
12 be impacted by the other vehicle and, therefore, did
13 not try to brace herself. Ms. Seastrand stated she was
14 moderately jolted and dazed by the impact.

15 Is that what you told Dr. Lurie about the
16 accident?

17 A. Yes.

18 Q. Anything in that statement seem inaccurate?

19 A. No, not that I can tell.

20 Q. All right. Let's look at Plaintiff's
21 Exhibit 17. This is from when you went to see Dr. Shah
22 in December of 2009. For the record, it's 0011. And I
23 want to kind of break up this statement a little bit
24 and talk about some of the -- the information that's in
25 there.

1 A. Can you move that over just a little bit?

2 It's kind of cut off on the one side.

3 Q. Is that better?

4 A. Yes. That's better. I think I can read
5 that.

6 Q. It states, The patient reports she was
7 completely stopped at the red light.

8 Is that an accurate statement?

9 A. Yes.

10 Q. The next sentence reads, The patient reports
11 she heard tires screeching.

12 Is that an accurate statement?

13 A. No.

14 Q. Do you know where Dr. Shah would have got
15 that from if you didn't tell him that you heard tires
16 screeching?

17 A. You know, this was a long time ago. I was --
18 I was lying down there on the table and he may have
19 inaccurately heard me say that I did not hear tires
20 screeching because I don't remember it. I have no
21 memory of tires screeching.

22 Q. So as you sit here today, would you say that
23 that's an inaccurate statement?

24 A. Yes. Yes.

25 Q. The next sentence reads, Suddenly she was

1 rear-ended by a Nissan SUV.

2 Is that accurate?

3 A. Well, I thought it was a Nissan at the time,
4 but it ended up being an Infiniti. I know that now.
5 So that's not accurate.

6 Q. The next sentence is, The air bags did not
7 deploy.

8 Is that accurate?

9 A. Yes.

10 Q. She jerked front to back.

11 Does that accurately describe --

12 A. Yes.

13 Q. -- what happened to you?

14 A. I just remember being hit and going forward,
15 you know, like that. Being whipped and this jolt and
16 being whipped. That's what I remember.

17 Q. And speaking of jolt, the next sentence says,
18 It was a big jolt onto her car.

19 Is that an accurate statement?

20 A. It felt like a big jolt to me. I don't
21 know -- to me it was intense. And so if I said big
22 jolt, I could have said, you know, an intense jolt. I
23 don't know. But he wrote down big jolt and there you
24 go. That's what it is. But it felt like it to me.

25 Q. And we'll finish out the rest of this. The

1 patient did hit her head on the headrest but she did
2 not lose consciousness.

3 Is that accurate?

4 A. That is.

5 Q. She was shaken up and needed assistance with
6 the paramedics to exit her vehicle.

7 A. Yes.

8 Q. And she was in a lot of neck pain initially
9 and while in the car; is that right?

10 A. Yes.

11 Q. Just so the jury understands kind of how
12 things work, did your medical providers ever give you
13 copies of those medical records after they were
14 transcribed so that you could review them?

15 A. No.

16 Q. All right. The jury has heard a lot about
17 your medical treatment since the crash. I don't want
18 to go through everything. We're just going to hit the
19 highlights but before we talk about that, I want to
20 talk about your 1985 accident and the intermittent neck
21 and back pain you talked about.

22 A. Sure.

23 Q. So let's look at some of the intake records
24 that you've filled out since the accident. And for the
25 record, this is Plaintiff's Exhibit 80010 and this

1 is -- sorry. I'll show you the top of it -- from
2 Primary Care Consultants on March 20, 2009, a week
3 after the accident.

4 Is this your handwriting on this form?

5 A. Yes.

6 Q. And is this your signature here at the
7 bottom?

8 A. Yes.

9 Q. Under that bottom section where it asks about
10 previous automobile accidents, what did you tell your
11 doctors?

12 A. It's kind of on one side, so are you
13 referring to the injury, give date and describe, that
14 part?

15 Q. Yes. Just this bottom section.

16 A. I can't see it on mine where it says -- what
17 it says before injury, but I did put my 1981 and my
18 1985.

19 Q. And let's look at the next one. It's
20 Defendant's Exhibit WW001. And this is from when you
21 saw Nevada Imaging Centers on April 3, 2009.

22 Is that your handwriting on the page?

23 A. Yes.

24 Q. And under Question No. 5 it asks how long
25 have you had back pain.

1 How did you respond?

2 A. Twenty-six years.

3 Q. And what did you mean when you put that
4 history of 26 years of having back pain?

5 A. Well, just that since the 1981. Before 1981
6 I never had any back pain. So since 1981 I had had
7 occasional back pain now that I know it's occasional.

8 Q. When you wrote 26 years, were you trying to
9 indicate that you had had back pain constantly
10 throughout that time?

11 A. No. It's just they asked the question how
12 long did you have neck and back pain so that was how
13 long I had had that occasional pain.

14 Q. The next one I'm going to show you is
15 Plaintiff's Exhibit 19. This is from when you saw
16 Nevada Spine Clinic on April 29, 2010.

17 Is this your handwriting on the --

18 A. Yes.

19 Q. -- page?

20 And at the bottom there where it says list
21 previous serious injuries, what did you write?

22 A. I wrote the 1981 and the 1985 accidents.

23 Q. And why did you include those in the serious
24 injury section?

25 A. Well, the surgical history was before that,

1 and I wrote that down and the medical history. This
2 was the only place that it had asked for injuries. I
3 was injured in both of those and so for me that's where
4 it belonged.

5 Q. All right. To your knowledge, do any of the
6 records from either the 1981 or 1985 accidents, do any
7 of those medical records exist any more?

8 A. I have no knowledge of that. I don't think
9 so. It's a long time ago. Long, long time ago.

10 Q. Why did you tell your doctors about these
11 prior car accidents if there was no way for them to
12 ever find out about it?

13 A. Well, because that was the truth. I was in
14 those accidents. Those were injuries that I had
15 sustained and I'm honest and I, you know, wanted them
16 to know what happened.

17 Q. And you told us before that you never went --
18 after 1985 you never went to the doctor because of neck
19 or back pain; is that right?

20 A. Not as my primary complaint ever, no.

21 Q. So why did you tell your doctors about this
22 intermittent pain that you had had if there was no way
23 for them to find out otherwise?

24 A. Just because I'm trying to be as honest and
25 thorough. All I cared about was getting better. And

1 so they needed as much information as I could possibly
2 remember at the time, and I know I was in pain so much
3 I just wanted to get better.

4 Q. Let's talk about getting better. Let's talk
5 about your treatment.

6 How did your neck and back feel in those
7 first few weeks after the crash when you were going to
8 the chiropractor?

9 A. Oh, it just hurt so badly. It was just so
10 intense. It was every day. Every day. Just banging
11 on me every day.

12 Q. And tell the jury where you were feeling that
13 pain in your body.

14 A. I was feeling the pain in my neck. My
15 shoulder started to go away. That didn't persist at
16 all. It was just my neck and my low back and I -- just
17 it was -- I was just in so much pain.

18 Q. Did you have any pain in either your arms or
19 your legs?

20 A. I did. As a matter of fact, numbness just
21 kept getting worse and it kept staying every day and I
22 never experienced that. If I woke up on the wrong side
23 of the bed, the numbness would just go away, but it
24 didn't. It just kept getting worse and worse.

25 Q. When you were answering, you were kind of

1 indicating to your right arm. Was the right worse than
2 the left?

3 A. Yes, the right was worse than my left arm.

4 Q. Yesterday when your daughter Beth was
5 describing this time period, she used the term couch
6 bound to describe your activities.

7 Do you think that's an accurate description?

8 A. Yes. I even -- I laid down all the time to
9 try and avoid a big surgery, and I did everything they
10 told me to do but my couch actually had an indentation.
11 We had to get a new couch.

12 Q. And how is this pain that you were feeling --
13 in those first few weeks after the accident when you're
14 going to the chiropractor, how is that different from
15 any neck or back pain you had felt before?

16 A. Well, as I said, you know, when you wake up
17 with a stiff neck or something, you're hurting and you
18 have some numbness and then it just goes away after a
19 day or two. But, you know, this was like constant. It
20 just would not go away. And I just -- you can't get
21 free of it. You can't walk away from it. There's
22 nothing you can do.

23 Q. Did you feel like the chiropractic treatment
24 gave any long-term benefit?

25 A. No. No. And I was hoping it would but it

1 didn't.

2 Q. Did you eventually get some injections with
3 Dr. Belsky?

4 A. Yes.

5 Q. And you had them both in your neck and your
6 back, right?

7 A. Right.

8 Q. Did either the injections in your neck, your
9 back give you relief for any extended period of time?

10 A. Yes, they did. And I was very thankful.

11 Q. Describe that. How long did it give you
12 relief?

13 A. You know, the neck it seemed like it was a
14 couple of months. My back, you know, it was a little
15 less, but I can't say exactly how long it was. But,
16 you know, it definitely helped.

17 Q. Did Dr. Belsky ever refer you to any
18 orthopedic surgeons?

19 A. Yes. After my -- after those steroids wore
20 off, then we just didn't want to give me too much, too
21 much steroids. She said, Margie, I think we're going
22 to have to -- she referred me to Dr. Muir.

23 Q. And when you first met with Dr. Muir, did he
24 discuss any treatment options for you for your low
25 back?

1 A. He did. He did.

2 Q. What were some of those options he talked to
3 you about?

4 A. He talked to me -- because I was getting the
5 injections from Dr. Belsky. Then he talked to me about
6 the plasma disc decompression.

7 Q. Did you ultimately decide to get that?

8 A. I did.

9 Q. Why did you decide to go with that treatment
10 option?

11 A. Well, because I did not -- I did not want a
12 back surgery. I had heard horror stories of back
13 surgeries. And so I felt like let's just do everything
14 we can to just get better, you know, and I did
15 everything they told me to do, to the best of my
16 ability.

17 Q. Did the plasma disc decompression help your
18 back pain at all?

19 A. No.

20 Q. And were you disappointed when that didn't
21 work?

22 A. Yes.

23 Q. Later did you decide to have Dr. Muir do the
24 surgery on your neck?

25 A. I did.

1 Q. And what made you decide to have that
2 surgery?

3 A. Well, we discussed all the options. The pain
4 got so bad down my arm and the tingling and the
5 numbness down my arm and I just -- I was just going
6 crazy. I was just -- I can't do this anymore. And
7 Dr. Muir said, I think we should do this. My husband
8 and I talked about it and we decided that was the right
9 thing for me. And it was awesome. When I woke up, it
10 was so much better. I love Dr. Muir.

11 Q. When did you have the neck surgery?

12 A. That was in January of '10.

13 Q. And you said you woke up and it was awesome.
14 What was awesome about it?

15 A. It was just incredible. I woke up and my arm
16 just felt like no tingling at all. I had just a little
17 bit right here and I just -- I remember at a follow-up
18 visit I just hugged him. I just hugged him and I just
19 said, thank you so much because I got that back. It
20 was a miracle to me.

21 Q. What was your recovery period like?

22 A. For my neck?

23 Q. For your neck. Sorry.

24 A. You know, it just seemed like I just got
25 better quite quickly. I don't remember how many weeks

1 or whatever. I remember getting more motion and being
2 able to turn my head and I didn't hurt and I felt
3 better. I was glad.

4 Q. After you had such great results with the
5 neck surgery, did it make you want to move forward with
6 the back surgery?

7 A. Yes. Absolutely.

8 Q. And did you seek out any second opinions
9 besides Dr. Muir?

10 A. I did.

11 Q. Who did you talk to?

12 A. For a second opinion you mean?

13 Q. Yes.

14 A. Dr. Khavkin.

15 Q. And what were you looking for when you went
16 to see Dr. Khavkin?

17 A. Well, Dr. Muir was going to do -- and we
18 actually scheduled the surgery -- go through my back
19 and put rods in my back and that just scared me really
20 bad because I had heard horror stories about cutting
21 through those nerves. So I thought I don't want to do
22 that.

23 So I sought out Dr. Khavkin because he was a
24 neurosurgeon. I had actually talked to Dr. Muir's
25 office and I said, Can Dr. Muir do any other surgery

1 besides the rod surgery? And Dr. Muir's nurse told
2 me -- I think she was the nurse. And she said, No, but
3 you're going to love this surgery. It's great.
4 Dr. Muir only does that surgery.

5 I just got a sinking feeling inside me like I
6 got to just see what else is out there. I can't just
7 commit myself to this back surgery from behind and
8 cutting my nerves and things until I just know that
9 there's some other options there that might be less
10 invasive. I was really scared.

11 Q. Was there anything about Dr. Muir, the
12 treatment you had gotten from him before, that made you
13 feel uncomfortable with him?

14 A. No. No. He was just wonderful. No. It was
15 the scariness of cutting through my back that it just
16 scared me. No, not Dr. Muir. He's wonderful.

17 Q. All right. So you have that surgery with
18 Dr. Khavkin, right?

19 A. Right.

20 Q. When was that?

21 A. That was in May of 2010.

22 Q. And tell us how you were feeling as far as
23 your low back and any leg pain right before you had
24 that surgery.

25 A. Well, when I saw Dr. Khavkin -- we laugh

1 about that because I went in his office and I was
2 laying down on the floor with my feet up while I was
3 laying -- while I was waiting for him to come in. So
4 when he came in, he expected to see me on an exam table
5 and he looks down and there's his patient down there.
6 But I was just in so much pain and I felt just so
7 desperate to get out of pain. I just wanted to get
8 better.

9 Q. Did the surgery help your pain?

10 A. Yes.

11 Q. How did you feel right after the surgery as
12 far as your neck -- or not your neck -- your back went?

13 A. Well, the pain -- the shooting down, the
14 nerve pain shooting down my legs, it was gone. It was
15 just -- it was gone and I was really grateful. I was
16 so thankful. My low back hurt but I just couldn't --
17 you know, I just didn't have that nerve pain anymore
18 and that grinds on you. It's terrible.

19 Q. What was your recovery period like after the
20 surgery?

21 A. It took longer to recover for my low back.
22 And, yeah, it took more time to do that.

23 Q. Did you have to do some physical therapy?

24 A. I did.

25 Q. We've heard some discussion about an incident

1 that you had after the surgery where you kind of
2 restrained your back after the surgery.

3 Do you remember that?

4 A. Yes.

5 Q. Did you go back to Dr. Khavkin after that
6 incident?

7 A. I did.

8 Q. Tell us what happened where you restrained
9 your back.

10 A. Well, Hollywood Kids was suffering. We
11 opened up our theater in 2008. Right smack dab in the
12 middle of the recession, we take on this big mortgage,
13 so I was working up until the time of the accident.
14 And anyway, it was suffering, Hollywood Kids was. So I
15 agreed to -- I said, okay, I'm going to come in and do
16 this little summer workshop of three weeks and we're
17 going to do the play Seven Brides for Seven Brothers.
18 And I had a bunch of assistants helping me and I had a
19 rolling chair and I said -- you know, because I
20 couldn't afford to pay another director.

21 And so the kids -- Lexi was my -- Lexi
22 Worthen she was my Milly. And she and some of the
23 other kids decided, oh, let's play a joke on Ms. Margie
24 and Ms. Beth because Beth was my choreographer and, you
25 know, that's how teenagers are. Lexi was 16 or 17. I

1 can't remember what her birthday is. She pretended to
2 break her leg.

3 Well, all I could think about was, Lex, oh,
4 no. So I waddled over to Lexi and Beth ran over there.
5 I waddled over and I said, Lex, are you okay? Are you
6 okay? And she's going, oh. And so I bent down or not
7 bent down but I carefully kneeled down by her to see if
8 she was okay and she's like, I'm just kidding.

9 So I had trouble getting up and I hurt my --
10 I strained my back and my plate tipped. Dr. Khavkin
11 was very mad at me.

12 Q. All right. Let's look at his record from
13 that day when you saw him. So this is Defendant's
14 Exhibit VV001.

15 THE COURT: You blew it up too big. She's
16 not going to be able to see it on there.

17 THE WITNESS: That's good.

18 BY MS. BRASIER:

19 Q. Dr. Khavkin's record, he states that you
20 strained your back trying to pick up a child.

21 Do you know where he would have gotten that
22 information from?

23 A. Well, I told him I was trying to help -- you
24 know, I told him about the incident and, you know, that
25 one of the kids did that. So he probably just assumed

1 that Lexi was a kid because I don't remember saying she
2 was 16 or 17. But, you know, we call them Hollywood
3 Kids. And I just said one of the kids at Hollywood
4 Kids had done that so he may have thought that's what I
5 was trying to actually physically pick up a child.

6 Q. Did you ever have any other instance where
7 you did try to pick up a child and you hurt your back?

8 A. Never. Not after that.

9 Q. After you went back to see Dr. Khavkin in
10 August, so about three months after your accident, did
11 he recommend any more treatment after this incident?

12 A. I'm sorry. Could you tell me -- I just tried
13 to get the time line again. What did you say?

14 Q. After this incident where you bent down to
15 help the child, did Dr. Khavkin send you for any more
16 treatment, or did he want to do anything else to your
17 low back?

18 A. Yes. He didn't send me for more treatment
19 but he threatened me with the rods in my back and I
20 begged him, please, please. I'll be really good. I
21 won't do anything. Nothing. I won't do anything. And
22 I was -- because I just couldn't go through that again.
23 I didn't want that back surgery. And so he was very
24 kind and patient with me and I was blessed because my
25 bone fused and grew through and he didn't have to do

1 it.

2 Q. Did you do anything different after that
3 incident to kind of try to help the healing process?

4 A. Yes. I was extremely careful. I laid down.
5 I didn't teach. I was so careful. I just -- I did not
6 want another surgery. I wanted to get better.

7 Q. And it's your understanding after that then
8 your bone did fuse together?

9 A. It did. Thanks.

10 Q. Did you have any more follow-up appointments
11 with Dr. Khavkin after you went to see him for this
12 incident?

13 A. Yes, I did.

14 Q. Would the frequency of those follow-ups kind
15 of get less and less as the surgery went on?

16 A. Yes.

17 Q. Were you taking prescription pain medication
18 before both your surgeries?

19 A. I was taking some because I was in pain. So
20 yes.

21 Q. And did you take them after the surgeries?

22 A. I did right after the surgeries, yes.

23 Q. Are you still taking any prescription pain
24 medication?

25 A. No.

1 Q. What do you take now if your neck or your
2 back bothers you?

3 A. I'm sorry. I am taking prescription -- not
4 pain medication. Just my hormone replacement therapy.

5 Q. But nothing for pain?

6 A. No.

7 Q. What do you take now, if anything, if you
8 have neck or back pain?

9 A. I take acetaminophen and ibuprofen and I
10 alternate them.

11 Q. And while you have been sitting through the
12 trial for the last week, have you been taking any
13 medications?

14 A. I have.

15 Q. What have you been taking?

16 A. Those. Acetaminophen and the ibuprofen.

17 Q. Did you have to take them more frequently as
18 you've been sitting here through trial than you would
19 during a normal week?

20 A. Absolutely. Because I can't lay down and I
21 have to get up and walk. I just can't sit a long time.
22 I'm sorry about that. I just can't sit a long time.

23 Q. I want to help the jury understand, you know,
24 how your activity level changed before and after the
25 crash.

1 So before the crash, you know, how were your
2 household activities divided between you and your other
3 family members?

4 A. Well, excuse me, Doug works four 10s and
5 works full-time so he pretty much takes care of the
6 outside of the house and he does the finances. He's
7 better than that. And he does like the garage but if
8 he needs help organizing, I go out in the garage and
9 help him with that. And then he repairs everything if
10 there's something that needs to be repaired.

11 And then I keep a very clean house. I just
12 like a clean house. And so before I would vacuum two
13 or three times a week. But the kids I had them on
14 rotating things that they had to do as well, you know,
15 of that.

16 But after the accident vacuuming was terrible
17 and bending over like to do the dishes and unload the
18 dishwasher, you know, that became very painful. The
19 kids they just did everything. They're such good kids.
20 They just piled in and helped mom. That's what they
21 did, so.

22 Q. What about cooking? Did you like to cook
23 before the accident?

24 A. I love to cook. As a matter of fact, I'm
25 famous for my cinnamon rolls and my rolls. And I

1 actually did them as fund-raisers for the kids and for
2 the choir and the volleyball teams. I love to do that.
3 It requires a lot of stamina to cook, as you know, and
4 to chop and do all of that. And so I just couldn't do
5 it all. I just couldn't stand there and cook for my
6 family.

7 Q. What about doing laundry? What did you used
8 to do before and after the crash?

9 A. I trained my kids. Since the time they were
10 12, they did their own laundry. Thank goodness. I
11 just -- Doug and I -- and Doug would do the laundry not
12 extremely well, but he did the laundry while I was down
13 a lot and so that was pretty much how we got through
14 it.

15 Q. And you told us -- when we very first
16 started, you told us kind of what you were doing with
17 Hollywood Kids the year before the accident happened.

18 How was your -- how did your role at
19 Hollywood Kids change right after the crash?

20 A. Well, as I just got worse and worse and
21 worse, I just had to get more helpers to help me get
22 through that first semester when I was teaching -- I
23 mean, that semester of the accident because I had to --
24 of course, I was the director and I had to help get
25 them through there, but I just -- there was days I just

1 couldn't even go and it just got worse and worse. So I
2 had to get help and then I had to eventually -- in the
3 fall I didn't teach at all.

4 Q. And when you say fall, fall of what year?

5 A. Of 2009.

6 Q. You didn't teach any classes?

7 A. I couldn't because Dr. Belsky and I were
8 trying to see if I could just stay down and avoid
9 surgery that maybe it would get better.

10 Q. Any other areas that we haven't talked about
11 that had some kind of change before and after?

12 A. Well, I like to do Sea-Doos. That's just my
13 favorite thing. And I -- after this -- a year after
14 this surgery was the only time I called Dr. Khavkin
15 because we were going with Hollywood Kids on a -- we
16 have a group that performs internationally called
17 Ovation that my daughter Beth directs and they were
18 going to perform on a cruise ship in the Bahamas. And
19 so I went with them and I called him. I said, can I go
20 Sea-Dooing with my family? And he said, well, it's
21 been a year. You should be able to try that.

22 So we went and did Sea-Doos and I had to take
23 pain medication after that. So I have not been back
24 doing that. And my family liked to go and hike, do
25 some hiking and Boogie Boarding and I don't do that. I

1 just -- careful. I'm just being cautious.

2 Q. What about family vacations? Have those
3 changed for you at all before to after?

4 A. Yes. Because I used to be able to go and do
5 everything with the kids and with Doug. Like, you
6 know, go down and hike here and there and whatever it
7 was, but I can't do that any more. So when we go to
8 the beach, I stay on the beach and the kids go in the
9 water and Doug goes in the water and they all Boogie
10 Board but I don't.

11 Q. Why don't you?

12 A. Well, because I'm -- I don't want to do
13 anything that would mess up anything that anybody has
14 done. I feel like I'm going to be a grandma someday so
15 I don't want to mess anything up with my family. I
16 don't want to take any chances of having any more
17 surgeries if I can help it. I'm just trying to be
18 careful.

19 Q. Did you see any improvement in your activity
20 or your ability to do things after you had the neck
21 surgery?

22 A. Yes. Because I could -- like I said, my arm
23 immediately felt better and then my motion was so much
24 better.

25 Q. And what about after the low back surgery?

1 Did you see any improvement in what you were able to
2 do?

3 A. I did. Definitely. That's why I felt like I
4 could go ahead and direct Seven Brides for Seven
5 Brothers for those three weeks to help out because I
6 felt like I was getting better.

7 Q. What kinds of things were you able to do
8 after your low back surgery that you couldn't do
9 before?

10 A. Well, bending and sitting for longer periods
11 and, you know, do the directing, as needed, and I
12 could -- I just had more stamina. I just couldn't
13 do -- with all that pain, it was just grinding on me.
14 And after the surgeries, it was just getting better.
15 Everything was just getting better. I was so happy.

16 Q. So overall do you feel like you've made some
17 big improvements from before the surgeries to after?

18 A. Absolutely. Absolutely.

19 Q. Are there still some things that you have
20 limitations with or that you have to modify?

21 A. Well, I'm careful about sitting too long.
22 And then I'm also careful about bending too much. You
23 know, I don't want to do anything stupid. So I'm
24 just -- you know, I'm just trying to be careful. If I
25 do something -- if I have to do something, I just take

1 some medication and do it, you know. If I have to do
2 something with my family or with Hollywood Kids, I just
3 take some medicine and I go do what I have to do
4 because I have a lot of responsibilities. There's a
5 lot of children depending on me, my family, and so I
6 just take medicine and do what I have to do.

7 Q. All right. We're going to shift gears just a
8 little bit and talk about some things that have been
9 produced in the litigation. Okay.

10 A. Okay.

11 MS. BRASIER: Your Honor, at this time I
12 would move to admit Defendant's Exhibit JJ.

13 MR. JAFFE: What's JJ?

14 Your Honor, requests for admissions aren't
15 admissible in evidence.

16 MS. BRASIER: If he doesn't want to admit
17 them, I'm fine with that.

18 MR. JAFFE: Well, I mean, you can use
19 them but --

20 THE COURT: Come on up for a minute. I don't
21 know what it is.

22 **(Whereupon, a brief discussion was**
23 **held at the bench.)**

24 THE COURT: All right. So my understanding
25 is there's stipulation to admit Exhibit JJ?

1 MS. BRASIER: Yes, Your Honor.

2 MR. JAFFE: Yes, Your Honor.

3 THE COURT: Okay. JJ will be admitted.

4 (Defendant's Exhibit JJ was admitted.)

5 BY MS. BRASIER:

6 Q. Margie, if you look right in --

7 MS. BRASIER: Your Honor, may I approach?

8 THE COURT: You may.

9 MS. BRASIER: Are defendant's exhibit binders
10 up here?

11 THE CLERK: They're probably behind her on
12 the shelf.

13 BY MS. BRASIER:

14 Q. All right, Margie. If you could turn to
15 Exhibit JJ in those binders I just put in front of you.
16 Okay. And Exhibit JJ is plaintiff's responses to
17 request for admissions.

18 Do you see that?

19 A. Yes.

20 Q. Go ahead and look through the whole exhibit
21 for me.

22 A. Okay.

23 Q. Have you ever seen that document before I
24 showed it to you yesterday?

25 A. No.

1 Q. Did you help to prepare any of the responses
2 that are included in that exhibit?

3 A. No.

4 Q. Thank you.

5 MS. BRASIER: Your Honor, at this time I
6 would move to admit Defendant's Exhibit DD, plaintiff's
7 responses to interrogatories.

8 MR. JAFFE: DD?

9 MS. BRASIER: I'm sorry. II. I'm sorry.

10 MR. JAFFE: Fine, Your Honor.

11 THE COURT: II will be admitted.

12 (Defendant's Exhibit II was admitted.)

13 BY MS. BRASIER:

14 Q. Margie, can you turn to Exhibit II in that
15 binder there?

16 A. Yes.

17 Q. And go ahead and just take a look through
18 that exhibit and let me know when you're done.

19 A. Do you want me to read all of them?

20 Q. If you can just kind of skim through it. I'm
21 just asking if you've seen it before.

22 A. Yes, I've seen it before.

23 Q. Did you help to prepare the answers that are
24 included in that exhibit?

25 A. Yes. I had input on this, yes.

1 MR. JAFFE: You know what, Your Honor, may we
2 approach?

3 THE COURT: Sure.

4 (Whereupon, a brief discussion was
5 held at the bench.)

6 THE COURT: Go ahead.

7 MS. BRASIER: I'm sorry, Judge. What was my
8 last question?

9 (Whereupon, record was read.)

10 BY MS. BRASIER:

11 Q. And you've seen that before today?

12 A. Yes.

13 Q. Great. Margie, there's been a lot of things
14 disclosed during the litigation. You know, those
15 documents, different things that you've seen.

16 Overall thinking back about, you know, your
17 injuries, your medical treatment, this litigation, the
18 trial, how has this crash affected you over the past
19 four years?

20 A. It changed my life. I can't do what I used
21 to do, but I am getting better. I hope to be able to
22 do some of the things that I used to do and I hope I'm
23 going to be a really good grandma. I just before never
24 worried about a bad neck day or a bad back day. I just
25 didn't even worry about it.

1 I started Hollywood Kids and I did all of the
2 things with my own children and just didn't -- I didn't
3 even think about that kind of stuff, but now I think
4 about it every day. I just think about be careful
5 here, you know. Just make sure you take your pillow
6 and, you know, I can't sit very long. I can't teach
7 very long. I can't stand and cook a long time. I
8 can't Boogie Board. I can't rappel, which is not my
9 favorite thing in the world but I did it for my
10 children. I couldn't do that now if I wanted to.

11 I cannot Sea-Doo right now but I want to be
12 able to do that in the future. It's changed everything
13 for me. I'm better than I was and I'm very thankful
14 for that.

15 Q. And how has it made you feel as you've sat
16 through the trial to hear your credibility called into
17 question?

18 MR. JAFFE: Objection, Your Honor.
19 Irrelevant. Argumentive. It's not a factor, Your
20 Honor.

21 MS. BRASIER: It goes to the pain and
22 suffering element of the litigation.

23 MR. CLOWARD: Your Honor, we need to approach
24 on this issue.

25 THE COURT: Come on up.

1 (Whereupon, a brief discussion was
2 held at the bench.)

3 THE COURT: Objection sustained.

4 BY MS. BRASIER:

5 Q. All right. Last question, Margie. What's
6 your outlook for the future? What do you -- what do
7 you see for yourself?

8 A. Well, I see myself as a grandma some day and
9 that's one of my major goals in life because I love
10 children and I'm going to love my grandkids more than
11 anybody.

12 And I see myself doing Hollywood Kids again
13 and teaching children again. My daughters teach at
14 Hollywood Kids, and so I see myself working with them
15 and that's so fun.

16 And I see myself being able to sit through
17 church and -- you know, without having to get up and --
18 because I sit through church but I have to get up and
19 walk around.

20 And I see myself being able to go on Sea-Doos
21 and not rappelling. I'm not going to do that any more.

22 I see myself doing -- I just want to do
23 whatever our family plans to do and I want to be able
24 to be a good leader at Hollywood Kids because that's my
25 business and I love those children and they depend upon

1 me. And yeah. I just feel like things are going to
2 just keep getting better for me.

3 MS. BRASIER: Thank you, Margie.

4 THE COURT: All right, folks.

5 Are you done?

6 MS. BRASIER: I'm done.

7 THE COURT: We're going to go ahead and take
8 our lunch break now.

9 During our break, you're instructed not to talk
10 with each other or with anyone else about any subject
11 or issue connected with the trial. You're not to read,
12 watch, or listen to any report of or commentary on the
13 trial by any person connected with the case or by any
14 medium of information, including, without limitation,
15 newspaper, television, the Internet, or radio. You're
16 not to conduct any research on your own, which means
17 you cannot talk with others, tweet others, text others,
18 Google issues or conduct any other kind of book or
19 computer research with regard to any issue, party,
20 witness, or attorney involved in the case. You're not
21 to form or express any opinion on any subject connected
22 with the trial until the case is finally submitted to
23 you..

24 See you back at 1:00.

25 THE BAILIFF: All rise.

1 (Whereupon, jury exits the courtroom.)

2 THE COURT: We're outside the presence of the
3 jury.

4 Anything we need to take care of, counsel?

5 MR. JAFFE: Just one thing, Your Honor.

6 Plaintiff's counsel still has not lodged with
7 the Court a copy of their opening statement and given
8 us a copy. That was done -- we gave them ours five
9 days ago, on Thursday. It was done by stipulation. We
10 still don't have it.

11 Now, in questioning the plaintiff, it's very
12 clear that they not only relied upon my opening but
13 took the records that I specifically identified in my
14 opening to use so that they've been able to do direct
15 on their client.

16 Now I still don't have theirs. They're
17 taking and using mine so that they can use it against
18 me and I still don't have theirs.

19 I would ask that the Court order them to
20 provide copies before the end of court today so that we
21 have a copy of theirs and so that we know that it's
22 lodged with the Court because five days at this point
23 is way too long.

24 MR. CLOWARD: Let me respond. Number 1,
25 there was no stipulation regarding opening statements.

1 Mr. Jaffe gratuitously provided me a copy of his
2 opening statement.

3 THE COURT: Actually, that's not what
4 happened. He provided the Court with a copy and he had
5 an extra copy for you and asked if the Court was going
6 to require him to give you a copy. And I think what
7 happened is there was a discussion and you agreed that
8 you would each switch your openings.

9 MR. CLOWARD: Of the exhibits -- of the
10 exhibits. If you review the record, the reason why he
11 wanted them attached to the record was because he
12 objected. He had objections to mine. And he said, I
13 want them part of the appellate record. I want that
14 poster board attached as an exhibit. And the Court
15 said, well, it's a poster board. I'm not going to
16 attach an exhibit. And I said, I'll make copies of the
17 exhibits and I'll give the copies to Mr. Jaffe.

18 Mr. Jaffe then came the next day and enlarged
19 that stipulation into opening statement. Said,
20 Mr. Cloward, here's a copy of my opening statement. I
21 never agreed to the opening statement. I agreed to the
22 copy of the exhibits. I told him at the 627. I gave
23 him a copy of all of the exhibits that I relied on at
24 the 627. I gave him a copy of that. And I've got
25 copies of my exhibits for the purpose of lodging it

1 with the Court and to have that as part of the
2 appellate record for the -- you know, if there's an
3 objection to my demonstrative exhibits and that was
4 what the specific objection was for.

5 MR. JAFFE: Your Honor, that is not true
6 because I made a very particular --

7 THE COURT: Don't worry about it. My
8 recollection was that I asked that both parties provide
9 copies of their PowerPoints to be made part of the
10 Court's record.

11 When Mr. Jaffe brought his disk to file with
12 the Court, he had an extra copy. My recollection was
13 that either you or somebody at your table said, we'll
14 get yours. We'll give you ours. I think it's only
15 fair. I don't think it would be an undue burden on
16 somebody in your office to make a copy of your
17 PowerPoint you used in your opening. I do want it
18 lodged with the Court as a Court exhibit and just make
19 an extra copy for Mr. Jaffe so he has it as well.

20 MR. JAFFE: Your Honor, I made a particular
21 point because I wanted the motion of the openings as
22 well included in there, which is exactly what we did.

23 THE COURT: The what?

24 MR. JAFFE: The motion. In other words, just
25 the PowerPoint is not enough. There's a motion that

1 goes along with it. Like the videos that were shown of
2 the surgery and whatever and that was all going to be
3 part of it. Mr. Cloward even said, that's fine. We
4 can put it on there but it's going to have a watermark
5 over it.

6 MR. CLOWARD: And I've already given him
7 that.

8 MR. JAFFE: But I want -- I want the openings
9 so that I also have the context in which it was shown.
10 Your Honor, like I said, they've had ours since
11 Thursday. We've been asking for it all week.

12 THE COURT: I agree. Quit arguing. I agree
13 with you.

14 MR. JAFFE: Can we have it by the end of the
15 day?

16 THE COURT: Mr. Cloward, can you get that for
17 us by the end of the day?

18 MR. CLOWARD: I know for sure I can get it in
19 the morning.

20 THE COURT: Try to get it by the end of the
21 day. There's somebody at your office.

22 MR. CLOWARD: I know. It's on my personal
23 computer. That's the problem. It's on my personal
24 computer. People don't have access to it. I didn't
25 save it on the network. I can't say, hey, get on the

1 network into this file and print this off. So, I mean,
2 if you want me to run to the office and print it off,
3 I'm happy to do that and I will do that.

4 THE COURT: It's not far.

5 MR. CLOWARD: Okay. I can do that.

6 THE COURT: Just try to get it for him by the
7 end of the day and make a copy of the disk for us so
8 that it can be lodged with the Court.

9 MR. CLOWARD: Judge, I do have a copy of the
10 exhibits and I can provide those.

11 THE COURT: Why don't you make it all one
12 exhibit with your opening and whatever the videos and
13 stuff were.

14 MR. CLOWARD: Can I e-mail it to him tonight
15 if I promise to do it before the end of the night so
16 that I don't have to spend my lunch hour going and
17 doing that, if I get it to him before the end of the
18 night?

19 MR. JAFFE: Your Honor, I need it earlier
20 than the end of the night. I need it by 7:00.

21 MR. CLOWARD: I can do it by 7:00.

22 MR. JAFFE: The only problem is I don't know
23 if by e-mail it's going to open and that's why if I
24 have a disk, it's a lot easier than --

25 MR. CLOWARD: You can follow me to my office

1 and I will give you a disk after. I don't want to
2 waste my lunch hour.

3 THE COURT: That's fair. He'll get it to you
4 tonight. You can follow him to his office if you want
5 to, if you want to get it that way. I don't know what
6 time we're going to get done today, but I'm not going
7 to make Mr. Cloward miss lunch either. So work
8 together. Get it to him before the end of the day
9 today.

10 MR. CLOWARD: Do you want these for now?

11 THE COURT: I want it all at once.

12 MR. CLOWARD: No problem.

13 THE COURT: Anything else outside the
14 presence, counsel?

15 MR. JAFFE: Nothing, sir.

16 MR. CLOWARD: No, Judge.

17 THE COURT: Thanks, guys. Off the record.

18 (Thereupon, the proceedings
19 adjourned at 12:07 p.m.)
20
21
22
23
24
25

CERTIFICATE OF REPORTER

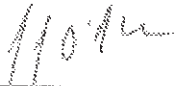
STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, Jennifer O'Neill, a duly commissioned
Notary Public, Clark County, State of Nevada, do hereby
certify: That I reported the proceedings commencing on
Tuesday, July 23, 2013, at 10:35 o'clock a.m.

That I thereafter transcribed my said
shorthand notes into typewriting and that the
typewritten transcript is a complete, true and accurate
transcription of my said shorthand notes.

I further certify that I am not a relative or
employee of counsel of any of the parties, nor a
relative or employee of the parties involved in said
action, nor a person financially interested in the
action.

IN WITNESS WHEREOF, I have set my hand in my
office in the County of Clark, State of Nevada, this
15th day of March, 2014.


JENNIFER O'NEILL, RPR, CCR #763

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IN THE SUPREME COURT OF THE STATE OF NEVADA

RAYMOND RIAD KHOURY,

Appellant,

vs.

MARGARET SEASTRAND,

Respondent.

Supreme Court Case No. 64702

Supreme Court Case No. 65007
Electronically Filed
Nov 13 2014 08:23 a.m.

Supreme Court Case No. 65172
Tracie K. Lindeman
Clerk of Supreme Court

APPEAL

from the Eighth Judicial District Court, Clark County

The HONORABLE JERRY WEISE, District Court Judge

District Court Case No. A-11-636515-C

APPELLANT'S APPENDIX

VOLUME XIV

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VOLUME XIV

Exhibit 37 July 23, 2013, Reporter’s Transcript of Jury JA 2563-2651
Trial, (Day 7, am)