

1 SUPREME COURT OF THE STATE OF NEW YORK.  
2 COUNTY OF QUEENS

3 -----x

4 [Redacted]

5 Plaintiff,

6 Index No: 7 [Redacted]

7 -against-

8 [Redacted]  
9 [Redacted] R  
10 CP, LP, THE PORT WASHINGTON ADAPT, M&R  
11 D/ [Redacted] SNOW  
12 SERVICES,

13 Defendants.

14 -----x

15 December 8, 2025  
16 2:15 p.m. (EST)

17 Examination Before Trial of

18 [Redacted] taken by Defendant,  
19 [Redacted] held via Zoom  
20 videoconference, before [Redacted] a  
21 Stenographer, and Notary Public of the  
22 State of New York.

23 \* \* \*

24 [Redacted]  
25 [Redacted]

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

2

^FIRM

3

Attorneys for Plaintiff

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^ADDRESS

5

^ADDRESS

6

BY: ^ATTORNEY, ESQ.

7

^FIRM

8

Attorneys for Defendant

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^ADDRESS

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^ADDRESS

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BY: ^ATTORNEY, ESQ.

12

ALSO PRESENT:

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\* \* \*

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1 this deposition is waived.

2 IT IS FURTHER STIPULATED, a copy  
3 of this examination shall be furnished to  
4 the attorney for the witness being  
5 examined without charge.

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1 MR. TAIWO: H. [REDACTED]  
2 [REDACTED] Here for the  
3 plaintiff Benjamin Sakhai. Usual  
4 stips. I'm here with [REDACTED]  
5 the plaintiff in this case. He is in  
6 the conference room with me. He has  
7 provided me with photo identification  
8 that he is in fact [REDACTED] the  
9 plaintiff in this action. Benjamin  
10 [REDACTED], Inc. index  
11 numbe [REDACTED]

12 B E N J A M I N S A K H A I,

13 having first been duly sworn by  
14 [REDACTED] the Notary  
15 Public, was examined and  
16 testified as follows:

17 EXAMINATION

18 BY [REDACTED]

19 Q. Good afternoon Mr. Sakhai. Can  
20 you hear me?

21 A. Yes.

22 Q. My name is John Anello and I'm  
23 an attorney with the law firm of Callahan  
24 & Fusco and I represent island snow  
25 services with respect to an accident I

1 understand you were involved with back on  
2 February 4th of 2021. And we're here to  
3 take your deposition today which I I  
4 think you know what it is but it s  
5 question and answer session about the  
6 accident, your alleged injuries and your  
7 treatment for those injuries so I'm going  
8 to give you some instructions and then I'm  
9 going to ask you some questions about  
10 those topics and I just ask that you  
11 answer those questions to the best of your  
12 ability.

13 You were just sworn in bit court  
14 reporter and we're conducting this matter  
15 virtually and we're in different locations  
16 but you still have to tell the truth as  
17 though were you anywhere courtroom in  
18 front of a Judge.

19 The court reporter is taking  
20 down everything we say so just please make  
21 sure all your answers are clear and  
22 verbal, no uh-huhs or shoulder shrugs or  
23 hand gestures. Also please let me finish  
24 my question before you answer and I'll do  
25 the same for you, I'll allow to complete

1 your answer before I ask the next  
2 question. It's very important that only  
3 one person be speaking at a time.

4 If I ask you a question and you  
5 answer it I'm going to assume that you  
6 understood the question. If I ask a  
7 question and you don't know the answer  
8 please don't guess. It's perfectly all  
9 right to say you don't know. However if  
10 you question calls for an estimate  
11 medication or an approximation please just  
12 tell me that that's what you're doing  
13 before you provide your answer.

14 attorney is here you with you today and  
15 there are other attorneys that represent  
16 other parties as well and you may hear one  
17 of them object to one of my questions.  
18 If he objects to one of my questions please  
19 let that attorney state the reason for the  
20 objection and then wait for instructions  
21 for your attorney to answer before  
22 answering. Finally if you got stand up,  
23 take a break, whatever you need to do just  
24 let me know. There's no reason for you to  
25 feel uncomfortable or you need a break

1 it's fine. I don't expect this deposition  
2 to be very long. Only thing I ask is that  
3 if there's a question pending please  
4 answer it before we take a break. Do you  
5 understand all of those instructions?

6 A. Yes?

7 Q. Do you have any questions?

8 A. I don't.

9 Q. Have you ever been deposed  
10 before?

11 A. Yes.

12 Q. And when was that?

13 A. I don't remember the exact date.

14 Q. Was it relative to this action  
15 this case?

16 A. Yes.

17 Q. Aside from this case have you  
18 ever been deposed before?

19 A. No.

20 Q. Are you currently under the  
21 influence of any substances or medications  
22 that would affect your ability to recall  
23 the accident, your injuries or your  
24 treatment?

25 A. No.

1 Q. Is there any reason you can't be  
2 truthful with me here today?

3 A. No.

4 Q. Have you reviewed any documents  
5 in preparation for this deposition?

6 A. No.

7 Q. Have you reviewed any  
8 photographs in preparation for this  
9 deposition?

10 A. I did look at photographs.

11 Q. What photographs did you look  
12 at?

13 A. The accident photographs.

14 Q. And when you say the accident  
15 photographs what were these photographs  
16 of?

17 A. Me on the -- on the ground and  
18 the parking lot.

19 Q. And who took these photographs  
20 if you know?

21 A. I took the picture -- I took  
22 some pictures and I believe my wife.

23 Q. Do you have these photographs?  
24 Are they in your possession?

25 A. I believe we have provided them

1 before.

2 Q. Okay.

3 Q. Aside interest your attorney and  
4 don't tell me any conversations you had  
5 with your attorney have you discussed this  
6 case with anyone else in preparation for  
7 your deposition?

8 A. No.

9 Q. What's your date of birth and  
10 we're just put year on the record?

11 MR. TAIWO: Thank you.

12 A. 1984.

13 Q. How old are you?

14 A. 41.

15 Q. And at the time of the accident  
16 how old were you?

17 A. 37.

18 Q. And what's your current address?

19 A. Seven North Plandome Road.

20 Q. That in Port Washington?

21 A. Port Washington, New York 11050.

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

24 A. Just over four years now.

25 Q. And your address is that home a

1 one family, a two family home or something  
2 else?

3 A. It's a one family.

4 Q. Do you own it, rent it or  
5 something else?

6 A. Own it.

7 Q. Did you live at that property on  
8 February 4, 2021?

9 A. No.

10 Q. Where did you live on  
11 February 4, 2021?

12 A. I lived at 125 Main Street  
13 apartment 10 Port Washington, New York.

14 Q. And on February 4, 2021, how  
15 long were you living at that address?

16 A. We had moved in October 2020 --  
17 2018.

18 Q. /AUPBLD say we. Who did you  
19 live with at that time?

20 A. My girlfriend that became my  
21 wife.

22 Q. And what is her name?

23 A. Melody.

24 Q. What's her last name?

25 A. Sakhai.

1 Q. Do you still live with your wife  
2 I'm assuming?

3 A. Yes.

4 Q. Do you live with anyone else?

5 A. My kids.

6 Q. How many -- how many children do  
7 you have?

8 A. Two kids.

9 Q. Are they minors?

10 A. Yes.

11 Q. What are their names and can we  
12 just put initials on the record?

13 A. M. and A..

14 Q. How old is M.?

15 A. M. is a little over three years  
16 old now and A. is a little over one year  
17 old.

18 Q. Have you ever gone by any other  
19 names or aliases?

20 A. No.

21 Q. Where were you born?

22 A. I was born in New York.

23 Q. And you're a United States  
24 citizen?

25 A. Yes.

1 Q. What's your social security  
2 number and we'll just put Xs on the  
3 record?

4 MR. TAIWO: Thank you.

5 A. XXX-XX-XXXX.

6 Q. Sorry, that was XX?

7 A. XX.

8 Q. XX okay. And again just Xs on  
9 the record. How long have you been  
10 married to Melody?

11 A. A little over five years now.

12 Q. Prior to your marriage to Melody  
13 you were ever married before?

14 No. A.

15 What's your highest level  
16 education?

17 A. I went to college.

18 Q. What college?

19 A. New York University.

20 Q. Did you graduate?

21 A. Yes.

22 Q. What year?

23 A. 2006.

24 Q. And what is your degree in?

25 A. Economics.

1 Q. And aside from NYU did you go to  
2 any other secondary school or graduate  
3 school?

4 A. No.

5 Q. Have you gone to any trade  
6 schools?

7 A. No.

8 Q. Do you have a /PRO\*F license by  
9 that I mean are you a licensed stock  
10 broker, plumber or anything like that?

11 A. No.

12 Q. Do you currently have a driver's  
13 license?

14 A. Yes.

15 Q. In what state?

16 A. New York.

17 Q. And when did you first obtain a  
18 driver's license?

19 A. I believe I was 17.

20 Q. Has your driver's license ever  
21 been suspended or revoked?

22 MR. TAIWO: Objection but you  
23 can answer.

24 A. Not that I recall.

25 Q. Were you employed at the time of

1 the accident?

2 A. Self-employed.

3 Q. What was your job?

4 A. So I was both a sales person for  
5 destiny \*\*\* SPELLING REQUESTED \*\*\*

6 international realty not as a W2, as a  
7 1099 there and I have my own businesses.

8 Q. What kind of business do you  
9 have?

10 A. Consulting and real estate.

11 Q. What type of consulting work do  
12 you do?

13 A. Various industries.

14 Q. And is it commercial,  
15 residential, something else?

16 A. I don't understand the question.

17 Q. Like what type of industries?

18 You said real estate is it like commercial  
19 real estate you deal with or something  
20 else?

21 A. Both commercial and residential.

22 Q. Okay. And what was your job  
23 title at destiny international?

24 A. Sales person.

25 Q. And who was your supervisor?

1           A.       Grace lay sack \*\*\* SPELLING  
2 REQUESTED \*\*\*.

3           Q.       And what was your annual salary  
4 at the time of the accident?

5           A.       Wasn't a salaried position.

6           Q.       Approximately how much did you  
7 make weekly at that position at destiny  
8 international?

9           A.       I don't know.

10                   MR. TAIWO:   Just for the record  
11 my understanding is that the loss  
12 wages claim has not -- has been  
13 withdrawn so that's not at issue here  
14 but you can continue.

15                   MR. ANELLO:   Right.

16           Q.       Did you file a /W\*BGS claim  
17 consult of the /STKHAEPBT gave rise to  
18 this lawsuit?

19           No. A.

20           Are you currently employed  
21 today?

22           A.       Self-employed.

23           Q.       Request the same positions you  
24 just described?

25           A.       I'm not currently with destiny

1 international realty.

2 Q. Okay. What do you do currently?

3 A. I just do consulting.

4 Q. And you work for yourself /\*ES?

5 A. Yeah.

6 Q. Have you ever served in theed  
7 military?

8 A. No.

9 Q. Have you ever convicted of a  
10 crime?

11 A. No.

12 Q. Aside from this all have you  
13 ever been involved in a personal injury  
14 lawsuit before?

15 A. No.

16 Q. Have you ever been involved in  
17 any other type of accident aside from the  
18 one that gave rise to this lawsuit where  
19 you injured your right arm?

20 A. No.

21 Q. Ever been involved in a motor  
22 vehicle accident when you injured your  
23 right arm?

24 A. No.

25 Q. Ever been involved in any other

1 type of accident with your suffered  
2 injuries to the same part of your body  
3 that you're alleging you are injured in  
4 this lawsuit?

5 No. A.

6 What was the date of the  
7 accident that gave rise to this lawsuit?

8 A. February 4, 2021.

9 Q. And do you remember what Dave  
10 /TWHAOEBG was?

11 A. Thursday.

12 Q. And about what time of day did  
13 the accident happen?

14 A. About 5:30.

15 Q. In the afternoon?

16 A. Yeah.

17 Q. Where did the accident happen?

18 A. In the parking lot.

19 Q. In the parking lot of --

20 A. Parking lot behind of 125 Main  
21 Street.

22 Q. This is where you were living at  
23 that time?

24 A. Correct.

25 Q. Okay. And where specifically

1 did you fall, was it in the parking lot,  
2 the street or something else?

3 A. In the parking lot.

4 Q. Was anyone with you?

5 A. My wife was with me.

6 Q. Anyone else?

7 A. No.

8 Q. Where were you going?

9 A. I was take my wife to a doctors  
10 appointment.

11 Q. And had had the accident not  
12 occurred where were you -- where were you  
13 planning on going?

14 A. To the doctors appointment.

15 Q. Were you using your phone at the  
16 time of the accident?

17 A. No.

18 Q. Did you have a phone at the time  
19 of the accident?

20 A. In my pocket.

21 Q. Was it a cell phone, a

22 \*\*\* SPELLING REQUESTED \*\*\*

23 else an I phone I mean a --

24 A. I phone.

25 Q. It was an I phone. And you'd

1 been in this area before I'm assuming  
2 since you lived there?

3 A. Yes.

4 Q. Were you work to your car or  
5 some place else?

6 A. I don't think I understand the  
7 question. Can you repeat --

8 Q. At the time you fell were you  
9 walking to your car or were you going to  
10 catch a bus or something else?

11 A. Yes, walking to the car.

12 Q. What kind of car did you have at  
13 the time?

14 A. X5, BMW.

15 Q. And your wife's doctor where was  
16 it located?

17 A. I believe in Manhasset. I'm not  
18 sure. I don't recall exactly.

19 Q. Had you gone out at all earlier  
20 that day?

21 A. No.

22 Q. What time did you wake up on the  
23 morning of date date \*\*\* SPELLING  
24 REQUESTED \*\*\*?

25 A. I don't recall.

1 Q. Did you have break and a half  
2 morning?

3 A. I don't recall.

4 Q. Did you have lunch?

5 A. I don't recall.

6 Q. Did you have dinner?

7 A. I don't believe so.

8 Q. What did you do prior to leaving  
9 your house?

10 MR. TAIWO: Objection but he can  
11 answer.

12 A. I was working.

13 Q. Approximately how long had  
14 been working before you left your  
15 house?

16 A. It's an estimate like eight  
17 hours.

18 Q. What time did you go to bed on  
19 February 3, 2021?

20 A. I don't recall.

21 Q. Did you excuse me any alcohol in  
22 the 24 hours before the accident?

23 A. No.

24 Q. Did you excuse me any -- any  
25 drugs or intoxicants including manner or  
THC products in the 24 before the

1 accident?

2 A. No.

3 Q. Did you take any prescription  
4 medications on the date of the accident?

5 A. No.

6 Q. Did you for get or fail to take  
7 any prescription medication you were  
8 supposed to take on the date of the  
9 accident?

10 A. No.

11 Q. On the date of the accident did  
12 you have any dizziness?

13 No. A.

14 Any difficulty walking?

15 No. A.

16 Any balance problems?

17 No. A.

18 Any vision problems?

19 No. A.

20 Any problems with rites \*\*\*

21 SPELLING REQUESTED \*\*\* in your legs or  
22 knees?

23 A. No.

24 Q. I see that you're wearing  
25 glasses. Did you have to wear glasses at

1 the time of the accident?

2 A. Yes.

3 Q. Were you in fact wearing them at  
4 the time of the accident?

5 A. Yes.

6 Q. And what are those glasses for?

7 A. For vision.

8 Q. Do they help you improve your --  
9 can you -- can you not see far, can you  
10 not see close? Do you have in /SPH\* other  
11 issue?

12 A. It's for distance.

13 Q. What was the weather like on the  
14 date of the accident?

15 A. It was cold.

16 Q. Was there any precipitation,  
17 rain, snow?

18 A. No.

19 Q. Do do you know if it had rained  
20 or snowed the day before?

21 A. I believe it was two days  
22 beforehand, it had snowed two days  
23 beforehand.

24 Q. I'm sorry. It had snowed two  
25 days beforehand and three days beforehand?

1           A.       I believe it was 2 and 3 days  
2 beforehand it had /STKPWHROED was there  
3 any accumulation on the ground.

4           A.       Can you explain your question  
5 again?

6           Q.       /SHAOUFRPLT at the time of the  
7 accident was there any snow accumulation  
8 that you noticed on the ground?

9           A.       Yes.

10          Q.       How much approximately?

11          A.       I don't know.

12          Q.       And /SABLGTLy how did you fall,  
13 did you /SPHR\*EUP, trip or something else?

14          A.       I slipped.

15          Q.       Okay. Which foot slipped?

16          A.       My right foot.

17          Q.       And did you fall backwards,  
18 forwards or something else?

19          A.       My legs went up in the air.     I  
20 fell backwards.

21          Q.       Did your body turn or twist?

22          A.       No.

23          Q.       What part of your body hit the  
24 ground first?

25          A.       My right hand.

1 Q. And what part of your body hit  
2 the ground second?

3 A. I guess my /PW\*UT.

4 Q. Okay. Any other parts of your  
5 body hit the ground?

6 A. I was on the ground afterwards.

7 Q. Do you recall any other parts of  
8 your body specifically hitting the ground?

9 A. I guess my feet, my legs.

10 Q. In what position did you land?

11 A. Kind of like a seated position  
12 almost.

13 Q. Did you hit your head?

14 A. I did not luckily.

15 Q. Did you lose consciousness at  
16 all?

17 A. No.

18 Q. What caused you to fall?

19 A. I slipped on black ice.

20 Q. Did you observe the ground with  
21 your fell offfell?

22 A. Can you repeat the question?

23 Q. Sure. Did you -- offfell were  
24 you able to observe the ground on which  
25 you fell?

1           A.       Yes, I was sitting on it.

2           Q.       And what did you observe on the  
3 ground?

4           A.       It was icy.

5           Q.       Was there anything else?

6           A.       I don't know --

7           Q.       Was there any salt or sodium  
8 /KHROER ride on the ground to your  
9 knowledge?

10          A.       Nothing.

11          Q.       Did you notice this -- did you  
12 notice this black ice before you fell?

13          A.       No.

14          Q.       Did you notice black ice  
15 anywhere else in the parking lot before  
16 you fell?

17          A.       No.

18          Q.       Did you notice black ice in the  
19 parking lot on the days prior to your  
20 fall? You had said it snowed a few days  
21 before?

22          A.       No, I didn't go out.

23          Q.       Okay. This /THAOEUPL went out  
24 to take your wife to the doctor when was  
25 the last time you went out before that?

1 A. I don't recall.

2 Q. Offfell what happened?

3 MR. TAIWO: Objection, but he  
4 can answer.

5 A. What do you mean?

6 Q. Sure. Your wife was with you?

7 A. My wife with me, yes.

8 Q. Did she say anything to you?

9 A. I think I said to her that I  
10 broke my arm, I need her to call 911.

11 MR. TAIWO: I'm so sorry. Are  
12 you done.

13 MR. ANELLO:

14 THE WITNESS: Yeah.

15 MR. TAIWO: Before you ask the  
16 next question can we get a five-minute  
17 break.

18 MR. ANELLO: Sure.

19 MR. TAIWO: Thank you so much.

20 (Whereupon, a recess was taken.)

21 Q. Aside from your wife did anyone  
22 see you fall?

23 No. A.

24 Did anyone come to your aid?

25 He ~~A.~~ the ten ant came and the

1 ambulance came --

2 Q. Aside from them did anyone else  
3 immediately after the accident come?

4 A. Come to help me is that the --

5 Q. Yes.

6 A. No.

7 Q. Do you know if anyone other than  
8 your wife saw you fall?

9 A. I don't know if anybody saw me  
10 fall /PWE size my wife.

11 Q. Did you take any pictures  
12 offfell?

13 A. Did I take any pictures?

14 Q. Yes.

15 A. No.

16 Q. Did your wife take any pictures?

17 A. Yes.

18 Q. What did she take pictures of?

19 A. Me fall -- me after I had fallen  
20 on to the floor in agonizing pain sitting  
21 there waiting for the ambulance.

22 Q. Did you take pictures of anyone  
23 else?

24 A. I don't know.

25 Q. Do you know if anyone else took

1 any pictures of you or the accident scene?

2 A. I don't know.

3 Q. Were you able to get abandoning  
4 offfell?

5 A. No.

6 Q. Did you ever dish mean obviously  
7 you got back up but did you require any  
8 aassistance in getting up?

9 A. There was -- there was ice to  
10 the point where lieutenant almost slipped  
11 and fell also. The EMS person that had  
12 come almost slipped on to me when the  
13 lieutenant screamed at him and told him to  
14 get down on his hands and knees and crawl  
15 to me with the board. There was no chance  
16 that I could get up. And they put me on  
17 to the board and put me on to the  
18 ambulance.

19 Q. So the EMTs put -- so you didn't  
20 /TKPWEUPT until the EMTs put you on to the  
21 board and put you in the ambulance?

22 A. I did not get up after I had  
23 fallen. I did not get up. The EMS put me  
24 onto a board. With the lieutenant and  
25 whoever else was there they put me into

1 the ambulance.

2 Q. What were the lighting  
3 conditions like at the time of the  
4 accident?

5 Q. What is that -- what's the  
6 question?

7 Q. It was dark out, correct?

8 A. I think it was just getting  
9 dark.

10 Q. All right. So was the sun still  
11 up or was it totally dark?

12 A. It was -- I don't recall  
13 exactly.

14 Q. Were there any streetlights or  
15 anything in the area?

16 A. I can seat /STPRAOET back of the  
17 /TPRARLT behind --

18 Q. Were there any lights from the  
19 back of the parking lot anything that  
20 helped I /HRAOUPPL anyway the area?

21 A. There are lights there. They  
22 were not on.

23 Q. Require to the accident had you  
24 ever made any complaints to the -- to the  
25 building or anyone associated with the

1 building about snow or ice in the parking  
2 lot?

3 A. No.

4 Q. Did you ever make any complaints  
5 about snow or ice anywhere else on the --  
6 on the facility?

7 A. No.

8 Q. Are you aware of any -- any  
9 prior accidents involving snow or in  
10 that parking lot until particular?

11 A. No.

12 Q. What were you wearing on the  
13 date of the accident?

14 A. What was the question?

15 Q. What were you wearing on the  
16 date of the accident? Did you have a  
17 jacket on?

18 A. It was cold. I had jeans,  
19 jacket and snow boots.

20 Q. What kind of -- what kind of  
21 snow boots were they?

22 A. The brand is that what you're  
23 asking?

24 Q. Yeah sure. The brand?

25 A. I believe it's Columbia.

1 Q. Were they actually snow boots or  
2 work boots or something else?

3 A. Snow boots.

4 Q. Do you still have those snow  
5 boots?

6 A. Yes.

7 Q. When did you purchase those  
8 /STPHOEF boots if you recall?

9 A. I don't recall.

10 Q. Were you carrying anything at  
11 the time of the accident?

12 A. No.

13 Q. Did any part of your body come  
14 into contact with anything other than the  
15 ground as a result of this slip?

16 A. Can you repeat the question?

17 Q. Sure. Did your -- did any part  
18 of your body as a result of this slip come  
19 into contact with anything else besides  
20 the ground~~a~~ car, anything else?

21 A. No.

22 Q. Did you feel pain immediately  
23 after the impact?

24 A. Yes a ton of pain and I was  
25 sitting there waiting for the ambulance.

1 I asked my wife for water because I just  
2 needed to have some water. I was in  
3 shock.

4 Q. Where did you feel this pain?

5 A. In my arm.

6 Q. In your right arm?

7 A. My right arm.

8 Q. Did you feel pain anywhere else?

9 A. No.

10 Q. If you had to describe this pain  
11 in your right <sup>10</sup> arm on a scale from 1 to  
12 10 being the <sup>how</sup> worst, one being the best  
13 would you describe it?

14 A. Ten. From the elbow to the  
15 shoulder was a complete ten.

16 Q. Were you bleeding from anywhere  
17 in your body after the impact?

18 A. No.

19 Q. Was there any swelling anywhere  
20 on your body ~~at~~ after the after the

21 A. I don't recall.

22 Q. Did you have any other visual  
23 injuries immediately after the impact  
24 anywhere else on your body?

25 MR. TAIWO: Objection. He can

1 answer if he understands.

2 A. Can you explain the question  
3 again?

4 Q. Sure. Aside interest your right  
5 ample which you described did you have any  
6 other visual injuries, bleeding, bruising,  
7 swelling anywhere else on your body?

8 A. I was wearing a jacket. You  
9 couldn't even see my arm that it was  
10 injured.

11 Q. Were you aware of any other --  
12 any other injuries to any other parts of  
13 your body immediately after the fall?

14 A. No.

15 Q. Who /TKURB said an ambulance  
16 arrived. Who called the ambulance?

17 A. My wife called 911.

18 Q. And approximately how long did  
19 it take for 911 to arrive after she  
20 called?

21 A. I believe lieutenant showed up  
22 within five minutes or so.

23 Q. And what police department did  
24 that lieutenant belong to?

25 A. I believe Port Washington.

1           Q.       And how long after -- after that  
2 did the ambulance arrive?

3           A.       Couple minutes.

4           Q.       So from the time of the call  
5 until the time the ambulance arrived about  
6 about ten minutes went by is that fair to  
7 say?

8           A.       It's probably a good estimate.

9           Q.       Approximately how long were you  
10 on the ground after you fell?

11          A.       Approximately the ten minutes  
12 that I was waiting.

13          Q.       Did you speak to the EMTs when  
14 they arrived?

15          A.       Sorry.

16          Q.       The EMTs the ambulance workers  
17 did you speak to them when they arrived  
18 /-FRPBLG yes?

19          Q.       Okay. What did you say to them?

20          A.       Told them I slipped and I fell  
21 and I believe I broke my arm.

22          Q.       And what did they -- what did at  
23 the say to you?

24          A.       They told me they're going to  
25 take me to the hospital.

1 Q. Did they treat you at the scene  
2 for anything?

3 A. I don't recall.

4 Q. Did they treat you in the  
5 ambulance for anything?

6 A. I don't recall.

7 Q. What hospital did they take you  
8 to?

9 A. North well in Manhasset.

10 Q. Did you ask to go to that  
11 hospital or that's just the hospital they  
12 took you to?

13 A. I don't recall.

14 Q. How long did it take for them to  
15 get out to hospital?

16 A. As an estimate maybe five  
17 minutes or so.

18 Q. Other than the EMTs did anyone  
19 else ride in the ambulance with you?

20 A. No one sells allowed ~~in~~ the  
21 ambulance because of COVID ~~as~~ slip time.

22 Q. Did you report your managers ~~and~~  
23 fall to the -- any property or  
24 owners of the building?

25 A. I believe that we -- I had

1 looked for the contact information for the  
2 building manager and the super had come  
3 out. He had seen me and we told the owner  
4 of the unit.

5 Q. Who is is the super?

6 A. Super is jack.

7 Q. Do you know jack's last name?

8 A. I don't.

9 Q. How long after you fell did jack  
10 come out?

11 A. I don't know.

12 Q. What did he say to you?

13 A. I don't recall.

14 Q. Did he do anything?

15 A. I don't recall.

16 Q. And when did you report this  
17 accident to the property manager?

18 A. I don't recall.

19 Q. Did you fill out a form or  
20 anything like that?

21 A. I don't believe so. I don't  
22 recall though.

23 Q. Who specifically did you -- did  
24 you report it to, do you know his or her  
25 name?

1 A. I don't. Don't recall.

2 Q. Aside from jack did anyone else  
3 approach you at the accident scene?

4 A. The lieutenant the EMS, jack was  
5 there. He didn't approach me. His wife  
6 was there too.

7 Q. And you said you went to  
8 north -- the EMTs took you to north shore  
9 hospital?

10 A. North well.

11 Q. North well?

12 A. Yeah.

13 Q. And it took about five  
14 /TPHOEUPBS /TKWET there?

15 A. An estimate would be 5,  
16 10 minutes or so something like that.

17 Q. Do you know what time you  
18 arrived at north well hospital?

19 A. I don't recall the exact time.

20 Q. And did they take you to the  
21 emergency room or some place else?

22 A. Emergency room.

23 Q. And how long were you in the  
24 emergency room before you met with a  
25 health care provider?

1 A. I don't recall.

2 Q. And when you first met with a  
3 health care provider was it a doctor a  
4 nurse or someone else?

5 A. I don't recall.

6 Q. Did you see a doctor at the  
7 hospital?

8 A. Yes.

9 Q. Do you recall the name of the  
10 doctor?

11 A. I don't.

12 Q. What -- what did you tell the  
13 doctor? What did you complain of?

14 A. I complained of the pain in my  
15 arm, in elbow and shoulder and that I had  
16 slipped on ice and broke my arm.

17 Q. And did the doctor examine you?

18 A. Yes.

19 Q. Did he diagnosis you with any  
20 injuries or conditions?

21 A. They took x-rays and then told  
22 me that m arm was broken and it was --  
23 the way y described it is it was like  
24 /STPRAEUT across where it was like two  
25 water bottle openings trying to line up

1 together and they would manually happen to  
2 put it back as best as possible together  
3 but that I would need surgery to be able  
4 to fix the broken arm.

5 Q. And who took the x-rays?

6 A. I don't know.

7 Q. The x-rays were done at the  
8 hospital though?

9 A. Yes.

10 Q. And you reviewed the x-rays with  
11 a doctor before you left?

12 A. I don't recall. I believe so.

13 Q. Approximately how long were you  
14 in the emergency room?

15 A. Approximately seven hours.

16 Q. Where did you go when you left  
17 the hospital?

18 A. Home.

19 Q. How did you get home?

20 A. I don't recall.

21 Q. You say you had x-rays at the  
22 hospital / ~~an~~PLT besides your right  
23 did they x ~~body~~ any or parts of your  
24

25 A. I don't recall.

Q. Did they do any other diagnostic

1 testing like MRIs or CT scans?

2 A. No.

3 Q. Are you familiar with a doctor  
4 arrest /KWRAL gold man \*\*\* SPELLING  
5 REQUESTED \*\*\*?

6 Yes.A.

7 OkayQ. How are you familiar with  
8 him?

9 A. He did the surgery to put my arm  
10 back together.

11 Q. And who referred to you Dr.  
12 Goldman?

13 A. I found him online.

14 Q. Is he the doctor you treated  
15 with at the hospital?

16 A. I don't think so.

17 Q. When was your first visit with  
18 Dr. Goldman?

19 A. The week after the accident.

20 Q. So approximately February 10th,  
21 February 11th around there?

22 A. I believe so.

23 Q. Where is Dr. Goldman's office  
24 located?

25 A. I believe it's Manhasset also.

1 Q. Approximately how far from your  
2 home at the time was Dr. Goldman's office?

3 A. About the same 5 or 10 minutes,  
4 5 to 10 minutes.

5 Q. And on your first visit there  
6 who examined you?

7 A. Dr. Goldman.

8 Q. Did he diagnose you with any  
9 injuries or conditions?

10 A. He telled me my arm was broken  
11 and I need surgery.

12 Q. Can you describe that initial  
13 examination with Dr. Goldman?

14 A. What do you mean?

15 Q. Did he go over any x-rays  
16 you, derecommend like MRIs, anything  
17 that?

18 A. Yeah he showed meet x-ray and  
19 showed me that my arm was broken and told  
20 me that I was going to need a surgery to  
21 be able to put it back together.

22 Q. What surgery did he recommend  
23 that you made?

24 A. I believe it was open reduction  
25 where he would need to put in a plate and

1 screws and screw it all back together  
2 because my arm was in totally pulled apart  
3 /PWHRAEUFBG so but the bones were not  
4 together.

5 Q. Did -- derecommend anything  
6 other than /STOURPBLG treat your injuries?

7 A. There was nothing else that I  
8 could do.

9 Q. Dein fact perform this surgery  
10 on your arm -- on your right arm?

11 A. De.

12 Q. When did you perform that  
13 surgery?

14 A. I believe it was February  
15 /#12K3W4R5\*9 and where did he perform that  
16 surgery.

17 A. At /TPHO\*L \*\*\* SPELLING  
18 REQUESTED \*\*\*.

19 Q. And after the -- after the  
20 surgery how long were you hospitalized?

21 A. I went home that day.

22 Q. Approximately how long did the  
23 surgery talk?

24 A. He told me that the surgery was  
25 going to take approximately two hours. I

1 believe it was two hours and change.

2 Q. And approximately how long you  
3 were -- were you in the hospital from  
4 start to finish for the surgery?

5 A. I don't recall.

6 Q. It was all done in a day. You  
7 weren't -- you didn't stay overnight?

8 A. Did I not stay overnight.

9 Q. Did the surgery alleviate the  
10 pain this your right arm?

11 A. No.

12 Q. Do you still have pain this your  
13 right arm?

14 A. I still have pain sitting here  
15 right now.

16 Q. Is it -- is it better or worse  
17 since the surgery?

18 A. The pain at the time of the  
19 surgery was a ten. I could -- I was  
20 screaming every time I would get into a  
21 car and move so I would say it's better  
22 since the surgery.

23 Q. Prior to the accident did you  
24 have any -- any other injuries -- any  
25 injuries to your right arm?

1           A.       No.

2           Q.       Did you have any surgeons before  
3 the -- before the accident?

4           No. A.

5           Aside from the surgery to your  
6 right arm have you had any other surgeries  
7 for any other parts of your body for  
8 injuries you alleged to have sustained in  
9 this accident?

10          A.       Can you repeat the question?

11          Q.       Sure. Aside from -- aside from  
12 the surgery to your arm that you just  
13 described have you had any other surgeries  
14 related to injuries you claim to have  
15 sustained during this accident?

16          A.       No. The doctors told me that I  
17 followed up with tolled me that I likely  
18 need a second surgery and I'm very scared  
19 to do that.

20          Q.       What kind of surgery did they  
21 say you need?

22          A.       One told me I need arrest throw  
23 /SKOPic surgery in the right shouldersm  
24 the others told me that I likely need  
25 other surgeries that are even more

1 intensive but I'm scared to do any of  
2 that.

3 Q. What doctor told you that you  
4 need right shoulder surgery?

5 A. I saw three doctors after Dr.  
6 Goldman and all three of them told me that  
7 I likely need surgery.

8 Q. What are the names of the three  
9 doctors that you saw after the surgery?

10 A. I saw Dr. Tuck man \*\*\* SPELLING  
11 REQUESTED \*\*\* I saw /TKHR-FPLT go /HRA Doe  
12 and I saw Dr. Degree \*\*\* SPELLING  
13 REQUESTED \*\*\*.

14 Q. And who is that third doctor?

15 A. District attorneyingly \*\*\*  
16 SPELLING REQUESTED \*\*\*.

17 Q. District attorneyingly. Do you  
18 know Dr. Item man's first name?

19 A. Don't.

20 Q. And who referred to you Dr. Item  
21 man?

22 A. I wasn't referred to him.

23 Q. How did you come to learn of  
24 him?

25 A. He works in the same office as

1 Dr. /PHAOUS at that if a \*\*\* SPELLING  
2 REQUESTED \*\*\*.

3 Q. Who is Dr. /RAO\*US \*\*\* SPELLING  
4 REQUESTED \*\*\*?

5 A. /RAO\*US was the first doctor  
6 that I saw after the /STKPWHREPBT how did  
7 you learn about Dr. /RAO\*US.

8 A. My wife had seen himsm he's an  
9 orthopedic doctor.

10 Q. Sand Dr. /T\*UPL /TK\*EL also an  
11 orthopedic doctor?

12 A. Yes.

13 Q. Do you know /WHAE specializes  
14 in?

15 A. I believe in the shoulder.

16 Q. And this other doctor is it  
17 Dr. /TKPWO\*L \*\*\* SPELLING REQUESTED \*\*\*  
18 you said?

19 A. /TKPWO\*L.

20 Q. /TKPWO\*L. Do you know his first  
21 name?

22 A. I don't.

23 Q. And how did you learn of /TKO\*L  
24 \*\*\* SPELLING REQUESTED \*\*\*?

25 A. I had seen somebody who looked

1 like they had a shoulder surgery in my  
2 daughter's office, doctor's office and I  
3 asked him, you know, did you have shoulder  
4 surgery, he said yes and he told meet  
5 doctor's name.

6 Q. Where is /TKO\*L's office  
7 located?

8 A. In Manhattan HSS.

9 Q. And this guy you -- did you ever  
10 see him before of that recommended him to  
11 you or he's just somebody /SU met randomly  
12 /-FRPBLG met randomly?

13 Q. How did you know he had shoulder  
14 surgery?

15 A. It looked like he could have  
16 been and I think he had writing up on his  
17 shoulder.

18 Q. Writing on his shoulder?

19 A. It looked like he had marks on  
20 his shoulder.

21 Q. Oh. And when was your first  
22 treatment with or first visit with /TKO\*L?

23 A. I don't recall.

24 Q. Do you know what kind of doctor  
25 /TKO\*L is?

1           A.       He's one of the top doctors in  
2 HSS for shoulders --

3           Q.       And did he -- have you had  
4 /PH\*ULT visits with him or it was just  
5 that one visit?

6           A.       I don't recall.

7           Q.       Dr. /T\*UPL or /TKO\*L did they  
8 recommend you undergo any MRIs on your  
9 shoulder or any other MRIs any other part  
10 of your body?

11          A.       Yes.

12          Q.       Did you in fact undergo MRIs on  
13 your right shoulder?

14          A.       Did I MRIs for my shoulder and  
15 my elbow.

16          Q.       When did you do the MRI on your  
17 shoulder?

18          A.       After Dr. Tuckman told me to.

19          Q.       When was that?

20          A.       I don't recall the exact date.

21          Q.       Where did you get this MRI?

22          A.       It was Zwanger & Pesiri.

23          Q.       Where is that?    What was that?

24          A.       Zwanger & Pesiri.

25          Q.       Is that a doctor's name or a

1 name of the -- is that the name of the  
2 place where they did it?

3 A. That's the name of the place  
4 where they did it at.

5 Q. Where is that located?

6 A. I don't recall.

7 Q. Is that where Dr. Tuckman told  
8 you to go or?

9 A. Don't -- I don't recall.

10 Q. Where is that place located with  
11 respect or where is it located?

12 A. I believe plain view. I'm not  
13 sure.

14 Q. And that's in Long Island?

15 A. Yes.

16 Q. How far is it from your home?

17 A. I believe 20 minutes.

18 Q. All right. And how many times  
19 did you treat with Dr. Tuckman or visit  
20 with Dr. Tuckman?

21 A. I don't recall exactly.

22 Q. De/SRAO\*UT MRI results with you?

23 A. Yes.

24 Q. Oh I'm sorry just back up a  
25 little bit. Did you get your elbow MRIed

1 the same /TKHAEU got your --

2 A. No.

3 Q. Where did you get your elbow  
4 MRIed?

5 A. It was after.

6 Q. Was it at the same facility?

7 A. No.

8 Q. Where did you get your elbow  
9 MRIed?

10 A. In the office I believe  
11 downstairs from where Dr. Tuckman's office  
12 is.

13 Q. Somewhere Dr. Tuckman's office?

14 A. In Manhasset.

15 Q. Do you know the name of that  
16 facility or --

17 A. I don't recall.

18 Q. Aside from the -- your elbow and  
19 your shoulder did you have any other body  
20 parts MRIed since this -- since this  
21 accident?

22 A. No.

23 Q. And you said -- you mentioned a  
24 third doctor doctor district attorneyingly  
25 /SWAS it?

1 A. Yeah.

2 Q. How did you come to learn of

3 /TKA\*G \*\*\* SPELLING REQUESTED \*\*\*?

4 A. I found him online.

5 Q. And where is his office located?

6 A. I don't recall.

7 Q. When did you first visit with  
8 him?

9 A. I don't recall exact date.

10 Q. What can you described of doctor  
11 is he?

12 A. He's also an orthopedic  
13 specialist.

14 Q. Specializing in the shoulder or  
15 /SPH\* other body part?

16 A. I don't recall.

17 Q. Did of these doctors diagnose  
18 you with any injury or condition with  
19 respect to your right shoulder?

20 A. They told me that I have  
21 weakness and that the -- it likely needs  
22 surgery to be able to bring pain down and  
23 to get full range of motion hopefully  
24 back.

25 Q. And did call four of these

1 doctors recommend you have surgery on your  
2 right shoulder?

3 A. Yes.

4 Q. Did any of them recommend  
5 anything other than surgery?

6 A. /TKO\*L told me I can take shots  
7 and try that.

8 Q. Did you take shots?

9 A. No.

10 Q. Did they recommend physical  
11 therapy?

12 A. I had done physical therapy  
13 after Dr. Goldman had told me to and I did  
14 that for almost two years.

15 Q. When -- when did you start  
16 physical therapy?

17 A. I believe it was immediately  
18 after my surgery.

19 Q. So that was about 2021?

20 A. Yeah.

21 Q. Where did you -- where did you  
22 do physical therapy?

23 A. Stars.

24 Q. Where is that?

25 A. /PHA\*PBS \*\*\* SPELLING REQUESTED

1 \*\*\*.

2 Q. And how did you learn about that  
3 place?

4 A. My wife had gone to them.

5 Q. And what -- about how many tush  
6 said you went for approximately two years.  
7 How many times a week would you go  
8 /TWOFRPBLGTS to three times a week for  
9 about 20 to 20 months or so?

10 Q. Okay. And what kind of -- what  
11 parts of your body did you work on at  
12 physical therapy?

13 A. My right arm and shoulder and  
14 elbow.

15 Q. Did -- did the physical therapy  
16 help alleviate your pain at all?

17 A. They -- can you repeat the  
18 question?

19 Q. Sure. Did the physical therapy  
20 help alleviate your pain?

21 A. It helped me live with my arm  
22 that wasn't working.

23 Q. After you completed physical  
24 therapy was it would you say your shoulder  
25 was /PWERBGTS worse or about the same

1 /R-FRPBLGTS from the /TKHAEU /TPWHAUBGD?

2 Q. Yes.

3 A. I was not able to move my arm at  
4 all when I walked in. I couldn't dish  
5 ~~when I walked in. I was still able to at~~  
6 least be able to pick up a bottle of  
7 water.

8 Q. So the physical therapy helped?

9 A. Yes.

10 Q. And not only with your shoulder  
11 it helped with your arm as well on your  
12 elbow?

13 A. I couldn't move anything when I  
14 walked into that office.

15 Q. Okay. When was the last time  
16 you went for physical therapy?

17 A. I don't recall.

18 Q. Do you currently have any  
19 surgeries scheduled relative to the  
20 injuries you alleged to have sustained in  
21 the accident?

22 A. No but it's been a consideration  
23 to go for the surgery because of the  
24 /TPHAEUPB I'm in and at times it's gotten  
25 really bad to the point where I feel I

1 have no choice but to go for surgery.  
2 I've about just been putting it off  
3 because of thes /TPHAEUBGT have two young  
4 kids and I don't want to take the risk a  
5 drop wrist or having to go /TKPWEB through  
6 another two years of recovery and ending  
7 up in the same position without being able  
8 to help my family throughout the time.

9 Q. And that's a surgery on your  
10 right shoulder you're considering?

11 Yes.A.

12 Are you considering any other  
13 surgeries?

14 A. No.

15 Q. Are you currently treating for  
16 any of the injuries that you alleged to  
17 have sustained in this accident?

18 A. No. Treating way doctor is that  
19 what you mean?

20 Q. /KWREFPLT are you currently  
21 treating with any doctor whatsoever for  
22 any injuries you alleged to have sustained  
23 in this accident?

24 A. No.

25 Q. Is there anything that you could

1 do before the accident that you cannot do  
2 now?

3 A. Many things.

4 Q. Okay like what for instance?

5 A. Playing /SPORTSZ, being able to  
6 pick things up, being able to lift  
7 /WAETSZ, being able to put furniture  
8 together, being able to change the light  
9 bulbs easily. Being able to shave easily.  
10 Being able to brush my teeth easily.  
11 There's pain involved in all the things  
12 that I have to do now on a daily basis.  
13 Being able to pick up my kids is painful.  
14 It's -- I have to hold my kids /WHEB I can  
15 with my left arm which I'm not that  
16 ~~comfortable when I~~ have to switch to the  
17 right arm for a quick second it's very  
18 uncomfortable and does result in further  
19 pain.

20 Q. You mentioned -- you mentioned  
21 sports. Before the accident did you --  
22 did you play any sports?

23 A. I would play sports, I would  
24 swim, I would do thing to try to be  
25 active, I would go to the gym. A lot of

1 these things I /O can't do anymore.

2 Q. What sports did you play?

3 A. I would play basketball. I  
4 would swim, I would play tennis.

5 Q. And you're not able to do any of  
6 those things anymore?

7 A. I'm able to do things with a  
8 large amount of pain so it's not that, you  
9 know, my arm doesn't move at all. My arm  
10 thankfully does move and I can could thing  
11 but it either causes a ton of pain at the  
12 time or thereafter also.

13 Q. Where did you -- you said you  
14 would play tennis. Where would you play  
15 tennis before the accident?

16 A. I would play socially.

17 Q. And all these /SPOURTS said were  
18 you in any lesion or did you just play  
19 with friends or socially --

20 A. No play with friends socially.

21 Q. Okay. And you're no longer able  
22 to -- are you able to play any sports now?

23 A. I can't play a game of  
24 basketball.

25 Q. Can you play tennis?

- 1           A.       No.
- 2           Q.       Do you have any social media  
3 accounts?
- 4           A.       I do.
- 5           Q.       Do you have /TP\*B?
- 6           A.       Yes.
- 7           Q.       Do you have /\*EUG?
- 8           A.       Yes.
- 9           Q.       Do you have Twitter or X?
- 10          A.       Yes.
- 11          Q.       Do you have linked in?
- 12          A.       Yes.
- 13          Q.       Do you have Snapchat?
- 14          A.       I don't recall.
- 15          Q.       Do you have TikTok?
- 16          A.       No.
- 17          Q.       Do you have any other social  
18 media accounts on any other platforms that  
19 I haven't mentioned?
- 20          A.       I don't recall.
- 21          Q.       Have you ever posted anything on  
22 social media regarding the accident?
- 23          A.       I posted one picture.
- 24          Q.       And which picture is that?
- 25          A.       Picture of my arm wrapped up

1 after the accident.

2 Q. And who /THAOBG picture?

3 A. My wife.

4 Q. When did you post it?

5 A. Couple of days after the  
6 accident.

7 Q. Any other posts?

8 A. No.

9 Q. /TPH\*EU other -- any other posts  
10 about your injuries?

11 A. No.

12 Q. In the two years since the  
13 accident or however long it's been since  
14 the accident, almost four years now, have  
15 you traveled outside of the United States?

16 A. No.

17 Q. Have you traveled outside of the  
18 State of New York?

19 A. Yes.

20 Q. Where have you gone?

21 A. I believe New York, Florida and  
22 Hawaii. Sorry. New Jersey.

23 Q. Oh okay. When did you go to  
24 Florida?

25 A. I don't recall.

1 Q. How many times have you gone to  
2 Florida?

3 A. I think once.

4 Q. Where did you go in Florida?

5 A. I don't recall.

6 Q. Was it for vacation, business?

7 A. I believe to go see family in my  
8 a/PHEU.

9 Q. And how did you get to  
10 /PHAO\*EUPL \*\*\* SPELLING REQUESTED \*\*\*?

11 A. Via plane.

12 Q. And how did you get back?

13 A. Plane.

14 Q. How long were you there?

15 A. I don't recall.

16 Q. Where did -- where did you stay?

17 A. (Pause.) I stayed in a hotel,  
18 know /PWAOU hotel.

19 Q. And that's in /PHAO\*EUPL \*\*\*  
20 SPELLING REQUESTED \*\*\*?

21 A. Yeah.

22 Q. You said you went to Hawaii as  
23 well.

24 A. Yeah.

25 Q. When was that?

1 A. I don't recall.

2 Q. How did you get to Hawaii

3 /-RBLGTS plane?

4 Q. How long were you in Hawaii for?

5 A. Couple of days.

6 Q. And where -- where specifically  
7 did you go in Hawaii?

8 A. /PHAU which.

9 Q. And was this for a vacation,  
10 business or something sells?

11 A. Vacation \*\*\* SPELLING REQUESTED  
12 \*\*\*.

13 Q. And where did you say in /PHAU  
14 which?

15 A. Hotel.

16 Q. What was the name of the hotel?

17 A. I don't recall.

18 Q. How did you get back from  
19 Hawaii?

20 A. Plane.

21 Q. And these flights Florida and  
22 Hawaii are these commercial flights you  
23 took or private flights or something else?

24 A. Commercial.

25 Q. Since the accident have you

1 taken out any -- any loans?

2 MR. TAIWO: Objection. I'm  
3 going to instruct the witness not to  
4 answer any questions about legal  
5 financing.

6 MR. ANELLO: We're marking it for a  
7 ruling. I don't know if you know  
8 about that case that just came down  
9 but.

10 NOTE!!NOTE!! Ruling

11 Q. The treatments in the surgery  
12 that you describe today who paid for it?

13 A. My insurance company United  
14 Health Care.

15 Q. And you had insurance at the  
16 time of the accident?

17 A. Yes.

18 Q. And how did you -- what kind of  
19 plan did you have?

20 A. I don't know.

21 Q. Did you obtain it through your  
22 employment or some other way?

23 A. It's through my wife's  
24 employment.

25 Q. Oh okay. And where does your

1 wife work?

2 A. She works Hadasa.

3 Q. Hadasa?

4 A. Hadasa it's called.

5 Q. What kind of business or  
6 establishment is that?

7 A. It's a nonfor profit that works  
8 with a hospital.

9 Q. Do you have any other  
10 outstanding medical bills as a result of  
11 your treatment?

12 A. I don't believe so.

13 Q. Are you aware of any -- any  
14 liens that any health care provider or  
15 medical company has with /TROPT your  
16 treatment?

17 A. I don't know.

18 Q. I don't have anything further at  
19 this time?

20 MR. TAIWO: Can I -- can we just  
21 take a quick break.

22 MR. ANELLO: Sure.

23 MR. TAIWO: Just a couple of  
24 minutes I'm not going to go anywhere.

25 (Whereupon, an off-the-record

1 discussion was held.)

2 MR. TAIWO: Over my objection  
3 I'm going to let my client answer the  
4 question about legal funding so yeah  
5 and my -- I believe he also wants to  
6 correct his previous answers about  
7 where he went to for vacation.

8 A. Yeah so I don't believe Florida  
9 was after the accident. It was California  
10 and Hawaii for my honeymoon /PHOPB and I went  
11 to Canada once within the last year I  
12 believe it was.

13 Q. Where did you go in Canada?

14 A. Montreal.

15 Q. And how did you get there?

16 A. I took a plane also.

17 Q. How long were you in Canada or  
18 in Montreal?

19 A. Couple of days few days.

20 Q. Was it for business, vacation or  
21 something else?

22 A. Vacation.

23 Q. Okay. And you said you went  
24 to -- was it California to Hawaii one  
25 trip?

1           A.       Went to California, stayed there  
2 I think for a couple of days, went to  
3 Hawaii and then back to California to New  
4 York.

5           Q.       Okay. And that was for your  
6 honeymoon?

7           A.       Yes.

8           Q.       And do you recall when exactly  
9 that was?

10          A.       I believe the end of 2021.

11          Q.       Have you -- and my question  
12 about loans, have you taken out any loans  
13 since this accident?

14 MR. TAIWO:                    Related to --

15          Q.       Related to /TKPWA\*EUGS funding?

16                   MR. TAIWO: Okay.

17          Q.       Or treatment funding?

18          A.       No.

19          Q.       Okay. All right. I appreciate  
20 your clarification. I don't have anything  
21 further at this time. I might be missing  
22 some medical records /REL /TOEUF his  
23 shoulder treatment?

24                   MR. ANELLO: And we can go off  
25 the record on this.

1

2

(Whereupon, the Examination

3

Before Trial of Benjamin Sakhai

4

conducted via Zoom video-conference

5

concluded at 3:24 p.m. on Monday,

6

December 8, 2025.)

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1 I have read the foregoing transcript  
2 of my deposition, and find it to be  
3 true and accurate to the best of my  
4 knowledge and belief.

5  
6  
7

-----

8 BENJAMIN SAKHAI

9

10 Sworn and subscribed to before me,  
11 On this \_\_\_\_\_ day  
12 of \_\_\_\_\_ 2025.

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16 Notary\_\_\_\_\_

17 My Commission Expires\_\_\_\_\_

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## 1 I N D E X

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3

4 ~~WITNESS~~ EXAMINATION BY ~~PAGE~~

5 BENJAMIN SAKHAI MR.

6 ANELLO

7 MR.

8 ELYASH

9 MR.

10 COOPER

11

## 12 E X H I B I T S

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14 ~~DEFENDANT~~ DESCRIPTION ~~PAGE~~

15 S Exhibit DOCUMENT ^

16 ^ Exhibit T ^

17 ^ Exhibit DOCUMENT ^

18 ^ T

19 Attorney ^ NAME DOCUMENT ^ FIRM NAME  
has retained all exhibits.

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22 ~~INSERTIONS~~

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CERTIFICATION

I, Garry J. Torres, a Notary Public for and within the State of New York, do hereby certify:

That, Benjamin Sakhai, the witness whose testimony as herein set forth, was duly sworn by me; and that the within transcript is a true record of the testimony given by said witness.

I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of December, 2025.

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\* \* \*

ERRATA SHEET  
VERITEXT/NEW YORK REPORTING, LLC

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[Redacted] DECEMBER 25  
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BEFORE ME THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 2025.

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NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_