

# TextMap Search Report

Case Name: Hawkins

Search: accident

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## Deposition of Philip Hawkins pg 8 ln 13 - pg 9 ln 12

8:13 Q When you completed that program, were you  
14 then a highway patrol officer, or did you have to go  
15 through further training or education?  
16 A You were considered a trooper. You still  
17 had to complete a short in-service training under a  
18 field training officer when you reported to the field.  
19 Q Approximately how long would that have  
20 taken?  
21 A About 30 days.  
22 Q And then were you still considered a trooper  
23 at that point, or did you have a different title?  
24 A No, ma'am; it's trooper.  
25 Q At the time of your accident, were you also  
9: 1 a trooper or had your title changed?  
2 A Corporal.  
3 Q How did you get from trooper to corporal?  
4 How did you make that transition? What were the steps  
5 along the way?  
6 A With the Florida Highway Patrol, a corporal  
7 -- the duties and responsibilities are that of a  
8 traffic homicide investigator.  
9 Once you've been on the patrol for two  
10 years, you can take a promotional examination. Based  
11 on your numerical score on the promotional  
12 examination, you can elect to promote to the rank of

## Deposition of Philip Hawkins pg 9 ln 23 - pg 11 ln 1

9:23 municipality, enforce traffic law, investigate  
24 crashes, apprehend fugitives; just the duties of a  
25 state trooper.  
10: 1 Q Okay. And then, when you became corporal in  
2 1988, what were your duties and how had they changed  
3 from being a trooper?  
4 A The traffic homicide investigator does not  
5 routinely work the road, the highway. On holidays,  
6 weekends, special occasions, you may be selected to  
7 participate in enforcement details.  
8 Ninety percent of what I do is strictly  
9 investigate fatal crashes.  
10 Q At the time of this accident that we're here  
11 about today, you were obviously called to a scene on  
12 that day, is that correct, the scene of a fatal  
13 accident?  
14 A No, ma'am, it wasn't a fatal accident.  
15 Q It was not?  
16 A No, ma'am.  
17 Q Okay. So just tell me what happened on that  
18 day. How did it come to be, first of all, that you  
19 arrived at that location?

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## Deposition of Philip Hawkins pg 9 ln 23 - pg 11 ln 1 continued...

10:20 A On the morning of this wreck, I heard the  
21 dispatcher dispatch another trooper to the wreck. I  
22 was fairly close by. I monitor emergency medical  
23 services and the fire department in my patrol car.  
24 They were on the scene and they were asking for an  
25 expediated response for us due to the highway being  
11: 1 blocked.

## Deposition of Philip Hawkins pg 13 ln 7 - pg 14 ln 6

13: 7 remember the year. I believe it was a '99 or a 2000  
8 model.  
9 Q Do you have an idea as to how fast the car  
10 was going when it struck you?  
11 A Ma'am, I'm going to guess 35 to 45 miles an  
12 hour.  
13 MR. ARNDT: Object to form.  
14 BY MS. ONOFREY:  
15 Q Do you know, though, as you were setting the  
16 flares, had the traffic slowed down, or was it still  
17 going -- had the traffic slowed down compared to what  
18 you would typically see on a highway without an  
19 accident?  
20 A No, ma'am; it had to be at a slower pace.  
21 Q And at the time that you -- first of all,  
22 describe the impact for me. Where did the car impact  
23 with your body?  
24 A Along my left side and back.  
25 Q At the time of impact, what did your body  
14: 1 do? You said you were on the hood of a car. You were  
2 thrown backwards onto the hood?  
3 A Yes, ma'am. I went onto the hood of the  
4 car. I basically rode the car 'till the car was  
5 stopped or nearly stopped. I then rolled off of the  
6 fender and landed on the paved shoulder.

## Deposition of Philip Hawkins pg 18 ln 13 - pg 19 ln 12

18:13 A Yes, ma'am.  
14 Q You weren't going anywhere away for a week  
15 at a time, you were just going to go back and forth to  
16 the hunting club?  
17 A Yes, ma'am.  
18 Q Did you do that at all during that week  
19 prior to your father's birthday?  
20 A No, ma'am.  
21 Q And you didn't go on a camping trip or  
22 anything like that?

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## Deposition of Philip Hawkins pg 18 ln 13 - pg 19 ln 12 continued...

18:23 A No, ma'am.  
24 Q Had you been camping at all between the time  
25 of the accident and your father's birthday party?  
19: 1 A No, ma'am.  
2 Q What did you do the -- you were off the  
3 18th? Were you actually off the 18th, or was that --  
4 A No, ma'am; I worked the 18th.  
5 Q So the 19th was your first day off?  
6 A Yes, ma'am.  
7 Q And then the 20th was the birthday party.  
8 What did you do on the 19th?  
9 A Stayed home.  
10 Q Do you recall what you did while you were at  
11 home?  
12 A No, ma'am.

## Deposition of Philip Hawkins pg 25 ln 10 - pg 26 ln 9

25:10 you wanted to have the surgery done by?  
11 A When I started having difficulties with  
12 worker's comp, I contacted Arndt & Arndt and, in  
13 talking with them --  
14 MR. ARNDT: I'm going to object to  
15 attorney-client privilege information.  
16 BY MS. ONOFREY:  
17 Q You don't have to tell me what they told you  
18 or any conversations you had with them. I'll just  
19 leave it at that.  
20 A Okay.  
21 Q Had you ever seen Dr. Garcia prior to this  
22 accident?  
23 A No, ma'am.  
24 Q Then you ended up having the surgery by Dr.  
25 Garcia, and that was approximately when?  
26: 1 A February the 29th.  
2 Q That one you know, right?  
3 A (Nods head affirmatively.)  
4 Q And obviously this entire time up to that  
5 point, from the coughing episode to February 29th, you  
6 did not work.  
7 A No, ma'am.  
8 Q You did work?  
9 A No, ma'am, I did not.

## Deposition of Philip Hawkins pg 27 ln 17 - pg 31 ln 1

27:17 He put me on physical therapy for well over  
18 a month. Most of what I've done since then has either

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### Deposition of Philip Hawkins pg 27 ln 17 - pg 31 ln 1 continued...

27:19 been with physical therapy or by telephone.  
20 Q To your knowledge, has he released you yet,  
21 or are you still actively scheduled to see him, or has  
22 he said: Look, see me as needed?  
23 A Basically, see me as needed.  
24 Q Are you still undergoing physical therapy,  
25 or has that stopped?  
28: 1 A No, ma'am.  
2 Q Other than being seen at the emergency room  
3 on the two times that you mentioned, the initial day  
4 that the **accident** happened and then the day after your  
5 father's birthday party, and being seen by Dr.  
6 Nasrullah, Dr. Padget, Dr. Wiss and Dr. Garcia,  
7 have you been seen by any other health care provider  
8 for this injury?  
9 A No, ma'am.  
10 Q Following the 2/29 surgery, when did you  
11 first return to work?  
12 A Ma'am, I believe it was on May -- it was  
13 either May 1st or May 15th.  
14 Q Since that time, whatever date it was,  
15 sometime in May --  
16 A Around the 1st of May.  
17 Q -- you've been working full time regular  
18 duty?  
19 A No, ma'am. I was on what we call light duty  
20 from May 1st to June the 15th.  
21 Q Did you receive your regular rate of pay  
22 during that time --  
23 A Yes.  
24 Q -- or was it reduced? It was regular?  
25 A Yes, ma'am.  
29: 1 Q The same pay you were receiving at the time  
2 the **accident** occurred?  
3 A Yes, ma'am.  
4 Q Are you on salary?  
5 A Yes, ma'am.  
6 Q What was your salary at the time of the  
7 **accident**?  
8 A Ma'am, I'd have to -- my base salary is just  
9 over \$36,000 a year.  
10 Q And then do you get something over and above  
11 your base salary?  
12 A Yes, ma'am. We have a state hire-back  
13 program where I work overtime. Back then we were  
14 working roughly one day a week of that, which would be  
15 a six-hour shift.  
16 Q And those were the only elements of your  
17 pay, salary plus overtime?  
18 A Yes, ma'am.  
19 Q Was health insurance provided by the State,

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### Deposition of Philip Hawkins pg 27 ln 17 - pg 31 ln 1 continued...

29:20 or did you pay for your own health insurance at the  
21 time? You know, around the time of the **accident**, were  
22 you paying out of your own pocket for health  
23 insurance, or was your employer paying for it?

24 A Well, it's a benefit package of the State.  
25 Since my wife and I are both State employees, we fall  
30: 1 under a special provision with Blue Cross & Blue  
2 Shield where we do not pay anything out of our pocket.

3 Q When you were -- and I may have asked you  
4 this and I think you answered it, but between May 1st  
5 and June 16th, when you were doing light-duty work,  
6 you were receiving your regular pay?

7 A Yes.

8 Q Were you working your regular hours?

9 A I was working eight hours a day. We don't  
10 have set regular hours, ma'am.

11 Q But your schedule hadn't really changed  
12 since before the **accident**. I mean, you returned  
13 working the same type of hours that you were doing  
14 before the **accident**?

15 A No, ma'am. When you're on full duty, you  
16 work shifts. When I was working light duty, I was  
17 assigned to the office, and I worked basically 8:00 to  
18 5:00, Monday through Fridays, with Saturdays and  
19 Sundays off.

20 Q What type of work were you doing in the  
21 office?

22 A Clerical duties, answering telephone, legal  
23 questions.

24 Q Between the time of your last day of work on  
25 the 18th of January and when you returned on May 1st,  
31: 1 or whenever it was in May, did you receive a paycheck

### Deposition of Philip Hawkins pg 33 ln 18 - pg 34 ln 23

33:18 A I believe that to be his insurance carrier.

19 Q So what you just mentioned was pertaining to  
20 the vehicle that hit you?

21 A Yes.

22 Q Okay. Do you know, have you actually filed  
23 a lawsuit, or are you trying to settle without filing  
24 lawsuit?

25 A Without; trying to settle.

34: 1 Q But you haven't settled it yet?

2 A No, ma'am.

3 Q Had you ever had a back injury or any  
4 complaints relating to your low back prior to this  
5 **accident**?

6 A No, ma'am.

7 Q Have you ever had an injury on the job prior

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## Deposition of Philip Hawkins pg 33 ln 18 - pg 34 ln 23 continued...

34: 8 to this accident?  
9 A No, ma'am.  
10 Q Have you had any accidents involving  
11 personal injury since this accident?  
12 A No, ma'am.  
13 Q Who is your primary care physician under  
14 your health insurance?  
15 A I really don't have one.  
16 Q Had you ever had one?  
17 A No, ma'am.  
18 Q You really haven't had to go to the doctor  
19 for any reason, say, in the past five years?  
20 A No, ma'am.  
21 Q Other than this surgery that you had on  
22 February 29th, have you had any other surgeries in  
23 your lifetime?

## Interview Notes pg 11 ln 18 - pg 12 ln 17

11:18 if they are unsure of the proper name to use  
19 for a particular person, organization, or document. Naming  
20 consistency requires a little more work up front, but it quickly  
21 delivers a handsome return.  
22 USE FUZZY DATES  
23 If possible, substitute question marks for portions of a  
24 date of which you're unsure.  
25 As you build a chronology, you'll find yourself with many  
12: 1 facts for which you have incomplete date information. For  
2 example, you may know that a meeting took place in March of 1999,  
3 but have no idea as to the day within March. Or you may know that  
4 a contract was signed sometime in 1998, but have no idea of the  
5 month or day. And you may know the accident took place in the 7  
6 o'clock hour, but not know the minute or second.  
7 What's the best way to deal with this problem when entering  
8 dates? Make it your practice to substitute a question mark for  
9 the portion of the date or time of which you're unsure. Using  
10 this simple tactic: March of 1999 becomes 3/?/99, sometime in  
11 1998 becomes ?/?/98, and sometime in the 7 o'clock hour becomes  
12 7:??.  
13 We call this practice "fuzzy dating." Fuzzy dating allows  
14 you to capture what you do know about a date and makes what you  
15 don't know explicit. Fuzzy dating makes it easy to identify facts  
16 needing date research. When you obtain better information, you  
17 can return to the fact and update its date and time value.