

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

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WENDY B. DOLIN Individually and as Independent Executor of the Estate of STEWART DOLIN, deceased,	}	No. 12 CV 6403
Plaintiff,		
vs.	}	Chicago, Illinois
SMITHKLINE BEECHAM CORPORATION D/B/A GLAXOSMITHKLINE, a Pennsylvania Corporation,		
Defendant.)	9:15 o'clock a.m.

VOLUME 9 A
TRANSCRIPT OF PROCEEDINGS
BEFORE THE HONORABLE WILLIAM T. HART

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1 Appearances (continued:)

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1 (The following proceedings were had out of the
2 presence of the jury in open court:)

3 [REDACTED]

4 [REDACTED]

09:21:16

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

09:21:21

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 (The following proceedings were had in the
14 presence of the jury in open court:)

09:22:58

15 THE COURT: All right.

16 MR. WISNER: Thank you very much, ladies and
17 gentlemen. Please be seated. We will resume.

18 We will continue with the deposition of Mr. Pecoraro,
19 is that right?

09:23:08

20 MR. WISNER: That's correct, Your Honor.

21 THE COURT: You may proceed.

22 (Resuming the audiotaped deposition of Jeffery
23 Pecoraro played in open court).

24 (Audiotape deposition interrupted.)

09:50:51

25 THE COURT: Is there anything else here?

1 MR. WISNER: Yes, Your Honor.

2 THE COURT: This has taken up a lot of time with the
3 jury to cover something that's already been covered.

4 MR. WISNER: I couldn't agree more.

09:51:04

5 THE COURT: What else is to hear now.

6 (Audiotaped deposition continued of Jeffery

7 Pecoraro resumed in open court)

8 MR. WISNER: At this time, Your Honor, we move
9 Plaintiff's Exhibit 244 into evidence. It was the e-mail that
10 was displayed during the deposition.

09:55:38

11 MR. DAVIS: No objection.

12 THE COURT: It may be received.

13 (Plaintiff's Exhibit No. 244 was received in
14 evidence.)

09:55:43

15 MR. WISNER: At this time, Your Honor, we call by
16 video deposition the testimony of Terry Schwartz. Its run time
17 is 47 minutes.

18 THE COURT: Are there gaps in this testimony like we
19 just heard? Can we close these gaps up? We're taking up the
20 time of the jury sitting here listening to gaps.

09:56:00

21 MR. WISNER: I will see what we can do, Your Honor.
22 Yes, I will see what we can do.

23 THE COURT: And who is Terry Schwartz?

24 MR. WISNER: Mr. Schwartz is the individual,

09:56:16

25 Mr. Dolin's colleague, with whom he had lunch with the day of

1 his death.

2 THE COURT: Ah! He's not available for live
3 testimony?

4 MR. WISNER: No, he's currently living in Arizona.

09:56:33

5 THE COURT: All right. You may proceed.

6 (Audiotaped deposition of Terry Schwartz played
7 in open court).

8 (Audiotape deposition interrupted.)

10:07:48

9 THE COURT: All right. Stop, please. Stop it. Do we
10 have to go through all this?

11 MR. WISNER: So there is some relevance to this
12 testimony, Your Honor.

13 THE COURT: Is there some relevance to these corporate
14 connections?

10:08:00

15 MR. WISNER: Yes. We don't believe it's relevant to
16 the case, but the defense --

17 THE COURT: Are you asking the questions? Who is
18 asking the questions?

10:08:10

19 MR. DAVIS: I'm asking the questions, but these are
20 plaintiff's designations. These are not GSK's designations.
21 We focused on the meeting that Mr. Schwartz had --

22 THE COURT: That's what I thought, the meeting.

23 MR. DAVIS: That's what we were focused on.

10:08:23

24 THE COURT: Cut through that, then, right to the
25 meeting. We're in the third week of trial and we're going

1 through it so slowly that I'm very concerned about the ability
2 of the jury to be patient and listen to this evidence.

10:08:40

3 MR. WISNER: I fully appreciate that. That's actually
4 why my co-counsel, Mr. Rapaport, is not here today. He's
5 working to see if we can get this trial finished this week.

10:09:00

6 But that said, Your Honor, what's going on here is,
7 one of the issues that's come up is this meeting that happened
8 on Friday, and it was with the Miniat corporation. So this is
9 just some background information about the relationship that
10 Stewart Dolin had with that corporation. If you like us to
11 skip ahead, we can do that.

12 THE COURT: Skip ahead.

13 MR. WISNER: All right. Give us one second --

14 THE COURT: Stay with the issues, please.

10:09:10

15 (Brief pause).

16 MR. WISNER: Your Honor, if we could take a short
17 break for the recess in the morning? I think this would be a
18 good time for us to streamline this and we can get it going.

19 THE COURT: Okay. Please streamline it.

10:09:46

20 All right, we'll take a short break.

21 (The following proceedings were had out of the
22 presence of the jury in open court:)

23 [REDACTED]

24 [REDACTED]

10:10:48

25 [REDACTED]

1 [REDACTED] [REDACTED]

2 [REDACTED]

3 [REDACTED] [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED]

10:30:13

5 [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED]

7 (The following proceedings were had in the
8 presence of the jury in open court:)

10:30:26

9 THE COURT: All right. Thank you very much, ladies
10 and gentlemen. Please be seated. You may proceed, sir.

11 (Audiotaped deposition of Terry Schwartz
12 continued in open court).

13 (Audiotape deposition interrupted.)

11:00:14

14 MR. WISNER: So we're going to skip ahead, Your Honor,
15 to one small little portion and then we'll be done with it.

16 (Audiotape deposition continued)

17 MR. DAVIS: The last Q and A was not part of the
18 designation.

11:03:04

19 MR. WISNER: Yes. Almost done. We have about
20 30 seconds left (indicating). We'll finish it.

21 (Audiotape deposition continued).

22 MR. WISNER: That's it, Your Honor, for Mr. Schwartz.

23 THE COURT: All right. Proceed.

24 (Brief pause).

11:04:01

25 THE COURT: Who is next?

1 MR. WISNER: Yes, Your Honor. All right. This time,
2 Your Honor, we call Sydney Reed by video deposition.

3 Sydney Reed was the therapist, social worker who
4 worked with Stewart for several years. She, unfortunately, is
5 recovering from cancer and is in California. So she can't
6 appear physically to testify. The run time for this deposition
7 is 3 hours. So it will take us through lunch.

8 THE COURT: 3 hours?

9 MR. WISNER: Yes. There's a lot of notes that are
10 gone over and this is the witness who was there treating him.
11 So, there is really no other person to ask but her about those
12 notes.

13 THE COURT: Have you gone over the transcript to see
14 what you can cut out?

15 MR. WISNER: Yeah. It was a 7 and a half hour
16 deposition. So we've cut out a bit already.

17 THE COURT: All right. We'll see what we can do,
18 ladies and gentlemen.

19 Proceed.

20 (Audiotaped deposition of Sydney Reed played in
21 open court)

22 THE COURT: All right. We'll break now for lunch.

23 All right. Thank you very much, ladies and gentlemen.
24 We will resume at 1:30.

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1 (The following proceedings were had out of the
2 presence of the jury in open court:)

3 [REDACTED]

4 [REDACTED]

12:23:21

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

12:23:35

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

12:23:51

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

12:24:05

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

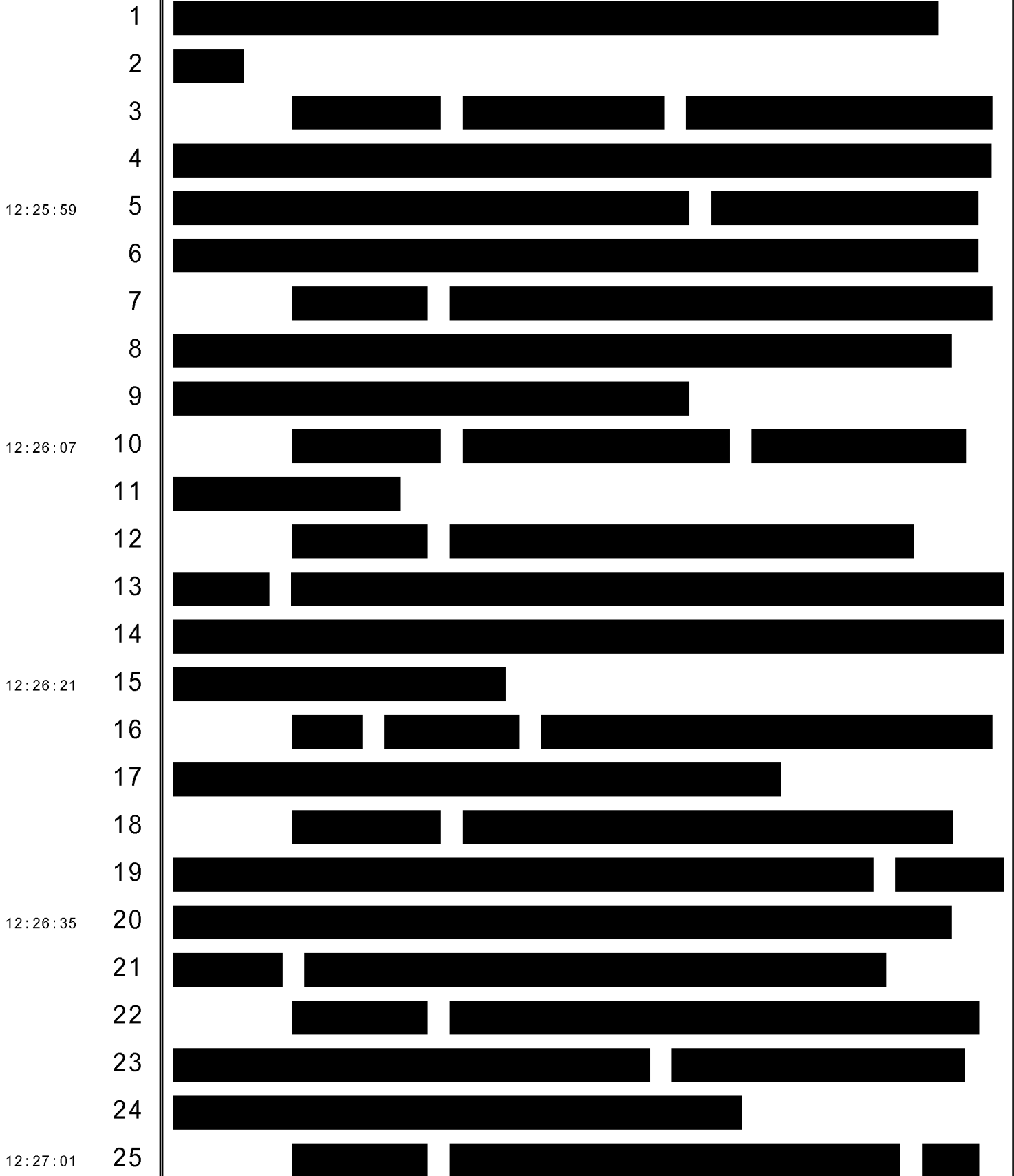
23 [REDACTED]

24 [REDACTED]

12:24:24

25 [REDACTED]

1 [REDACTED] [REDACTED]
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4 [REDACTED] [REDACTED]
12:24:33 5 [REDACTED]
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8 [REDACTED] [REDACTED]
9 [REDACTED]
12:24:51 10 [REDACTED] [REDACTED]
11 [REDACTED] [REDACTED]
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13 [REDACTED] [REDACTED]
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12:25:09 15 [REDACTED]
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18 [REDACTED] [REDACTED] [REDACTED]
19 [REDACTED] [REDACTED]
12:25:24 20 [REDACTED] [REDACTED]
21 [REDACTED] [REDACTED]
22 [REDACTED] [REDACTED]
23 [REDACTED] [REDACTED]
24 [REDACTED] [REDACTED]
12:25:41 25 [REDACTED]



1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED]

5 12:27:28 [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED] [REDACTED]

8 [REDACTED] [REDACTED]

9 [REDACTED]

10 12:27:42 [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

16 (Luncheon recess taken from 12:30 o'clock p.m.
17 to 1:30 o'clock p.m.)

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I CERTIFY THAT THE FOREGOING IS A CORRECT TRANSCRIPT FROM THE
RECORD OF PROCEEDINGS IN THE ABOVE-ENTITLED MATTER

/s/Blanca I. Lara

March 28, 2017

12:27:53