	Page 186		Page 188
1	000	1	Q. Okay. Did you speak with any
2	EXAMINATION BY COUNSEL FOR DEFENDANT	2	Norfolk Southern employees in order to answer
3	OXY VINYLS, LP	3	questions about Exhibit A of Deposition Exhibit
4	000	4	15?
5	BY MS. BROZ:	5	A. I did not.
6	Q. Good morning, Mr. Neikirk. My name	6	Q. Did you review any Norfolk Southern
7	is Alycia Broz, and I represent Oxy Vinyls. And	7	deposition testimony in order to answer questions
8	I'm going to be asking you some questions today.	8	about Exhibit A of Deposition Exhibit 15?
9	A. All right.	9	A. It it David Schoendorfer's
10	Good morning.	10	testimony is I've seen that.
11	Q. Good morning.	11	Q. Anyone else?
12	I've handed you what we've	12	A. I know we have statements from
13	marked as Deposition Exhibit 15, and I ask you to	13	people on the scene immediately after the
14	take a look at that, please.	14	incident that were there as well
15	A. Okay.	15	O. And I
16	(Whereupon, the witness reviews	16	A I didn't get their names.
17		17	-
	the material provided.)		Q. That's okay. I apologize. I don't
18	THE WITNESS: Okay.	18	have a copy of your binder.
19	BY MS. BROZ:	19	What did we mark that as?
20	Q. Have you had a chance to look at	20	A. Oh. That's Exhibit 8.
21	Exhibit 15?		Q. Are those statements and destine
22	A. Yes.	22	depositions let me start that again.
	Page 187		Page 189
	3		1 age 109
1	Q. Can you turn to the last page of	1	Are the depositions and
1 2	_	1 2	
	Q. Can you turn to the last page of		Are the depositions and
2	Q. Can you turn to the last page of Exhibit 15, please?	2	Are the depositions and statements in Dep what we've marked as
2 3	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there.	2 3	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8?
2 3 4	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A?	2 3 4	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35,
2 3 4 5	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there.	2 3 4 5	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony.
2 3 4 5 6	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about	2 3 4 5 6	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you
2 3 4 5 6 7	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition	2 3 4 5 6 7	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as
2 3 4 5 6 7 8	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15?	2 3 4 5 6 7 8	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8?
2 3 4 5 6 7 8	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am.	2 3 4 5 6 7 8	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are.
2 3 4 5 6 7 8 9	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you	2 3 4 5 6 7 8 9	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements?
2 3 4 5 6 7 8 9 10	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your	2 3 4 5 6 7 8 9 10	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just
2 3 4 5 6 7 8 9 10 11 12	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today.	2 3 4 5 6 7 8 9 10 11 12	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to
2 3 4 5 6 7 8 9 10 11 12 13	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today. Did you do anything additional	2 3 4 5 6 7 8 9 10 11 12 13	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to answer questions about Exhibit A of Deposition
2 3 4 5 6 7 8 9 10 11 12 13 14	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today. Did you do anything additional to what we've already discussed in order to	2 3 4 5 6 7 8 9 10 11 12 13 14	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to answer questions about Exhibit A of Deposition Exhibit 15.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today. Did you do anything additional to what we've already discussed in order to prepare to respond about questions on Exhibit A	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to answer questions about Exhibit A of Deposition Exhibit 15. A. David Schoendorfer's testimony.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today. Did you do anything additional to what we've already discussed in order to prepare to respond about questions on Exhibit A of Deposition Exhibit 15?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to answer questions about Exhibit A of Deposition Exhibit 15. A. David Schoendorfer's testimony. I I have not reviewed it in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today. Did you do anything additional to what we've already discussed in order to prepare to respond about questions on Exhibit A of Deposition Exhibit 15? A. No.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to answer questions about Exhibit A of Deposition Exhibit 15. A. David Schoendorfer's testimony. I I have not reviewed it in great detail.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today. Did you do anything additional to what we've already discussed in order to prepare to respond about questions on Exhibit A of Deposition Exhibit 15? A. No. Q. Did you speak with anyone to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to answer questions about Exhibit A of Deposition Exhibit 15. A. David Schoendorfer's testimony. I I have not reviewed it in great detail. Q. Did you review anything else other
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today. Did you do anything additional to what we've already discussed in order to prepare to respond about questions on Exhibit A of Deposition Exhibit 15? A. No. Q. Did you speak with anyone to prepare for answering questions about Exhibit A	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to answer questions about Exhibit A of Deposition Exhibit 15. A. David Schoendorfer's testimony. I I have not reviewed it in great detail. Q. Did you review anything else other than Dan Schoen David Schoendorfer's
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q. Can you turn to the last page of Exhibit 15, please? A. I'm there. Q. And to Exhibit A? A. I'm there. Q. Are you prepared to testify about the topics listed in Exhibit A of Deposition Exhibit 15? A. I am. Q. And earlier this morning, you talked about what you did to prepare for your deposition today. Did you do anything additional to what we've already discussed in order to prepare to respond about questions on Exhibit A of Deposition Exhibit 15? A. No. Q. Did you speak with anyone to prepare for answering questions about Exhibit A of Deposition Exhibit 15?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Are the depositions and statements in Dep what we've marked as Deposition Exhibit 8? A. I believe the last one, the Tab 35, is David Schoendorfer's testimony. Q. Are those statements that you referred to also in the binder we've marked as Deposition Exhibit 8? A. I believe they are. These statements? Q. The statements that you just testified that you reviewed in preparation to answer questions about Exhibit A of Deposition Exhibit 15. A. David Schoendorfer's testimony. I I have not reviewed it in great detail. Q. Did you review anything else other than Dan Schoen David Schoendorfer's deposition testimony in preparation to answer

	Page 190		Page 192
1	A. Nothing else.	1	today?
2	Q. Earlier, you referenced that you	2	A. I don't recall reviewing those.
3	reviewed some statements.	3	Q. Did counsel, in preparing for your
4	What statements were you	4	deposition today, tell you that representatives
5	referring to?	5	of SRS or SPSI were deposed in this case?
6	A. There were e-mails back and forth	6	A. I don't recall that either.
7	regarding the potential presence of aluminum.	7	Q. Mr. Neikirk, after high school, did
8	Q. But not statements that were made	8	you were you did you receive any education
9	to the NTSB under oath?	9	after high school?
10	A. I don't recall seeing those, no.	10	A. Education? Yes.
11	Q. Did you do review any other	11	Q. And what was that?
12	Norfolk Southern deposition testimony in	12	A. A college degree from
13	preparation to answer questions about Exhibit A	13	William & Mary and a Master's of business from
14	of Deposition Exhibit 15?	14	University of North Carolina.
15	A. I did not.	15	Q. And was your million
16	Q. Did you speak with Mr. Schoendorfer	16	William & Mary degree also in business?
17	prior to your testimony today?	17	A. It was economics. Close.
18	A. I did not.	18	Q. And after graduating with your MBA,
19	Q. Did you speak with well, let's	19	did you immediately go to work for Norfolk
20	start again.	20	Southern?
21	Did you do you know who SRS	21	A. I did.
22	is?	22	Q. And can you just briefly run down
	Page 191		Page 193
1	Page 191	1	Page 193
1 2	A. I do not.		the jobs that you've had at Norfolk Southern
	A. I do not. Q. And did you I assume, then, you	1	the jobs that you've had at Norfolk Southern since being hired there?
2	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation	1 2	the jobs that you've had at Norfolk Southern since being hired there?
2 3	A. I do not. Q. And did you I assume, then, you	1 2 3	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee,
2 3 4	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today?	1 2 3 4	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics
2 3 4 5	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not.	1 2 3 4 5	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties
2 3 4 5 6	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you	1 2 3 4 5 6	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I
2 3 4 5 6 7	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that	1 2 3 4 5 6 7	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning,
2 3 4 5 6 7 8	A. I do not. Q. And did you — I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct?	1 2 3 4 5 6 7 8	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on
2 3 4 5 6 7 8	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct.	1 2 3 4 5 6 7 8 9	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office
2 3 4 5 6 7 8 9	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't	1 2 3 4 5 6 7 8 9	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role.
2 3 4 5 6 7 8 9 10	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your	1 2 3 4 5 6 7 8 9	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located?
2 3 4 5 6 7 8 9 10 11	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your testimony today?	1 2 3 4 5 6 7 8 9 10 11	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located? A. In Atlanta.
2 3 4 5 6 7 8 9 10 11 12 13	A. I do not. Q. And did you — I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your testimony today? A. I did not.	1 2 3 4 5 6 7 8 9 10 11 12 13	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located? A. In Atlanta. Q. And where do you reside?
2 3 4 5 6 7 8 9 10 11 12 13 14	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your testimony today? A. I did not. Q. And you didn't review transcripts	1 2 3 4 5 6 7 8 9 10 11 12 13 14	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located? A. In Atlanta. Q. And where do you reside? A. That's a good question. Mostly in
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your testimony today? A. I did not. Q. And you didn't review transcripts from representatives of SRS or SPSI in	1 2 3 4 5 6 7 8 9 10 11 12 13 14	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located? A. In Atlanta. Q. And where do you reside? A. That's a good question. Mostly in Atlanta, but I I my wife lives in
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your testimony today? A. I did not. Q. And you didn't review transcripts from representatives of SRS or SPSI in preparation for your testimony today?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located? A. In Atlanta. Q. And where do you reside? A. That's a good question. Mostly in Atlanta, but I I my wife lives in Virginia Beach, so I spend a lot of time there,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your testimony today? A. I did not. Q. And you didn't review transcripts from representatives of SRS or SPSI in preparation for your testimony today? MS. PUJARI: Objection: vague.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located? A. In Atlanta. Q. And where do you reside? A. That's a good question. Mostly in Atlanta, but I I my wife lives in Virginia Beach, so I spend a lot of time there, too.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your testimony today? A. I did not. Q. And you didn't review transcripts from representatives of SRS or SPSI in preparation for your testimony today? MS. PUJARI: Objection: vague. THE WITNESS: I don't recall.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located? A. In Atlanta. Q. And where do you reside? A. That's a good question. Mostly in Atlanta, but I I my wife lives in Virginia Beach, so I spend a lot of time there, too. Q. And you traveled from Atlanta to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I do not. Q. And did you I assume, then, you didn't speak with anybody from SRS in preparation for your testimony today? A. I did not. Q. And I believe earlier today, you testified you didn't know who SPSI was; is that correct? A. That's correct. Q. And I take it, then, you didn't speak with anyone from SPSI to prepare for your testimony today? A. I did not. Q. And you didn't review transcripts from representatives of SRS or SPSI in preparation for your testimony today? MS. PUJARI: Objection: vague. THE WITNESS: I don't recall. BY MS. BROZ:	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the jobs that you've had at Norfolk Southern since being hired there? A. I started as a marketing trainee, and I went into our market research and economics group. I spent some time in our properties group. I worked for a coal marketing group. I worked in investor relations, financial planning, treasury and finance pretty much from 2012 on with a five-year stint in the chairman's office as the chief of staff-type role. Q. Where's your office located? A. In Atlanta. Q. And where do you reside? A. That's a good question. Mostly in Atlanta, but I I my wife lives in Virginia Beach, so I spend a lot of time there, too. Q. And you traveled from Atlanta to Washington, D.C. for your deposition?

	Page 194		Page 196
1	to testify today about aluminum components in	1	trainings?
2	railcars?	2	A. Gosh. A lot in 2007 through 2012.
3	MS. PUJARI: Objection: form.	3	Q. Any other experience with railcar
4	THE WITNESS: It's it's not my	4	components?
5	area of expertise.	5	A. No.
6	BY MS. BROZ:	6	Q. And how about with FRA, or
7	Q. And were you surprised, given your	7	Federal Railroad Administration, regulations?
8	educational background and your work experience,	8	MS. PUJARI: Objection: form.
9	that you were asked to testify today about	9	THE WITNESS: Not much experience
10	Federal Railroad Administration specifications	10	there.
11	for railcars?	11	BY MS. BROZ:
12	MS. PUJARI: Objection: form.	12	Q. Okay. Can you describe your
13	THE WITNESS: Again, it's not my	13	experience with those regulations?
14	area of expertise.	14	
15	•		, , , , , , , , , , , , , , , , , , ,
	BY MS. BROZ:	15	about things when events happen when the FRA is
16	Q. Is it true that what you know about	16	involved.
17	components on railcars you learned yesterday in	17	Q. Is it fair to say that most of your
18	preparing for this deposition with your counsel?	18	experience with respect to Federal Railroad
19	MS. PUJARI: Objection: form.	19	Administration regulations came in preparing for
20	THE WITNESS: Some, yes. I	20	your deposition today?
21	learned some yesterday about that.	21	MS. PUJARI: Objection: form.
22		22	THE WITNESS: Some of them did,
	Page 195		Page 197
1	Page 195 BY MS. BROZ:	1	Page 197
1 2	_	1 2	
	BY MS. BROZ:		yes.
2	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than	2	yes. BY MS. BROZ:
2 3	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition	2 3	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form.
2 3 4 5	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today?	2 3 4	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a
2 3 4 5 6	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third	2 3 4 5	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage.
2 3 4 5 6 7	BY MS. BROZ: Q. Okay. And where — when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday.	2 3 4 5 6 7	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ:
2 3 4 5 6 7 8	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've	2 3 4 5 6 7 8	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right.
2 3 4 5 6 7 8	BY MS. BROZ: Q. Okay. And where — when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other	2 3 4 5 6 7 8	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what
2 3 4 5 6 7 8 9	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work	2 3 4 5 6 7 8 9	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to
2 3 4 5 6 7 8 9 10	BY MS. BROZ: Q. Okay. And where — when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern?	2 3 4 5 6 7 8 9 10	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to — Exhibit A we're going to be looking at.
2 3 4 5 6 7 8 9 10 11 12	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training	2 3 4 5 6 7 8 9 10 11	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to Exhibit A we're going to be looking at. A. Okay.
2 3 4 5 6 7 8 9 10 11 12 13	BY MS. BROZ: Q. Okay. And where — when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie	2 3 4 5 6 7 8 9 10 11 12 13	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you?
2 3 4 5 6 7 8 9 10 11 12 13 14	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie hoses together, and whatnot. But	2 3 4 5 6 7 8 9 10 11 12 13	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to — Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you? A. I do.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie hoses together, and whatnot. But Q. Okay. And what year was that?	2 3 4 5 6 7 8 9 10 11 12 13 14	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you? A. I do. Q. Okay. Do you see that Topic 1
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	BY MS. BROZ: Q. Okay. And where — when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie hoses together, and whatnot. But — Q. Okay. And what year was that? A. '93.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to — Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you? A. I do. Q. Okay. Do you see that Topic 1 references Paragraph 167 of the Third-Party
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie hoses together, and whatnot. But Q. Okay. And what year was that? A. '93. Q. Any other experience that you've	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you? A. I do. Q. Okay. Do you see that Topic 1 references Paragraph 167 of the Third-Party Complaint?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	BY MS. BROZ: Q. Okay. And where — when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie hoses together, and whatnot. But — Q. Okay. And what year was that? A. '93. Q. Any other experience that you've had during the course of your employment at	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to — Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you? A. I do. Q. Okay. Do you see that Topic 1 references Paragraph 167 of the Third-Party Complaint? A. I see it.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie hoses together, and whatnot. But Q. Okay. And what year was that? A. '93. Q. Any other experience that you've had during the course of your employment at Norfolk Southern with railcar components?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you? A. I do. Q. Okay. Do you see that Topic 1 references Paragraph 167 of the Third-Party Complaint? A. I see it. Q. And your testimony is that you did
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	BY MS. BROZ: Q. Okay. And where — when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie hoses together, and whatnot. But — Q. Okay. And what year was that? A. '93. Q. Any other experience that you've had during the course of your employment at Norfolk Southern with railcar components? A. Other than riding on inspection	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you? A. I do. Q. Okay. Do you see that Topic 1 references Paragraph 167 of the Third-Party Complaint? A. I see it. Q. And your testimony is that you did not see a copy of the Third-Party Complaint until
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	BY MS. BROZ: Q. Okay. And where when did you learn about the components of railcars other than yesterday in preparing for your deposition testimony today? A. Probably a small bit on the third call and the majority of it yesterday. Q. Other than the calls that you've had with your lawyers, did you have any other exposure to railcar components during your work history with Norfolk Southern? A. I went through switchman training school. So we learned to set hand brakes and tie hoses together, and whatnot. But Q. Okay. And what year was that? A. '93. Q. Any other experience that you've had during the course of your employment at Norfolk Southern with railcar components?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	yes. BY MS. BROZ: Q. Most of it? MS. PUJARI: Objection: form. THE WITNESS: I can't estimate a percentage. BY MS. BROZ: Q. All right. Okay. Let's turn back to what we've marked as Deposition Exhibit 15 and to Exhibit A we're going to be looking at. A. Okay. Q. Do you have that in front of you? A. I do. Q. Okay. Do you see that Topic 1 references Paragraph 167 of the Third-Party Complaint? A. I see it. Q. And your testimony is that you did

	Page 198		Page 200
1	THE WITNESS: I believe that to	1	the material provided.)
2	be correct.	2	MS. PUJARI: Objection: form and
3	BY MS. BROZ:	3	vaque.
4	Q. And then Topic 2 references	4	All that came up, Alycia, was
5	Paragraphs 120(b) and 152 of Third-Party	5	"And any of the other cars."
6	Complaint; is that correct?	6	MS. BROZ: Right. Question mark.
7	A. I'm sorry. Topic 2?	7	(Whereupon, the witness continues
8	Q. References Paragraphs 120(b)	8	to review the material provided.)
9	A. Ah, yes, yes, yes.	9	THE WITNESS: I don't see it
10	Q. Yes.	10	referenced in our materials here, but
11	Okay. And you have you did	11	BY MS. BROZ:
12	not review that paragraph in the Third-Party	12	Q. And what are you reading when
13	Complaint in preparation for your deposition	13	you're saying "referenced in materials here"?
14	today, did you?	14	A. This is Exhibit 6.
15		15	O. And when did Norfolk Southern learn
16	MS. PUJARI: Objection: form. THE WITNESS: I did not.	16	that, allegedly, TI the TILX car contained
17	BY MS. BROZ:	17	
18		18	alumin aluminum in the PRD springs? MS. PUJARI: Objection: form.
	- ·		•
19 20	previously marked as Deposition Exhibit 9, if you	19 20	THE WITNESS: Specifically at the
21	have that in front of you.	21	springs? I I don't know the answer to that.
22	Can you turn to Page 34 of that	22	clide.
22	document?	22	
	Page 199		Page 201
1	Page 199 A. I'm there.	1	Page 201
1 2	•	1 2	
	A. I'm there.		BY MS. BROZ:
2	A. I'm there. Q. Okay. And we'll just read this	2	BY MS. BROZ: Q. And which Norfolk Southern
2 3	A. I'm there. Q. Okay. And we'll just read this into the record.	2 3	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that
2 3 4	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl	2 3 4	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs
2 3 4 5	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components	2 3 4 5	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car?
2 3 4 5 6	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other	2 3 4 5 6	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form.
2 3 4 5 6 7	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank	2 3 4 5 6 7	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who
2 3 4 5 6 7 8	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29	2 3 4 5 6 7 8	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring
2 3 4 5 6 7 8	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD	2 3 4 5 6 7 8	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically.
2 3 4 5 6 7 8 9	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on	2 3 4 5 6 7 8 9	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ:
2 3 4 5 6 7 8 9 10 11	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing	2 3 4 5 6 7 8 9 10	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look
2 3 4 5 6 7 8 9 10 11 12	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl	2 3 4 5 6 7 8 9 10 11 12	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's
2 3 4 5 6 7 8 9 10 11 12 13	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl chloride mixed with air, sunlight and aluminum.	2 3 4 5 6 7 8 9 10 11 12 13	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's look at Deposition Exhibit 6 together.
2 3 4 5 6 7 8 9 10 11 12 13 14	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl chloride mixed with air, sunlight and aluminum. Did I read that correctly?	2 3 4 5 6 7 8 9 10 11 12 13 14	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's look at Deposition Exhibit 6 together. Can you tell me where you're
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl chloride mixed with air, sunlight and aluminum. Did I read that correctly? A. Yes.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's look at Deposition Exhibit 6 together. Can you tell me where you're referencing the fact that the TILX car contained
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl chloride mixed with air, sunlight and aluminum. Did I read that correctly? A. Yes. Q. Of the five vinyl chloride	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's look at Deposition Exhibit 6 together. Can you tell me where you're referencing the fact that the TILX car contained aluminum in the PRD springs? What are you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl chloride mixed with air, sunlight and aluminum. Did I read that correctly? A. Yes. Q. Of the five vinyl chloride railcars, which one do you allege contained	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's look at Deposition Exhibit 6 together. Can you tell me where you're referencing the fact that the TILX car contained aluminum in the PRD springs? What are you looking at?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl chloride mixed with air, sunlight and aluminum. Did I read that correctly? A. Yes. Q. Of the five vinyl chloride railcars, which one do you allege contained aluminum in the PRD springs?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's look at Deposition Exhibit 6 together. Can you tell me where you're referencing the fact that the TILX car contained aluminum in the PRD springs? What are you looking at? A. So it was three pages back from the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl chloride mixed with air, sunlight and aluminum. Did I read that correctly? A. Yes. Q. Of the five vinyl chloride railcars, which one do you allege contained aluminum in the PRD springs? A. TILX 402025 is listed as having	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's look at Deposition Exhibit 6 together. Can you tell me where you're referencing the fact that the TILX car contained aluminum in the PRD springs? What are you looking at? A. So it was three pages back from the last page.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I'm there. Q. Okay. And we'll just read this into the record. Oxy Vinyl shipped vinyl chloride in tank cars with aluminum components and the pressure release devices and in other components on each of the vinyl chloride tank cars. For example, Cars 26, 27, 28 and 29 contained aluminum in the PRD springs, PRD surface or had aluminum used in various valves on a tank car. When the PRDs activated — releasing flammable vinyl chloride that ignited — the vinyl chloride mixed with air, sunlight and aluminum. Did I read that correctly? A. Yes. Q. Of the five vinyl chloride railcars, which one do you allege contained aluminum in the PRD springs? A. TILX 402025 is listed as having aluminum-coated spring.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	BY MS. BROZ: Q. And which Norfolk Southern employees, at some point in time, learned that there was allegedly aluminum in the PRD springs of the TILX car? MS. PUJARI: Objection: form. THE WITNESS: I don't know who that person was for the spring specifically. BY MS. BROZ: Q. And let's go back let's look you're looking at Deposition Exhibit 6, so let's look at Deposition Exhibit 6 together. Can you tell me where you're referencing the fact that the TILX car contained aluminum in the PRD springs? What are you looking at? A. So it was three pages back from the last page. Q. I assume that's Page 9?

		Page 202		Page 204
1	Q.	Yes.	1	MS. PUJARI: Objection: form.
2	Α.	Okay.	2	(Whereupon, the witness continues
3		This is Page 9.	3	to review the material provided.)
4	Q.	Okay. We're on the same page.	4	THE WITNESS: It doesn't say on
5		And what paragraph are you	5	the reference page. And there's a list
6	referencing?		6	of people who participated in this, but
7	Α.	So I'm looking at Subbullet 1 under	7	it's not tied to the person.
8	Bullet 1.	•	8	BY MS. BROZ:
9	Q.	The one that starts with NTSB Group	9	Q. And in preparing for your
10	B — Exhibit	10?	10	deposition today and relying upon NTSB Group
11	Α.	Right, Hazardous Materials Group	11	Exhibit 10, you did not determine who provided
12	Chair's Fact	_	12	the information about the alleged aluminum
13	0.	At 34?	13	components in the PRD springs to the NTSB?
14	Α.	At 34, yeah.	14	MS. PUJARI: Objection: form.
15	0.	Okay. And who provided this	15	THE WITNESS: The specific
16	information	-	16	person, I I cannot tell right now at
17		MS. PUJARI: Objection: form.	17	this time.
18		THE WITNESS: I would have to	18	BY MS. BROZ:
19	consul	t this (indicating) binder, I	19	O. And when did Norfolk Southern learn
20		e, to	20	that the P PRD spring in the TILX car
21	201101	BY MS. BROZ:	21	allegedly contained aluminum components?
22	Q.	Go ahead.	22	MS. PUJARI: Objection: form;
	¥.			-120 1001111 02J0001011 10111,
		Page 203		Page 205
1		(Whereupon, the witness reviews	1	asked and answered.
2		the material provided.)	2	THE WITNESS: Yeah. I don't know
3		THE WITNESS: Am I able to ask	3	when.
4	for as	sistance here in	4	BY MS. BROZ:
5		BY MS. BROZ:	5	Q. All right. Let's turn back to the
6	Q.	No.	6	what we've marked as Deposition Exhibit 9.
7	Α.	where that is?	7	Do you have that in front of
8		(Whereupon, the witness continues	8	you?
9		to review the material provided.)	9	A. Okay. Yeah.
10		THE WITNESS: All right. We're	10	Q. Okay. Of the five vinyl chloride
11	on Pag	e 61. It says, The spring part,	11	railcars, which one do you allege contain
12	and gi	ves a number.	12	aluminum on the PRD surface?
13		Do you want that number?	13	(Whereupon, the witness continues
14		BY MS. BROZ:	14	to review the material provided.)
15	Q.	No.	15	THE WITNESS: OCPX 80235 had
16		And my question was: Who	16	.56 pounds of loose aluminum debris
17	provided tha	t information to the NTSB?	17	inside the PRD top guide discharge port.
18		MS. PUJARI: Objection: form.	18	BY MS. BROZ:
19		THE WITNESS: The the NTSB?	19	Q. And that's what your evidence is
			1 20	that one of the five views shlewide weileswa
20	Who pr	ovided it to them?	20	that one of the five vinyl chloride railcars
20 21	Who pr	ovided it to them? BY MS. BROZ:	20	contained aluminum on the PRD surface?
	Who pro			

l .	Page 206		Page 208
1	(Whereupon, the witness continues	1	you just asked.
2	to review the material provided.)	2	Q. I understand it's another question.
3	THE WITNESS: That's the only one	3	A. Yes.
4	I'm seeing.	4	Q. That was one of the topics you were
5	BY MS. BROZ:	5	asked to be prepared about?
6	Q. You have no other facts to support	6	A. That's correct.
7	the allegation that the five vinyl chloride	7	Q. Did you ask anybody at Norfolk
8	railcars contained aluminum on the PRD surface?	8	Southern when they learned that the five
9	MS. PUJARI: Objection: form.	9	vinyl chloride railcars allegedly contained
10	(Whereupon, the witness continues	10	aluminum components?
11	to review the material provided.)	11	MS. PUJARI: Objection: form.
12	THE WITNESS: That that's the	12	THE WITNESS: I did not ask.
13	only one I'm seeing.	13	BY MS. BROZ:
14	BY MS. BROZ:	14	Q. Do you have the date and time at
15	Q. When did Norfolk Southern allegedly	15	which Norfolk Southern allegedly learned that the
16	learn that one of the five vinyl chloride	16	five vinyl chloride railcars contained aluminum
17	railcars contained aluminum on the PRD surface?	17	components written down anywhere on Deposition
18	MS. PUJARI: Objection: form.	18	Exhibit 6?
19	(Whereupon, the witness continues	19	MS. PUJARI: Objection: form.
20	to review the material provided.)	20	THE WITNESS: I do.
21	THE WITNESS: It appears to be	21	BY MS. BROZ:
22	around the time of the incident. There	22	Q. Where is that?
	Page 207		Page 209
1	is a reference here to responders on the	1	A. So that is on the following page,
2	scene the scene to be concerned about	2	third bullet down, first subbullet, second
	PRDs had become plugged due to aluminum	3	
3		_	subbullet, e-mail correspondence on February 4th
3	or other components melting, according to	4	at 12:54 p.m. between Paul Williams of Norfolk
	or other components melting, according to David Schoendorfer's testimony.	4 5	
4	<u>.</u>		at 12:54 p.m. between Paul Williams of Norfolk
4 5	David Schoendorfer's testimony.	5	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding
4 5 6	David Schoendorfer's testimony. BY MS. BROZ:	5	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction.
4 5 6 7	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that.	5 6 7	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the
4 5 6 7 8	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your	5 6 7 8	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction?
4 5 6 7 8 9	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned	5 6 7 8 9	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them
4 5 6 7 8 9	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained	5 6 7 8 9	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically.
4 5 6 7 8 9 10	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote	5 6 7 8 9 10	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the
4 5 6 7 8 9 10 11	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote from David Schoendorfer?	5 6 7 8 9 10 11 12	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the certificates of construction identify winner
4 5 6 7 8 9 10 11 12 13	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote from David Schoendorfer? MS. PUJARI: Objection: form.	5 6 7 8 9 10 11 12 13	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the certificates of construction identify winner whether any of the railcars had aluminum
4 5 6 7 8 9 10 11 12 13 14	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote from David Schoendorfer? MS. PUJARI: Objection: form. THE WITNESS: That's to the best	5 6 7 8 9 10 11 12 13	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the certificates of construction identify winner whether any of the railcars had aluminum components?
4 5 6 7 8 9 10 11 12 13 14 15	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote from David Schoendorfer? MS. PUJARI: Objection: form. THE WITNESS: That's to the best of my knowledge at this point.	5 6 7 8 9 10 11 12 13 14 15	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the certificates of construction identify winner whether any of the railcars had aluminum components? A. To my knowledge, I don't believe
4 5 6 7 8 9 10 11 12 13 14 15 16	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote from David Schoendorfer? MS. PUJARI: Objection: form. THE WITNESS: That's to the best of my knowledge at this point. BY MS. BROZ:	5 6 7 8 9 10 11 12 13 14 15 16	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the certificates of construction identify winner whether any of the railcars had aluminum components? A. To my knowledge, I don't believe they identified components.
4 5 6 7 8 9 10 11 12 13 14 15 16 17	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote from David Schoendorfer? MS. PUJARI: Objection: form. THE WITNESS: That's to the best of my knowledge at this point. BY MS. BROZ: Q. And you understand that the topic	5 6 7 8 9 10 11 12 13 14 15 16 17	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the certificates of construction identify winner whether any of the railcars had aluminum components? A. To my knowledge, I don't believe they identified components. I believe these were
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote from David Schoendorfer? MS. PUJARI: Objection: form. THE WITNESS: That's to the best of my knowledge at this point. BY MS. BROZ: Q. And you understand that the topic that you were asked to prepare about and testify	5 6 7 8 9 10 11 12 13 14 15 16 17 18	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the certificates of construction identify winner whether any of the railcars had aluminum components? A. To my knowledge, I don't believe they identified components. I believe these were modifications
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	David Schoendorfer's testimony. BY MS. BROZ: Q. Okay. And we'll get to that. Is that the basis for your testimony, that the Norfolk Southern learned that the the vinyl chloride cars contained aluminum on the PRD surface is the sole quote from David Schoendorfer? MS. PUJARI: Objection: form. THE WITNESS: That's to the best of my knowledge at this point. BY MS. BROZ: Q. And you understand that the topic that you were asked to prepare about and testify to included the date and time that Norfolk	5 6 7 8 9 10 11 12 13 14 15 16 17 18	at 12:54 p.m. between Paul Williams of Norfolk Southern and Ron Lawler of Trinity regarding certificates of construction. Q. And have you reviewed the certificates of construction? A. I have not reviewed them specifically. Q. Do you know whether the certificates of construction identify winner whether any of the railcars had aluminum components? A. To my knowledge, I don't believe they identified components. I believe these were modifications Q. Okay. And what

	Page 210		Page 212
1	original certificate of construction?	1	(Whereupon, the witness reviews
2	A. The addition of aluminum	2	the material provided.)
3	components.	3	THE WITNESS: And the just the
4	Q. And did you review those papers	4	valves?
5	showing these alleged modifications to the	5	BY MS. BROZ:
6	certificates of construction to include aluminum	6	O. Um-hum.
7	components on the five vinyl chloride railcars?	7	A. Okay.
8	MS. PUJARI: Objection: form.	8	TILX 402025 and OCPX 80235 and OCPX
9	THE WITNESS: I did not review	9	80179 had aluminum angle valve handwheels.
10	them.	10	Q. I don't want to cut you off.
11	BY MS. BROZ:	11	Are you finished?
12	Q. So what is your basis for testimony	12	A. And OP OCPX 80370 had aluminum
13	today for testifying today that the five	13	angle valve handwheels also.
14	vinyl chloride railcars included aluminum	14	O. What was that last number?
15	components because of modifications?	15	A. OCPX 80370.
16	MS. PUJARI: Objection: form;	16	Q. Anything else?
17	assumes facts.	17	A. That's it.
18	THE WITNESS: Beginning with	18	Q. And what are you referring to in
19	the the e-mail correspondence between	19	answering that question?
20	Paul Williams and Ron Lawler.	20	What were you reading off of
21	BY MS. BROZ:	21	when you answered that question?
22	Q. Okay. And where is that in	22	A. Oh. This is Exhibit 6.
	g. 0.184 1.114 1.1102-0 25 0.180 21.		
	Page 211		Page 213
1	Deposition Exhibit 6?	1	Q. Okay. And specifically, what pages
2	A. Those are the two two subbullets	2	of Exhibit 6?
3	under Bullet 3 on the second-to-last page, 10, I	3	A. Exhibit or Page 9, first bullet,
4	guess.	4	second bullet, third bullet; and Page 10, the
5	Q. And are those two e-mails contained	5	second bullet.
6	in your binder, which we've marked as Deposition	6	Q. Anything else?
7	Exhibit 8?	7	A. That's it.
8	A. I believe they are.	8	Q. And when did Norfolk Southern learn
9	Q. Okay. What tabs are those?	9	that the four vinyl chloride railcars allegedly
10	(Whereupon, the witness reviews	10	used aluminum in the valves of the tank cars?
11	the material provided.)	11	MS. PUJARI: Objection: form.
12	THE WITNESS: Tab 30.	12	THE WITNESS: Valves
13	BY MS. BROZ:	13	specifically? I I can't say if that
14	Q. And could you read the Bates number	14	was covered in that February 4th e-mail.
15	for me, since I don't have a copy of your binder?	15	BY MS. BROZ:
16	A. It says, NS-CA-000017054.	16	Q. So is your answer, I don't know?
17	Q. Okay. Anything else that you	17	(Whereupon, the witness reviews
18	relied upon?	18	the material provided.)
19	A. Not not to my knowledge.	19	THE WITNESS: I don't see
20	Q. Okay. Of the five vinyl chloride	20	anything specifically in what I have.
21	railcars, which one do you allege had aluminum	21	BY MS. BROZ:
22	used in the various valves for the tank cars?	22	Q. So your answer is you don't know?

	Page 214		Page 216
1	A. Correct.	1	AFTERNOON SESSION
2	Q. Okay.	2	(12:46 p.m. EST)
3	Okay. Let's turn to that	3	000
4	February 4th e-mail. And, unfortunately, I don't	4	CHRISTOPHER REX NEIKIRK,
5	have a copy in front of me.	5	was called for continued examination and, after
6	Can you tell me what tab that	6	having been previously duly sworn, was examined
7	is in your binder?	7	and testified further as follows:
8	A. It's Tab 30.	8	00
9	MS. BENAVIDES: Counsel, do you	9	THE VIDEOGRAPHER: The time is
10	have electronic copies of the binders, or	10	12:46 p.m., and we are back on the
11	anything, for the rest of us to look at?	11	record.
12	MS. PUJARI: I don't believe so.	12	00
13	MS. BENAVIDES: Okay.	13	EXAMINATION (CONTINUED) BY COUNSEL FOR DEFENDANT
14	MS. BROZ: Would you be able to	14	OXY VINYLS, LP
15	make a copy if we went off the record?	15	000
16	MS. BENAVIDES: It would be	16	BY MS. BROZ:
17	helpful, I think, if we all could have a	17	Q. Good afternoon, Mr. Neikirk.
18	copy.	18	Before our lunch break, we were
19	MS. PUJARI: Of the entire	19	talking about your binder, which is we've
20	binder?	20	marked as Deposition Exhibit 8. And we were
21	MS. BROZ: No; that e-mail.	21	specifically talking about Tab 30.
22	MS. PUJARI: Oh, the e-mail?	22	A. Yes.
	Page 215		Page 217
1	MS. BROZ: Yes.	1	Q. Could you turn to that, please?
1 2	MS. BROZ: Yes. MS. PUJARI: Sure. Yeah.	1 2	Q. Could you turn to that, please? A. Okay.
2	MS. PUJARI: Sure. Yeah.	2	A. Okay.
2 3	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off	2	A. Okay. Q. Okay. And for the record, what is
2 3 4	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off the record.	2 3 4	A. Okay. Q. Okay. And for the record, what is the Bates label on that document?
2 3 4 5	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off the record. THE VIDEOGRAPHER: Okay. The	2 3 4 5	A. Okay. Q. Okay. And for the record, what is the Bates label on that document? A. The Bates label is NS-CA-000017054.
2 3 4 5 6	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off the record. THE VIDEOGRAPHER: Okay. The time is 12	2 3 4 5 6	A. Okay. Q. Okay. And for the record, what is the Bates label on that document? A. The Bates label is NS-CA-000017054. Q. And just to bring us back to where
2 3 4 5 6 7	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off the record. THE VIDEOGRAPHER: Okay. The time is 12 MS. PUJARI: Can we	2 3 4 5 6 7	A. Okay. Q. Okay. And for the record, what is the Bates label on that document? A. The Bates label is NS-CA-000017054. Q. And just to bring us back to where we were before lunch, your testimony that was
2 3 4 5 6 7 8	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off the record. THE VIDEOGRAPHER: Okay. The time is 12 MS. PUJARI: Can we THE VIDEOGRAPHER: 12:10 p.m.	2 3 4 5 6 7 8	A. Okay. Q. Okay. And for the record, what is the Bates label on that document? A. The Bates label is NS-CA-000017054. Q. And just to bring us back to where we were before lunch, your testimony that was that was the evidence that you had that Norfolk
2 3 4 5 6 7 8	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off the record. THE VIDEOGRAPHER: Okay. The time is 12 MS. PUJARI: Can we THE VIDEOGRAPHER: 12:10 p.m. the time is 12:10 p.m. We're going	2 3 4 5 6 7 8	A. Okay. Q. Okay. And for the record, what is the Bates label on that document? A. The Bates label is NS-CA-000017054. Q. And just to bring us back to where we were before lunch, your testimony that was that was the evidence that you had that Norfolk Southern was aware that there were aluminum
2 3 4 5 6 7 8 9	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off the record. THE VIDEOGRAPHER: Okay. The time is 12 MS. PUJARI: Can we THE VIDEOGRAPHER: 12:10 p.m. the time is 12:10 p.m. We're going off the record.	2 3 4 5 6 7 8 9	A. Okay. Q. Okay. And for the record, what is the Bates label on that document? A. The Bates label is NS-CA-000017054. Q. And just to bring us back to where we were before lunch, your testimony that was that was the evidence that you had that Norfolk Southern was aware that there were aluminum components in the five vinyl chloride railcars
2 3 4 5 6 7 8 9 10	MS. PUJARI: Sure. Yeah. MS. BROZ: Okay. Let's go off the record. THE VIDEOGRAPHER: Okay. The time is 12 MS. PUJARI: Can we THE VIDEOGRAPHER: 12:10 p.m. the time is 12:10 p.m. We're going off the record. 000	2 3 4 5 6 7 8 9 10	A. Okay. Q. Okay. And for the record, what is the Bates label on that document? A. The Bates label is NS-CA-000017054. Q. And just to bring us back to where we were before lunch, your testimony that was that was the evidence that you had that Norfolk Southern was aware that there were aluminum components in the five vinyl chloride railcars prior to February 6th, 2023; is that correct?
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7 correspondence with the car owners and 8 BY MS. BROZ: 9 Q. I'll hand you what we've marked as 10 Deposition Exhibit 16 and ask you if you 11 recognize this. 12 A. I do. 13 Q. And what is it? 14 A. It is an e-mail between 15 Paul Williams of Norfolk Southern and Ron Lawler 16 of Trinity. 17 Q. Okay. And is that the same e-mail 18 that's in Tab 30 of your binder, which we've 19 marked as Deposition Exhibit 8? 20 A. Yes. The date and time are the 21 same. 22 Q. Is the Bates number the same? 24 Wrote the bullet. It was provided to me 25 Page 219 1 A. It is. 2 Q. Okay. And can you point to me 26 where in this document the word "aluminum" 27 appears anywhere? 28 (Whereupon, the witness reviews 29 the material provided.) 29 EY MS. BROZ: 20 Q. And who is Paul Williams? 21 A. He's regional manager, hazardous 22 MS. PUJARI: Objection: form. 23 Where in this document. 3 Q. It was not something you 4 investigated on your own? 4 the witness: I don't see the 8 aluminum referenced in the document. 9 BY MS. BROZ: 10 Q. And who is Paul Williams? 11 A. He's regional manager, hazardous 12 What facts do you have to support
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12 materials for Norfolk Southern. 12 Q. What facts do you have to support
1 13 CHAC DEACCHICHE
14 East Palestine between February 3rd and 14 MS. PUJARI: Objection: form.
15 February 6th, 2023? 15 THE WITNESS: I can't validate
16 A. I do not know if he was on the 16 the fact.
17 ground. 17 BY MS. BROZ:
18 Q. Okay. Do you have any other 18 Q. Okay. Do you have any evidence to
19 evidence that individuals on the ground in 19 support the fact that Norfolk Southern employees
20 East Palestine between February 3rd and 20 on the ground in East Palestine between
21 February 6th, 2023 understood that there were 21 February 3rd and February 6th, 2023 knew that any
22 aluminum components on any of the five 22 of the five vinyl chloride railcars had aluminum

	Page 222		Page 224
1	components?	1	I'm sorry. What page again?
2	A. Yeah. I do not know specifically	2	Q. Page it's Paragraph 152, Page 31
3	who on the ground would have been aware of that.	3	of Exhibit 9.
4	Q. Do you know if anyone on the ground	4	Okay. Go ahead and review that
5	would have been aware of it?	5	paragraph and the Subparagraphs a, b, c for me.
6	A. Not specifically by name.	6	A. Okay.
7	Q. Do you have any names of any	7	(Whereupon, the witness reviews
8	individual on the ground from Norfolk Southern,	8	the material provided.)
9	S SRS or SPSI who were aware that the five	9	THE WITNESS: Okay.
10	vinyl chloride cars had aluminum components?	10	BY MS. BROZ:
11	MS. PUJARI: Objection: form.	11	Q. Referring to Paragraph 152 of the
12	THE WITNESS: Yeah.	12	Third-Party Complaint, which we've marked as
13	I don't know other than this	13	
			Deposition Exhibit 9, can you tell me when
14	e-mail.	14	Norfolk Southern became aware of these alleged
15	BY MS. BROZ:	15	discriminate discrepancies between its Federal
16	Q. The e-mail that we just referred to	16	certified and approved certificate of
17	and marked as Deposition Exhibit 16?	17	construction and the tank cars' actual
18	A. That's correct.	18	characteristics?
19	Q. Okay. Let's turn to what we	19	MS. PUJARI: Objection: beyond
20	previously marked as Deposition Exhibit 15 and to	20	the scope of the 30(b)(6). The witness
21	Exhibit A of Deposition Exhibit 15.	21	isn't designated.
22	A. Got it.	22	(Whereupon, the witness reviews
	Daga 000		
	Page 223		Page 225
1	Q. Do you have that in front of you?	1	Page 225 the material provided.)
1 2	· ·	1 2	
	Q. Do you have that in front of you?		the material provided.)
2	Q. Do you have that in front of you? A. I do.	2	the material provided.) THE WITNESS: Yeah. I do not
2 3	Q. Do you have that in front of you? A. I do. Q. We're now going to talk about Topic 2.	2	the material provided.) THE WITNESS: Yeah. I do not know when specifically, but they are listed in several of the NTSB exhibits:
2 3 4	Q. Do you have that in front of you? A. I do. Q. We're now going to talk about Topic 2. A. Okay.	2 3 4	the material provided.) THE WITNESS: Yeah. I do not know when specifically, but they are listed in several of the NTSB exhibits: Tank car approval, sample summary,
2 3 4 5 6	Q. Do you have that in front of you? A. I do. Q. We're now going to talk about Topic 2. A. Okay. Q. And for the record, I'll read that.	2 3 4 5	the material provided.) THE WITNESS: Yeah. I do not know when specifically, but they are listed in several of the NTSB exhibits: Tank car approval, sample summary, Hazardous Materials Group Chair's Factual
2 3 4 5 6 7	Q. Do you have that in front of you? A. I do. Q. We're now going to talk about Topic 2. A. Okay. Q. And for the record, I'll read that. It says, The factual basis for	2 3 4 5 6 7	the material provided.) THE WITNESS: Yeah. I do not know when specifically, but they are listed in several of the NTSB exhibits: Tank car approval, sample summary, Hazardous Materials Group Chair's Factual Report.
2 3 4 5 6 7 8	Q. Do you have that in front of you? A. I do. Q. We're now going to talk about Topic 2. A. Okay. Q. And for the record, I'll read that.	2 3 4 5 6 7 8	the material provided.) THE WITNESS: Yeah. I do not know when specifically, but they are listed in several of the NTSB exhibits: Tank car approval, sample summary, Hazardous Materials Group Chair's Factual Report. BY MS. BROZ:
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Do you have that in front of you? A. I do. Q. We're now going to talk about Topic 2. A. Okay. Q. And for the record, I'll read that. It says, The factual basis for your contention that, quote, discrepancies between the approved documents and the actual physical characteristics, closed quote, of TILX 402025, GATX 95098, OCPX 80235, OCPX 80179 and/or OCPX 80370 described in Paragraphs 120(b) and 152 of the Third-Party Complaint caused Norfolk Southern damages. Did I read that correctly? A. Yes. Q. Okay. Let's go to Paragraph 152 of the Third-Party Complaint, which we've previously	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the material provided.) THE WITNESS: Yeah. I do not know when specifically, but they are listed in several of the NTSB exhibits: Tank car approval, sample summary, Hazardous Materials Group Chair's Factual Report. BY MS. BROZ: Q. Can you tell me how Norfolk Southern was harmed by these alleged discrepancies? MS. PUJARI: Objection: form. THE WITNESS: I can't say specifically. BY MS. BROZ: Q. Do you have in generalities how Norfolk Southern was harmed by these alleged discrepancies?
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q. Do you have that in front of you? A. I do. Q. We're now going to talk about Topic 2. A. Okay. Q. And for the record, I'll read that. It says, The factual basis for your contention that, quote, discrepancies between the approved documents and the actual physical characteristics, closed quote, of TILX 402025, GATX 95098, OCPX 80235, OCPX 80179 and/or OCPX 80370 described in Paragraphs 120(b) and 152 of the Third-Party Complaint caused Norfolk Southern damages. Did I read that correctly? A. Yes. Q. Okay. Let's go to Paragraph 152 of the Third-Party Complaint, which we've previously marked as Deposition Exhibit 9.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	the material provided.) THE WITNESS: Yeah. I do not know when specifically, but they are listed in several of the NTSB exhibits: Tank car approval, sample summary, Hazardous Materials Group Chair's Factual Report. BY MS. BROZ: Q. Can you tell me how Norfolk Southern was harmed by these alleged discrepancies? MS. PUJARI: Objection: form. THE WITNESS: I can't say specifically. BY MS. BROZ: Q. Do you have in generalities how Norfolk Southern was harmed by these alleged discrepancies? MS. PUJARI: Objection: form.

	Page 226		Page 228
1	right now, but I reserve my time.	1	BY MS. BENAVIDES:
2	MS. BENAVIDES: Can we do can	2	Q. Great.
3	we go off the record?	3	So I don't think the report has
4	THE VIDEOGRAPHER: Okay. The	4	yet been entered as an exhibit.
5	time is 12:58 p.m., and we're going off	5	I know you have it there in
6	the record.	6	your binder, but I'll pass it out so that others
7	000	7	can have it as well.
8	(Whereupon, a recess was taken from	8	MS. BENAVIDES: Let's mark this.
9	12:58 p.m. EST to 1:01 p.m. EST.)	9	And I think that would be
10	000	10	Exhibit 17.
11	THE VIDEOGRAPHER: The time is	11	CERTIFIED STENOGRAPHER: That's
12	1:01 p.m., and we're back on the record.	12	right.
13	000	13	000
14	EXAMINATION BY COUNSEL FOR DEFENDANT	14	(Neikirk Deposition Exhibit Number
15	TRINITY INDUSTRIES LEASING COMPANIES	15	17, Hazardous Materials Group
16	000	16	Chair's Factual Report, Bates
17	BY MS. BENAVIDES:	17	stamped NS-CA-000002467 through
18	Q. Good afternoon. My name is	18	NS-CA-000002625, marked for
19	Nina Benavides, and I represent Trinity.	19	identification, as of this date.)
20	So I believe throughout your	20	000
21	deposition today, you've mentioned a couple times	21	BY MS. BENAVIDES:
22	the NTSB's Hazardous Materials Group Chair's	22	Q. I guess stepping back for a minute
	Page 227		Page 229
1	Factual Report, correct?	1	before you take a look at Exhibit
2	A. That's correct.	2	MS. BENAVIDES: What exhibit?
	Q. And is that something that you have		
3	g. And is that something that you have	3	What did you just say?
3 4	there in the binder in front of you?	3	What did you just say? CERTIFIED STENOGRAPHER: Seventee
		_	
4	there in the binder in front of you?	4	CERTIFIED STENOGRAPHER: Seventee
4 5	there in the binder in front of you? A. It is.	4 5	CERTIFIED STENOGRAPHER: Seventee n.
4 5 6	there in the binder in front of you? A. It is. Q. So it's something that you reviewed	4 5 6	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank
4 5 6 7	there in the binder in front of you? A. It is. Q. So it's something that you reviewed in that last session you were discussing in	4 5 6 7	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you.
4 5 6 7 8	there in the binder in front of you? A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition?	4 5 6 7 8	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES:
4 5 6 7 8	there in the binder in front of you? A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition? MS. PUJARI: Objection: form.	4 5 6 7 8	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks
4 5 6 7 8 9	there in the binder in front of you? A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition? MS. PUJARI: Objection: form. THE WITNESS: We were review	4 5 6 7 8 9	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks that the NTSB performed was on the pressure
4 5 6 7 8 9 10	there in the binder in front of you? A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition? MS. PUJARI: Objection: form. THE WITNESS: We were review reviewed it, yes.	4 5 6 7 8 9 10	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks that the NTSB performed was on the pressure relief devices of the five vinyl chloride cars,
4 5 6 7 8 9 10 11 12	there in the binder in front of you? A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition? MS. PUJARI: Objection: form. THE WITNESS: We were review reviewed it, yes. BY MS. BENAVIDES:	4 5 6 7 8 9 10 11 12	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks that the NTSB performed was on the pressure relief devices of the five vinyl chloride cars, correct?
4 5 6 7 8 9 10 11 12 13	there in the binder in front of you? A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition? MS. PUJARI: Objection: form. THE WITNESS: We were review reviewed it, yes. BY MS. BENAVIDES: Q. And are you aware that this is a	4 5 6 7 8 9 10 11 12 13	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks that the NTSB performed was on the pressure relief devices of the five vinyl chloride cars, correct? A. I'm sorry. Say that again.
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4 5 6 7 8 9 10 11 12 13 14 15 16	there in the binder in front of you? A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition? MS. PUJARI: Objection: form. THE WITNESS: We were review reviewed it, yes. BY MS. BENAVIDES: Q. And are you aware that this is a comprehensive report prepared by the NTSB after the NTSB had conducted several interviews of people with roles in the East Palestine	4 5 6 7 8 9 10 11 12 13 14 15 16	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks that the NTSB performed was on the pressure relief devices of the five vinyl chloride cars, correct? A. I'm sorry. Say that again. Q. Yeah, of course. I'll start over. Are you familiar with the fact that one of the tests the NTSB performed was on
4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition? MS. PUJARI: Objection: form. THE WITNESS: We were review reviewed it, yes. BY MS. BENAVIDES: Q. And are you aware that this is a comprehensive report prepared by the NTSB after the NTSB had conducted several interviews of people with roles in the East Palestine derailment, reviewed documents and conducted	4 5 6 7 8 9 10 11 12 13 14 15 16 17	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks that the NTSB performed was on the pressure relief devices of the five vinyl chloride cars, correct? A. I'm sorry. Say that again. Q. Yeah, of course. I'll start over. Are you familiar with the fact that one of the tests the NTSB performed was on the pressure relief devices of the five
4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for — to prepare for this deposition? MS. PUJARI: Objection: form. THE WITNESS: We were review — reviewed it, yes. BY MS. BENAVIDES: Q. And are you aware that this is a comprehensive report prepared by the NTSB after the NTSB had conducted several interviews of people with roles in the East Palestine derailment, reviewed documents and conducted post-derailment testing and examinations?	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks that the NTSB performed was on the pressure relief devices of the five vinyl chloride cars, correct? A. I'm sorry. Say that again. Q. Yeah, of course. I'll start over. Are you familiar with the fact that one of the tests the NTSB performed was on the pressure relief devices of the five vinyl chloride cars?
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4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. It is. Q. So it's something that you reviewed in that last session you were discussing in person for to prepare for this deposition? MS. PUJARI: Objection: form. THE WITNESS: We were review reviewed it, yes. BY MS. BENAVIDES: Q. And are you aware that this is a comprehensive report prepared by the NTSB after the NTSB had conducted several interviews of people with roles in the East Palestine derailment, reviewed documents and conducted post-derailment testing and examinations? MS. PUJARI: Objection: form; compound.	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	CERTIFIED STENOGRAPHER: Seventee n. MS. BENAVIDES: Seventeen. Thank you. BY MS. BENAVIDES: Q. You're aware that one of the tasks that the NTSB performed was on the pressure relief devices of the five vinyl chloride cars, correct? A. I'm sorry. Say that again. Q. Yeah, of course. I'll start over. Are you familiar with the fact that one of the tests the NTSB performed was on the pressure relief devices of the five vinyl chloride cars? MS. PUJARI: Objection: form. THE WITNESS: Yeah, I believe

	Page 230		Page 232
1	BY MS. BENAVIDES:	1	to Oxy's Topic 1 regarding aluminum
2	Q. And the NTSB found that the	2	components.
3	pressure relief device of the Trinity car	3	MS. PUJARI: I'm going to object:
4	functioned properly both during the derailment	4	it's beyond the scope of that topic. And
5	and even afterwards when tested, correct?	5	the witness is not designated on this
6	MS. PUJARI: Objection: form.	6	on this variation of it's for a
7	THE WITNESS: Yeah. I was I	7	different topic.
8	was not aware of that.	8	BY MS. BENAVIDES:
9	BY MS. BENAVIDES:	9	Q. If you'd like, I can direct you to
10	Q. But you have no reason to doubt the	10	the Exhibit 17 that I provided, the Group Chair's
11	NTSB's testing results on that, do you?	11	Factual Report, if that would be helpful.
12	MS. PUJARI: Objection: form.	12	A. That's fine. I I
13	THE WITNESS: I have no reason to	13	Q. Great.
14	doubt that.	14	A I was not aware of that, though.
15	BY MS. BENAVIDES:	15	Q. If you turn to Page 61 of the Group
16	Q. And are you also aware that no	16	Chair's Factual Report, Exhibit 17.
17	evidence of polymer was detected in the NTSB's	17	A. Okay.
18	examination of the Trinity car's pressure relief	18	Q. Do you see there the last sentence
19	device?	19	of that first paragraph? It says, Internal
20	MS. PUJARI: Objection: form;	20	surfaces of the PRD and angle valves were coated
21	calls for expert testimony.	21	with carbon/soot; however, there was no evidence
22	(Whereupon, the witness reviews	22	of polymer or other contaminated contaminants
	Page 231		Page 233
1	the material provided.)	1	within the guide tube or other components.
2	BY MS. BENAVIDES:	2	MS. PUJARI: Objection: beyond
3	Q. Are you looking at the NTSB's	3	the scope; form.
4	HAZMAT report that I provided?	4	THE WITNESS: I see that.
5	A. No. I'm looking at the summary	5	BY MS. BENAVIDES:
6	docs.	6	Q. And you have no reason to doubt
7	Q. Exhibit 6?	7	disagree with the NTSB's finding here, correct?
8	A. Page 6.	8	MS. PUJARI: Objection: beyond
9	Q. Oh, sorry. Were you looking at	9	the scope; calls for expert; and form.
10	Exhibit 6? I didn't	10	THE WITNESS: Yeah. This is
11	A. Exhibit 6, oh yeah	11	this is not my area of expertise. I had
12	Q mean to interrupt you	12	
13	A yeah	13	BY MS. BENAVIDES:
14	Q but	14	Q. So you have no reason to doubt the
15	A that's all right.	15	NTSB's finding, right?
16	Q go ahead and, you know, review	16	MS. PUJARI: Same objections:
17	what you need.	17	form; beyond the scope; calls for expert
18	(Whereupon, the witness continues	18	testimony.
19	to review the material provided.)	19	THE WITNESS: Yeah. I don't have
20	MS. PUJARI: Counsel, what topic	20	reason to doubt it.
21	is this?	21	BY MS. BENAVIDES:
22	MS. BENAVIDES: This is relating	22	Q. And you've testified earlier
1			

	Page 234		Page 236
1	regarding the components that Norfolk Southern	1	the Norfolk Southern's response, which begins
2	has alleged within the Trinity car contained	2	around halfway through the second paragraph of
3	aluminum.	3	Page 16.
4	Do you recall that testimony?	4	It reads, Norfolk Southern
5	A. I do.	5	responds that it is currently unaware
6	Q. I'm going to hand you what will be	6	Do you see the sentence I'm
7	marked as Exhibit 18 to the deposition.	7	reading?
8	000	8	A. Yes.
9	(Neikirk Deposition Exhibit Number	9	Q. Great.
10	18, Norfolk Southern's Responses	10	Norfolk Southern responds
11	and Objections to Trinity's First	11	that it is currently unaware of any employee or
12	Set of Interrogatories, marked	12	contractor who may have been aware, between
13	for identification, as of this	13	February 3rd and the time of the vent and burn on
14	date.)	14	February 6th, that the specific TILX specific
15	000	15	car, TILX 402025, contained aluminum.
16	THE WITNESS: Thank you.	16	That's did I read that
17	BY MS. BENAVIDES:	17	correctly?
18	Q. And these are Norfolk Southern's	18	A. Yes, yes.
19	Responses and Objections to Trinity's First Set	19	Q. And that's an accurate statement,
20	of Interrogatories.	20	right?
21	Do you see that there on the	21	MS. PUJARI: Objection: form.
22	cover page?	22	THE WITNESS: If it's testimony,
	Paga 225		
	Page 235		Page 237
1	A. I do.	1	I'd probably rely on the testimony or
1 2	_	1 2	
	A. I do.		I'd probably rely on the testimony or
2	A. I do. Q. Have you seen this document before?	2	I'd probably rely on the testimony or response.
2 3	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in	2	I'd probably rely on the testimony or response. BY MS. BENAVIDES:
2 3 4	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not.	2 3 4	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right
2 3 4 5	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to	2 3 4 5	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah
2 3 4 5 6	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8.	2 3 4 5 6	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have
2 3 4 5 6 7	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every	2 3 4 5 6 7	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah.
2 3 4 5 6 7 8	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every Norfolk Southern employee or contractor who was	2 3 4 5 6 7 8	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah. Q you wouldn't disagree with
2 3 4 5 6 7 8	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every Norfolk Southern employee or contractor who was aware of any supposed aluminum in TILX 402025	2 3 4 5 6 7 8	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah. Q you wouldn't disagree with Norfolk Southern's written responses in this
2 3 4 5 6 7 8 9	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every Norfolk Southern employee or contractor who was aware of any supposed aluminum in TILX 402025 And you understand that's what	2 3 4 5 6 7 8 9	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah. Q you wouldn't disagree with Norfolk Southern's written responses in this case, correct?
2 3 4 5 6 7 8 9 10	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every Norfolk Southern employee or contractor who was aware of any supposed aluminum in TILX 402025 And you understand that's what I've been referring to as the "Trinity car,"	2 3 4 5 6 7 8 9 10	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah. Q you wouldn't disagree with Norfolk Southern's written responses in this case, correct? A. I don't have a reason to disagree.
2 3 4 5 6 7 8 9 10 11 12	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every Norfolk Southern employee or contractor who was aware of any supposed aluminum in TILX 402025 And you understand that's what I've been referring to as the "Trinity car," right?	2 3 4 5 6 7 8 9 10 11 12	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah. Q you wouldn't disagree with Norfolk Southern's written responses in this case, correct? A. I don't have a reason to disagree. Q. So it's true that at the time of
2 3 4 5 6 7 8 9 10 11 12 13	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every Norfolk Southern employee or contractor who was aware of any supposed aluminum in TILX 402025 And you understand that's what I've been referring to as the "Trinity car," right? A. Yes.	2 3 4 5 6 7 8 9 10 11 12 13	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah. Q you wouldn't disagree with Norfolk Southern's written responses in this case, correct? A. I don't have a reason to disagree. Q. So it's true that at the time of the vent and burn on February 6th, no Norfolk
2 3 4 5 6 7 8 9 10 11 12 13 14	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every Norfolk Southern employee or contractor who was aware of any supposed aluminum in TILX 402025 And you understand that's what I've been referring to as the "Trinity car," right? A. Yes. Q. Great.	2 3 4 5 6 7 8 9 10 11 12 13	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah. Q you wouldn't disagree with Norfolk Southern's written responses in this case, correct? A. I don't have a reason to disagree. Q. So it's true that at the time of the vent and burn on February 6th, no Norfolk Southern employee or contractor was aware of any
2 3 4 5 6 7 8 9 10 11 12 13 14	A. I do. Q. Have you seen this document before? A. If I did, I did not go into it in detail, if it's in this deck or not. Q. And if you could please turn to Page 15, Interrogatory Number 8. It reads that Identify every Norfolk Southern employee or contractor who was aware of any supposed aluminum in TILX 402025 And you understand that's what I've been referring to as the "Trinity car," right? A. Yes. Q. Great. or any of its components	2 3 4 5 6 7 8 9 10 11 12 13 14 15	I'd probably rely on the testimony or response. BY MS. BENAVIDES: Q. Right A. Yeah Q you would have A yeah. Q you wouldn't disagree with Norfolk Southern's written responses in this case, correct? A. I don't have a reason to disagree. Q. So it's true that at the time of the vent and burn on February 6th, no Norfolk Southern employee or contractor was aware of any aluminum in the Trinity car, right?
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	Page 238		Page 240
1	Southern employee or contractor would be aware of	1	assumes facts.
2	a specific aluminum-coated spring on the pressure	2	THE WITNESS: Yeah. I I don't
3	relief device of the Trinity car, right?	3	know the facts around it.
4	MS. PUJARI: Objection: form.	4	BY MS. BENAVIDES:
5	THE WITNESS: Yeah. I I I	5	Q. But you did agree that the coating
6	see nothing to the contrary.	6	played no role in Norfolk Southern's response,
7	BY MS. BENAVIDES:	7	right?
8	Q. Therefore, any coating did not play	8	MS. PUJARI: Objection: form.
9	any role in Norfolk Southern's decision-making	9	THE WITNESS: Unless there was
10	during its response to the derailment, right?	10	someone that we were not aware of that
11	MS. PUJARI: Objection: form;	11	knew about it, that's correct.
12	assumes facts.	12	BY MS. BENAVIDES:
13	THE WITNESS: Yeah. I that's	13	Q. I'm sorry. I don't know if I
14	outside of my area of expertise. I	14	understood.
15	don't I don't know.	15	Someone that Norfolk Southern
16	BY MS. BENAVIDES:	16	was not aware of?
17	Q. Well, you did agree that Norfolk	17	A. I believe it says that we we
18	Southern was not aware of the coating, correct	18	state and respond that no one was aware of it,
19	MS. PUJARI: Objection: form;	19	but I don't know for certain that that was
20	asked and answered.	20	comprehensive and accurate. But
21	BY MS. BENAVIDES:	21	Q. You're not certain if Norfolk
22	Q during the time of the vent and	22	Southern's responses in this case were accurate?
	Page 239		Page 241
1	burn?	1	A. I said
1 2	_	1 2	A. I said MS. PUJARI: Objection: form.
	burn?		A. I said
2	burn? A. I agree that's what it says here.	2	A. I said MS. PUJARI: Objection: form.
2 3	burn? A. I agree that's what it says here. Q. So, therefore, there would not be	2 3	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive
2 3 4	burn? A. I agree that's what it says here. Q. So, therefore, there would not be any way for something that Norfolk Southern	2 3 4	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive and accurate.
2 3 4 5	burn? A. I agree that's what it says here. Q. So, therefore, there would not be any way for something that Norfolk Southern didn't know about to have impacted its response	2 3 4 5	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive and accurate. BY MS. BENAVIDES:
2 3 4 5 6	burn? A. I agree that's what it says here. Q. So, therefore, there would not be any way for something that Norfolk Southern didn't know about to have impacted its response to the derailment, correct?	2 3 4 5 6	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive and accurate. BY MS. BENAVIDES: Q. But you have no reason to disagree
2 3 4 5 6 7	burn? A. I agree that's what it says here. Q. So, therefore, there would not be any way for something that Norfolk Southern didn't know about to have impacted its response to the derailment, correct? A. If we did not know about it, that's	2 3 4 5 6 7	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive and accurate. BY MS. BENAVIDES: Q. But you have no reason to disagree with Norfolk Southern's responses, right?
2 3 4 5 6 7 8	A. I agree that's what it says here. Q. So, therefore, there would not be any way for something that Norfolk Southern didn't know about to have impacted its response to the derailment, correct? A. If we did not know about it, that's correct.	2 3 4 5 6 7 8	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive and accurate. BY MS. BENAVIDES: Q. But you have no reason to disagree with Norfolk Southern's responses, right? A. I I have seen nothing that
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A. I agree that's what it says here. Q. So, therefore, there would not be any way for something that Norfolk Southern didn't know about to have impacted its response to the derailment, correct? A. If we did not know about it, that's correct. Q. And ultimately, the Trinity car was intentionally blown up in a vent and burn operation conducted by Norfolk Southern and its contractors on February 6, right? MS. PUJARI: Objection: form. THE WITNESS: I believe it was part of the vent and burn group of cars. BY MS. BENAVIDES: Q. And nothing about an aluminum coating on a spring within the properly	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive and accurate. BY MS. BENAVIDES: Q. But you have no reason to disagree with Norfolk Southern's responses, right? A. I I have seen nothing that concretely says that somebody was on the ground and knew about the presence of aluminum for this car. Q. And then if we could if you could please put that to the side. And if you can look back to Exhibit 17, which was the NTSB's Group Chair's Factual Report. Do you still have that handy? A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I agree that's what it says here. Q. So, therefore, there would not be any way for something that Norfolk Southern didn't know about to have impacted its response to the derailment, correct? A. If we did not know about it, that's correct. Q. And ultimately, the Trinity car was intentionally blown up in a vent and burn operation conducted by Norfolk Southern and its contractors on February 6, right? MS. PUJARI: Objection: form. THE WITNESS: I believe it was part of the vent and burn group of cars. BY MS. BENAVIDES: Q. And nothing about an aluminum coating on a spring within the properly functioning pressure relief device required	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive and accurate. BY MS. BENAVIDES: Q. But you have no reason to disagree with Norfolk Southern's responses, right? A. I I have seen nothing that concretely says that somebody was on the ground and knew about the presence of aluminum for this car. Q. And then if we could if you could please put that to the side. And if you can look back to Exhibit 17, which was the NTSB's Group Chair's Factual Report. Do you still have that handy? A. Yes. Q. And if you could please look to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I agree that's what it says here. Q. So, therefore, there would not be any way for something that Norfolk Southern didn't know about to have impacted its response to the derailment, correct? A. If we did not know about it, that's correct. Q. And ultimately, the Trinity car was intentionally blown up in a vent and burn operation conducted by Norfolk Southern and its contractors on February 6, right? MS. PUJARI: Objection: form. THE WITNESS: I believe it was part of the vent and burn group of cars. BY MS. BENAVIDES: Q. And nothing about an aluminum coating on a spring within the properly functioning pressure relief device required Norfolk Southern to blow up the stable Trinity	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A. I said MS. PUJARI: Objection: form. THE WITNESS: comprehensive and accurate. BY MS. BENAVIDES: Q. But you have no reason to disagree with Norfolk Southern's responses, right? A. I I have seen nothing that concretely says that somebody was on the ground and knew about the presence of aluminum for this car. Q. And then if we could if you could please put that to the side. And if you can look back to Exhibit 17, which was the NTSB's Group Chair's Factual Report. Do you still have that handy? A. Yes. Q. And if you could please look to Page 34.

	Page 242		Page 244
1	A. I'm here.	1	A. Correct.
2	Q. Great.	2	Q. And if you look to Norfolk
3	The last sentence of that	3	Southern's response, which is on the next page,
4	paragraph, which is discussing the equipment	4	Page 27, starting in the second paragraph, it
5	details of the Trinity car, notes that the	5	reads, Norfolk Southern admits that it is
6	protective housing cover was fabricated from	6	currently unaware
7	carbon steel.	7	Are you with me?
8	Do you see that?	8	A. I'm with you.
9	A. I do see that.	9	Q. Great.
10	Q. You have no reason to disagree with	10	that it's currently unaware
11	the NTSB's finding on that point, right?	11	of any Norfolk Southern employees who were aware,
12	MS. PUJARI: Objection: form.	12	between February 3rd, 2023 and the vent and burn
13	THE WITNESS: I have no reason to	13	on February 6th, 2023, of discrepancies between
14	disagree with it.	14	the AAR Form 4-2 for TILX 402025 and the tank
15	BY MS. BENAVIDES:	15	car's actual characteristics.
16	Q. Okay. I'm going to hand you now	16	Did I read that correctly?
17	what will be marked as Exhibit 19, I believe.	17	A. You did.
18	000	18	Q. And that's an accurate statement,
19	(Neikirk Deposition Exhibit Number	19	right?
20	19, Norfolk Southern's Responses	20	MS. PUJARI: Objection: form.
21	and Objections to Trinity's First	21	THE WITNESS: I have no reason to
22	Set of Requests for Admission,	22	to dispute it.
	Page 243		Page 245
1	marked for identification, as of	1	BY MS. BENAVIDES:
1 2	<pre>marked for identification, as of this date.)</pre>	1 2	BY MS. BENAVIDES: Q. Great.
		_	
2	this date.)	2	Q. Great.
2 3	this date.)000	2	Q. Great. You have not seen any evidence
2 3 4	this date.)o0o BY MS. BENAVIDES:	2 3 4	Q. Great. You have not seen any evidence in either Exhibit 6 or anything in the binder
2 3 4 5	this date.)000 BY MS. BENAVIDES: Q. And this is Norfolk Southern's	2 3 4 5	Q. Great. You have not seen any evidence in either Exhibit 6 or anything in the binder that would dispute that response, right?
2 3 4 5 6	this date.) 000 BY MS. BENAVIDES: Q. And this is Norfolk Southern's Responses and Objections to Trinity's First Set	2 3 4 5	Q. Great. You have not seen any evidence in either Exhibit 6 or anything in the binder that would dispute that response, right? MS. PUJARI: Objection: form.
2 3 4 5 6 7	this date.) 000 BY MS. BENAVIDES: Q. And this is Norfolk Southern's Responses and Objections to Trinity's First Set of Requests for Admission.	2 3 4 5 6 7	Q. Great. You have not seen any evidence in either Exhibit 6 or anything in the binder that would dispute that response, right? MS. PUJARI: Objection: form. THE WITNESS: Correct, although
2 3 4 5 6 7 8	this date.) 000 BY MS. BENAVIDES: Q. And this is Norfolk Southern's Responses and Objections to Trinity's First Set of Requests for Admission. Do you see that there on the	2 3 4 5 6 7 8	Q. Great. You have not seen any evidence in either Exhibit 6 or anything in the binder that would dispute that response, right? MS. PUJARI: Objection: form. THE WITNESS: Correct, although I'm unsure of what exactly was seen or
2 3 4 5 6 7 8	this date.) 000 BY MS. BENAVIDES: Q. And this is Norfolk Southern's Responses and Objections to Trinity's First Set of Requests for Admission. Do you see that there on the cover page?	2 3 4 5 6 7 8	Q. Great. You have not seen any evidence in either Exhibit 6 or anything in the binder that would dispute that response, right? MS. PUJARI: Objection: form. THE WITNESS: Correct, although I'm unsure of what exactly was seen or discussed on that e-mail that was had
2 3 4 5 6 7 8 9	this date.) 000 BY MS. BENAVIDES: Q. And this is Norfolk Southern's Responses and Objections to Trinity's First Set of Requests for Admission. Do you see that there on the cover page? A. I see that.	2 3 4 5 6 7 8 9	Q. Great. You have not seen any evidence in either Exhibit 6 or anything in the binder that would dispute that response, right? MS. PUJARI: Objection: form. THE WITNESS: Correct, although I'm unsure of what exactly was seen or discussed on that e-mail that was had been referenced earlier about
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	Page 246		Page 248
1	THE WITNESS: Yes.	1	standing order daily for you?
2	MR. GOMEZ: Plaintiffs have no	2	Thank you.
3	questions.	3	Everyone then has standing order
4	MR. ELLIS: Okay.	4	for daily and Monday delivery?
5	THE VIDEOGRAPHER: Off the record	5	MR. RHEINHEIMER: Yes.
6	for the day, or just go off the record?	6	MS. BROZ: Yes.
7	MR. ELLIS: As far as I know, off	7	MS. BENAVIDES: Yes.
8	the record for today, right?	8	CERTIFIED STENOGRAPHER: Okay.
9	MS. PUJARI: Yeah. We'll take	9	Thanks so much.
		-	manks so macm.
10	five minutes to see if we have any	10	(77)
11	questions of our own.	11	(Witness excused.)
12	THE VIDEOGRAPHER: Okay. The	12	
13	time is 1:17 p.m., and we're going off	13	(Deposition concluded at 1:26 p.m.
14	the record.	14	EST.)
15	000	15	
16	(Whereupon, a recess was taken from	16	
17	1:17 p.m. EST to 1:26 p.m. EST.)	17	
18	000	18	
19	THE VIDEOGRAPHER: The time is	19	
20	1:26 p.m., and we are back on the record.	20	
21	MS. PUJARI: Thank you for taking	21	
22	a moment.	22	
	Page 247		Page 249
1	Page 247 We do not have any further	1	Page 249
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2	We do not have any further questions and consider the deposition		CERTIFICATE
2 3	We do not have any further questions and consider the deposition closed.	2	CERTIFICATE I, Cindy L. Sebo, Nationally Certified Court
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	Page 2	250	Page 252
	INSTRUCTIONS TO WITNESS		INSTRUCTIONS TO WITNESS
1	Please read your deposition over		1 CHRISTOPHER REX NEIKIRK NO. 2024-931289 2 E R R A T A S H E E T
2	carefully and make any necessary corrections.		3 PAGE LINE CHANGE
3	You should state the reason in the appropriate		4 REASON FOR CHANGE:
4	space on the errata sheet for any corrections		5
5	that are made.		PAGE LINE CHANGE
6	After doing so, please sign the		6 REASON FOR CHANGE:
7	errata sheet and date it.		7
8	You are signing same subject to the		8 PAGE LINE CHANGE
9	changes you have noted on the errata sheet, which	1	10 DACE LINE CHANCE
10	will be attached to your deposition.	1	PAGE LINE CHANGE
11	It is imperative that you return		REASON FOR CHANGE:
12	the original errata sheet to the deposing		12
13	attorney within thirty (30) days of receipt of	1	14 REASON FOR CHANGE:
14	the deposition transcript by you. If you fail to	1	
15	do so, the deposition transcript may be deemed to		PAGE LINE CHANGE
16	be accurate and may be used in court.	1	16 REASON FOR CHANGE:
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	Page :	251	Page 253
	INSTRUCTIONS TO WITNESS	251	Page 253 ACKNOWLEDGMENT OF WITNESS
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1 2 3	INSTRUCTIONS TO WITNESS		ACKNOWLEDGMENT OF WITNESS
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