

**REDACTED**



**Survival Factors Attachment 4**

**Statements to NY State Police**

**New York, NY  
HWY-11-MH-005**

(23 Pages)



SUPPORTING DEPOSITION CONTINUATION SHEET

PEOPLE vs. \_\_\_\_\_

THE NEXT TIME I SAW THE BUS, ABOUT TWENTY (20) MINUTES LATER, IT WAS ON TWO (2) WHEELS, RIDING ALONG ON THE GUIDERAIL. I SAID TO MYSELF, "OH MAN, ASSHOLE." THEN I SAW THE BUS PLOP DOWN ONTO THE RIGHT SIDE, LIKE HE RAN OUT OF GUIDERAIL. I DIDN'T NOTICE IF THE BUS HIT THE POLE. THERE WAS A DARK COLORED CAR COMING UP ON MY LEFT SIDE, BUT I DON'T REMEMBER SEEING ANY OTHER TRUCKS AROUND. I DIDN'T SEE ANYBODY CUT THE BUS OFF OR ANYBODY AROUND IT. I'M NOT SAYING IT DIDN'T HAPPEN, I'M SAYING I DIDN'T SEE ANYBODY CUT HIM OFF. I LOOKED OVER AND I SAID TO MYSELF, SOMEBODY ELSE WILL CALL. I MADE NO CONTACT WHATSOEVER WITH THE BUS. THE WRITING ON MY TRACTOR READS "WEBSTER TRUCKING" AND "WINDSOR LOCKS." I THINK THE DOT NUMBER AND SOME OTHER THINGS ARE ALSO ON IT. THE TRAILER IS WHITE WITH NO WRITING ON THE SIDE. THERE ARE NUMBERS GOING DOWN THE FROM SIDE OF THE TRAILER. THE TRAILER I WAS DRIVING WAS NUMBER "48119023." THE SAME NUMBER IS ACROSS THE TOP OF THE REAR ROLL-UP DOOR.

AT ABOUT 9:05 AM, MY WIFE CALLED ME AND SAID, "HONEY, I SAW ON THE TV WHERE THERE WAS AN ACCIDENT AND THERE ARE A LOT OF PEOPLE DEAD." SHE WAS SUPPOSED TO GO ON A BUS RIDE AND SHE DIDN'T GO, SO SHE WAS WONDERING IF THAT WAS HER FRIENDS. I TOLD HER THAT I SAW THAT ACCIDENT. SHE SAID THAT THE NEWS SAID A TRACTOR TRAILER CUT A BUS OFF. I TOLD HER NO TRACTOR TRAILER CUT THE BUS OFF, THAT GUY WAS EITHER SLEEPY OR DRUNK. I THOUGHT ABOUT IT AND I SAID TO MYSELF, I WAS THE ONLY TRACTOR TRAILER IN THE AREA AND I WASN'T INVOLVED. SO I DECIDED TO CALL AND MAKE IT CLEAR THAT I WASN'T INVOLVED. I DIDN'T GET INVOLVED BECAUSE I SEE SO MANY ACCIDENTS, I DIDN'T WANT TO BE INVOLVED.

NOTICE

(Penal Law Sec.210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 12TH day of MARCH, YR 2011

-- OR --

\*Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, YR \_\_\_\_\_.

[Redacted Signature]
SIGNATURE OF DEPONENT
[Redacted Signature]
(WITNESS)
[Redacted Name]
(NAME OF PERSON TAKING DEPOSITION)
TIME ENDED 1 : 15 pm

THE PEOPLE OF THE STATE OF NEW YORK  
- VS.

DEFENDANT(S)

**LOCATION OF INCIDENT:**

STATE OF NEW YORK \_\_\_\_\_ COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ OF \_\_\_\_\_

**LOCATION OF DEPOSITION:**

STATE OF NEW YORK

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ OF \_\_\_\_\_

On DATE: 3/12/11 at TIME STARTED: 3:12 PM I, [REDACTED]

state the following: I AM GIVING THIS DEPOSITION FREELY TO [REDACTED] AND NOTHING WAS PROMISED TO ME IN RETURN. ON 3/12/11 AT AROUND 530AM I WAS WITH MY FRIEND [REDACTED], HE WAS DRIVING HIS MOTHER'S CAR, I WAS IN THE PASSENGER SEAT. WE WERE ON I-95 HEADED TOWARDS NEW YORK WHILE DRIVING MY FRIEND [REDACTED] TOLD ME TO LOOK BEHIND US, AS I LOOKED I NOTICED A TOUR BUS IN THE RIGHT LANE NEAR THE SHOULDER OF THE ROADWAY, THE BUS WAS ON ITS TWO RIGHT TIRES, SLIDING ALONG THE GUIDE RAIL, I SAW SPARKS FLYING AND NOTICED ONE OF LIGHTS ON THE BUS GO OUT. I DID NOT SEE ANY OTHER TRUCKS, OR VEHICLES AROUND OR NEAR THE BUS. AFTER ANOTHER VEHICLE CAME UP FROM BEHIND, BUT WAS ABOUT 1/4 MILE AWAY. I DID NOT SEE THE BUS GOING FROM SIDE TO SIDE AS [REDACTED] DID, I JUST NOTICED THE CRASH OF THE BUS. AFTER THAT MY FRIEND [REDACTED] STOPPED + CALLED 911 ON HIS CELL PHONE.

~~AMC~~

**NOTICE**

(Penal Law § 210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor. X AMC

Affirmed under penalty of perjury

this 12<sup>TH</sup> day of MARCH, 2011

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_

\* This form need be sworn to only when specifically required by the court

X [REDACTED]  
(SIGNATURE OF DEPONENT)

(WITNESS)  
[REDACTED]  
(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED:  
3:48 PM

(copy)  
1/12/11

THE PEOPLE OF THE STATE OF NEW YORK

VS

DEFENDANT(S)

<u>LOCATION OF INCIDENT:</u> STATE OF NEW YORK, LOCAL CRIMINAL COURT	<u>LOCATION OF DEPOSITION:</u> STATE OF NEW YORK
COUNTY OF	COUNTY OF
OF	OF

On DATE at TIME STARTED:  AM  PM, FULL NAME:

STATE THE FOLLOWING:

At 5:30am on March 12, 2011 I was in the passenger seat of a vehicle with  heading south on the highway from New England to New York City. Along the way  pointed out for me to look in the rear view mirror. As I looked I caught a bus on only the two right tires, the left side in the air, and then crash on the ground and slide. I notice no other vehicles around the bus while this was occurring and remember saying out loud "holy crap, what the heck happened?"

NOTICE

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SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK  
-VS-

DEFENDANT(S)

**LOCATION OF INCIDENT:**

STATE OF NEW YORK \_\_\_\_\_ COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ OF \_\_\_\_\_

**LOCATION OF DEPOSITION:**

STATE OF NEW YORK

COUNTY OF Bronx

City OF New York

On DATE: 03/13/11 at TIME STARTED: 4:15 PM i. FULL NAME: [redacted]

state the following: This Supporting Deposition has been written by Investigator [redacted] of the New York State Police after I disclosed the events of March 11<sup>th</sup> into the 12<sup>th</sup> of 2011 to translator [redacted]

<sup>NP</sup> I affix my signature to this Supporting Deposition swearing that the content is a true. I had purchased a ticket from [redacted] on the Bowery in New York City. I have purchased the same tickets in the past from [redacted] and other people in the past. The driver who picked us up on March 11, 2011 picked us up at the Bowery at 8:00pm. He was late. He should have picked us up at 7:30pm. Passengers were mad at him. He got mad when people said stuff to him about being late. He drove much different than the drivers I had in the past. Both ways, the ride was very bumpy. He often drove on the rumble strips on the shoulder of the road, both ways. When I first got on the bus enroute to the casino, I smelt marijuana in the bus. I couldn't sleep on the bus because it was too bumpy. I just kept my eyes closed. While I was at the casino I did not see the driver. I do not know what he did while I was in the casino. This statement is being read aloud by translator [redacted].

**NOTICE**

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Affirmed under penalty of perjury  
this 13<sup>th</sup> day of March, 2011  
- OR -

\* Subscribed and Sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_

[redacted]  
(SIGNATURE OF DEPONENT)

[redacted]  
(WITNESS)

[redacted]  
(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED: 4:30 PM

\* This form need be sworn to only when specifically required by the court

SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK  
—VS.

DEFENDANT(S)

**LOCATION OF INCIDENT:**

STATE OF NEW YORK \_\_\_\_\_ COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ OF \_\_\_\_\_

**LOCATION OF DEPOSITION:**

STATE OF NEW YORK

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ OF \_\_\_\_\_

On **DATE: 03/12/2011** at **TIME STARTED: 3:30/pm** I, **[REDACTED]**

state the following: On March 12<sup>th</sup>, around 5:30/AM I WAS DRIVING ON I-95 HEADING SOUTH WEST INTO NEW YORK CITY WHEN I WITNESSED AN ACCIDENT INVOLVING A TOUR BUS. I WITNESSED THE ACCIDENT THROUGH MY REAR VIEW MIRROR AS IT WAS HAPPENING BEHIND ME. I NOTICED THE BUS, WHICH HAD NO OTHER VEHICLES AROUND IT AT THE TIME, SWERVE FROM THE MIDDLE LANE ACROSS TO THE RIGHT HAND LANE, THE BUS THEN SWERVED BACK TOWARDS THE MIDDLE LANE, AND AGAIN TOWARD THE RIGHT HAND LANE, AT THIS POINT, THE BUS WAS LEANING ON ITS PASSENGER SIDE WHEELS AND FELL ONTO THE GUIDE RAIL WHERE IT SLID INTO A SIGN POST UNTIL IT CAME TO A COMPLETE STOP. AS IT WAS HAPPENING, I TOLD MY PASSENGERS **[REDACTED]** TO TURN AROUND AND WATCH. I PULLED OUT MY CELL PHONE AND DIALED 911 WITHIN SECONDS OF THE INCIDENT.

**NOTICE**

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Affirmed under penalty of perjury

this 12 day of MARCH, 2011

**[REDACTED]**  
(SIGNATURE OF DEPONENT)

- OR -

\* Subscribed and Sworn to before me

(this \_\_\_\_\_ day of \_\_\_\_\_)

**[REDACTED]**  
(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED  
3:30/pm

\* This form need be sworn to only when specifically required by the court

*copy taken 03/12/2011*

THE PEOPLE OF THE STATE OF NEW YORK

VS

DEFENDANT(S)

<u>LOCATION OF INCIDENT:</u>	<u>LOCATION OF DEPOSITION:</u>
STATE OF NEW YORK, LOCAL CRIMINAL COURT	STATE OF NEW YORK
COUNTY OF	COUNTY OF
OF	OF

On \_\_\_\_\_ DATE: \_\_\_\_\_ at \_\_\_\_\_ TIME STARTED: \_\_\_\_\_  AM  PM, FULL NAME:

STATE THE FOLLOWING:

On March 12<sup>th</sup>, around 5:30 AM, I was driving on I-95 heading South West into New York City when I witnessed an accident involving a tour bus. I witnessed the accident through my rear view mirror as it was happening behind me. I noticed the bus, which had no other vehicles around it at the time, swerve from the middle lane across the right hand lanes, the bus then swerved back towards the middle lanes, and again towards the right hand lane, at this point, the bus was leaning on its passenger side wheels and fell onto the guard rail where it slid into a sign post until it came to a complete stop. As it was happening, I told my passenger,

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SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK  
-VS-

[Redacted]

DEFENDANT(S)

**LOCATION OF INCIDENT:**  
 STATE OF NEW YORK Justice COURT  
 COUNTY OF WESTCHESTER  
 TOWN OF PELHAM

**LOCATION OF DEPOSITION:**  
 STATE OF NEW YORK  
 COUNTY OF BRONX  
 CITY OF NEW YORK

On DATE: 3/12/2011 at TIME STARTED: 6:38pm I, FULL NAME: [Redacted]

state the following: ON 03/11/11 I REPORTED TO WORK AT WORLDWIDE BUS AT 6:15PM. I WAITED FOR THE MECHANIC TO CHANGE A TIRE. I DROVE THE BUS TO MANHATTAN. I MADE MY FIRST STOP AT 80 BOWEN ST AT ABOUT 7:40PM. EVERYONE GOT ON THE BUS. FROM THERE I WENT TO 100 ALLEN ST. NO ONE WAS THERE AND I DROVE DIRECTLY TO MONTGOMERY SUN. WE GOT THERE AT 10:30PM. I DROPPED EVERYONE AT GATE 16. I WENT INSIDE AND ORDERED CHINESE FOOD FROM THE RESTAURANT. I GOT THE FOOD AND WENT BACK INTO THE BUS WHERE I AM. I TOOK THE BUS TO THE BETTER MOUNT WHERE THEY PARK THE LAY OVER BUSES. WHEN I GET THERE I FINISHED THE FOOD, LAYD BACK AND WENT TO SLEEP. [Redacted] CALLED ME AND SAID THAT SHE LOST THE MONEY BOOK I BROUGHT THE BUS BACK AND WE SEARCHED IT. SHE HAD THE BOOK SO I DROVE THE BUS BACK TO THE BETTER MOUNT. AIDA CALLED ABOUT 3:00AM TO COME BACK AND GET THEM. I WAS AWAKE AT THE BETTER MOUNT

**NOTICE**

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Affirmed under penalty of perjury

this \_\_\_\_\_ day of \_\_\_\_\_

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_

\* This form need be sworn to only when specifically required by the court

[Redacted Signature] (SIGNATURE OF DEPONENT)  
 [Redacted Signature] (WITNESS)  
 TIME ENDED: 6:56pm  
 (NAME OF PERSON TAKING DEPOSITION)

SUPPORTING DEPOSITION CONTINUATION SHEET

PEOPLE vs. \_\_\_\_\_ )

AT ABOUT 11:30PM AND LAY BACK DOWN. AFTER MIA  
CALLED I WENT BACK TO GATE 16. I WAS THERE ABOUT  
3:10PM. I GAVE THE MORGAN SUND LADY MY CARD AND  
SHE SWIPED IT. AT 3:45AM WE LEFT, ABOUT 4:40P OR  
5:00PM I LOOKED AT MY CLOCK AND THOUGHT "OH WOW,  
I'M ALMOST HOME."

I'M DRIVING IN THE MIDDLE LANE. THERE'S MINIMUM  
TRAFFIC. ABOUT 55 OR 60. IN THE LEFT LANE A TRUCK  
IS COMING UP ON ME. THE BUS IS SHAKING. THERE'S  
A CAR IN FRONT OF HIM, SO HE TRIED TO GO  
OVER IN FRONT OF ME. THERE'S A PART OF THE  
TRAILER THAT STICKS OUT. WHEN THE TRUCK CAME  
OVER, IT CLIPPED THE FRONT OF THE BUS. IT WAS  
JUST A TOUCH AND THE BUS WENT TO THE LEFT.  
THEN THE BUS WENT TO THE RIGHT AND THE BUS  
WAS ON IT'S SIDE. I WAS UNDER THE BUS. WHEN  
IT STOPPED, I WIGGLED OUT OF THE BUS. I HELPED  
SOME PEOPLE OUT. THEN A MAN CALLED ON HIS  
PHONE. PEOPLE STARTED COMING.

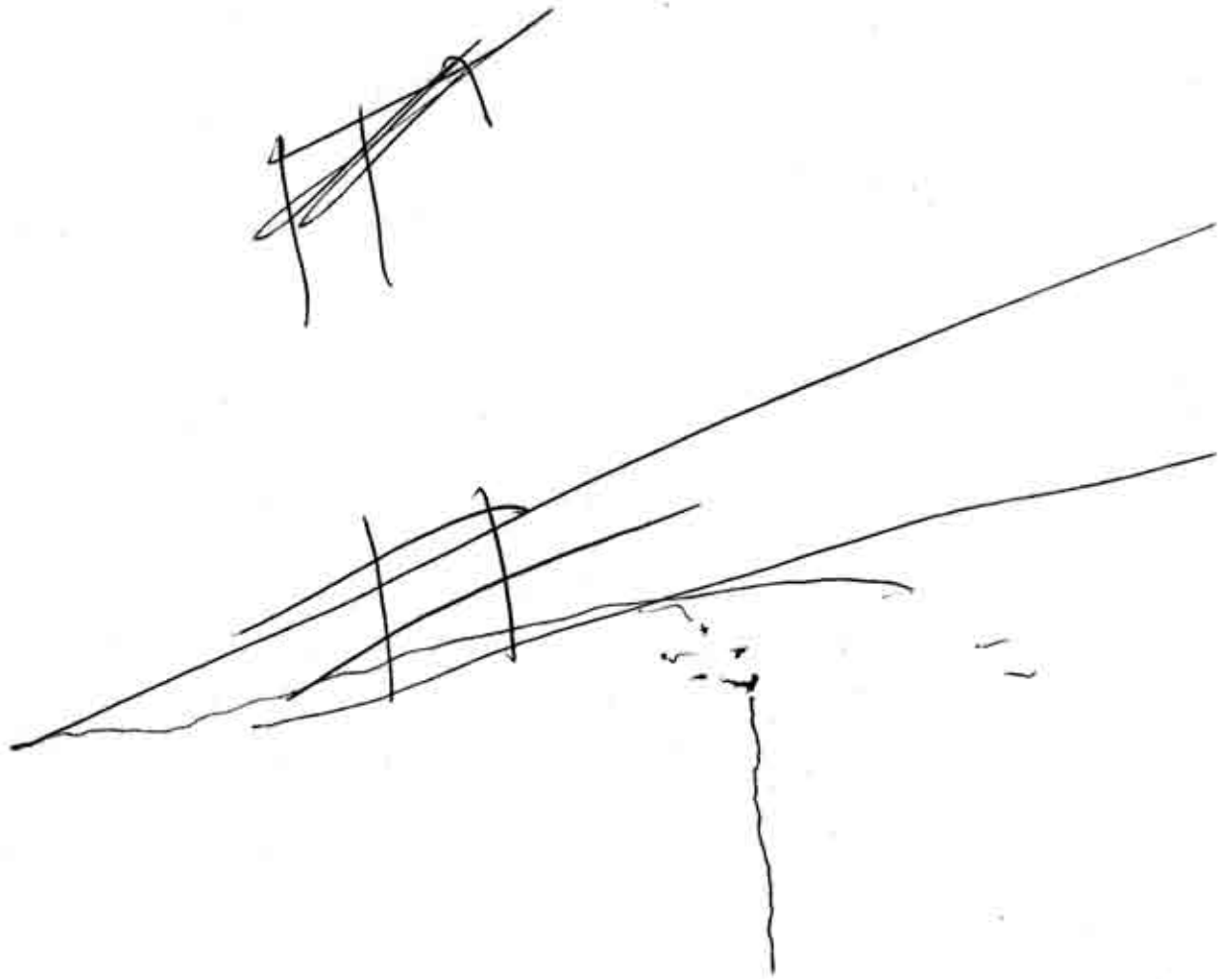
A FEW DAYS AGO I TOOK SOME PAINKILL WITH  
GADOLIN, BUT NOTHING IN DAYS. I DIDN'T DRINK  
ANY THING OR TAKE ANY MEDICATIONS.

FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS (A) OR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

03/12/11

DATE

STATEMENT



(Picture/DIAGRAM OF ACCIDENT)

03/12/11

SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK  
- VS.

DEFENDANT(S)

**LOCATION OF INCIDENT:**  
 STATE OF NEW YORK Justice COURT  
 COUNTY OF WESTCHESTER  
 Town of Palmyra

**LOCATION OF DEPOSITION:**  
 STATE OF NEW YORK  
 COUNTY OF BRONX  
 City of BRONX

On DATE: 03/13/11 at TIME STARTED: 2:35 PM i. FULL NAME: [REDACTED]

state the following: I was sitting in the front row of the bus behind the driver. I was sitting by the window. There was another woman next to me. The driver was driving at a normal speed. I was nodding off. I don't remember anything except a loud bang. Then I woke up and there were two people trying to get me out of my seat. My jacket was stuck. The woman next to me was about 50 yrs old. [REDACTED] was sitting across from me in the front seat. She was alone.

I read this statement to my mom  
there were her words.

[REDACTED]

[REDACTED]

[REDACTED]

**NOTICE**

(Penal Law § 210.45)

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Affirmed under penalty of perjury

this 13 day of March, 2011

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_

[REDACTED]  
 (SIGNATURE OF DEPONENT)

(WITNESS) [REDACTED] TIME ENDED: 2:44 PM  
 (NAME OF PERSON TAKING DEPOSITION)

\* This form need be sworn to only when specifically required by the court

SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK  
-VS-

DEFENDANT(S)

**LOCATION OF INCIDENT:**  
 STATE OF NEW YORK WESTCHESTER COURT  
 COUNTY OF WESTCHESTER  
Town OF Palmyra

**LOCATION OF DEPOSITION:**  
 STATE OF NEW YORK  
 COUNTY OF BRONX  
City OF BRONX

On 03/12/11 at 3:30/P I, [Redacted]

state the following: AT 3:45AM ON 03/12/11 I WAS A PASSENGER IN A BUS COMING FROM MORGAN SUN I WAS SITTING ON THE DRIVER'S SIDE OF THE BUS 4TH SEAT FROM THE BACK. I WAS ALONE. THE DRIVER OF THE BUS WAS BLACK. I DIDN'T HAVE ANYTHING TO DRINK AND I'M NOT ON ANY MEDICATION. I DIDN'T NOTICE ANYTHING UNUSUAL ABOUT THE DRIVER. I WAS SLEEPING ON THE BUS AND WAS AWOKEN WHEN THE BUS WAS CRASHING I HEARD TWO WOMEN OUT OF THE BUS.

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Affirmed under penalty of perjury

this \_\_\_\_\_ day of \_\_\_\_\_

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_

\* This form need be sworn to only when specifically required by the court

[Redacted Signature]

(SIGNATURE OF DEPONENT)

(WITNESS)

[Redacted Witness Signature]

(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED:

3:35PM

SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK  
- VS.

DEFENDANT(S)

**LOCATION OF INCIDENT:**

STATE OF NEW YORK \_\_\_\_\_ COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ OF \_\_\_\_\_

**LOCATION OF DEPOSITION:**

STATE OF NEW YORK

COUNTY OF BRONX

CITY OF NEW YORK

On DATE: 02/13/11 at TIME STARTED: 4:25 PM FUL: \_\_\_\_\_

state the following: ON 03/11/11 AT ABOUT 2:30 PM I BOARDED A BUS FOR THE HONHEGAN SUN CASINO. WE WENT TO THE CASINO FOR A FEW HOURS AND THEN GOT BACK ON THE BUS FOR THE RIDE BACK TO CHINATOWN. I WAS SLEEPING ON AND OFF. I HAVE RIDDEN WITH THIS SAME DRIVER 2 TIMES BEFORE AND EVERY TIME HE IS ANGRY AND A BAD DRIVER. MOST OF THE TIME HE WAS RIDING ON THE RUBBLE STRIPS. I WAS ASLEEP AT THE TIME OF THE ACCIDENT, THE RIDE WITH THIS DRIVER IS ALWAYS BUMPY.

I BOUGHT MY TICKET FOR \$15 FROM A WOMAN NAMED \_\_\_\_\_ ON BOWERY ST AND SHE WAS THE LEADER OF THE TRIP. THIS SUPPORTING DEPOSITION WAS BEEN WRITTEN BY INV. CORNELIUS HERRERT OF THE NEW YORK STATE POLICE, TRANSLATED BY \_\_\_\_\_ AND READ TO ME BY \_\_\_\_\_. I AFFIX MY SIGNATURE TO THIS DEPOSITION SWEARING THAT THE CONTENT IS TRUE.

**NOTICE**

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Affirmed under penalty of perjury

this 13<sup>th</sup> day of MARCH, 2011

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_

\* This form need be sworn to only when specifically required by the court

(SIGNATURE OF DEPOSITOR)

(WITNESS)

(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED: 4:56 PM

SUPPORTING DEPOSITION (CPL § 100.20)

PAGE 1 OF

THE PEOPLE OF THE STATE OF NEW YORK
- VS.

DEFENDANT(S)

LOCATION OF INCIDENT: STATE OF NEW YORK COURT COUNTY OF OF

LOCATION OF DEPOSITION: STATE OF NEW YORK COUNTY OF NEW YORK CITY OF NEW YORK

On DATE 3/13/11 at TIME STARTED 2:30PM I, F

state the following: THAT ON 345AM ON SATURDAY MORNING MARCH 12, 2011 I GOT ONTO THE BUS TO COME BACK TO NYC FROM MOHEGAN SUN CASINO. I'VE BEEN GOING TO MOHEGAN SUN FOR THE PAST 5 YEARS & HAVE BEEN USING THIS BUS COMPANY FOR ABOUT A HALF YEAR. I SAT IN SEAT #53 ON THE RIGHT SIDE OF THE BUS. MOST PEOPLE WERE SEATED ON THE RIGHT SIDE OF THE BUS. ONCE I GOT ON THE BUS I FELL ASLEEP. WHEN I WOKE UP I HEARD A LOUD CRASHING NOISE WITH STEEL AND GLASS BREAKING AND SAW A METAL POLE COMING TOWARD ME. THE BUS WAS ALREADY ON ITS SIDE. THE BUS STOPPED WITH THE POLE BEING ONE ROW IN FRONT OF ME. I HEARD PEOPLE MOANING AND SAW PEOPLE WITHOUT ARMS AND LEGS. ONE OF THE

NOTICE

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Affirmed under penalty of perjury

this day of

- OR -

\* Subscribed and Sworn to before me

this day of

\* This form need be sworn to only when specifically required by the court.

(SIGNATURE OF DEPONENT)

(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED:

3:30PM



STATEMENT CONTINUATION SHEET

PAGE 2 OF 2 PAGES

DATE: 3/13/11

NAME: [Redacted]

PASSENGERS HELPED ME GET OUT FROM THE ROOF EXIT OF THE BUS. I WAS IN SHOCK AND WAITED FOR THE EMERGENCY SERVICES TO ARRIVE. I TOLD THE FIREMEN THAT MY HEAD HURT AND THEY BROUGHT ME TO THE HOSPITAL WITH EIGHT OTHER PEOPLE. WHILE I WAS WAITING FOR THE FIREMEN TO COME, THE BUS DRIVER WAS ASKING THE OTHER PEOPLE WHO GOT OUT TO HELP THOSE THAT WERE STILL TRAPPED. I DON'T SPEAK ENGLISH AND I ASKED SR. INV. STADNYK OF THE STATE POLICE TO WRITE DOWN WHAT I SAID.

[Redacted]

3/13/11

THE PEOPLE OF THE STATE OF NEW YORK

--VS.--

SUPPORTING DEPOSITION

(Defendant)

STATE OF NEW YORK  
COUNTY OF NEW YORK CITY  
BOROUGH of THE BRONX

ss.

On	DATE 03/13/11	at	TIME STARTED 3:46	am pm	FULL NAME	CITY	STATE
	DATE OF BIRTH		MI & STREET			BETHPAGE	NY

state the following: I'm a driver for UPS and have been for twenty one years. My normal dispatch is from Nassau County Long Island to Hartford CT then tractor only from Hartford to Bridgeport and then Bridgeport back to Nassau. I do that Monday night to Friday night. On Saturday morning, March 12, 2011, I was convoying down Bridgeport along I-95 south. I was the lead truck in a convoy of three UPS trucks. The other trucks were being driven by [redacted] and [redacted]. Approximately twenty minutes after leaving Bridgeport somewhere between Westport (exit 18) and Greenwich (exit 5) we were traveling in the right lane and doing around fifty-five miles per hour. I believe it was closer to exit 18 a "World Wide" - tour bus passed the convoy at such a high speed that I commented over the CB radio to [redacted] and [redacted] "look at this asshole. He's hammering down. Where's the fire?" [redacted] answered that he passed him so fast "he created turbulence." I can't say for sure how far over he was but there was a lot of room between his bus and my truck when he passed. For there to be that much room he had to be riding the white line into the left lane. [redacted] had exited at exit 15 on I-95 because one of his deliveries goes to the Mount Vernon facility. I saw something in the distance as I approached exit 14. I switched the convoy into the middle lane to clear any obstructions that might be on the shoulder from a broken down car or some such occurrence. As I approached the accident scene I observed that there was a taillight perpendicular in the air. I got on the CB and said, "[redacted], there's something wrong here." As I got closer I observed that it was the same bus that had sped passed us a little earlier in CT. I said "Holy shit it's the same bus that passed us twenty minutes ago. That's the ass that sped by us earlier." [redacted] answered me on the radio and said, "I'm calling the cops." [redacted] came back on the radio a few minutes later and said they are sending an ambulance. We didn't stop at the accident due to the fact that we are driving loads for delivery and can't really stop.

NOTICE

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Affirmed under penalty of perjury

this \_\_\_\_\_ day of \_\_\_\_\_, YR \_\_\_\_\_

-- OR --

\*Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, YR \_\_\_\_\_

[Redacted Signature Box]

(SIGNATURE OF DEPONENT)

TIME ENDED 4:19	am pm
--------------------	----------

TAY A  
(NAME OF PERSON TAKING DEPOSITION)

REC'D BY INV  
VIA FAX  
AWAITING  
ORIGINAL

SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK  
— VS. —

DEFENDANT(S)

**LOCATION OF INCIDENT:**

STATE OF NEW YORK \_\_\_\_\_ COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ OF \_\_\_\_\_

**LOCATION OF DEPOSITION:**

STATE OF NEW YORK

COUNTY OF BRONX

CITY OF NEW YORK

On DATE: 03/12/11 at TIME STARTED: 12:21 PM I, [REDACTED]

state the following: ON 03/11/11 AT 7:00PM I LEFT CHINATOWN ON A BUS FOR MOHEGAN SUN CASINO WE ARRIVED AT ABOUT 11:00PM. AT 3:45 AM WE LEFT THE CASINO TO GO BACK TO CHINATOWN. I WAS SITTING IN THE RIGHT REAR OF THE BUS, AISLE SEAT IN THE 2<sup>ND</sup> TO LAST ROW. I WAS SLEEPING AND WAS WOKEN UP TWICE BY THE RIGHT TIRES OF THE BUS RIDING ON THE RUMBLE STRIPS. I THOUGHT THE DRIVER MIGHT BE FALLING ASLEEP BUT I COULDN'T SEE HIM FROM MY SEAT. I FELT ASLEEP AGAIN AND WAS WOKEN UP WHEN THE BUS TURNED ON ITS SIDE AND HIT THE POLE. THE SPEED OF THE BUS ON THE TRIP APPEARED TO BE NORMAL HIGHWAY SPEED. AFTER THE ACCIDENT THE DRIVER SAID HE WAS HIT BY A TRAILER. I DID NOT SEE A TRAILER AND NONE STOPPED. I HAVE ASKED JAIL MARRIOTT OF THE STATE POLICE TO WRITE THIS FOR ME.

**NOTICE**

(Penal Law § 210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this 12<sup>TH</sup> day of MARCH, 2011

- OR -

\* Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_

\* This form need be sworn to only when specifically required by the court

\_\_\_\_\_  
 (SIGNATURE OF DEPONENT)

(WITNESS) \_\_\_\_\_ TIME ENDED: 12:31 PM  
 (NAME OF PERSON TAKING DEPOSITION)

SUPPORTING DEPOSITION (CPL Sec.100.20) GENL 4 REV 01/98E

New York State Police

STATE OF NEW YORK

COUNTY OF New York City

Local Criminal COURT

Borough of the Bronx

THE PEOPLE OF THE STATE OF NEW YORK )

--VS.-- )

SUPPORTING DEPOSITION

(Defendant )

STATE OF NEW YORK )

COUNTY OF New York City )

ss.

Borough of the Bronx )

On	DATE 03/14/11	at	TIME STARTED 10:24	<input checked="" type="radio"/> am <input type="radio"/> pm	L.	FULL NAME		CITY	STATE
D			NO. & STREET					E. Farmingdale	NY

state the following: I, [redacted], have been a professional driver for twenty three years. I started off making UPS deliveries in 1988 then I started driving tractor trailers nine years later, in February 1997. Currently I'm a feeder driver for UPS. On the morning of March 12th, 2011 I was heading back to Melville, Long Island, where my base of operations is located. I was heading back from Connecticut with two other UPS trucks driven by [redacted] and [redacted]. I was the third truck in the convoy. We were all in the right lane doing approximately fifty miles an hour. I noticed a bus behind in the middle lane. I was surprised by how quickly the bus was catching up and passing me. As the bus passed me it was going so fast that the wind shook my truck as if I was standing still. As it passed I noticed on the rear the name "World Wide". It appeared to be written in gold. As it passed it appeared that the bus was over partially into the left lane. I made a comment on the CB radio "Holy shit look at this fucken guy go." [redacted] came on the CB and said "hammer down!" which is a term we use for drivers that are speeding. [redacted] also said something on the radio but I don't recall exactly what he said. [redacted] exited a little later at exit 15 to deliver to the Mount Vernon facility. Near exit 14 Ira came on the CB and said something about there being something up ahead. [redacted] then came back on the radio and said, "that's the bus, that's the bus that passed us." I then started to approach the scene and I switched lanes into the middle lane. As I came to scene the I noticed the brake lights looked weird because they were straight up in the air. I was able to read "World Wide" on the back of the bus though and believe it was the bus that had passed me earlier. It was laying on its side and I saw a person with short hair standing in the grass. As we proceeded by the scene I called 911. I told 911 that a full size tour bus was laying on its side by exit 14. I told them to bring more than one ambulance. By the time I got off the phone I saw other emergency vehicles heading Northbound towards the scene.

NOTICE

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Affirmed under penalty of perjury

this \_\_\_\_\_ day of \_\_\_\_\_, YR \_\_\_\_\_

-- OR --

\*Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, YR \_\_\_\_\_

[redacted]	
SIGNATURE OF DEPONENT	
[redacted]	
ADDRESS	
TIME ENDED	<input checked="" type="radio"/> am <input type="radio"/> pm
4:06	
NAME OF PERSON TAKING DEPOSITION	
[redacted]	



WITNESS STATEMENT — VEHICLE ACCIDENT  
PD 301-081 (Rev. 11-07)

CASE # N/A

STATEMENT OF:	FIRST NAME	LAST NAME	PCT	ACCIDENT NO.	COMPLAINT NO.	
	[Redacted]	[Redacted]	N/A	N/A	N/A	
RESIDENCE ADDRESS:	[Redacted]		RESIDENCE TEL. NO.	BUSINESS TEL. NO.		
LOCATION OF INTERVIEW	PRECINCT	OTHER (DESCRIBE)	TIME OF REPORT	Month	Day	Year
SCENE OF ACCIDENT	<input type="checkbox"/> STATION HOUSE	<input checked="" type="checkbox"/> St. Barnabus Hospital	0810	3/	12	11
ENTITY OF ABOVE NAMED PERSON	<input type="checkbox"/> OPERATOR OF VEH. NO.	<input checked="" type="checkbox"/> PASSENGER IN VEH. NO.	<input type="checkbox"/> PEDESTRIAN	<input type="checkbox"/> WITNESS	DATE OF BIRTH	[Redacted]
DATE OF ACC.	TIME	LOCATION	ACCIDENT INVOLVED			
3/12/11	0537	S/B NET @ City Line	<input checked="" type="checkbox"/> DEATH <input type="checkbox"/> PERSONAL INJURY			
QUESTIONS FOR WITNESS, PASSENGER OR PEDESTRIAN ONLY			QUESTIONS FOR OPERATOR OF VEHICLE ONLY			
Did you see the accident? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			How many years have you driven? [Redacted]			
Where were you at the time of the accident? [Redacted]			How long have you driven the vehicle involved in the accident? [Redacted]			
Do you know any of the persons involved in this accident? If yes, whom?			Was there any mechanical failure or defects with the vehicle you were driving?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Did you consume any intoxicants or medication prior to the accident? If yes, what, how much & where?			
At the time of the accident, was your visibility obstructed in any way? If yes, describe:			Where were you coming from or going to?			
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			Who was with you at time of accident?			

BELOW QUESTIONS TO BE ANSWERED IN ALL CASES, WHETHER SUBJECT IS OPERATOR, PASSENGER, PEDESTRIAN OR WITNESS  
Briefly describe this accident:

I was asleep sitting in back of bus. I woke up when the accident was happening. A lot of people and stuff fell on top of me.

Translated from Vietnamese to English by [Redacted] (nurse)

What was the cause of the accident?

INSERT ANSWERS PERTAINING TO EACH VEHICLE UNDER APPROPRIATE COLUMN	VEHICLE NO. 1	VEHICLE NO. 2	VEHICLE NO. 3
License plate No.			
Make, type and color of vehicle	[Redacted]		
Direction of travel and on what street			
Speed of vehicle(s) involved			
Was vehicle subject to traffic control devices, signal lights, signs, pavement markings, etc.?			
Did vehicle swerve or turn to avoid contact?			
Immediately prior to accident, was any signal given? (horn - hand - other)			
What lights on vehicle were lighted?			
What were the points of impact?			
At time of accident, were there any other vehicles on the street in the vicinity?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, describe:		

In what direction was pedestrian (if any) going?  
 With signal light  Against signal light  Walking  Running  Standing

Accident occurred during:  
 Daylight  Dawn  Dusk  Darkness

Weather Condition:  Clear  Fog  Rain  Snow (Describe)

ROADWAY LIGHTED:  Yes  No

Road Condition:  Dry  Wet  Muddy  Snowy  Icy  Other

Obstructions of holes in street:  Yes  No If yes, describe:

SIGNATURE OF WITNESS: N/A

RANK: Det. [Redacted]

SIGNATURE OF INVESTIGATING OFFICER: [Redacted]

TAX REG. NO.: 902287

COMMAND: Hwy AIS



WITNESS STATEMENT — VEHICLE ACCIDENT  
PD 301-081 (Rev. 11-07)

CASE # N/A

STATEMENT OF: [Redacted] FIRST NAME: [Redacted] LAST NAME: [Redacted] PCT: N/A ACCIDENT NO: N/A COMPLAINT NO: N/A

RESIDENCE ADDRESS: [Redacted] RESIDENCE TEL. NO: [Redacted] BUSINESS TEL. NO: [Redacted]

LOCATION OF INTERVIEW:  SCENE OF ACCIDENT  PRECINCT STATION HOUSE  OTHER (DESCRIBE) St. Barnabus Hospital TIME OF REPORT: 0730 DATE: 3 12 11

IDENTITY OF ABOVE NAMED PERSON:  OPERATOR OF VEH. NO. 1  PASSENGER IN VEH. NO.  PEDESTRIAN  WITNESS DATE OF BIRTH: [Redacted]

DATE OF ACC. 3/12/11 TIME 0537 LOCATION S7B NET @ City Line ACCIDENT INVOLVED:  DEATH  PERSONAL INJURY

QUESTIONS FOR WITNESS, PASSENGER OR PEDESTRIAN ONLY	QUESTIONS FOR OPERATOR OF VEHICLE ONLY
Did you see the accident? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	How many years have you driven? <u>[Redacted]</u>
Where were you at the time of the accident? <u>[Redacted]</u>	How long have you driven the vehicle involved in the accident? <u>[Redacted]</u>
Do you know any of the persons involved in this accident? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Was there any mechanical failure or defects with the vehicle you were driving? <u>[Redacted]</u>
If yes, whom?	Did you consume any intoxicants or medication prior to the accident? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
At the time of the accident, was your visibility obstructed in any way? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If yes, what, how much & where?
If yes, describe:	Where were you coming from or going to?
	Who was with you at time of accident?

BELOW QUESTIONS TO BE ANSWERED IN ALL CASES, WHETHER SUBJECT IS OPERATOR, PASSENGER, PEDESTRIAN OR WITNESS

Briefly describe this accident: I was coming down the road in the middle lane when I saw a truck passing me in the left lane. He was going real fast. I was doing maybe 65mph. He came into my lane. That metal lip on the rear of the truck hit my bumper and I lost control. I was coming from Mohegan Sun. My first stop was going to be at Allen St. and then from there I was going to 80 bowery.

What was the cause of the accident?

INSERT ANSWERS PERTAINING TO EACH VEHICLE UNDER APPROPRIATE COLUMN	VEHICLE NO. 1	VEHICLE NO. 2	VEHICLE NO. 3
License plate No.		<u>[Redacted]</u>	
Make, type and color of vehicle		<u>[Redacted]</u>	
Direction of travel and on what street		<u>[Redacted]</u>	
Speed of vehicle(s) involved		<u>[Redacted]</u>	
Was vehicle subject to traffic control devices, signal lights, signs, pavement markings, etc.?		<u>[Redacted]</u>	
Did vehicle swerve or turn to avoid contact?		<u>[Redacted]</u>	
Immediately prior to accident, was any signal given? (horn - hand - other)		<u>[Redacted]</u>	
What lights on vehicle were lighted?		<u>[Redacted]</u>	
What were the points of impact?		<u>[Redacted]</u>	

At time of accident, were there any other vehicles on the street in the vicinity?  Yes  No if yes, describe:

In what direction was pedestrian (if any) going?  With signal light  Against signal light  Walking  Running  Standing

Accident occurred during:  Daylight  Dawn  Dusk  Darkness Weather Condition:  Clear  Fog  Rain  Snow  Other (Describe)

ROADWAY LIGHTED:  Yes  No Road Condition:  Dry  Wet  Muddy  Snowy  Icy  Other

Obstructions of holes in street:  Yes  No if yes, describe:

SIGNATURE OF WITNESS: N/A RANK DET. SIGNATURE OF INVESTIGATING OFFICER: [Redacted] TAX REG. NO. 902287 COMMAND My AIS



WITNESS STATEMENT — VEHICLE ACCIDENT

CASE # N/A

STATEMENT OF: FIRST NAME [REDACTED] LAST NAME [REDACTED] PCT. N/A ACCIDENT NO. N/A COMPLAINT NO. N/A

RESIDENCE ADDRESS [REDACTED] RESIDENCE TEL. NO. N/A BUSINESS TEL. NO. [REDACTED]

LOCATION OF INTERVIEW: [REDACTED] PRECINCT STATION HOUSE [REDACTED] OTHER (DESCRIBE) St. Barnabus Hospital TIME OF REPORT 0750 DATE 3 12 11

IDENTITY OF ABOVE NAMED PERSON: OPERATOR OF VEH. NO. [REDACTED] PASSENGER IN 1 VEH. NO. [REDACTED] PEDESTRIAN [REDACTED] WITNESS [REDACTED]

DATE OF ACC. 3/12/11 TIME 0537 LOCATION S/B NET @ City LINE ACCIDENT INVOLVED: [REDACTED] DEATH [REDACTED] PERSONAL INJURY [REDACTED]

**QUESTIONS FOR WITNESS, PASSENGER OR PEDESTRIAN ONLY**

Did you see the accident?  Yes  No

Where were you at the time of the accident? [REDACTED]

Do you know any of the persons involved in this accident?  Yes  No

If yes, whom? [REDACTED]

At the time of the accident, was your visibility obstructed in any way?  Yes  No

If yes, describe: [REDACTED]

**QUESTIONS FOR OPERATOR OF VEHICLE ONLY**

How many years have you driven? [REDACTED]

How long have you driven the vehicle involved in the accident? [REDACTED]

Was there any mechanical failure or defects with the vehicle you were driving? [REDACTED]

Did you consume any intoxicants or medication prior to the accident?  Yes  No

If yes, what, how much & where? [REDACTED]

Where were you coming from or going to? [REDACTED]

Who was with you at time of accident? [REDACTED]

BELOW QUESTIONS TO BE ANSWERED IN ALL CASES, WHETHER SUBJECT IS OPERATOR, PASSENGER, PEDESTRIAN OR WITNESS

Briefly describe this accident:

I don't know what happened. I was sleeping on the bus and the next thing I know, the bus started to flip over. I was taken out by the Fire Dept. and brought here.

What was the cause of the accident? [REDACTED]

INSERT ANSWERS PERTAINING TO EACH VEHICLE UNDER APPROPRIATE COLUMN	VEHICLE NO. 1	VEHICLE NO. 2	VEHICLE NO. 3
License plate No.	[REDACTED]	[REDACTED]	[REDACTED]
Make, type and color of vehicle	[REDACTED]	[REDACTED]	[REDACTED]
Direction of travel and on what street	[REDACTED]	[REDACTED]	[REDACTED]
Speed of vehicle(s) involved	[REDACTED]	[REDACTED]	[REDACTED]
Was vehicle subject to traffic control devices, signal lights, signs, pavement markings, etc.?	[REDACTED]	[REDACTED]	[REDACTED]
Did vehicle swerve or turn to avoid contact?	[REDACTED]	[REDACTED]	[REDACTED]
Immediately prior to accident, was any signal given? (horn - hand - other)	[REDACTED]	[REDACTED]	[REDACTED]
What lights on vehicle were lighted?	[REDACTED]	[REDACTED]	[REDACTED]
What were the points of impact?	[REDACTED]	[REDACTED]	[REDACTED]

At time of accident, were there any other vehicles on the street in the vicinity?  Yes  No if yes, describe: [REDACTED]

In what direction was pedestrian (if any) going?  With signal light  Against signal light  Walking  Running  Standing

Accident occurred during:  Daylight  Dawn  Dusk  Darkness

Weather Condition:  Clear  Fog  Rain  Snow  Other (Describe)

ROADWAY LIGHTED:  Yes  No

Road Condition:  Dry  Wet  Muddy  Snowy  Icy  Other

Obstructions of holes in street:  Yes  No If yes, describe: [REDACTED]

SIGNATURE OF WITNESS N/A RANK DET. SIGNATURE OF INVESTIGATING OFFICER [REDACTED] TAX REG. NO. 902287 COMMAND Hwy AIS