

Thelma Jordan
June 17, 2019

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SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF WESTCHESTER

E.J., an infant by his Guardian, THELMA

JORDAN and THELMA JORDAN, individually,

Plaintiffs,

Index No.: 63489/18

-against-

CITY SCHOOL DISTRICT OF NEW ROCHELLE and

BRYAN STAMPS,

Defendants.

11 Martine Avenue
White Plains, New York

June 17, 2019
10:55 A.M.

EXAMINATION BEFORE TRIAL OF THELMA

JORDAN taken on behalf of the Defendant and

held before a Notary Public of the State of

New York.

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APPEARANCES OF COUNSEL:

WORBY VECCHIO & EDELMAN, LLP

Attorneys for Plaintiffs

11 Martine Avenue

White Plains, New York 10606

BY: STEPHEN FALVEY, ESQ.

O'CONNOR McGUINNESS CONTE

DOYLE OLESON WATSON & LOFTUS

Attorneys for Defendant

CITY SCHOOL DISTRICT OF NEW ROCHELLE

One Barker Avenue

White Plains, New York 10606

BY: KATHERINE LYNCH, ESQ.

FILE NUMBER

ALSO PRESENT:

E.J.

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IT IS HEREBY STIPULATED AND AGREED by
and between the attorneys for the respective
parties herein, and in compliance with Rule
221 of the Uniform Rules for the Trial
Courts:

THAT the parties recognize the
provision of Rule 3115 subdivisions (b),
(c) and/or (d). All objections made at a
deposition shall be noted by the officer
before whom the deposition is taken, and the
answer shall be given and the deposition
shall proceed subject to the objections and
to the right of a person to apply for
appropriate relief pursuant to Article 31 of
the CPLR.

THAT every objection raised during a
deposition shall be stated succinctly and
framed so as not to suggest an answer to the
deponent and, at the request of the
questioning attorney, shall included a clear
statement as to any defect in form or other
basis of error in irregularity. Except to
the extend permitted by CPLR Rule 3115 or by
this rule, during the course of the

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examination persons in attendance shall not make statement or comments that interfere with the questioning.

THAT a deponent shall answer all questions at a deposition, except (i) to preserve a privilege or right of confidentiality, (ii) to enforce a limitation set forth in an order of a court, or (iii) when the question is plainly improper and would, if answered, cause significant prejudice to any person. An attorney shall not direct a deponent not to answer except as provided in CPLR Rule 3115 or this subdivision. Any refusal to answer or direction not to answer shall be accompanied by a succinct and clear statement of the basis therefore. If the deponent does not answer a question, the examining party shall have the right to complete the remainder of the deposition.

THAT an attorney shall not interrupt the deposition for the purpose of communicating with the deponent unless all parties consent or the communication is made

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for the purpose of determining whether the
question should not be answer on the grounds
set forth in section 221.2 of these rules
and, in such event, the reason for the
communication shall be stated for the record
succinctly and clearly

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THAT failure to object to any question
or to move to strike and testimony at the
examination shall not be a bar or waiver to
make such objection or motion at the time of
the trial of this action, and is hereby
reserved; and

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THAT the examination may be signed and
sworn to by the witness examined herein
before any Notary Public, but failure to do
so or to return the original of the
examination to the attorney on whose behalf
the examination if taken shall not be deemed
a waiver of the rights provided by Rules 3116
and 3117 of the CPLR, and shall be controlled
thereby and

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THAT certification and filing of the
original of the examination are waived; and
THAT the questioning attorney shall

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provide counsel for the witness examined
herein with a copy of the examination at no
charge.

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1 THELMA JORDAN
2 T H E L M A J O R D A N ,
3 having been first duly sworn
4 by Irma K. Navarro, a Notary
5 Public within and for the State
6 of New York, was examined and
7 testified as follows:

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oOo

10 EXAMINATION CONDUCTED

11 BY MS. LYNCH:

12 Q. Please state your full name for
13 the record.

14 A. Thelma Jordan.

15 Q. Please state your address.

16 A. 60 Locust Avenue, Apartment Number
17 603-A, New Rochelle, New York 10801.

18 Q. Good morning.

19 A. Good morning.

20 Q. My name is Katherine Lynch. As
21 you're aware, I'm representing the school.
22 I'm going to ask you some questions regarding
23 your grandson's incident. Okay?

24 A. Sure.

25 Q. Some will be repetitive of what I

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2 asked him but I need it for your record.

3 Okay?

4 A. Sure.

5 Q. Okay. And as I told your

6 grandson, I need your answers to be verbal so

7 that the court reporter can take down what we

8 are all saying here today.

9 A. Okay.

10 Q. And if you want to take a break,

11 just let me know. We can do that?

12 A. Okay.

13 Q. And also, if you don't understand

14 my question, please let me know and I will

15 rephrase it for you. Okay?

16 A. Sure.

17 Q. Okay. How long have you been

18 living at your present address?

19 A. About eight years.

20 Q. And prior to that, where did you

21 live?

22 A. I lived in the Bronx.

23 Q. Where?

24 A. I had a home in the Bronx. Do you

25 want the address?

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2 Q. Yes.

3 A. 4324 De Reimer Avenue, Bronx, New
4 York 10466.

5 Q. Can you spell that, De Reimer?

6 A. D-E R-E-I-M-E-R.

7 Q. D-E R-E-I --

8 A. M-E-R. De Reimer.

9 Q. That was your own home?

10 A. Yes.

11 Q. What was the zip?

12 A. 10466.

13 Q. How long did you live there?

14 A. I would say ten years.

15 Q. At your present address, is that
16 your own home or an apartment or something
17 else?

18 A. It's a co-op.

19 Q. Co-op.

20 A. Yes.

21 Q. Is there an apartment number,
22 unit?

23 A. 603-A as in apple.

24 Q. Who lives with you at your present
25 address?

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2 A. My husband.

3 Q. His name?

4 A. Chester.

5 Q. Anybody else?

6 A. My grandson.

7 Q. His name?

8 A. E.J.

9 Q. E.J.?

10 A. Yes.

11 Q. Anybody else?

12 A. No.

13 Q. I'm going to ask for your date of

14 birth. I'm going to ask the court reporter

15 to just put the year in the transcript.

16 A. You want. . . .

17 Q. I want the whole thing but she is

18 only going to put down the year.

19 A. XX-XX-1952.

20 Q. I'm going to ask for your Social

21 Security. But I'm going to ask the court

22 reporter not to put it on the record. Okay?

23 A. XXX-XX-XXXX.

24 Q. You stated that you're married,

25 correct?

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2 A. Ah-huh.

3 Q. You have to say yes.

4 A. I'm sorry.

5 Q. That's okay.

6 A. Yes.

7 Q. How long have you been married?

8 A. 44 years.

9 Q. Congratulations.

10 A. Thank you.

11 Q. Good for you.

12 A. Thank you.

13 Q. Have you been known any other name

14 other than the name you gave us here today?

15 A. No.

16 Q. Do you have a maiden name?

17 A. Oh, yes.

18 Q. What is that?

19 A. Yarborough.

20 Q. Can you spell that?

21 A. Y-A-R-B-O-R-O-U-G-H.

22 Q. Are you employed?

23 A. Retired.

24 Q. Back at the time of your

25 grandson's incident, were you also retired?

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2 A. Yes.

3 Q. How did you first learn about the
4 incident involving your grandson?

5 A. I received a phone call from the
6 school.

7 Q. Do you recall who called you?

8 A. No.

9 Q. What were you told?

10 A. I was told my grandson had got cut
11 at school. Looks like he may need a few
12 stitches. Can I pick him up and take him to
13 the hospital.

14 Q. What did you say in response?

15 A. I said yes. I will be right
16 there.

17 Q. Were you at home when you received
18 the call?

19 A. Yes.

20 Q. What did you do after receiving
21 the call?

22 A. (No response).

23 Q. You told them you were going to go
24 to the school. Did you go to the school?

25 A. Yes, I went to the school.

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Q. Was that the high school?

A. Yes.

Q. Do you recall where the high school is located?

A. I don't know the address of the school. I know it's on North Avenue.

Q. Okay.

A. In New Rochelle.

Q. Okay. Did you go to the high school by yourself or did you go with someone else?

A. I went with my husband.

Q. What happened when you arrived at the school?

A. When I arrived at the school, it was chaotic. Chaos. People took -- people were crying and a lot of commotion going on. And I asked where was the nurse's office. They directed me to the nurse's office. But when I got there, they told me he had already been taken away in the ambulance.

Q. Somebody in the nurse's office told you that?

A. Yes.

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2 Q. Do you recall who you spoke to?

3 A. No.

4 Q. Was it a nurse or somebody else?

5 A. I don't know.

6 Q. You don't know?

7 A. It was kind of crazy.

8 Q. Okay. Other than speaking to
9 somebody in the nurse's office, did you speak
10 with anyone else at the school district --

11 A. No.

12 Q. -- at that time?

13 A. No.

14 Q. So what did you do after they told
15 you your grandson went to the hospital?

16 A. We went to Jacobi.

17 Q. And that's where he was taken?

18 A. Yes.

19 Q. And when you arrived at Jacobi,
20 what happened?

21 A. Well, they asked us to wait at
22 first while they were attending to him and
23 then they came out and said he had to have
24 immediate surgery.

25 Q. Who told you that, if you recall?

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2 A. A physician.

3 Q. Did they tell you why he needed
4 surgery?

5 A. Yes.

6 Q. What was the reason?

7 A. He had a punctured -- one of his
8 lungs was punctured. And there may be other
9 damage to his diaphragm and spleen and maybe
10 his stomach. That's what they told me at the
11 time.

12 Q. Did they do the surgery?

13 A. Yes.

14 Q. And do you recall how long it was
15 for the surgery to take?

16 A. No. It was long.

17 Q. At some point did somebody come
18 out and speak to you after the surgery was
19 completed?

20 A. Yes.

21 Q. Do you recall who that was?

22 A. No. It was a doctor.

23 Q. Okay. What did the doctor tell
24 you?

25 A. They told me the surgery went

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2 well. They told me they did not have to --
3 his stomach was okay. But they did -- had to
4 repair his lung, his diaphragm and his
5 spleen.

6 Q. Did they say anything else?

7 A. No. He -- that he would be in
8 excruciating pain and, you know, it's
9 something that they were going to try to
10 control, the medicine, you know. He was
11 going to be hurting.

12 Q. Okay. Did they tell you at that
13 point how long he was in the hospital?

14 A. No.

15 Q. Were you allowed to see your
16 grandson after surgery?

17 A. Yes.

18 Q. And did you?

19 A. Yes.

20 Q. Was he awake when you saw him?

21 A. Yes.

22 Q. And did you speak with him?

23 A. Yes.

24 Q. Did he tell you anything about
25 what happened?

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A. He was drowsy, no.

Q. Okay. What did you and your
grandson speak about?

A. (No response).

Q. At that point?

A. Basically we just sat there and
watched. He wasn't able to really talk.

Q. How long was he in the hospital?

A. About a week. He went there on
Thursday. He got out the next Wednesday. I
believe it was the 24th.

Q. Do you recall what time it was
that you received the phone call about your
grandson?

A. I would say it was 8:40 a.m. in
the morning.

Q. It was a Thursday you said,
correct?

A. Yes.

Q. So while your son was in the
hospital until the 24th, do you recall what
other treatment he received while he was
there or medical care?

A. Well, he received -- they gave him

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2 medication mostly for the pain, you know.

3 They examined his wounds, you know, they

4 bandaged that.

5 Q. Anything else that you recall?

6 A. No.

7 Q. And when he was finally

8 discharged, did he go home or somewhere else?

9 A. Home.

10 Q. And was he given any restrictions

11 on his activities, things he could or

12 couldn't do when he was discharged from the

13 hospital?

14 A. Well, they -- at that time they

15 just said he couldn't do anything really for

16 himself. He had to have help to go to the

17 bathroom. So at that point he couldn't do

18 anything.

19 Q. Who helped him when he was --

20 A. Me and my home.

21 Q. You didn't need to hire anybody

22 for that?

23 A. No.

24 Q. After he was discharged from the

25 hospital, did your grandson need to go for

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2 any follow-up visits?

3 A. Yes.

4 Q. And who did he go for the
5 follow-up visits with?

6 A. He went two more times to Jacobi.

7 Q. The hospital?

8 A. Yes.

9 Q. Okay. And was there a particular
10 doctor he saw?

11 A. No. He went to the surgery unit
12 and I don't recall the name of the doctor.

13 Q. When he went to the surgical unit
14 on those two occasions, what did they do for
15 him?

16 A. They was trying to remove his
17 staples.

18 Q. Did they?

19 A. The first time, they couldn't do
20 them all. He wasn't completely healed so
21 they had to leave some in. And we had to go
22 back for the second visit when they were able
23 to take them all out.

24 Q. Do you recall how many were
25 removed on the first visit?

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2 A. No. He had a lot of staples.

3 Q. Do you recall how many staples he
4 had?

5 A. I would say over 50 between his
6 back and his incision.

7 Q. So after all the staples were
8 removed at the surgical unit at the hospital,
9 did your grandson have any further visits
10 with -- follow-up visits with anybody else?

11 A. Yes. Then he went to Dr. Apoeso.

12 Q. Where is he located?

13 A. She. Her name is Taiye Apoeso.
14 She is located on North Avenue in New
15 Rochelle.

16 MR. FALVEY: And Irma, that's

17 T-A-I-Y-E. A-P-O-E-S-O.

18 MS. LYNCH: A-P-O-E-S-O?

19 MR. FALVEY: Correct.

20 Q. When did your grandson first go
21 see this doctor?

22 A. Probably he went a couple of weeks
23 after his last visit at Jacobi.

24 Q. What did the doctor do for your
25 son?

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A. She just monitored his -- checked his wound. Made sure that was healing properly because he was having very bad stomach pain at that time and just keeping the -- checking on his general health.

Q. What kind of doctor is she?

A. A pediatrician.

Q. Is she his regular doctor?

A. She is, yes.

Q. Did she recommend any other further treatment other than monitoring his healing?

A. No.

Q. And did she give you any updates on how the healing was going?

A. Yes. She told me with his particular wound, it would take some time to heal because he was rushing, you know. He was saying -- because you couldn't hug him. You couldn't do anything with him. He would -- so she said it would take some time for him.

Q. So if you tried to hug him, he was in pain?

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2 A. Yes.

3 Q. Okay. Did she give you an idea of
4 how long? Did she say --

5 A. No. She said she did not know
6 exactly, you know, every child is different.

7 Q. Okay.

8 A. And, you know, you know, it's in
9 his time.

10 Q. Okay. Do you recall how many
11 follow-up visits your grandson had with the
12 doctor?

13 A. At least four or five. I'm not
14 certain of the exact. . . .

15 Q. Is your son still treating with
16 her --

17 A. Yes.

18 Q. -- for the injury he received?

19 A. Yes. He's still going.

20 Q. How often is he going?

21 A. He goes -- she wants to see him
22 like every three or four weeks. But he's
23 doing his internship now so it's hard to get
24 an appointment with her. But he's
25 definitely -- when he finishes this week, he

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should be going back to her for a checkup.

Q. For a checkup?

A. Ah-huh.

Q. You have to say yes.

A. Yes. I'm sorry.

MS. LYNCH: Off the record.

(Discussion off the record.)

MS. LYNCH: Back on.

Q. So your grandson is still treating
with his pediatrician --

A. Yes.

Q. -- for the injuries he received?

A. Yes.

Q. Has she recommended any follow-up
testing or any other treatment other than
monitoring his healing?

A. She said if he keeps having that
pain, she is going to think of something
further to do with him. But she hasn't
recommended anything as of yet.

Q. And what kind of pain is he still
having?

A. Like he said, when he moves
certain ways or when you squeeze him or even

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2 when he's -- like now he tries to do a little
3 exercise, it hurts.

4 Q. Did she give you any idea of what
5 other recommendations she would make if the
6 pain doesn't go away?

7 A. No. She didn't specify.

8 Q. Okay. As you sit here today, do
9 you have an appointment with the doctor right
10 now for further future appointment?

11 A. Not yet. I'm going to make one.

12 Q. When do you plan on making that?

13 A. Well, he finishes his internship
14 this week so I'm planning on making one.
15 Probably next week I will call.

16 Q. So other than Jacobi Hospital and
17 the pediatrician, did your grandson treat
18 with anybody else in connection with the
19 injuries he received?

20 A. Well, his mental. He goes to a
21 therapist.

22 Q. Who does he treat with, his
23 therapist?

24 A. Okay. Her name just escaped me.
25 I can't think of her name. But she is

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2 through the Victims Services Center.

3 Q. Okay. How often does he treat
4 with this therapist?

5 A. Once a week.

6 Q. And where does he go?

7 A. He goes -- is it -- I don't know.
8 I'm not sure of the address. It's at -- I
9 think it's in Court Street.

10 Q. In White Plains?

11 A. Yes.

12 Q. How long are the sessions?

13 A. One hour.

14 Q. Do you go with him?

15 A. Yes.

16 Q. Do you sit in on the sessions?

17 A. No.

18 Q. Do you know what your grandson
19 talks about with the therapist?

20 A. I'm sure it's about the incident.

21 Q. Okay. Does he ever discuss his
22 sessions with you?

23 A. No.

24 Q. Does the therapist ever talk to
25 you about her discussions or his discussions

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2 with your grandson?

3 A. Only if it's something that she
4 wants me to do, you know. Like to -- like he
5 was saying to her he would like his curfew to
6 be a little longer. So she called me and
7 said could you give him -- something like
8 that. But nothing -- nothing -- none of the
9 personal talks.

10 Q. Okay. And have you noticed a
11 difference in your grandson with regards to
12 his mental health?

13 A. Yes.

14 Q. Can you tell me what you noticed?

15 A. More importantly, before the
16 incident, he had lots of friends coming to
17 visit. Just really more of a happy-go-lucky
18 person. And today there's nobody coming to
19 visit. None of his male friends come at all
20 and he's just not a happy person as he used
21 to be. As a matter of fact, he told me just
22 last week that this incident had ruined his
23 life.

24 Q. Did he say in what way it has
25 ruined his life?

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2 A. Can I have a minute?

3 Q. Yeah. Do you want to take a
4 break?

5 A. Just give me one minute.

6 Q. Sure.

7 A. I'm sorry.

8 Q. Don't apologize.

9 A. No. It's just that -- I don't
10 know. He's just, you know, he just doesn't
11 have the company he used to have. He's not
12 as happy as he used to be. He's mostly in
13 the house. Yeah. Like his plans for
14 college, he wanted to go away. He always
15 said he wanted to go away. Now, he doesn't
16 want to go away anymore, you know.

17 He's just so uncertain now of what
18 he wants to do when he -- I mean before when
19 he was in the eleventh grade, he knew he
20 wanted to go away to college. He knew -- he
21 was more defined about what he wanted to do
22 in life. Now, he's not sure what he wants to
23 do, you know.

24 We encourage him every day, you
25 know. You still stick to your plans

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2 regardless of this incident. But it seemed
3 to have, I don't know, thrown him off his
4 game a little bit.

5 Q. Do you see any improvement?

6 A. Some. I mean he's coming along
7 but it's just not -- he's not getting there.
8 He's not bouncing back as I would like him to
9 be.

10 Q. Now, he's in twelfth grade now?

11 A. Yes.

12 Q. Is he graduating this school?

13 A. Yes. He's going to graduate on
14 the 26th.

15 Q. And is he going to college?

16 A. We are still figuring that out.
17 He's been accepted.

18 Q. Right.

19 A. But he hasn't -- I don't know the
20 names offhand. He's been accepted to two
21 places. He hasn't made up his mind. We ask
22 him every day what are you going to do, what
23 are you going to do. These colleges that
24 he's been accepted to are away and now he
25 doesn't want to go away so I don't know.

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2 Q. They're out-of-state or just
3 within New York?

4 A. Out-of-state.

5 Q. Do you recall what states they're
6 in?

7 A. I'm not sure.

8 Q. But he has made a decision yet?

9 A. No.

10 Q. Other than the therapist, Jacobi
11 and his pediatrician, is there anybody else
12 who he's treated with in connection with the
13 incident?

14 A. No.

15 Q. And this therapist, is that
16 through -- is that paid through the insurance
17 company or is that --

18 A. No. It's Victims Services. Her
19 name is Ms. -- her last name is Meany.
20 M-E-A-N-E-Y. I think that's how she spells
21 it.

22 MR. FALVEY: It's Stacey Nolan
23 Meany, N-O-L-A-N M-E-A-N-Y, at the
24 Victims Services Bureau of the
25 Westchester County District Attorney's

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2 office.

3 Q. Other than treating with that
4 therapist, he's not treating with any other
5 therapist?

6 A. No, not at this time.

7 Q. Did you have any out-of-pocket
8 expenses as a result of this incident?

9 A. Well, only for -- there was
10 over-the-counter medication and bandages and
11 stuff like that. But other than that, no.

12 Q. Do you recall how much that cost?

13 A. Not offhand.

14 Q. So after the date of the incident,
15 did you ever speak with anyone at the school
16 about what happened?

17 A. No. Not really. His house
18 principal called.

19 Q. Did you --

20 A. Just called to see how he was
21 doing.

22 Q. Do you recall the house
23 principal's name?

24 A. Miss Serrano or Solano. He was in
25 house four.

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2 Q. Anyone else from the school
3 district contact you?

4 A. No.

5 Q. Did you reach out to anyone at the
6 school about what happened?

7 A. No.

8 Q. Did anyone from your family ever
9 speak to anyone about what happened --

10 A. No.

11 Q. -- at the school?

12 A. No.

13 Q. Did your son have to have any
14 hearings at the school district about what
15 happened?

16 A. I'm sorry.

17 Q. That's okay.

18 Did your grandson have to have any
19 hearings at the school district about this
20 incident?

21 A. He did at the Board of Education.
22 It was the QH something hearing.

23 Q. Do you recall what the hearing was
24 for?

25 A. They asked questions about the

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2 incident.

3 Q. Were you present?

4 A. Yes.

5 Q. Do you recall what questions were
6 asked?

7 A. Similar to what you're asking.

8 Q. And he gave the answers about what
9 happened?

10 A. Yes.

11 Q. Okay. Do you recall who was
12 present, if you know?

13 A. No, I don't know names.

14 Q. Prior to this incident, did you
15 know B.S.?

16 A. No.

17 Q. When you were at the hearing with
18 your grandson at the Board of Education, are
19 you aware whether B.S. was present?

20 A. At the hearing?

21 Q. Yes.

22 A. No, he was not.

23 Q. Do you know he wasn't there?

24 A. Right.

25 Q. Okay. Did you ever speak to B.S.

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2 or meet B.S. after the incident?

3 A. Never.

4 Q. After the incident, did you, your
5 grandson or your husband ever speak with the
6 police about what happened?

7 A. Yes.

8 Q. And who did you speak to?

9 A. Detective Fudge was one -- was one
10 of the officers and there was his partner. I
11 don't know the name.

12 Q. When did you first speak with him?

13 A. Well, they came to the hospital.

14 Q. Did they speak to you, your
15 husband or your grandson or all three of you?

16 A. They spoke to both of us.

17 Q. When you say both of us, who do
18 you mean?

19 A. Me and my grandson.

20 Q. And can you tell me about that
21 conversation with the officers?

22 A. They just asked him, you know, did
23 he know what happened, why did -- did he know
24 why B.S. did what he did.

25 Q. And he said?

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2 A. He said no. He said the same
3 thing he just told you. That the incident --
4 how it happened in class.

5 Q. Okay.

6 A. And that's basically what they
7 asked. They just wrote that down.

8 Q. Did your grandson ever sign a
9 written statement to your knowledge?

10 A. No.

11 Q. He didn't?

12 A. No, I don't think so.

13 MR. FALVEY: It's Fudge. Just
14 like it sounds with a capital F.

15 MS. LYNCH: Yeah.

16 Q. After the police came and spoke
17 with you and your grandson at the hospital,
18 did you ever go to the police station to
19 speak with police officers?

20 A. Yes.

21 Q. And when did that happen?

22 A. I don't know the date.

23 Q. Was it a week, two weeks,
24 something else?

25 A. Well, it was -- they had just --

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they called us down. Detective Fudge and his partner had called us down to just look at a video because they wanted to figure out if he was at Gemelli's the day -- that B had the problem with the other kids.

Q. At Gemelli's?

A. At Gemelli's.

Q. On the day before, on January 17th?

A. Correct.

Q. Did you go down with your grandson?

A. Yes.

Q. Were you present when your grandson viewed this video?

A. Yes.

Q. Did you view it as well?

A. Yes.

Q. And can you tell knee what was on the video?

A. It was just a video of people walking up and down the street. And he was trying to figure out what time he walked down the street. And we did see him on the video

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2 after the incident.

3 Q. Meaning your grandson was on the
4 video?

5 A. Ah-huh.

6 Q. Do you recall what your grandson
7 was doing in that video?

8 A. Walking.

9 Q. Just walking?

10 A. Yes.

11 Q. Do you recall if he was by himself
12 or with anybody?

13 A. I think he was with somebody. But
14 it was -- there were so many kids in the
15 group. I'm not sure if they were with him or
16 just a group.

17 Q. So when you saw your grandson on
18 the video and he was walking, there were
19 other students in the area?

20 A. Yes, because they were getting out
21 of school.

22 Q. Okay. So some of those students
23 may have just been in the area?

24 A. Right.

25 Q. So you don't know if anybody was

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2 in particular walking with your grandson?

3 A. Right. Because it was a group.

4 Q. And did you recognize any of the
5 other students in the video besides your
6 grandson?

7 A. No.

8 Q. Okay. You stated earlier your
9 grandson used to have friends come over to
10 the house?

11 A. Yes.

12 Q. Did you see any of those friends
13 in the video with your grandson?

14 A. No.

15 Q. As you sit here today, do you have
16 any idea what B.S. looks like?

17 A. I saw him in court.

18 Q. Was that before or after you saw
19 the video?

20 A. (No response).

21 Q. When you saw B.S. in court, was it
22 after you saw the video?

23 A. Yes.

24 Q. So when you viewed the video, did
25 you have any idea what B.S. looked like?

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2 A. Never.

3 Q. So you wouldn't know if he was in
4 that video when you viewed it?

5 A. No, I wouldn't.

6 Q. And when you viewed this with the
7 police officers and you saw your grandson,
8 what did the police officers say, if
9 anything, at that point?

10 A. Just that -- it was basically for
11 the timing. They were -- to see what time he
12 came down that street that day.

13 Q. Okay. And did they say anything
14 about this having a connection with your
15 grandson's incident?

16 A. No.

17 Q. Did you have to speak with the
18 police officers or meet with them again after
19 viewing this video?

20 A. No.

21 Q. Did your son -- grandson. I keep
22 saying son. I apologize.

23 A. That's okay.

24 Q. After your grandson saw the video,
25 did he ever have to testify in court?

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2 A. No.

3 Q. Okay. You stated earlier that you
4 saw B.S. in court?

5 A. Yeah.

6 Q. For what were you in court?

7 A. On his sentencing day.

8 Q. Was your grandson there?

9 A. No.

10 Q. And did you speak at that
11 sentencing?

12 A. No.

13 Q. Okay. Did anybody from your
14 family speak at that sentencing?

15 A. Well, we sent in a letter that the
16 DA read.

17 Q. What was in the letter?

18 A. It was just our thoughts and that
19 we, you know, oh, God. It was just a
20 statement saying that how we felt about the
21 incident and how it affected our lives.

22 Q. Do you recall if B.S. said
23 anything at that sentencing?

24 A. No, he didn't say anything.

25 Q. Did he ever apologize to you or --

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2 A. Never.

3 Q. -- or your grandson?

4 Prior to being in court for the
5 sentencing, there was no prior trial or
6 anything in connection with the incident
7 involving your son, your grandson?

8 A. No.

9 Q. That was the first time you had
10 ever seen B.S.?

11 A. Yes.

12 Q. After your grandson's incident,
13 did anybody ever come up to you and tell you
14 they witnessed what happened?

15 A. No.

16 Q. Did anybody come up and tell you
17 they're aware of witnesses that saw what
18 happened?

19 A. No.

20 Q. Are you aware of anybody in the --
21 other than your grandson and B.S. being in
22 the classroom that day, any of the other
23 students that were present in the room that
24 day, do you know any of their names?

25 A. No.

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2 Q. Before the date of the incident,
3 you had never heard of B.S.?

4 A. Never.

5 Q. Okay. So after the date of the
6 incident, did anybody ever come up to you and
7 say that they were aware of B.S. having any
8 problems with any of the kids in the school
9 before your grandson's incident?

10 A. No.

11 Q. Are you aware of any incident
12 involving B.S. before this incident involving
13 your grandson?

14 A. Yes.

15 Q. What incidents are you aware of?

16 A. We had read in the newspaper that
17 he had an incident at Isaac Young High
18 School.

19 Q. When did you read about that
20 incident?

21 A. Well, after what happened to my
22 grandson.

23 Q. What paper did you read that in?

24 A. The Journal News.

25 Q. And when you said it was after

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2 your grandson's incident, was the article
3 about your grandson's incident where they
4 brought up Isaac Young's incident?

5 A. Yes.

6 Q. And as you sit here today, do you
7 recall what the paper said about that
8 incident?

9 A. Only that he had a prior stabbing.
10 He had stabbed another child.

11 Q. Okay. Other than reading in the
12 paper, do you know anything about that
13 incident?

14 A. No.

15 Q. Other than the Isaac Young
16 incident and what happened at Gemelli's, are
17 you aware of any other incidents that B.S.
18 was involved in with other students at the
19 New Rochelle School District?

20 A. No.

21 Q. Now, I know you spoke about your
22 grandson's mental health and how he's changed
23 since this incident.

24 Is there anything else that your
25 grandson could do before this incident that

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2 he can't do now?

3 A. Well, he can't sleep unless the
4 light is on.

5 Q. Okay.

6 A. There are certain things -- he's a
7 little more less outgoing. A little bit more
8 shy.

9 Q. And is there anything physically
10 he can't do that he used to be able to do?

11 A. Well, he still can do things.
12 But, you know, like if he tries to play
13 basketball and stuff, he can play a little
14 bit. He gets tired fast.

15 Q. Anything else?

16 A. Nothing I can recall.

17 Q. Okay. And other than the hearing
18 with the Board of Education, you had no other
19 conversations with anyone at the school
20 district about what happened to your
21 grandson?

22 A. No.

23 Q. Did you ever try to contact the
24 principal or the assistant principal at the
25 school?

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A. No.

Q. Okay. Since this incident, has
your grandson seen or had any contact with
B.S.?

A. No.

Q. Other than seeing him in court
that day, have you had any contact with B.S.
or your husband?

A. No.

Q. Okay.

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MS. LYNCH: I have nothing
further. Thank you.

MR. FALVEY: No questions.

(TIME NOTED: 11:30 P.M.)

oOo

I, THELMA JORDAN, the witness herein,
having read the foregoing testimony of the
pages of this deposition, do hereby certify
it to be a true and correct transcript,
subject to the corrections, if any, shown on
the attached page.

oOo

THELMA JORDAN

Subscribed and sworn to before me
this _____ day of _____, 201_
_____.

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STATE OF NEW YORK)

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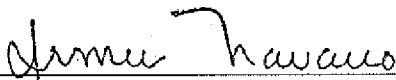
COUNTY OF ROCKLAND)

I, IRMA K. NAVARRO, a Shorthand
Reporter and Notary Public within and for the
State of New York, do hereby certify:

That the foregoing proceedings
were taken down by me in shorthand and
thereafter transcribed under my direction and
supervision, and that the within transcript
is a true record of such proceedings.

I further certify that I am not
related to any of the parties to this action
by blood or marriage, and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have
hereunto set my hand this 23rd day of
June, 2019.


IRMA K. NAVARRO

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I wish to make the following changes, for
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