

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE, TENNESSEE**

Thomas Neely,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	Case No. 3:05-cv-304
	:	
Fox of Oak Ridge,	:	Jury Trial-Day 1
	:	
Defendant.	:	

Transcript of proceedings before the Honorable H. Bruce Guyton,
U. S. Magistrate Judge, on June 20th, 2006.

Appearances:

On behalf of the Plaintiff:

Robert J. English, Esq.
Michael C. Inman, Esq.
Knoxville, Tennessee

On behalf of the Defendant:

Clint J. Woodfin, Esq.
Jennifer M. Caywood, Esq.
Knoxville, Tennessee

Court Reporter:

Donnetta Kocuba, RMR
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1 Q. Okay. And did you take one?

2 A. Yes, I did.

3 Q. Where did the ambulance take you?

4 A. I was transported by EMS to Oak Ridge Methodist Medical
5 E.R.

6 Q. And what did they do for you down there?

7 A. They did x-rays and C.T.'s of my back and my neck.

8 Q. Did they hospitalize you overnight?

9 A. No. They told me they would release me if I followed up with
10 my family doctor the next day.

11 Q. Did you do so?

12 A. Yes, I did.

13 Q. Did you go to your family doctor the next day?

14 A. Yes, I did.

15 Q. Who was your family doctor?

16 A. Dr. John Martin.

17 Q. And when you went to Dr. Martin the next day, what did he do
18 about your neck and your back problems from this wreck?

19 MR. WOODFIN: Your Honor, I want to object. Dr.
20 Martin is not here to testify about what he did or did not do for Mr.
21 Neely, and the actions or inactions can be determined to be hearsay
22 just as well as any words can in that situation.

23 MR. ENGLISH: I'm just asking what the doctor did for
24 him, your Honor, not what the doctor said. That would, obviously,
25 be hearsay.