

TextMap Search Report

Case Name: Hawkins

Search: accident

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.