

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

THOMAS NEELY,)
) No. 3:05-CV-304
Plaintiff,)
) Knoxville, TN
vs.) June 21, 2006
) 9:30 a.m.
FOX OF OAK RIDGE,)
)
Defendant.)

TRANSCRIPT OF JURY TRIAL (CONTINUED)
BEFORE THE HONORABLE H. BRUCE GUYTON
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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1 Q You don't think that Dr. Degnan prescribed you
2 one?

3 A I only have the one TENS unit, as I stated.

4 Q Before this accident, you had been on
5 medication for high blood pressure; correct?

6 A I have been on high blood pressure medicine
7 for a great number of years.

8 Q And you were having problems with cramps in
9 your legs that you take medication for?

10 A When I take water pills, yes.

11 Q And that was before this accident as well?

12 A Yes.

13 Q In the accident itself, you told me and this
14 jury that you were about three or four car lengths behind this
15 car that was turning in front of you; correct?

16 A Yes.

17 Q And your car, the Kia, is what, about eight
18 feet long?

19 A I have no idea.

20 Q So you think you were about 20 feet behind
21 this other car?

22 A Three to four car lengths.

23 Q And you said that you saw that van that hit
24 you just seconds before it hit you?

25 A Yes.

1 Q And you have no idea how long it had been
2 behind you?

3 A Well, you notice the traffic behind you. But
4 as far as singling out different vehicles...

5 Q You don't know how long this vehicle had been
6 traveling behind you, do you, sir?

7 A No.

8 Q You don't know anything about the speed of the
9 vehicle?

10 A No.

11 Q You told this jury yesterday that your seat
12 was broken off as a result of this accident. Do you remember
13 that?

14 A I said it was broken.

15 Q The seat itself has a little lever on the side
16 which will allow it to recline back, did it not?

17 A Yes, it does.

18 Q You told this jury also that you drove this
19 vehicle back from Kentucky after this accident; correct?

20 A Yes.

21 Q Were you able to adjust the seat after that
22 accident so that you could drive the vehicle back?

23 A No.

24 Q You just drove it with the seat in the
25 reclined position?