

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

CHARLIE KAFOURY, Personal
Representative of the Estate
of MADELINE KAFOURY,

Plaintiff,

v.

No. 07-084216-NI

ANTHONY LACALAMITA, III,

Defendant.

_____ /

DEPONENT: ANTHONY LACALAMITA, III
DATE: Tuesday, February 5, 2008
TIME: 9:20 a.m.
LOCATION: 1201 North Telegraph Road
Pontiac, Michigan
REPORTER: Bonnie J. Humm, CSR-2999

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY, an Illinois
corporation,

Plaintiff,

v.

No. 07-084778-CK

ANTHONY LACALAMITA, III, and
CHARLIE KAFOURY, Personal
Representative of the Estate
of Madeline Kafoury,

Defendants.

_____ /

DEPONENT: ANTHONY LACALAMITA, III
DATE: Tuesday, February 5, 2008
TIME: 9:20 a.m.
LOCATION: 1201 North Telegraph Road
Pontiac, Michigan
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1 APPEARANCES:

2 MR. MARK C. ROSSMAN

3 MANTESE & ROSSMAN, P.C.

4 1361 Big Beaver Road

5 Troy, Michigan 48083

6 (248) 457-9200

7 Appearing on behalf of Plaintiff/Defendant Kafoury.

8

9 MR. BRUCE E. PEARCE

10 MR. JOEL R. SAFIR

11 VANDEVEER GARZIA, P.C.

12 1450 West Long Lake Road, Suite 100

13 Troy, Michigan 48098-6330

14 (248) 312-2800

15 Appearing on behalf of Defendant LaCalamita.

16

17 MR. FREDERICK B. PLUMB

18 GARAN LUCOW MILLER, P.C.

19 1000 Woodbridge Street

20 Detroit, Michigan 48207-3192

21 (313) 446-5559

22 Appearing on behalf of Plaintiff Allstate.

23

24

25

1 I N D E X

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10 E X H I B I T S

11	NUMBER	DESCRIPTION	MARKED
12	1	Re-Notice of Taking Deposition of Anthony	7
13		LaCalamita, III	
14	2	Target Sports invoice 213547	17
15	3	Firearms Transaction Record Part I	18
16	4	Trigger Lock Statement	21

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1 Pontiac, Michigan
2 Tuesday, February 5, 2008
3 9:20 a.m.

4 * * *

5 ANTHONY LaCALAMITA III

6 was called as a Witness herein and was duly sworn to tell
7 the truth, the whole truth and nothing but the truth.

8 MR. PEARCE: Bruce Pearce, appearing on behalf of
9 the defendant.

10 It's my understanding that this deposition of
11 Mr. LaCalamita has been noticed up in the case of Kafoury
12 versus LaCalamita and also cross-noticed, apparently, in
13 the case of Allstate Insurance Company versus LaCalamita
14 and Kafoury, et al.

15 Previously I filed a motion with the court to
16 quash any deposition of Mr. LaCalamita, for obvious
17 reasons, the first and foremost being the fact that there
18 is an ongoing criminal proceeding, People versus
19 LaCalamita, that is presently pending before the Oakland
20 County Circuit Court. That case has not yet been tried but
21 is expected to be tried, I believe, in April of this year.

22 For the reasons that Mr. LaCalamita has various
23 rights, in terms of his criminal proceedings, I did not
24 feel that a deposition of Mr. LaCalamita in the civil case
25 was prudent at this point in time.

1 I renew my objections to this deposition.
2 Unfortunately, the trial judge in our case has disagreed
3 and has allowed this deposition to take place.

4 Mr. LaCalamita has conferred with his criminal
5 defense attorney, Mr. Fenton, prior to this deposition.

6 In terms of the deposition cross-notice in the
7 case of Allstate versus LaCalamita, I am not Mr.
8 LaCalamita's attorney in that case. It's my understanding
9 that no one has appeared for Mr. LaCalamita in that dec
10 action. The attorney for Allstate is present and will be
11 asking -- apparently will be asking questions.

12 Mr. LaCalamita is aware of that fact and has
13 also, I believe, consulted with Mr. Fenton concerning that
14 matter, as well. But, once again, I am not the attorney
15 for Mr. LaCalamita in the dec action. And, once again, I
16 would renew my objections to the deposition in the case of
17 Kafoury versus LaCalamita.

18 MR. ROSSMAN: Mark Rossman on behalf of the
19 plaintiffs in this case.

20 I accept your objections, as noted, for the
21 record, but obviously I oppose your objection. And as the
22 court ruled, this deposition is to go forward, and that's
23 why we're here today.

24

25

1 EXAMINATION

2 BY MR. ROSSMAN:

3 Q. Sir, could you please state your full name for the record.

4 A. Anthony LaCalamita, III.

5 MR. ROSSMAN: Mr. LaCalamita, we are here today

6 -- this is the time and place noticed for your deposition

7 in the case of Charlie Kafoury, Personal Representative of

8 the Estate of Madeline Kafoury, versus Anthony LaCalamita,

9 III, case number 07-084216-NI.

10 I'm going to enter a copy of the deposition

11 notice into the record as Exhibit Number 1.

12 (Marked for Identification:

13 Deposition Exhibit No. 1)

14 MR. ROSSMAN: Mr. LaCalamita, given that this is

15 a duly-noticed deposition of you in this currently pending

16 civil matter, your testimony here can be used for all

17 purposes in that matter as well as in the matter of

18 Allstate versus LaCalamita, which out of that case there's

19 been a cross-notice of deposition issued.

20 MR. PEARCE: And perhaps even in the criminal

21 matter, as well, that's pending.

22 MR. ROSSMAN: And I'm going to ask you a series

23 of questions. If you don't understand any of those

24 questions, feel free to ask me to rephrase those.

25 And when you answer a question, it's important

1 that you answer with a yes or a no, as opposed to a nod or
2 an uh-huh, so that the court reporter can take it down.

3 If your attorney makes an objection, that
4 objection is for the record only. And unless he directs
5 you not to answer, I will take your answer to the questions
6 that I ask.

7 Q. (By Mr. Rossman) Sir, how old are you, and what's your date
8 of birth?

9 A. Thirty-nine years old. Date of birth August 24, 1968.

10 Q. Before you were incarcerated in the Oakland County jail,
11 what was your residential address?

12 A. 1063 Kirts Boulevard, Troy, Michigan.

13 MR. PEARCE: Counsel, just residential address,
14 are you talking about -- what do you mean, exactly, by that
15 question? I know it sounds like a simple question, but...

16 Q. (By Mr. Rossman) Where were you living before you were in
17 incarcerated in the jail?

18 A. That address.

19 Q. 1063 Kirts?

20 A. Yes.

21 Q. Did you own any other real estate at the time?

22 MR. PEARCE: Objection. It's not relevant.

23 MR. ROSSMAN: There is a claim for fraudulent
24 transfer of assets in the first amended verified complaint
25 in this case. It's part of the case, and I'm entitled to

1 inquire as to his assets and his property and whether any
2 of it has been transferred. It's relevant to the
3 complaint.

4 MR. PEARCE: I'm going to object to that
5 question.

6 A. I don't have any answer for you.

7 Q. (By Mr. Rossman) Did you reside at any other addresses
8 other than Kirts, the Kirts street address?

9 A. I gave you my address where I was residing at.

10 Q. That was the only address you resided at?

11 A. That's all I'm going to tell you.

12 Q. Did you own any other real estate?

13 A. I don't have any answer to that question for you right now.

14 Q. Did you have any ownership interest in the Kirts address
15 home?

16 A. No.

17 Q. You were renting that home?

18 A. Yes.

19 Q. Did you live there with anybody else?

20 A. No.

21 Q. You lived there alone?

22 A. Yes.

23 Q. Were you married at the time?

24 A. Yes.

25 Q. And are you married now?

1 A. Yes.

2 Q. Is there a divorce action pending?

3 A. No.

4 Q. Have you ever given a deposition before?

5 A. No.

6 Q. What was your occupation before you were incarcerated?

7 A. Accountant.

8 Q. Where were you an accountant?

9 A. Gordon Advisors.

10 Q. At the time of your incarceration here, were you employed
11 or had your employment been terminated?

12 A. Terminated.

13 Q. Did you quit?

14 A. I'm not going to respond to that question.

15 Q. Were you terminated by your employer?

16 A. I'm not going to respond to that question.

17 Q. How long had you worked at Gordon Advisors?

18 A. I don't remember.

19 Q. What was your last day at Gordon Advisors?

20 A. I don't remember.

21 Q. What were your duties and responsibilities at Gordon
22 Advisors?

23 A. I don't know.

24 Q. Did it have to do with accounting?

25 A. I suppose it did.

1 Q. What kind of tasks would you have performed there?

2 A. I don't remember.

3 Q. Who was your immediate supervisor at Gordon Advisors?

4 A. I don't know.

5 Q. Did you forget or you just never knew who your supervisor
6 was there?

7 A. I don't know.

8 Q. How much did you make a year there?

9 A. I don't remember.

10 Q. What was your first date of employment there?

11 A. I don't remember.

12 Q. Do you remember the names of anybody you worked with there?

13 A. I don't know.

14 Q. What's your wife's name?

15 MR. PEARCE: Hold on. Let's take a break for a
16 minute.

17 (Discussion off the record between Witness and
18 Mr. Pearce.)

19 THE WITNESS: I guess I just don't feel like
20 answering the questions, is what I'm trying to get at. If
21 I remember, I don't know, I don't know. I just don't --
22 I'm not going to answer any of your questions.

23 MR. ROSSMAN: Well, I have a right to ask these
24 questions and --

25 THE WITNESS: You do, and I --

1 MR. ROSSMAN: -- the judge ordered the deposition
2 here today.

3 MR. PEARCE: Well, he ordered the deposition to
4 take place. He did not order that the defendant answer the
5 questions, per se. And he certainly has a right to invoke
6 whatever rights that he has.

7 MR. ROSSMAN: And which rights is he invoking
8 when I ask him how long he worked at Gordon Advisors?

9 MR. PEARCE: The problem is that any answers that
10 he gives in this proceeding can be used, perhaps, in a
11 criminal proceeding. And it may not even be a Fifth
12 Amendment situation. It might be that he just doesn't want
13 to have another statement on the record. I don't know what
14 it could be.

15 But he has the right to answer your questions or
16 not to answer your questions.

17 MR. ROSSMAN: If there's not a valid objection on
18 the record with respect to a particular question, he
19 doesn't -- it's just like any other civil deposition. He
20 has to answer the question. A civil litigant can't come
21 into a deposition and say, I don't feel like answering the
22 question, or, I can't remember, when they do remember.
23 That's perjury.

24 Unless there's a specific objection noted on the
25 record, he has to answer the question. And the questions

1 that I've asked thus far wouldn't fall within the purview
2 of the Fifth Amendment.

3 MR. PEARCE: Well, that's your own
4 interpretation, and I disagree. I have stated my entire
5 objection to this entire deposition, from the first
6 question to the last question, on the record. And I also
7 -- if Mr. LaCalamita personally does not want to answer any
8 of the questions, that's his right, as well.

9 MR. ROSSMAN: He can be compelled to testify.
10 There's no personal right to not answer a question, Bruce.

11 MR. PEARCE: The order says that he appear for
12 deposition, which he has done. The order does not mandate
13 nor, I think, does any order specify that he must answer
14 all your questions.

15 MR. ROSSMAN: The law specifies that, in civil
16 litigation, he has to answer questions unless there is a
17 specific, proper objection placed on the record with
18 respect to a particular question.

19 So I'm going to ask these questions. And if he
20 doesn't answer them, we're going to go back to the judge,
21 and we're going to clarify the order that he answer them.

22 MR. PEARCE: Counsel, you have your rights to do
23 anything that you deem necessary. I have my rights to also
24 object to this deposition.

25 MR. ROSSMAN: I understand. You have a right to

1 make objections.

2 MR. PEARCE: Okay.

3 MR. ROSSMAN: A personal feeling of not wanting
4 to testify isn't an objection.

5 MR. PLUMB: Let's just keep going.

6 Q. (By Mr. Rossman) Sir, do you have any children?

7 A. No.

8 Q. And are your -- are your parents alive?

9 A. Yes.

10 Q. What are their names?

11 A. Anthony and Florence LaCalamita.

12 Q. Where do they presently reside?

13 A. I'm sure you could look that up somewhere.

14 Q. Do you know where they presently reside?

15 A. I do, but you can answer that yourself.

16 Q. Do you know what city they reside in?

17 A. Orlando, Florida.

18 Q. Where does your wife presently reside?

19 A. I'm not going to answer that question.

20 Q. Do you have any brothers?

21 A. Yes.

22 Q. How many?

23 A. One.

24 Q. What's his name?

25 A. Vincent LaCalamita.

1 Q. Any sisters?

2 A. No.

3 Q. Where did you work before Gordon Advisors?

4 A. You can find that information out yourself.

5 Q. Do you recall where you worked before Gordon Advisors?

6 A. I may or I may not. I don't know.

7 Q. As you sit here today, you don't know where you worked
8 before you worked at Gordon Advisors?

9 A. If I do know, I'm not going to tell you.

10 Q. So you may know, but you're not going to tell me; is that
11 right?

12 A. I may know or I may not know. I'm not going to tell you if
13 I know or I don't know.

14 Q. Did you have a job before you worked at Gordon Advisors?

15 A. I may have had a job; I may not have had a job. I don't
16 know. I'm not going to tell you.

17 Q. Where did you get your CPA?

18 A. I may know or I may not know.

19 Q. You're not going to tell me that?

20 A. I'm not going to tell you that.

21 MR. PEARCE: Counsel, let me suggest that we go
22 back to court and get a clarification on what Mr.
23 LaCalamita has to answer or that kind of thing, because --
24 or we can do this for the next couple of hours.

25 MR. ROSSMAN: We can do it, if he chooses not to

1 answer. Look, we got an order saying there would be a
2 deposition. We all came here today. He's here. I'm going
3 to ask my questions.

4 MR. PEARCE: That's fine. And then he has -- all
5 right, Counsel. I'm not going to stop you. I think this
6 is a waste of time.

7 MR. ROSSMAN: On what grounds is he not answering
8 the questions, Bruce?

9 MR. PEARCE: Counsel, that's up to Mr.
10 LaCalamita.

11 MR. ROSSMAN: Well, I'm going to ask the
12 questions.

13 MR. PEARCE: The problem has always been that
14 there is a criminal proceeding pending in this case. And
15 Mr. LaCalamita doesn't want to jeopardize a fair criminal
16 trial, and he's got the right not to answer your questions.

17 MR. ROSSMAN: So he's not answering my questions
18 on the grounds of a Fifth Amendment objection?

19 MR. PEARCE: It can be on the Fifth Amendment and
20 it can be for other reasons, Counsel. I'm not --

21 MR. ROSSMAN: What other reasons?

22 MR. PEARCE: I'm not going to argue with you.
23 What I have indicated is a proper course of action, and
24 that is to go to the court to get some clarification, if
25 necessary, and to come back. This deposition is premature.

1 MR. ROSSMAN: Well, I'm not -- the court ordered
2 it. I'm not going to argue on the record anymore. Your
3 objections are noted; my position is noted. I can ask my
4 questions and we can finish this, or we can argue on the
5 record and make it last longer than it has to. But I'm
6 asking my questions.

7 (Marked for Identification:
8 Deposition Exhibit No. 2)

9 Q. (By Mr. Rossman) Sir, I'm showing you what's been marked as
10 Exhibit Number 2 to your deposition. Do you recognize that
11 document?

12 A. No.

13 Q. Have you ever been to Target Sports at 30482 North Woodward
14 Avenue?

15 A. I may have; I may not have.

16 Q. Do you recall going to Target Sports on April 6, 2007?

17 A. I may have; I may not have. I don't know.

18 Q. Okay. Have you ever made a purchase from Target Sports?

19 A. I may have; I may not have.

20 Q. Did you purchase a Winchester 12-gauge shotgun from Target
21 Sports?

22 A. I may have; I may not have.

23 Q. Or, rather, a Remington shotgun from Target Sports?

24 A. I may have; I may not have.

25 Q. So you have no recollection whether you have ever purchased

1 anything from Target Sports?

2 A. What's the next question?

3 Q. Do you have any recollection of purchasing anything from
4 Target Sports?

5 A. I may have; I may not have.

6 Q. Were you employed by Gordon Advisors on April 6, 2007?

7 A. I may have been; I may not have been.

8 (Marked for Identification:

9 Deposition Exhibit No. 3)

10 Q. (By Mr. Rossman) I'm showing you what's been marked as
11 Exhibit Number 3. Sir, is that your handwriting on Exhibit
12 Number 3?

13 A. It may be; it may not be.

14 Q. On page two, box number 16, is that your signature?

15 A. It may be; it may not be.

16 Q. Did you fill out this form, sir?

17 A. I may have; I may not have.

18 Q. You don't recall whether or not you filled out this form?

19 A. I don't know.

20 Q. Do you recall speaking with someone on April 6, 2007, named
21 Jordan Acton?

22 A. I don't know.

23 Q. Do you recall speaking with a sales representative at
24 Target Sports named Jordan Acton?

25 A. I don't know.

1 Q. Did you go into Target Sports on April 6, 2007, to purchase
2 a shotgun?

3 A. I may have; I may not have.

4 MR. PEARCE: Once again, these are perhaps
5 self-incriminating questions, Counsel.

6 MR. ROSSMAN: Place your objection on the record.

7 MR. PEARCE: Well, then, I'll object to every
8 question, and we're going to have a very long transcript.

9 MR. ROSSMAN: Fine. I'm going to ask the
10 questions. The judge ordered this deposition to proceed.

11 Q. (By Mr. Rossman) Sir, did you go into Target Sports on
12 April 6, 2007, to purchase a Remington shotgun?

13 MR. PEARCE: Objection to the question.

14 A. I don't know.

15 Q. (By Mr. Rossman) Did you -- when you --

16 MR. PEARCE: Sir, are you going to make any
17 answers that are going to self-incriminate you? Are you
18 going to answer any questions that can self-incriminate
19 you?

20 THE WITNESS: No.

21 Q. (By Mr. Rossman) Sir, did you know why you were purchasing
22 a shotgun on April 6, 2007?

23 MR. PEARCE: Objection. Self-incrimination.

24 A. I don't know.

25 Q. (By Mr. Rossman) Did you tell the salesperson at Target

1 Sports, when you purchased that shotgun on April 6, 2007,
2 that it was for purposes of hunting?

3 MR. PEARCE: Same objection.

4 A. I don't know.

5 Q. (By Mr. Rossman) Prior to April 6, 2007, were you ever
6 charged with a crime?

7 MR. PEARCE: Same objection.

8 A. I don't know.

9 Q. (By Mr. Rossman) Prior to April 6, 2007, had you ever
10 received psychiatric care or treatment?

11 MR. PEARCE: Same objection.

12 A. I may not have; I may not have. I don't know. I may have;
13 I may not have. I don't know.

14 Q. (By Mr. Rossman) Prior to April 6, 2007, had you ever been
15 committed to a psychiatric ward or other medical
16 institution for purposes of psychiatric care?

17 MR. PEARCE: Same objection.

18 A. I may have; I may not have.

19 Q. (By Mr. Rossman) Prior to April 6, 2007, had you ever been
20 arrested by police or another municipal law enforcement
21 agency?

22 MR. PEARCE: That's not even relevant. That's
23 not even discoverable.

24 Q. (By Mr. Rossman) I'll take your answer, sir.

25 A. I may have; I may not have.

1 Q. On Exhibit Number 3, is there anything untruthful in that
2 statement with your name on the top of it?

3 MR. PEARCE: Objection as to self-incrimination.

4 A. I don't know.

5 (Marked for Identification:

6 Deposition Exhibit No. 4)

7 Q. (By Mr. Rossman) Sir, I'm showing you what's been marked as
8 Exhibit Number 4. Sir, is that your signature on there, on
9 Exhibit Number 4?

10 MR. PEARCE: Objection as to self-incrimination.

11 A. May be, may not be. I don't know.

12 Q. (By Mr. Rossman) On April 7, 2007, did you go to the
13 offices of Gordon Advisors?

14 MR. PEARCE: Objection. Self-incrimination.

15 A. I may have; I may not have.

16 (Discussion off the record between Witness and
17 Mr. Pearce.)

18 Q. (By Mr. Rossman) Sir, did you --

19 MR. PEARCE: Let's wait for Attorney Fenton.

20 (Off the record.)

21 THE WITNESS: I guess, not to waste any more of
22 your time, I just -- I'm not going to answer any of your
23 questions.

24 MR. ROSSMAN: Then we'll get this over with
25 quickly.

1 Q. (By Mr. Rossman) Did you go to Gordon Advisors on April 7,
2 2007?

3 MR. PEARCE: Counsel, he just said he's not going
4 to answer any more questions.

5 MR. ROSSMAN: He can assert his objections. I'm
6 going to ask the questions.

7 Q. (By Mr. Rossman) Do you recall going to Gordon Advisors on
8 April 7, 2007?

9 MR. PEARCE: Sir, my understanding is, if you're
10 not going to answer any more questions, you don't need to
11 respond.

12 Q. (By Mr. Rossman) Do you know Madeline Kafoury? Did you
13 work with her?

14 Sir, do you recall shooting a rifle in the
15 offices of Gordon Advisors on April 6, 2007?

16 MR. PEARCE: Don't say a word, okay?

17 (Meeting held off the record with Mr. Fenton.)

18 MR. PEARCE: Let the record also reflect that
19 Jerome Fenton, who is Mr. LaCalamita's criminal attorney,
20 did happen to stop by. And he has now left, and we're
21 ready to begin again.

22 Q. (By Mr. Rossman) Sir, did you go to Gordon Advisors in
23 Troy, Michigan, on April 7, 2007?

24 Strike that. Let me reask the question.

25 Sir, did you go to Gordon Advisors on April 9,

1 2007?

2 Do you have an answer to that question, sir?

3 Sir, did you bring a shotgun to Gordon Advisors
4 on April 9, 2007?

5 No answer?

6 Sir, did you discharge a firearm at Gordon
7 Advisors on April 9, 2007?

8 MR. ROSSMAN: Let the record reflect that the
9 witness isn't answering the question.

10 Q. (By Mr. Rossman) Sir --

11 MR. PEARCE: And not to be redundant, I've
12 objected many times. I won't clutter up the record
13 anymore. But, once again, he doesn't have to answer the
14 questions on the grounds of self-incrimination.

15 Go ahead, sir.

16 MR. ROSSMAN: A standing objection is noted for
17 the record.

18 Q. (By Mr. Rossman) Sir, do you recall any events of April 9,
19 2007, in which you were involved?

20 Sir, do you recall shooting Madeline Kafoury on
21 April 9, 2007, at the offices of Gordon Advisors?

22 MR. ROSSMAN: Let the record reflect that the
23 witness isn't answering these questions.

24 Q. (By Mr. Rossman) Sir, did you know Madeline Kafoury prior
25 to April 9, 2007?

1 MR. ROSSMAN: Let the record reflect that the
2 witness isn't answering the question.

3 Q. (By Mr. Rossman) Sir, did you intend to shoot and kill
4 Madeline Kafoury on April 9, 2007?

5 MR. ROSSMAN: The witness isn't answering the
6 question.

7 Q. (By Mr. Rossman) Sir, did you know what you were doing when
8 you fired a shotgun at the offices of Gordon Advisors on
9 April 9, 2007?

10 MR. ROSSMAN: No answer.

11 Q. (By Mr. Rossman) Sir, do you recall how many times you
12 fired your shotgun on April 9, 2007, at Gordon Advisors?

13 MR. ROSSMAN: The witness isn't answering the
14 question.

15 Q. (By Mr. Rossman) Sir, did you know that when you fired --

16 MR. PEARCE: Are you going to answer any more
17 questions today?

18 THE WITNESS: No.

19 MR. PEARCE: The deposition is over.

20 MR. ROSSMAN: Let the record reflect that Mr.
21 LaCalamita's attorney is terminating this deposition.

22 And I'll object to the termination of that
23 deposition as violative of the court order entered in this
24 action in response to the motion to quash this deposition,
25 which was denied. No reconsideration or appeal of that

1 order was ever sought. That order stands.

2 The witness has appeared and now refuses to
3 answer questions in this deposition.

4 MR. PLUMB: I would like to at least join the
5 record, just to understand whether he's going to refuse to
6 answer any of my questions, too.

7 Mr. LaCalamita, my name is Rick Plumb. I
8 represent Allstate Insurance Company. I have a separate
9 lawsuit pending that arises out of their lawsuit.

10 I have several questions for you today, as well.
11 Will you answer any of my questions?

12 THE WITNESS: Depends what they are.

13 MR. PLUMB: All right.

14 EXAMINATION

15 BY MR. PLUMB:

16 Q. Mr. LaCalamita, you told us that on April 9, 2007, your
17 residence address was 1063 Kirts Boulevard in Troy. Is
18 that Somerset Apartments, sir?

19 A. I don't remember.

20 Q. Okay. Did you have an apartment, sir, or was that a home?

21 A. It was an apartment.

22 Q. Do you know when you moved into that apartment, sir?

23 A. I don't remember.

24 Q. Was it in 2007 or earlier?

25 A. It was in 2007.

1 Q. Did you move into that home because you and your wife
2 separated?

3 A. I'm not going to answer that question.

4 Q. Do you know how long your lease was, how many months or
5 years, at that address on Kirts?

6 A. I don't remember.

7 Q. Did you ever return -- strike that.

8 Before you moved into 1063 Kirts, did you live on
9 Clover Lane in Novi?

10 A. Yeah.

11 Q. Was that the last address before Kirts?

12 A. Yes.

13 Q. 22047 Clover Lane?

14 A. Yes.

15 Q. Can you tell me why it was you left 22047 Clover Lane and
16 moved to 1063 Kirts?

17 A. No.

18 Q. Do you remember, or are you refusing to answer?

19 A. Refusing to answer.

20 Q. Okay. When you resided at 1063 Kirts Boulevard in Troy,
21 Michigan, were you and your wife, Michelle, on good terms?

22 THE WITNESS: I'm not going to answer any more
23 questions.

24 MR. PLUMB: All right. Thank you.

25 (Deposition concluded at or about 9:58 a.m.)

1 STATE OF MICHIGAN)
)
2 COUNTY OF WAYNE)

3 CERTIFICATE OF NOTARY PUBLIC

4 I, BONNIE J. HUMM, a Notary Public in and for the
5 above county and state, do hereby certify that the
6 deposition of said witness was taken before me at the time
7 and place hereinbefore set forth; the witness was by me
8 first duly sworn to testify to the truth; that thereupon
9 the foregoing questions were asked and foregoing answers
10 made stenographically and later reduced to typewritten
11 form; and I certify that this is a true and correct
12 transcript of my stenographic notes so taken.

13 I also certify that I am not a relative or
14 employee of or an attorney for a party; or a relative or
15 employee of an attorney for a party; or financially
16 interested in the action; nor am I interested directly or
17 indirectly in the matter in controversy either as counsel,
18 agent, attorney, or otherwise.

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BONNIE J. HUMM, CSR-2999, RPR
Certified Shorthand Reporter
Registered Professional Reporter
Notary Public, Wayne County, Michigan
My commission expires: 12/5/13