

DEPOSITION DIGEST OF (---)

Page

- 4 The (---) attorney clarified whether Ms. (---) understood the purpose of the proceedings.
- 5 He informed her that even though he will pose his questions in English, she should wait to hear it translated into Spanish before attempting to answer. She was instructed on counsel's expectations regarding giving exact as opposed to approximate answers.
- 6 Ms. (---) was instructed on the procedure for answering for the benefit of the court-reporter and the translator. Also, that she can return to give an answer to an earlier question if she later recalls the correct information.
- 7 The (---) clarified with the witness her understanding of what it means to be "under oath" and to testify truthfully.
- 8 Ms. (---) testified that she arrived at (---)'s new house sometime after dark on Monday, (---), (---), but did not enter into the house. Her sister (---) drove her. She was also there the previous Friday with her sister (---), but only went inside the garage.
- 9 She was helping (---) move some bags to the house on Friday afternoon, (---). She thought that the bags contained (---)'s daughter's belongings, but she wasn't sure. She thought the garage had a door.
- 10 Ms. (---) thought that the garage door was closed when they arrived, but she couldn't say for certain. She only remembered that at some point later, the door was open. She and (---) each put 2-3 bags inside the garage. (---) was the one who drove to the house. (---) did not see the address.
- 11 When they left the house that day, Ms. (---) had a general idea of where the house was located, but she still did not know the address. She did not know if (---) had the keys to the house with her that day. (---) said they only needed to move some bags, so they did not go inside and she was not particularly curious to see it since she was expecting to be helping (---) at the house on (---) with some cleaning and unpacking.
- 12 Ms. (---) said that she anticipated dusting-type cleaning at the house and that no mention was ever made of cleaning rugs and carpets. She did not know anything about electricity at the house. She never went inside and the subject never came up. (---) spoke in generalities about installing a phone, etc, but no specific mention was made about electricity. When they were at the house on (---), it was afternoon and there was no need for lights, so it never came up whether there was electricity there or not. (---) never mentioned it.
- 13 When Ms. (---) and her sister (---) arrived at the house on the evening of (---), she did not know anything about a generator at the house. When she left (---)'s house to return to (---)'s that night, she knew nothing at all about a generator or a carpet cleaner at the house. She did speak with the policemen who were there. She said she "fought" with them because they wouldn't tell them anything.

- 14 Ms. (---) never discussed with the police anything about a generator or a carpet cleaner at the house since she did not know they were there. They were told that there was a “poison” of some kind, but it was not understood that it had anything to do with machinery in the house.
- 15 Although her memory is unclear because of the circumstances, she is sure that she never heard about a generator or a carpet cleaner and did not know of her sister’s trip to (---) until sometime after (---). The witness’s full name is (---). She lives at (---) Street in (---), Pennsylvania (---).
- 16 She has lived at this address with her sister and her family since (---) bought the house. She wasn’t sure how long it had been. She’s (---) years old and was born (---) in (---). She came to the United States around (---) with her sister (---). She completed her education at the end of 7th grade.
- 17 She came to the US to “get a better education.” For the first few weeks, she and (---) stayed with their sister (---) in (---), California. After that, they moved to (---), Pennsylvania to be with their sister (---).
- 18 Ms. (---) refused to answer any questions put to her regarding her immigration status. She said she had a “case pending.”
- 19 She attended 8th grade at (---) Middle School in (---), Pennsylvania in (---) and went on to finish high school.
- 20 Ms. (---) graduated from (---) High School in (---). Until she can afford to go to college, she has been taking one or two classes at “(---).” Her classes from 8th to 12th grade were done with translators. She still doesn’t feel “competent” in English.
- 21 Before (---), she had never had any experience with, or use for, any gas-powered equipment. She did not drive a car, but knew others who did. She was aware that fumes come out of automobile exhaust and “imagined” that it could be dangerous.
- 22 Ms. (---) said she knows now what carbon monoxide is, but she did know before (---), (---). She took basic science courses in school, but she did not remember anything specifically about carbon monoxide. She got As and Bs in school and took some college classes on the side. Her only employment consisted of babysitting.
- 23 She said she was paid for the babysitting, but otherwise has not been gainfully employed.
- 24 Ms. (---) said (---) told her a few days before (---) that she had bought a house, but she had never been there until that Friday. She said her sister was very happy that they were getting their own house. (---) told her sister that the house was big and pretty with a large yard and that she would be impressed when she saw it. No mention was made of carpets.
- 25 She said her sister indicated that she was going to move small things beforehand and get a truck to move the larger items, but that she did not discuss how the furniture would fill the house. They were only at the house that Friday about fifteen minutes, as long as it took to unload the bags. It was on that day that (---) asked her about coming to help clean on (---). No specific time was discussed.
- 26 Ms. (---) thought that since the (---)th is Christmas for them, they would

- not be very long at the house. She knew that a dinner was planned at (---)'s because they have it every year, but no specific time was set for it. When everyone was there, they would sit to eat. There was an understanding that one of the sisters would pick (---) up.
- 27 Ms. (---) said she was living with (---), but did not remember if she told her that she was supposed to be helping (---) with the cleaning on the 24th. She also did not remember if she told (---) about it.
- 28 She never discussed those plans with (---) at all. Between (---) and (---), (---)'s boyfriend (---) had a car accident. The children's presents were in the car when it was taken away to a garage. They were told they could come to get them on Monday, so she was out with him taking care of that business instead of going to help (---).
- 29 (---) lived in their neighborhood, but they no longer have a relationship. His accident occurred on either (---) or (---). She told (---), she thought by telephone, on (---), that she could not come and help her. She didn't recall where she was when she had the conversation. Sometimes she stayed at her boyfriend's.
- 30 She might have been at his house the night between Sunday and Monday. She remembered that she called (---) on the (---) and that it was in the morning, but didn't recall the time precisely. She didn't know where (---) was when she took the call. She didn't say.
- 31 Ms. (---) thought that (---) would be coming by (---)'s house at some point on the (---)th since she was bringing food for the dinner, but she didn't know that she specifically came to drop off the children. She imagined that if she didn't have anyone to help her with the cleaning that (---) would put off going to the house.
- 32 Ms. (---) accompanied her boyfriend to the garage where his car had been taken, but then they found it had been moved, so it took them some time and effort to locate it and retrieve the children's Christmas presents. After that, she returned to his house to wrap the gifts. It was after all this that she returned to (---)'s and it was already after dark.
- 33 (---) had her cell phone and she assumed that at some point she was in contact with (---), but the whole time, she never knew that (---) had gone on to the house to clean. She imagined that she would have been at (---)'s with her other sisters cooking for the dinner. She was preoccupied with the concern over the presents. When she arrived back at (---)'s, everyone was already there except for (---) and (---).
- 34 Ms. (---) said she knew that Max had to work, but she thought that perhaps (---) had returned to her apartment to get dressed for the dinner. Later on, either (---) or (---) then told her that (---) had been cleaning at the house all day.
- 35 No mention was made at any time about (---) using any machines to clean at the house. At some point (---) and (---) spoke together about (---).
- 36 Ms. (---) knew before the phone call between (---) and (---) that (---) had gone on over to the house to clean. She wasn't paying attention to the phone calls or anything because she was paying more attention to the dinner. The other sisters tried calling (---), but she didn't answer and since they thought she was getting ready and didn't appreciate being rushed., they left messages and kept expecting her to call back.

- 37 When (---) returned to his apartment and didn't find (---) there, he called (---) and then the sisters became concerned about where she was. (---) and (---) decided to go try to find the house. (---) drove and (---) knew the general area of the house's location. (---) didn't know whether (---) was already on his way there yet or not or if he would arrive before them.
- 38 Ms. (---) thought that if she saw the area again, she would be able to remember vaguely how to get there. She thought it took them something like a half hour to locate the house.
- 39 Ms. (---) explained how that during their search for (---)'s house, they were stopped by a policeman for driving so slowly around the area. They explained and he let them go with a warning, but he did not offer to help them.
- 40 She didn't remember whether either of them spoke to (---) at any point while they were en route to the house. When they finally arrived, (---) recognized (---)'s car. She didn't see (---) or his car.
- 41 They checked to see if her car was open and she thought she remembered hearing a neighbor lady say that it had been there all day. That's when (---) arrived. They heard a continuous noise coming from inside the house and the same neighbor said it had been going like that all day. They didn't know what the sound was.
- 42 Ms. (---) testified that she and her sister and (---) arrived just before the police.
- 43 She didn't remember exactly how many officers arrived on the scene, only that it was more than one and more than two. She wasn't paying attention to them. The back door was closed, possibly inner and outer, according to (---) and (---).
- 44 She remembered someone saying the door was locked. One of the doors might have had glass. A few moments later the police arrived. She was busy, possibly trying to call (---), when someone got the door open. One of the officers held (---) and the sisters apart and told them to let the police do their job as other officers entered the house.
- 45 Ms. (---) and (---) stayed closer to the street while (---) stayed closer up toward the house, restrained by a police officer, while the other officers went inside to investigate. One came immediately back out and didn't say anything to them and so they began to assume bad news. (---) kept trying to get inside until the police threatened to arrest him. A large crowd gathered outside.
- 46 Ms. (---) didn't recall exactly how much time elapsed. She was pre-occupied with the events. She said she didn't remember exactly who told them, or how, that her sister had died, but they had assumed it from the way the police officers were acting before anyone would actually tell them anything.
- 47 Eventually someone came and told them (---) was dead, but that they would have to wait for someone to come and provide them with any details. She said she didn't understand what they were being told because she still couldn't accept that her sister was dead.
- 48 Ms. (---) said she argued with the police officers for not being more helpful, but she doesn't remember exactly what was said. "All of the details...are very blurry." She never saw (---) again

after that Friday when she helped her move bags. She didn't remember how she got back to (---)'s.

49 Ms. (---) said that it was one or two months later that she recalled (---) mentioning something about having been with (---) at a store the day she died, but she didn't pay any attention to the details.

50 She said that she remembers hearing that (---) had gone to a store with (---), she didn't know which store, on (---). She didn't remember if it was told to her directly or if she only overheard it being discussed among her sisters.

51 Ms. (---) insisted that she never knew any of the details because she didn't pay attention to it. Finally, she recalled hearing something after a lot of time about renting something that had to be returned, but that was all.

52 The experience was too emotional for her. She chose to leave the room whenever these subjects were brought up or sometimes she stayed and just tuned it out. She simply couldn't see anything past the moment she learned that her sister died. (---) was a substitute mom to her and also her best friend.

53 She loved (---) most of all her sisters.