

EXHIBIT “C”

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RONALD T. WHITAKER, SR., . CIVIL ACTION
AND DALEA LYNN, .
Co-Administrators of the .
ESTATE OF RONALD TAYLOR .
WHITAKER, JR.; and .
RONALD T. WHITAKER, SR., .
TAYLOR WHITAKER, BRANDI .
WHITAKER and CHRISTOPHER .
HAMMERSTONE, .
Individually, .
Plaintiffs .

No. 08-627

vs.

SPRINGETTSBURY TOWNSHIP, .
SPRINGETTSBURY TOWNSHIP .
POLICE DEPARTMENT, CHIEF .
OF POLICE DAVID ESHBACH .
AND POLICE OFFICER GARY .
UTTER, .
Defendants .

.....

Deposition of: RONALD T. WHITAKER, SR.
Taken by : Defendant Officer Utter
Date : October 14, 2008, 9:01 a.m.
Place : 2675 Eastern Boulevard
York, Pennsylvania
Before : Donna S. Elicker, RMR
Reporter - Notary Public

APPEARANCES:

KANE & SILVERMAN

By: ERIC L. KEEPERS, ESQ.

For - Plaintiffs

CAMPBELL, DURRANT, BEATTY, PALOMBO & MILLER

By: BRIAN P. GABRIEL, ESQ.

For - Defendants Springettsbury Township
and Chief Eshbach

MONTGOMERY, MCCRACKEN, WALKER & RHOADS, LLP

By: DAVID J. MacMAIN, ESQ.

For - Defendant Officer Utter

1 -- I am going to talk -- we will talk general and you
2 can give me specifics if you recall -- whether your son
3 had ever spent time in jail?

4 A. Yes.

5 Q. Okay. And what jail, first of all?

6 A. Lancaster County Prison.

7 Q. Do you know when that was?

8 A. No. I am sorry.

9 Q. Do you know about how long?

10 A. How long he was in?

11 Q. Yes.

12 A. It wasn't very long. Two weeks, maybe a month,
13 something like that.

14 Q. And was it more than one time he was at
15 Lancaster County Prison?

16 A. The one is the only one I remember. I can't
17 say.

18 Q. Any other prisons? York County? Any other
19 prisons that your son was in?

20 A. Not that I know of. I don't know.

21 Q. Now, your son had -- there was three children I
22 saw listed in the newspaper articles: Taylor Whitaker,
23 Brandi Whitaker, and Christopher Hammerstone.

24 A. Yes.

25 Q. Was your son the father of all three children?

1 Q. Okay. Is that what your son told you?

2 A. Yes.

3 Q. Was there any kind of wedding date set or --

4 A. No.

5 Q. -- it was just something they talked about doing
6 in the future?

7 A. Something that he wanted to do.

8 Q. At the time of July of '07, were all four
9 children, your son, and Dalea all living at the same
10 location?

11 A. No, Christopher doesn't.

12 Q. Okay. Where did Christopher live in July of --

13 A. His address is Lititz. He lives with his mother
14 there. Christopher has a different mother.

15 Q. Okay. So Christopher, Gary is the father, but
16 the mother --

17 A. Ron is the father.

18 Q. Did I say Gary again? Ron. I am sorry.

19 A. Yeah.

20 Q. Your son is Christopher's father. Who is the
21 mother?

22 A. I don't know her name offhand. Maria is all I
23 remember.

24 Q. So let me ask you, you said that your son and
25 Dalea had been together for you said about -- I forget

1 Q. Any other mental health treatment either as an
2 inpatient or outpatient?

3 A. Not that I know of.

4 Q. Any other counseling for drug problems?

5 A. I think that's what -- they put him in a program
6 I think there.

7 Q. At St. Joe's?

8 A. Yeah, as an outpatient after the initial, when
9 he went in.

10 Q. But you don't know the name of the facility that
11 he got the counseling from?

12 A. That would have been with them. They have --
13 with the St. Joe's Hospital.

14 Q. Okay.

15 A. Other than that, I can't tell you the names or
16 anything, groups.

17 Q. How about any kind of alcohol counseling?

18 A. I don't know.

19 Q. Any other type of counseling, anger management,
20 domestic relations, domestic violence, any other
21 counseling other than the St. Joseph's Hospital?

22 A. Not that I know of, no.

23 Q. Do you know if in July of '07 whether your son
24 was on probation or parole?

25 A. I think he was almost finished or he was

1 finished.

2 Q. Okay. So he was on probation or parole at some
3 point?

4 A. Yeah.

5 Q. You don't know if he was in July of '07?

6 A. Yeah.

7 Q. Do you know who his probation or parole officer
8 was?

9 A. Not offhand I don't, no.

10 Q. Do you know if it was through Lancaster County?

11 A. Yes, Lancaster County.

12 Q. At the time of your son's death, was Christopher
13 living with your son and Dalea or was he living with
14 his mother Maria?

15 A. He was living with his mother Maria.

16 Q. Did your son pay any type of child support?

17 A. Yes. It was Court-ordered child support.

18 Q. And was that through Lancaster County? Do you
19 know?

20 A. Yes.

21 Q. Was there ever any type of proceedings against
22 your son for failure to pay child support?

23 A. I am sure there was different times he got
24 behind and stuff. Other than that, I don't know.

25 Q. Okay. When you say you are sure there were

1 Q. Okay. In Lancaster?

2 A. Yep.

3 Q. And where was your son living at the time?

4 A. In Wrightsville.

5 Q. And how far apart?

6 A. Nine miles, if that.

7 Q. Now, when did your son get to your house that
8 day?

9 A. I would say around 10 o'clock, something like
10 that.

11 Q. Morning or evening?

12 A. Pardon?

13 Q. Morning or evening?

14 A. Morning.

15 Q. And was he by himself?

16 A. No, he had his family.

17 Q. So it would be Dalea?

18 A. Dee and the kids, yes, all three of the
19 children.

20 Q. Okay. And he helped you with your -- I think
21 you mentioned --

22 A. Yeah, I had a problem with a starter on my
23 Freightliner truck and he ran a new wire for me from
24 the switch to the solenoid. And that took care of
25 that. And then something else we did on one of my

1 cars. And he fixed that. And we also had a barbecue
2 in the yard that afternoon.

3 Q. Let me kind of get the time frame. I think
4 around 10:00 in the morning is when they got to your
5 house?

6 A. Yeah.

7 Q. Did they all leave together?

8 A. Yeah, they all left together I would say 3,
9 4 o'clock in the afternoon, because he wanted to see
10 the race, the NASCAR race. He liked the races. He
11 loved the races.

12 Q. Okay. And between 10:00, a ballpark 10:00 in
13 the morning and 3:00 or 4:00 in the afternoon, you say
14 he worked on a couple of cars for you?

15 A. A car and a truck.

16 Q. A car and a truck. And you had a barbecue?

17 A. Yep.

18 Q. Did your son have any alcoholic beverages to
19 drink?

20 A. No, not there. I never -- they never entered my
21 house to anybody.

22 Q. Okay. Are you a nondrinker?

23 A. I drink a couple drinks at night, but just
24 that's it.

25 Q. Okay. Now, you said you never hand out drinks.

1 would that be just for your son or would that be
2 anybody who comes to visit?

3 A. Anybody. I just buy those for me to have a
4 couple if I want them at night to help me sleep. It
5 helps you relax.

6 Q. Okay. We are doing it again where we were
7 talking at the same time. So I will try to make sure I
8 stop before you talk and make sure you wait until I
9 finish. Okay?

10 So between 10:00 and 3:00 or 4:00, your son and
11 his family are there. No alcoholic beverages?

12 A. (Shakes head).

13 Q. And they leave?

14 A. Yes. He wanted to go home so he could watch
15 NASCAR.

16 Q. Anything unusual about your son's behavior that
17 day?

18 A. Not that I noticed. He was actually doing
19 pretty good. I mean, he was happy with his job. He
20 got hired on permanent. I thought everything was
21 honky-dory really.

22 Q. So nothing you that as his father saw that he
23 was in need of any kind of counseling or any kind of --
24 was depressed in any way?

25 A. No. Actually I thought things were pretty good.

1 the trailer company. But I think they pleaded
2 everything down to just a misdemeanor.

3 Q. And who was the employer?

4 A. Great Dane.

5 Q. Great Dane?

6 A. Yeah.

7 Q. And your son was a driver?

8 A. No, he was a mechanic. He repaired trailers.

9 Q. Do you know what it was that he did?

10 A. A vending machine that they said he broke into.
11 That's all.

12 Q. Okay. The next one is July 22nd of '99, driving
13 while suspended. I mean, do you know anything about
14 that?

15 A. No.

16 Q. At the time of this incident, July of '07, do
17 you know if your son had a valid driver's license?

18 A. I don't know. According to this, he didn't.
19 Right?

20 Q. Well, this is '99, so it's eight years prior.

21 Turn to the next page. It actually has two more
22 charges it looks like from the same July 22nd, reckless
23 driving and fleeing to elude a police officer. Does
24 that refresh your recollection at all about --

25 A. That might have been the -- I don't know for

1 sure. I can't say for sure. I don't know.

2 Q. Okay. Do you remember any incident where he
3 tried to flee from the police?

4 A. Supposedly it went into Maryland where it
5 happened. Most of it was just fines. That's all that
6 happened.

7 Q. Okay. And then there is it looks like two
8 charges of March 16, '01, theft and bad checks. And
9 they both say dismissed. Do you remember anything
10 about that, what was alleged?

11 A. That was the ones that Officer Utter had signed
12 the complaints.

13 Q. Okay. There is another one just about a week
14 later, March 22, '01, theft and bad checks.

15 A. They are all -- it says theft, but they are all
16 -- he made -- my understanding is he made them good.
17 He paid them off.

18 Q. Okay. So --

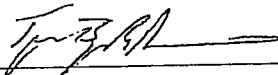
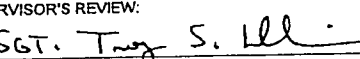
19 A. It was three -- yeah, there is three of them.

20 Q. Was it your understanding that the checks were
21 bad, but he was able to pay and so therefore the
22 charges --

23 A. Yeah, he made arrangements for them all.

24 Q. Do you know who these bad checks were to?

25 A. No.

VICTIM CHECKLIST A						INCIDENT NO.: H07-1679711		
FULL NAME: Ronald Taylor WHITAKER JR								
NICKNAMES: Ronnie				MAIDEN NAME:				
PRIOR MARRIED NAME:				DOB: 11/17/67	RACE: W/N	SEX: M	AGE: 39	PHOTOGRAPHS OBTAINED: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N
HGT: 506	WGT: 160	COLOR EYES: BLUE	COLOR HAIR: BROWN	SSN: 192-58-3191	HANDED: <input type="checkbox"/> L <input type="checkbox"/> R <input type="checkbox"/> A <input type="checkbox"/>			PHONE #: 717-456-6092
ADDRESS: 513 Hellam Street, Wrightsville, PA 17368								
PLACE OF BIRTH: PA		PREVIOUS ADDRESS LAST FIVE YEARS: <input checked="" type="checkbox"/> PREVIOUS PHONE #'S: <input checked="" type="checkbox"/> CRIMINAL HISTORY RECORD: <input checked="" type="checkbox"/>						
PRIOR POLICE CONTACT: <input checked="" type="checkbox"/> OCCUPATION(S): <input checked="" type="checkbox"/> BUSINESSES OWNED: <input type="checkbox"/> PROPERTY OWNED: <input type="checkbox"/> PROPERTY RENTED: <input type="checkbox"/> PLACE OF EMPLOYMENT: <input type="checkbox"/>								
PRIOR FIVE YEARS EMPLOYMENT: <input checked="" type="checkbox"/> COLLEGES ATTENDED: <input type="checkbox"/> HIGH SCHOOL(S): <input type="checkbox"/> GRADE SCHOOL(S): <input type="checkbox"/> OTHER SCHOOLS ATTENDED: <input type="checkbox"/>								
MILITARY SERVICE: BRANCH: <input type="checkbox"/> DATE SERVED: <input type="checkbox"/> SERVICE LOCATION: <input type="checkbox"/> TYPE DISCHARGE: <input type="checkbox"/> MILITARY DISCIPLINE: <input type="checkbox"/>								
MEDICAL PROBLEMS: <input type="checkbox"/> TREATMENT INFORMATION: <input type="checkbox"/> MENTAL HEALTH PROBLEMS: <input type="checkbox"/> TREATMENT INFORMATION: <input type="checkbox"/> MEDICATION: <input type="checkbox"/> PRESCRIPTION: <input type="checkbox"/>								
BLOOD TYPE: <input type="checkbox"/> EYE GLASSES/CONTACTS: <input type="checkbox"/> OPHTHALMOLOGIST INFORMATION: <input type="checkbox"/> DENTAL PROBLEMS: <input type="checkbox"/> DENTIST INFORMATION: <input type="checkbox"/> ODONTOLOGY: <input type="checkbox"/>								
PIERCED EARS: <input type="checkbox"/> JEWELRY ROUTINELY WORN: <input type="checkbox"/> TATTOOS: <input type="checkbox"/> WHERE AND WHEN TATTOOS OBTAINED: <input type="checkbox"/>								
MARITAL STATUS: <input type="checkbox"/> SPOUSE: NAME: <input type="checkbox"/> ADDRESS: <input type="checkbox"/> PHONE: <input type="checkbox"/> DOB: <input type="checkbox"/> PHYSICAL DESCRIPTION: <input type="checkbox"/> SSN: <input type="checkbox"/> PREVIOUS MARRIAGES: <input type="checkbox"/>								
SPOUSE PREVIOUS MARRIAGE: <input type="checkbox"/> CHILDREN: <input type="checkbox"/> OTHER HOUSEHOLD MEMBERS: <input type="checkbox"/> PARENTS: <input type="checkbox"/> SIBLINGS: <input type="checkbox"/>								
PARAMOUR(S): <input checked="" type="checkbox"/> BOYFRIEND/GIRLFRIEND: <input checked="" type="checkbox"/> INDIVIDUAL DATES: <input type="checkbox"/> ANY KNOWN/SUSPECTED AFFAIRS: <input checked="" type="checkbox"/> ANY KNOWN/SUSPECTED HOMOSEXUAL ACTIVITY: <input type="checkbox"/>								
ACTIVITIES: DRINKING: <input checked="" type="checkbox"/> SMOKING: <input checked="" type="checkbox"/> ILLEGAL DRUGS: <input checked="" type="checkbox"/> ABUSE OF LEGAL DRUGS: <input checked="" type="checkbox"/> GAMBLING: <input type="checkbox"/> HOBBIES: <input checked="" type="checkbox"/> RELIGIOUS: <input type="checkbox"/>								
CLUBS: <input type="checkbox"/> ASSOCIATIONS: <input type="checkbox"/> CHARITIES: <input type="checkbox"/> POLITICAL: <input type="checkbox"/> SPORTS: <input type="checkbox"/>								
LOCATIONS FREQUENTED: NAME: <input type="checkbox"/> TYPE: <input type="checkbox"/> HOW OFTEN: <input type="checkbox"/> ACCOMPANIED BY: <input type="checkbox"/>								
LAST KNOWN: LOCATION SEEN: <input checked="" type="checkbox"/> TIME AND DATE: <input checked="" type="checkbox"/> SEEN BY WHOM: <input checked="" type="checkbox"/> SEEN WITH WHOM: <input checked="" type="checkbox"/> METHOD OF TRAVEL: <input type="checkbox"/> PLANNED DESTINATION: <input type="checkbox"/>								
CLOTHING WORN: <input checked="" type="checkbox"/> ARTICLES IN POSSESSION: <input checked="" type="checkbox"/> MONEY IN POSSESSION: <input type="checkbox"/> VALUABLES IN POSSESSION: <input type="checkbox"/> VICTIM'S ACTIVITIES FOR PREVIOUS 72 HOURS: <input type="checkbox"/>								
WILL: <input type="checkbox"/> LIFE INSURANCE: <input type="checkbox"/> SAVINGS/CHECKING ACCOUNTS: <input type="checkbox"/> AUTOMATIC TELLER CARDS: <input type="checkbox"/> FINANCIAL OBLIGATIONS: <input type="checkbox"/> BANKRUPTCY: <input type="checkbox"/> CREDIT CARDS: <input type="checkbox"/>								
CREDIT CARDS MISSING: <input type="checkbox"/> ARRANGEMENT MADE TO TRACK USE OF MISSING CARDS: <input type="checkbox"/>								
FRIENDS: <input type="checkbox"/> KNOWN ENEMIES: <input type="checkbox"/> ASSOCIATES: <input type="checkbox"/> COWORKERS: <input type="checkbox"/> VEHICLE OWNED: <input type="checkbox"/> VEHICLES HAS ROUTINE ACCESS TO: <input type="checkbox"/>								
HABITS: TRAVEL LOCATION AND METHOD: <input type="checkbox"/> SOCIAL PERSONALITY: <input type="checkbox"/> EATING: <input type="checkbox"/> VICTIM'S RESIDENCE EXAMINED: <input type="checkbox"/>								
DETAILS:								
Previous address last five years: 513 Hellam Street, Wrightsville, PA 17368 700 Main Street, Delta, PA 17314 763 Saint Joseph Street, Lancaster, PA 17603 625 E. King Street, Lancaster, PA 17602 851 E. Main Street, Lot#11E, Ephrata, PA 17522								
Previous Phones: (717)456-6092 (717)456-5839								
Criminal History Record: 03/20/93 - DUI (ARD) 02/25/97 - Possession of drugs (Guilty) 02/17/99 - Burglary (Pled Guilty to lesser offense) 02/17/99 - Theft (Pled Guilty) 02/17/99 - Criminal Trespass (Pled Guilty) 07/22/99 - Driving while suspended (Pled Guilty)								
-continued-								
COMPLETED BY: Tpr. Bryan R. HENNEMAN 				BADGE NO.: 8636	DATE: 07/26/07			
SUPERVISOR'S REVIEW: Sgt. Tony S. Ill  5518				C.I. SECTION CO.:		PAGE NO.: VCK 1		
<i>DEPARTMENT HEAD QUARTERS</i>								

PSP 7-005 (3-96) PENNSYLVANIA STATE POLICE CONTINUATION SHEET <input checked="" type="checkbox"/> SUPPLEMENTAL INVESTIGATION REPORT <input checked="" type="checkbox"/>	REPORT TYPE <input checked="" type="checkbox"/> INCIDENT <input type="checkbox"/> OTHER	DATE(S) DAY(S) OF INCIDENT 07/07/07 SAT	INCIDENT NO. 07-1679711	TIME(S) OF INCIDENT 3:00 HOURS	JUVENILE <input type="checkbox"/>	DOMESTIC VIOLENCE <input type="checkbox"/>
ATTACHMENTS: <input type="checkbox"/> MISSING PERSON CHECKLIST <input type="checkbox"/> FELONY CRIMES AGAINST THE PERSON <input type="checkbox"/> STATEMENT FORM(S) <input type="checkbox"/> VICTIM/WITNESS ASSISTANCE GUIDE RECEIPT <input type="checkbox"/> RIGHTS WARNING AND WAIVER <input type="checkbox"/> PROPERTY RECORD <input type="checkbox"/> OTHER		DISP.: <input type="checkbox"/> CLEARED BY ARREST <input type="checkbox"/> UNFOUNDED <input type="checkbox"/> EXCEPTIONALLY CLEARED- DATE <input checked="" type="checkbox"/> NO FATH OF AGTOR <input type="checkbox"/> VICTIM REFUSED TO COOPERATE <input checked="" type="checkbox"/> PROSECUTION DENIED <input type="checkbox"/> JUVENILE NO CUSTODY <input checked="" type="checkbox"/> REVOKED/ONDENED <input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> MULTIPLE CLEAR UP				
PRIOR STATION PAPSP9400707					2. DATE OF REPORT 07/26/07	
3. OFFENSE Death Investigation			4. VICTIM			
5. NARRATIVE DECEASED: Ronald WHITAKER JR DATE OCCURRED: 07/07/07 Victim Checklist Continued: Criminal History Record Continued: 07/22/99 – Reckless Driving (Withdrawn) 07/22/99 – Fleeing to Elude Police Officer (Pled Guilty) 03/16/01 – Theft (Dismissed) 03/16/01 – Bad Checks (Dismissed) 03/22/01 – Theft (Dismissed) 03/22/01 – Bad Checks (Dismissed) 03/25/04 – Drug Paraphernalia (Pled Guilty) 03/25/04 – Attempted Drug Delivery (Unknown Disposition) 03/25/04 – Drug Delivery (Pled Guilty) Prior Police Contact: Please refer to criminal history for prior police contact. Prior Five Years Employment: New Standard Corporation, Hellam Township – 2007 Sharretts Plating Company Inc., Emigsville, PA – 2006 Paramours: Dalea Jean Lynn, W/N-F, DOB: 06/10/71 – girlfriend of WHITAKER for 17 years. Suspected Affairs: It was noted that WHITAKER was not the father of the five year old daughter that LYNN had given birth to. It was also noted that a piece of paper was found in WHITAKER's wallet after his death that stated, "Dee's other man" and a phone number was given. Dee was the nickname of WHITAKER's paramour, Dalea Jean LYNN. Activities: It was noted that WHITAKER was known to drink alcoholic beverages, smoke cigarettes, and use drugs (based on his criminal history). WHITAKER also was known to have a hobby of working on and driving demolition derby cars. Last known: Please refer to the homicide investigation report for WHITAKER's last location, clothing, and articles in possession just prior to his death.						
6. OFFICER'S NAME/SIGNATURE DET. BRYAN R. HENNEMAN		BADGE NO. 8636	7. INVEST. RECM. <input type="checkbox"/> CONT. <input type="checkbox"/> TERM.	8. SUPV. INIT./BADGE NO. TSL 5598	9. <input checked="" type="checkbox"/> CONCUR <input type="checkbox"/> NONCONCUR	10. PAGE VCK 2

DEPOSITION
 EXHIBIT
 Whitaker #3
 DSE 10/14/08

DEPARTMENT HEADQUARTERS

EXHIBIT “D”

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

RONALD T. WHITAKER, SR., . CIVIL ACTION
AND DALEA LYNN, .
Co-Administrators of the .
ESTATE OF RONALD TAYLOR .
WHITAKER, JR.; and .
RONALD T. WHITAKER, SR., .
TAYLOR WHITAKER, BRANDI .
WHITAKER and CHRISTOPHER .
HAMMERSTONE, .
Individually, .
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No. 08-627

vs.

SPRINGETTSBURY TOWNSHIP, .
SPRINGETTSBURY TOWNSHIP .
POLICE DEPARTMENT, CHIEF .
OF POLICE DAVID ESHBACH .
AND POLICE OFFICER GARY .
UTTER, .
Defendants .

.....

Deposition of: DALEA LYNN
Taken by : Defendant Officer Utter
Date : October 14, 2008, 11:58 a.m.
Place : 2675 Eastern Boulevard
York, Pennsylvania
Before : Donna S. Elicker, RMR
Reporter - Notary Public

1 Q. Do you prefer I call you Dee?

2 A. Yes.

3 Q. Okay. That's what I will try to remember to do.
4 Have you been known by any other names?

5 A. No.

6 Q. Have you ever been married?

7 A. No.

8 Q. I understand that -- I guess you have three
9 children?

10 A. Yes.

11 Q. Okay. And their names are Taylor?

12 A. Yes.

13 Q. And their father was Ronald Whitaker?

14 A. Yes.

15 Q. Brandi Whitaker?

16 A. Yes.

17 Q. And Ron Whitaker was their father?

18 A. Yes.

19 Q. Christopher Hammerstone is not your child?

20 A. No.

21 Q. Okay. That's Ron's son?

22 A. Yes.

23 Q. Who is the mother of Christopher?

24 A. Maria Almadia. I think that's how you say her
25 last name.

1 here?

2 A. No.

3 Q. Was he ever incarcerated at any prisons besides
4 Lancaster County? York County? A state prison? Other
5 county prison?

6 A. Yes.

7 Q. Okay. What other prison or prisons?

8 A. I am not exactly sure of the name, but it was
9 Cecil County.

10 Q. Cecil County, Maryland?

11 A. Yes, I believe that's what it was.

12 Q. Okay. And do you know when that was?

13 A. No.

14 Q. Was it more than one time in Cecil County?

15 A. No, it was once.

16 Q. Do you know what it was for?

17 A. Fleeing and eluding.

18 Q. And do you know what police department he was
19 fleeing and eluding?

20 A. All I can say, it started in Pennsylvania and
21 ended in Maryland.

22 Q. How long was it? How long was the fleeing?

23 A. I don't know.

24 Q. So Pennsylvania, Maryland. Did it go into
25 Delaware at all? Do you know?

1 A. No, they got him in the Maryland line.

2 Q. Do you know where in Pennsylvania it started
3 that he began to flee from the police?

4 A. East Lampeter.

5 Q. East Lampeter?

6 A. I think. Is that that way?

7 Q. East Lampeter I think is kind of near Strasburg.

8 A. Yes.

9 Q. And it continued all the way down into Maryland?

10 A. Yes.

11 Q. Do you know what police departments were
12 involved in the fleeing?

13 A. Just East Lampeter, and then the Maryland or
14 State, whatever goes down that way.

15 Q. Do you know why he was fleeing?

16 A. No. I wasn't with him.

17 Q. Other than Lancaster County and Cecil County or
18 Cecil, Maryland, any other places that Ron was
19 incarcerated?

20 A. York.

21 Q. Was it more than one time in York County Prison?

22 A. No.

23 Q. Do you know why he was incarcerated in York
24 County Prison?

25 A. A warrant.

1 Q. Okay. what was that? what did that arise out
2 of?

3 A. Him getting pulled over.

4 Q. Okay. And he had drugs in the car or on his
5 person or what?

6 A. I guess on him. I don't know. I think that's
7 -- yeah.

8 Q. Do you know what kind of drugs?

9 A. Marijuana.

10 Q. Okay. Did Ron have -- did Ron use cocaine?

11 A. (No response).

12 ATTY. KEEPERS: He is allowed to ask you
13 that. Do you need to confer with me?

14 THE WITNESS: Yeah.

15 ATTY. KEEPERS: Okay.

16 THE WITNESS: It is just -- well, I don't
17 know --

18 BY ATTY. MacMAIN:

19 Q. He can't be charged, so --

20 A. No, I am asking, is crack the same thing as
21 cocaine?

22 Q. Crack and cocaine are --

23 A. Okay. Thank you. Then that's what I am going
24 to say, crack.

25 Q. How often would Ron use crack? And let's just

1 ~~go for 2007. How often would you see him using or be~~
2 aware that he was using crack?

3 A. It was on a splurge for him.

4 Q. How often was there a splurge when he would use
5 crack cocaine? Once a week? Three months?

6 A. It could be three months, five months, two
7 weeks.

8 Q. Okay. So it really varied?

9 A. Yes.

10 Q. Have you ever seen the autopsy report in this
11 case, the toxicology report?

12 A. Um-hum.

13 Q. Okay. And you were aware --

14 A. Well, I didn't see -- whatever. I was told.

15 Q. Were you told that there was cocaine in his
16 system?

17 A. Well, I read that in the paper.

18 Q. Okay. Did that surprise you or did that not
19 surprise you or do you have no opinion one way or the
20 other?

21 A. I didn't think there should have been, so at
22 that time, yes, it did surprise me. Would it have
23 surprised me that he had it in his system? How do I
24 phrase this? At that time it surprised me because I
25 didn't think he was on it.

1 ~~blew money is what I am saying nicer. He knew he did~~
2 something wrong and he would -- he was more apologetic.

3 Q. This would be after he had --

4 A. Yes.

5 Q. -- come down off the high he would be
6 apologetic?

7 A. No, while he was on the high.

8 Q. While he was on the high. Okay.

9 A. That's when I usually seen him cry.

10 Q. I am sorry. That's when --

11 A. You would usually see him cry.

12 Q. When he was on crack?

13 A. Um-hum.

14 Q. Okay. And how often would that be?

15 A. I can't answer that, because whenever he got an
16 itch he would go. There is no specific answer to that.

17 Q. Any other drugs that he would use besides crack?
18 And we talked about the marijuana on that one incident.

19 A. That's it.

20 Q. Okay. How often would he use marijuana?

21 A. Not often on that one.

22 Q. Once a month? Once a week? Is there any
23 sequence or pattern to his marijuana usage?

24 A. There was no sequence to that either.

25 Q. Okay. To your knowledge, did he ever seek any

1 what happened?

2 A. I don't know specifically what happened, because
3 I was never with him. I would get a phone call that he
4 was there.

5 Q. Okay. Any other facilities for either drug or
6 alcohol?

7 A. I believe that is it. It was usually the St.
8 Joe one and then that would go from there.

9 Q. Okay. You don't know how many times at St.
10 Joe's? More than once I think you said, but you don't
11 know how many?

12 A. Yes.

13 Q. Did Ron ever attempt to commit suicide to your
14 knowledge?

15 A. Not that I know of. I am not saying he didn't
16 think about it, because I think that's why he went
17 there a couple times, but I don't know.

18 Q. But to your knowledge, he never attempted
19 suicide?

20 A. No.

21 Q. Do you know whether Ron was ever diagnosed with
22 any time of emotional issues, bipolar, schizophrenia,
23 anything like that?

24 A. Major depression, because they put him on Celexa
25 for that, but he didn't have none. I honestly -- I

1 ~~A. That was at Great Dane. He worked there. It~~
2 got broke into. I guess -- I didn't go to court or
3 anything like that, but there was a guy there that
4 supposedly seen Ron enter the building. And that's how
5 he got charged.

6 Q. Okay. This was after hours when he wasn't
7 supposed to be there?

8 A. Yes.

9 Q. Do you know what -- well, he pled guilty. Do
10 you know what it was that he took?

11 A. The vending machines.

12 Q. Literally the machines?

13 A. The change, I guess.

14 Q. So the money that was in the vending machines?

15 A. Yes.

16 Q. Do you know how much he took?

17 A. No.

18 Q. Was he given jail time for that? Was that one
19 of the periods that he was incarcerated?

20 A. I don't think. I think probation.

21 Q. The next one that is listed is July 22nd of '99,
22 driving while suspended. It continues over to the next
23 page, reckless driving, and fleeing to elude a police
24 officer.

25 Q. Okay. Was this the one we talked about before

1 ~~that started in East Lampeter and ended up in Maryland?~~

2 A. Yes.

3 Q. Okay. The next one is 3/16/01. There is two,
4 theft and bad checks. Do you know what that is about?

5 A. I think that's the bad checks bounced is up at
6 the Barry's.

7 Q. Up at where?

8 A. Barry's Food Market, I think.

9 Q. Okay. And then there is --

10 A. They were dismissed though it says. Is that --

11 Q. Well, I went through this with his dad, both
12 that one and there is another one about a week later,
13 March 22nd, '01, theft and bad checks. And dad thought
14 that he made good on the checks after all, so the
15 charges were dismissed.

16 A. Yes.

17 Q. Is that what you remember?

18 A. He got -- because he didn't go to court for
19 them. That's why he got -- I think this is the one
20 that he got picked up up here for. And then he made
21 arrangements to pay off. And it was -- I think that's
22 the -- he was making the payment, like a payment
23 arrangement or whatever when he was killed.

24 Q. Okay. The next one, March 25th of '04, there is
25 actually three charges: Drug paraphernalia, attempted

1 ~~drug delivery, and drug delivery. Do you know what~~
2 that is about? Do you remember that?

3 A. Yes.

4 Q. What was that about?

5 A. He went to buy crack cocaine and he bought it
6 from an undercover cop and went to jail.

7 Q. Was he also using crack cocaine at the time he
8 was arrested?

9 A. I don't know. All I was told is that he was
10 intending to purchase it and he bought it from an
11 undercover cop.

12 Q. Do you know what department or where this
13 happened?

14 A. Lancaster city, because he left my car sit there
15 and I got tickets. That's the only reason I know.

16 Q. Okay. Other than these charges we have been
17 through, are you aware of any other criminal charges
18 against Ron?

19 A. Nope. That's pretty much -- a lot -- now that
20 we are sitting here thinking, a lot of the times he
21 didn't go to jail for these, it was usually not going
22 to court is what -- contempt of court, not going to his
23 hearings is why he was in.

24 Because this one, the last one, yes, he did go
25 to jail for that. The other ones, the reckless, that

1 ~~prior years or is this like the first time?~~

2 A. No, it was like the fourth. It would have been
3 the second one I rode in. It was probably the third
4 one, because our friend drove the other one that he
5 did.

6 Q. Did you ever win any money?

7 A. \$50 and a trophy.

8 Q. So Ron and Taylor are working on this car. When
9 did you next see Ron, you personally see him?

10 A. After the party. I couldn't even tell you what
11 time it was. Because he came over to Tom and Jolene's
12 at the time and was talking to us about the race.

13 Q. Do you know if he had anything to drink,
14 alcoholic beverages?

15 A. Yes.

16 Q. Okay. Do you know how many he had to drink?

17 A. No, I couldn't tell you that.

18 Q. Did he appear to be under the influence, drunk?

19 A. Drunk, no.

20 Q. Buzzed?

21 A. (Shakes head).

22 Q. You have no idea how many, what he had to drink
23 or how many?

24 A. No.

25 Q. So he comes over to the candle party where you

1 are?

2 A. Yeah, we were all -- it was over and my neighbor
3 and I were sitting on the porch. And he came over and
4 was leaning on the railing talking to us about the
5 race.

6 Q. And how long was he there before -- did he go
7 back to the house then after that?

8 A. Yes.

9 Q. Okay. How about you? Did you have anything to
10 drink, any alcoholic beverages at the candle party?

11 A. No.

12 Q. When Ron was there at the neighbor's, did he
13 have any alcoholic beverages there?

14 A. The can that he had in his hand.

15 Q. No new cans from the neighbor's?

16 A. No.

17 Q. And so he goes back to the house after some
18 point?

19 A. Yes.

20 Q. And did you go back with him?

21 A. Not at the same time, no. I stayed.

22 Q. Did you see him again that night?

23 A. Yes.

24 Q. Okay. When did you next see him?

25 A. Later that evening, I came in.

1 ~~A. Community Services Group, CSG.~~

2 Q. So you worked at Rutter's, okay, from -- well,
3 when did you work at Rutter's? I wrote down -- and I
4 could be wrong -- that you worked at Rutter's from
5 August of '06 through about August of '07.

6 A. Yes.

7 Q. So you were working at Rutter's third shift as a
8 cashier?

9 A. Yes.

10 Q. Okay. What shift did Ron work?

11 A. First.

12 Q. Okay. So that would be what, 8:00 to 4:00, 9:00
13 to 5:00?

14 A. It was usually 7:00 to 3:00 I think it was,
15 sometimes 8:00 -- it all depends.

16 Q. Okay. And during -- okay. Never mind.

17 Continuing on with these two paragraphs in Lynn
18 1, is there anything else in there that you don't
19 recall saying or you think is inaccurate?

20 A. The one where it says that Lynn indicated that
21 she fell asleep on a couch in the basement watching
22 NASCAR and Whitaker came in. He was already inside
23 when I came in. He was already downstairs watching the
24 race.

25 Q. Okay. How about the next line? It says, she

1 indicated that Whitaker may have consumed a few
2 alcoholic beverages.

3 A. Yes, I did say that.

4 Q. How about the part that says, Lynn indicated
5 that once she fell asleep, Whitaker, Jr., removed
6 approximately \$20 in change that was meant for a
7 laundromat?

8 A. Yes.

9 Q. And went to Giant to exchange the bills for U.S.
10 paper currency for unknown purposes. Did you tell that
11 to --

12 A. Well, I just told them that the \$20 was for the
13 laundromat.

14 Q. And it wasn't there when you woke up?

15 A. Yeah.

16 Q. So you assumed that Ron had taken the money?

17 A. Yes -- well, I didn't even notice it until like
18 later on because that's not one of the things that I
19 jumped up and looked for right away.

20 Q. Sure. Did you kind of piece together that this
21 money that he took --

22 A. He must have taken it.

23 Q. So you are just assuming, kind of connecting the
24 dots --

25 A. Yes.