

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 And why didn't you work for Lester Fox
2 anymore?

3 A He's got a used car lot in Clinton.

4 Q Are you still working --

5 A I -- Paul Benton.

6 Q All right. Is that the same location when you
7 worked with Fox?

8 A Yeah. Uh-huh (affirmative).

9 Q Okay. Mr. Fox sold the business?

10 A Yeah.

11 Q And you just stayed with the business?

12 A Yeah.

13 Q All right. How many hours a day do you work,
14 sir?

15 A Sometimes over ten.

16 Q And how many days a week?

17 A Five.

18 Q All right. On the day that this accident
19 happened, July 12, 2004, you were driving the van, were you
20 not?

21 A That's right.

22 Q Tell these ladies and gentleman how you came
23 to drive that van?

24 A I went to pick the van up to have some work
25 done on it. And when I was coming back, it was raining.

1 Q And where were you going to take the van?

2 A Back to Fox in Oak Ridge.

3 Q All right. And had it been raining the whole
4 time you were driving?

5 A Yeah.

6 Q Okay. Were you driving on Charles Sievers
7 Boulevard on that day?

8 A Yeah.

9 Q As you were driving, were you driving faster
10 or slower than the speed limit?

11 A I was driving slower than the speed limit.

12 Q Why?

13 A I just don't like to be driving fast.

14 Q What were the weather conditions like?

15 A It rained pretty good.

16 Q And at some point, this vehicle that was
17 driven by Mr. Neely was in front of you; right?

18 A Yeah. That is right.

19 Q Okay. And tell us what happened then, when
20 that vehicle was in front of you?

21 A He stopped and was on the phone. And before I
22 could stop, I slid into him.

23 Q When you hit the brakes, did your vehicle
24 slide?

25 A It slid.