

<p style="text-align: right;">Page 10</p> <p>1 roof redone.</p> <p>2 Q How did you know you had roof damage?</p> <p>3 A We had leaks inside our home that we had to have 4 repaired.</p> <p>5 Q Where were the leaks?</p> <p>6 A There were several leaks in the skylights. We 7 have three skylights, and all three skylights were 8 leaking. There was also a leak in the -- we call it like 9 the Florida room. It's like an offshoot of our living 10 room. And there was also a leak in the living room coming 11 out of -- I think it was the smoke detector area. And 12 then there was one in our daughter's room and one in our 13 son's room, too.</p> <p>14 Q Do you know what caused those leaks?</p> <p>15 A It was damage to the roof caused by different 16 storms. There was one particular hurricane, I guess, that 17 we were saying was when most of the damage occurred.</p> <p>18 Q Did you relay all of that information to 19 Mr. Goldberg?</p> <p>20 A Yes. And he walked around inside the house and 21 looked at all of the damage.</p> <p>22 Q Other than explaining the damage, showing the 23 damage to Mr. Goldberg, did you and Mr. Goldberg talk 24 about anything else of substance besides small talk?</p> <p>25 A Yes. He explained to us that they have a team of</p>	<p style="text-align: right;">Page 12</p> <p>1 point, I think Gary Goldberg no longer worked there, so 2 Adam came over, and he discussed basically the same thing 3 that Gary had. And at that time, we did sign paperwork 4 with him.</p> <p>5 Q I have turned the share screen back on, and I put 6 a document on the screen. Just for your information, this 7 is attached to the amended complaint that you filed on 8 January 5, 2021.</p> <p>9 Is this a copy of the document that you signed 10 that day?</p> <p>11 A I think it's one of them, but there was --</p> <p>12 Q Is that your signature in the lower left?</p> <p>13 A Yes. Yes, it is.</p> <p>14 Q I'm sorry, I interrupted you. You were saying?</p> <p>15 A No. I just was saying that that's one of the 16 documents that we signed. I don't know if it was that 17 day. But there's another document. That one.</p> <p>18 Q I see on this first document -- Actually, let's go 19 back a step.</p> <p>20 MR. THALWITZER: Let's enter this amended 21 complaint as Exhibit 2, please.</p> <p>22 (Defendant's Exhibit No. 2 was marked for 23 identification.)</p> <p>24 Q (By Mr. Thalwitzer) So going back to the first 25 document I showed you. I'm going to call this an</p>
<p style="text-align: right;">Page 11</p> <p>1 lawyers who deal with the insurance companies, and if 2 there's a named storm involved, that it can't be -- the 3 insurance company has to repair the roof within a certain 4 time period; and they, you know, just told us exactly how 5 their team of lawyers works with the insurance company and 6 gets the roof redone.</p> <p>7 Q Did he have a contract for you to sign?</p> <p>8 A I don't believe we signed any contract at that 9 time because we wanted to discuss it with each other.</p> <p>10 Q You and Mr. Welsh?</p> <p>11 A Yes.</p> <p>12 Q Was anyone else present when Mr. Goldberg came 13 over that first time, besides yourself?</p> <p>14 A No.</p> <p>15 Q Approximately how long, if you recall, was he at 16 your house?</p> <p>17 A At the most, it would have been an hour, I would 18 say.</p> <p>19 Q When was the next time you communicated with 20 Mr. Goldberg or anyone with SFR?</p> <p>21 A The next time, I don't know when it was, but -- 22 gosh. I mean, most of the dealings were then held -- Bob 23 did most of the dealings, but I think the next time 24 somebody named Adam, I think his last name is McConnell, 25 came over as a representative of the company. At that</p>	<p style="text-align: right;">Page 13</p> <p>1 Assignment of Benefits or AOB. The date on this appears 2 to be November 13, 2018.</p> <p>3 Do you see that?</p> <p>4 A Uh-huh.</p> <p>5 Q I'm sorry, I have to confirm. Is that a yes?</p> <p>6 A Yes. I'm sorry.</p> <p>7 Q No problem. I know it's a normal way of talking, 8 but for depositions, it doesn't work very well.</p> <p>9 Does that reflect the date that you signed this 10 document?</p> <p>11 A Yes.</p> <p>12 Q And this next document, is that your signature 13 again on the lower left of this document?</p> <p>14 A Yes, it is.</p> <p>15 Q And this is Exhibit 2 to your amended complaint. 16 The date on this, at least next to Mr. Welsh's name, is 17 August 16, 2019. Next to your name, it says "August 16" 18 but without a year. And I'm not trying to trick you or 19 anything, but the dates do appear to be significantly 20 apart.</p> <p>21 So are you sure that you signed both of these at 22 the same time?</p> <p>23 A I guess, based on those dates, we did not. To the 24 best of my memory, maybe the first one was signed with 25 Gary Goldberg. Although, I don't know why we would have</p>

<p style="text-align: right;">Page 14</p> <p>1 signed anything with him, you know, just meeting with him      2 one time. It would be a pretty big commitment. But      3 perhaps. But the second one was with a meeting with Adam.      4 Q When you say "second one," I'm going to -- I'll      5 call this one a Bill of Sale. It's kind of what it's      6 called.</p> <p>7 So when you say "second one," are you referring to      8 this document here, the Bill of Sale?</p> <p>9 A Yes.</p> <p>10 Q Going back to the first document, the AOB, when      11 you signed it, did you understand what it was that you      12 were agreeing to?</p> <p>13 A I believe so, yes.</p> <p>14 Q What was your understanding? Just generally. I      15 don't need legal, you know.</p> <p>16 A That we were engaging in a contract with SFR      17 Services to repair our roof and it would go through their      18 process of them dealing directly with the insurance      19 company.</p> <p>20 Q And did you understand that SFR would be paid      21 by -- essentially paid by insurance if insurance indeed      22 paid?</p> <p>23 A Yes. But we were also told at the time that any      24 checks that were paid to SFR would require our signature      25 as well as theirs, so it was like a three-party check</p>	<p style="text-align: right;">Page 16</p> <p>1 than what you have already told me?</p> <p>2 A I can't think of what else he possibly would have      3 said. No. I think I've covered it.</p> <p>4 Q I take it that you, Mr. Welsh, and Mr. McConnell      5 were there; is that correct?</p> <p>6 A Yes.</p> <p>7 Q Was anyone else there that you can remember?</p> <p>8 A No.</p> <p>9 Q When was the next time that you communicated with      10 anyone from SFR?</p> <p>11 A I probably did not. And probably -- then Bob      12 handled most everything. I backed out of it at that      13 point.</p> <p>14 Q So after that meeting where you signed the AOB and      15 possibly another document, as far as you can recall, you      16 didn't communicate with SFR after that point?</p> <p>17 A Not that I recall, no.</p> <p>18 Q At some point, did you come to learn, perhaps      19 indirectly, that your insurance company had agreed to pay      20 for your insurance claim?</p> <p>21 A Yes.</p> <p>22 Q How did you learn that?</p> <p>23 A I'm not exactly sure. I don't recall.</p> <p>24 Q I take it that at some point after that, after      25 your insurance company agreed to pay the claim, SFR</p>
<p style="text-align: right;">Page 15</p> <p>1 endorsement policy.</p> <p>2 Q Did you read this AOB before signing it?</p> <p>3 A I'm sure I did. I don't recall that I did, but      4 knowing myself, I probably did.</p> <p>5 Q And the second document, again, that I'm calling a      6 Bill of Sale, did you read this before you signed it?</p> <p>7 A Yes.</p> <p>8 Q What did you understand this document -- what did      9 you understand to be the purpose of this document?</p> <p>10 A It was a contract that we were engaging in with      11 SFR Services to repair our roof as well as interior      12 damages and the skylights, the vents, the soffits, the      13 fascia, that they were going to repair all of that.</p> <p>14 Q And the next page -- and I realize this is a      15 little bit small.</p> <p>16 Is it your understanding that this is the back      17 page to the Bill of Sale?</p> <p>18 A Yes.</p> <p>19 Q We will talk about this next document later on.      20 Let's go back to -- I guess it would have been the second      21 meeting, which was Adam McConnell. Is that correct?</p> <p>22 A Yes.</p> <p>23 Q I think you testified that you signed at least      24 this document, we will call it the AOB, at that time.</p> <p>25 Did Mr. McConnell say anything else to you other</p>	<p style="text-align: right;">Page 17</p> <p>1 notified you that it was going to begin work?</p> <p>2 A Yes.</p> <p>3 Q Based on what you have already testified, I assume      4 that they didn't communicate that to you directly; is that      5 correct?</p> <p>6 A Correct. Yes, that's correct.</p> <p>7 Q Did SFR, in fact, begin work on your house at some      8 point?</p> <p>9 A Well, it's not -- I mean, it's a technicality, but      10 it's not really SFR. I believe that they sub it out. And      11 there's a company called Steve Frontera that started work.</p> <p>12 Q Do you recall when that happened, when Frontera      13 started work?</p> <p>14 A No, I do not.</p> <p>15 Q Does this Bill of Sale accurately describe the      16 work that Frontera was to do?</p> <p>17 A Yes.</p> <p>18 Q I'm sorry, I think I turned the share screen off.      19 I'm pointing to it without it being visible.</p> <p>20 I'm referring to this document that was previously      21 on the screen.</p> <p>22 Does this accurately --</p> <p>23 A Yes.</p> <p>24 Q -- reflect the work that Frontera was to do?</p> <p>25 A Yes.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q And did Frontera do that work?</p> <p>2 A Not all of it, no.</p> <p>3 Q What didn't they do?</p> <p>4 A They did not do any interior work that was specified, and I don't believe they did the soffits and the fascia. I think somebody else ended up doing it after some disagreement about what should have been done.</p> <p>8 Q Did someone else do the interior work?</p> <p>9 A No.</p> <p>10 Q Why is that?</p> <p>11 A Because SFR decided not to do it after the incidents happened with the fascia and the soffits. They stopped communicating with us.</p> <p>14 Q I think that you said that someone else did the soffits and fascia besides Frontera; is that correct?</p> <p>16 A To the best of my knowledge. But as I have said, I was not really involved in the process. I'm only -- you know, just what I heard through my husband Bob.</p> <p>19 Q You referred to an incident, I think. Can you tell me what you are referring to there?</p> <p>21 A They didn't want to -- They, being SFR Services, did not want to replace the soffits and the fascia, which was originally specified on that contract, and so there was a lot of back and forth and arguments and, you know, disagreement on that.</p>	<p style="text-align: right;">Page 20</p> <p>1 A Not that I recall.</p> <p>2 Q And just to be clear, I'm trying to figure out what you sort of were involved with, what you know and what you don't. I don't want to ask dozens of questions just to have you say "I don't know anything." I'm trying to figure out the parameters of what you know. Hopefully, it will make this a shorter deposition.</p> <p>8 I think earlier you testified about insurance checks and that it was your understanding that the checks would be made out to both SFR and you and Mr. Welsh; is that correct?</p> <p>12 A Yes.</p> <p>13 Q And I take it, from your answer, that that did not happen?</p> <p>15 A Correct. It did not.</p> <p>16 Q So what did happen?</p> <p>17 A We -- Along the way, we thought -- When they weren't completing the interior, we kept saying to each other, Oh, that's okay. They are not going to get paid until -- we are not going to sign this check that we are supposed to be getting until everything is done.</p> <p>22 And then we found out that they had gotten the check, and we never saw a check, and so that wasn't -- that information that they had told us was not correct, so --</p>
<p style="text-align: right;">Page 19</p> <p>1 Q Do you know if any of the -- if there are any written communications about that, specifically SFR not wanting to replace the soffits and fascia?</p> <p>4 A I don't know if there was written communications not wanting to. There is written communications that they said that they would.</p> <p>7 Q Give me a moment, please.</p> <p>8 I want to get into that, but first I want to make sure that we are done with the other subject.</p> <p>10 Did you have any involvement -- and I know that that's sort of a vague term, but I'll clarify it.</p> <p>12 Did you have any involvement in communicating, either with SFR or any third party, about the soffit and fascia incident or issue?</p> <p>15 A No.</p> <p>16 Q Was that handled by Mr. Welsh?</p> <p>17 A Yes.</p> <p>18 Q At least up to the point when you hired an attorney, was it basically Mr. Welsh handling that by himself?</p> <p>21 A Yes.</p> <p>22 Q Were you present during any discussions, whether on the phone or in person, with either SFR or any other third parties about the incident? And, again, besides anything with your lawyer.</p>	<p style="text-align: right;">Page 21</p> <p>1 Q Did you end up -- Actually, let me turn the share screen back on. I have gone back to the amended complaint, which is Exhibit 2. I would like to ask you some questions about the allegations in here.</p> <p>5 Have you read this document before today?</p> <p>6 A Yes, I have.</p> <p>7 Q And do you know if the allegations in it are correct?</p> <p>9 A Yes, I believe they are. Yes.</p> <p>10 Q Some of this we have already gone over. But some of it, I don't think we have quite yet.</p> <p>12 Under No. 8 here, it's in the middle of the screen, I'll read that out loud. It says, "Defendant," and that's SFR, "subsequently agreed to replace the roof and perform additional work necessary to return the residence to its pre-loss condition for all insurance proceeds, i.e., for whatever amount of money was issued by Plaintiffs' homeowner's insurance carrier in connection with the claim assigned by Plaintiffs to Defendant. While the language of the contract indicates that Plaintiffs were responsible for their deductible, \$4,500, Defendant represented to Plaintiffs that they would not collect this amount. A true and correct copy of the contract between Plaintiffs and Defendant is attached as Exhibit 2."</p> <p>25 My question is about the deductible portion of</p>

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1 this allegation. If you know, who made that 2 representation that's alleged in here that SFR would not 3 collect the deductible?	1 A Okay. 2 Q Have you seen this before? 3 A Yes.
4 A Adam McConnell. 5 Q When did he make that representation? 6 A When we met with him and signed the contract, that 7 was the first time I heard of it. I think that he made 8 other references to it subsequent to that. 9 Q Do you remember exactly what he said? 10 A He said that -- and, you know, this is to the best 11 of my knowledge -- that we would not be required to pay 12 that \$4,500, that there's enough money in the claim that 13 they would not require us to pay that.	4 Q And did you see it on or around January 6, 2021? 5 A Yes. I would assume so. 6 Q And did you understand that this release and 7 waiver of lien that was enclosed with the letter 8 eventually got rid of the lien that had been recorded 9 against your house? 10 A Yes. 11 Q Now, it's my understanding that you were trying 12 to, I believe, pay off the mortgage on your house at some 13 point; is that correct?
14 Q Was that before or after you signed the document 15 or documents that you signed that day? 16 A I'm unsure as to the exact time when he said it. 17 Q Did anyone else besides Adam McConnell indicate 18 that Plaintiffs would not collect the deductible -- excuse 19 me, that SFR would not collect the deductible? 20 A No, not that I recall. 21 Q Do you know whether anything from SFR in writing 22 indicated that they would not collect the deductible? 23 A Not to my knowledge. 24 Q I take it that you are aware that, at some point, 25 a claim of lien was recorded against your property?	14 A Not pay it off. Refinance it. 15 Q When was it that you tried to refinance the 16 mortgage on your house? 17 A I don't have a date. It was, again, handled by 18 Bob, Mr. Welsh. 19 Q Was there a particular reason why you wanted to 20 refinance? 21 A To get the lower interest rate. 22 Q Do you know what your interest rate was at the 23 time? 24 A No, I do not. 25 Q Do you know what lower interest rate you were
Page 23	Page 25
1 A Yes. 2 Q And is that claim of lien Exhibit 3 to your 3 amended complaint, which I have put on the screen right 4 now? 5 A Yes. 6 Q When did you become aware of the claim of lien? 7 I'll turn the share screen off. 8 A We received it in the mail. I don't know what 9 time -- I don't know the exact date. 10 Q Are you aware that this claim of lien has been 11 canceled? 12 A Yes, I am. 13 Q When did you become aware that it was canceled? 14 A I don't know an exact date. 15 MR. THALWITZER: I'll put a document on the 16 screen. Let's make this Exhibit 3, please. 17 (Defendant's Exhibit No. 3 was marked for 18 identification.) 19 Q (By Mr. Thalwitzer) Have you seen this letter 20 before? There's an enclosure, so I can go down whenever 21 you are ready. 22 A I don't see anything. 23 Q I'm sorry. I turned it off. I keep doing that. 24 Okay. You should be able to see a letter dated 25 January 6, 2021.	1 trying to get or would have been able to get? 2 A No, I do not. 3 Q Were you involved in the refinancing process? 4 A No. 5 Q Mr. Welsh was handling that? 6 A Correct. 7 Q Have you tried to refinance your mortgage since 8 receiving the January 6, 2021, letter indicating that the 9 lien was released? 10 A Yes. 11 Q Have you been successful? 12 A Yes. 13 Q When did you end up refinancing your mortgage? 14 A I don't recall. 15 Q Can you estimate? 16 A No. Sorry. I would be completely guessing. 17 Q Have you been financially harmed by the recording 18 of the claim of lien? 19 A Yes. 20 Q How? 21 A We would have benefited from the lower mortgage 22 rate at the time; and then, afterwards, we weren't able to 23 get that same rate. 24 MR. STERN: I'm going to object. She can answer, 25 but it also calls for a legal conclusion.