

1 APPEARANCES (continued:)

2 For Defendant
3 GlaxoSmithKline:

KING & SPALDING
BY: MR. TODD P. DAVIS
MR. ANDREW T. BAYMAN
1180 Peachtree Street N.E.
Atlanta, Georgia 30309
(404) 572-4600

5

6

KING & SPALDING, LLP
BY: MS. URSULA M. HENNINGER
100 North Tryon Street, Suite 3900
Charlotte, North Carolina 28202
(704) 503-2631

7

8

9

SNR DENTON US, LLP
BY: MR. ALAN S. GILBERT
233 South Wacker Drive, Suite 7800
Chicago, Illinois 60606
(312) 876-8000

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1 (Proceedings heard in open court. Jury in.)

2 THE COURT: Thank you very much, ladies and
3 gentlemen. Please be seated. We'll resume.

4 You may proceed.

5 MR. BAYMAN: Thank you, your Honor.

6 MICHAEL LOVALLO, PLAINTIFF'S WITNESS, PREVIOUSLY SWORN

7 CROSS-EXAMINATION (Resumed)

8 BY MR. BAYMAN:

9 Q. Mr. Lovallo, just a few more questions. Before we left
10 for the lunch break, we were talking about Mr. Dolin's
11 performance in 2010. I'm handing you what's been marked as
12 Defendant's Exhibit 3039. And you're familiar with documents
13 like this, correct?

14 A. Yes.

15 Q. These are, I guess the first page of the document says
16 CRL-S, attorney statistics, correct?

17 A. Yes.

18 Q. And these are documents that are generated by Reed Smith
19 in the ordinary course of business, correct?

20 A. Yes.

21 Q. And this is -- these are a series of documents that give
22 certain statistics or data on Mr. Dolin in 2010 including his
23 revenue, his billings, his billable hours, things like that,
24 correct?

25 A. Yes.

1 MR. BAYMAN: Your Honor, I would at this time move to
2 publish Defendant's Exhibit 3039 and to admit it into evidence.

3 MR. RAPOPORT: No objection.

4 THE COURT: It may be received.

5 (Defendant's Exhibit 3039 received in evidence.)

6 MR. BAYMAN: Can you put that up, Mr. Holtzen?

7 BY MR. BAYMAN:

8 Q. I'm not going to -- this has a lot of data in it, and I'm
9 not going to get into it, but we were talking about the fact
10 that in 2010, Mr. Dolin had revenues that he did not originate
11 that were attributable to him because he was the client
12 relationship lawyer, correct?

13 A. Attributable to his work, to his personal labor?

14 Q. No, no, no, to his -- in terms of his credit for revenue.
15 There was revenue in 2010, significant revenue in 2010 on
16 matters in which Mr. Dolin was not the originator nor was he
17 doing any work on the matters, correct?

18 A. I think we were talking about 2009.

19 Q. We were, but I also am asking you about with respect to
20 2010.

21 A. Let me look at the numbers.

22 Q. Sure.

23 A. Yes, there is a difference between his CRL number and his
24 MOA number.

25 Q. And so that we're clear, what that means is there were

1 clients that he was the relationship partner, but the work for
2 those clients had been originated by someone else and was
3 being done by someone else, correct?

4 A. Again, I'd have to look at what's all beneath these
5 numbers, but based on these relationships unlike the 2009
6 differential, probably a lot of this was shared origination
7 where he was the CRL but the MOA origination would have been
8 shared, meaning that there may be some where he received no
9 origination, but from the looks of this, there could be many
10 matters that were shared but he didn't receive 100 percent of
11 MOA. Again, CRL is one person, one designation, so that's
12 always 100 percent.

13 Q. But if we look at his work and timekeeper statistics, we
14 know that he was not, certainly on his own time, wasn't
15 working on enough matter -- enough matters to generate the
16 revenue that are reflected on his CRL, correct?

17 A. Well, no. When you're, to quote somebody here, rainmaker,
18 by definition, you're not doing a lot of the work on the
19 matters you bring in. I mean, you know, most of us who have a
20 substantial amount of business have other people very much
21 contributing to our original -- our origination number because
22 they're on our teams and they work with us.

23 Q. His revenue was up in 2010 but his personal productivity
24 was not, correct?

25 A. Compared to 2009 annualized, I think it was somewhat up.

1 Q. Well, but 2009 was 733 hours, correct?

2 A. Oh, in hours?

3 Q. Yes, sir.

4 A. 733 hours, yes.

5 MR. BAYMAN: Right. And if you look under -- could
6 you pull up the working timekeeper statistics page? Can you
7 pull that up, Mr. Holtzen? It's the last page of the document.

8 BY MR. BAYMAN:

9 Q. Do you see "billable hours worked"?

10 A. Yes.

11 Q. And that says 489.20?

12 A. Right. And that would have obviously been for a partial
13 year.

14 Q. Right. Would have been through June and then a little bit
15 in July, correct?

16 A. Yes.

17 Q. And that would have not been on pace to bill 1400 hours
18 for the year, correct, annualized?

19 A. No.

20 Q. And with respect to -- you'll need your glasses for this
21 one. I'm handing you now what's been marked as defense
22 Exhibit 6281, and it's a document entitled "Timekeeper
23 statistics." You're familiar with documents like this,
24 correct?

25 A. Yes.

1 Q. And these are generated by Reed Smith in the ordinary
2 course of business, correct?

3 A. Yes.

4 MR. BAYMAN: Your Honor, at this time, we'd move for
5 admission of defense Exhibit 6281 and permission to publish it.

6 MR. RAPOPORT: No objection to either.

7 THE COURT: You may proceed.

8 MR. BAYMAN: Thank you, your Honor.

9 (Defendant's Exhibit 6281 received in evidence.)

10 BY MR. BAYMAN:

11 Q. Now, the print is very small here, and so we're going to
12 show -- the document has been redacted to remove other
13 timekeepers at Reed Smith, correct?

14 A. Uh-huh.

15 Q. But we have Mr. Dolin's line, correct?

16 A. Yes.

17 MR. BAYMAN: Can you blow that up a little?

18 BY MR. BAYMAN:

19 Q. This shows a number of different metrics including
20 billable hours per month, correct, this document?

21 A. For February 2010.

22 Q. Okay. That's the first one.

23 A. Okay.

24 Q. And that also includes January, does it not?

25 A. In the year-to-date column.

1 Q. Yes. And then you have -- you have a number, again, if
2 you look through to just the Stewart Dolin, you have numbers
3 for March and April, May and June?

4 Why don't you show March.

5 A. Yes.

6 Q. So we know that through, year-to-date through February, he
7 billed 75 hours, correct?

8 A. Hold on. I don't think that's right.

9 Q. I'm sorry. 75 hours in February.

10 A. In February.

11 Q. And he billed 49 hours in January if we look at
12 year-to-date, correct?

13 A. Hold on. No, go back. Actual, 124. Yes.

14 Q. And then in March, it would be 156 hours, that was a
15 relatively busy month, correct?

16 A. Yes.

17 Q. And back -- and then he was back down to 71 hours in
18 April, correct?

19 A. Yes.

20 Q. And then back down to 51 hours in May, correct?

21 A. Yes.

22 Q. And then 58 hours in the month of June, correct?

23 A. Yes. I'm pretty -- it's fuzzy, but I think that's an 8.

24 Q. I've done a chart, Mr. Lovallo, just as -- because those
25 numbers are indeed fuzzy. Do you see that?

1 A. I do.

2 Q. And so that's where we get the 460 hours, correct, that he
3 billed through June?

4 A. Yes.

5 Q. And if he maintained that pace, he was not on pace to bill
6 1400 hours, correct?

7 A. No.

8 Q. And --

9 MR. RAPOPORT: Your Honor, forgive me. Can we get an
10 exhibit number on that last thing that was displayed to the
11 jury both for our record and other purposes?

12 MR. BAYMAN: I'm sorry. Just for demonstrative
13 purposes, that was 6281.

14 MR. RAPOPORT: Thank you.

15 BY MR. BAYMAN:

16 Q. Now, you talked some about bonuses for practice group
17 leaders at Reed Smith for Mr. Rapoport, correct?

18 A. Yes.

19 Q. You'll agree that bonuses are not guaranteed at Reed
20 Smith, are they?

21 A. No.

22 Q. And, in fact, the year that Mr. Dolin got his \$75,000
23 bonus for his performance in 2009, you'll agree that the range
24 was from 25,000 to 150,000 that year, correct?

25 A. It might have been more than that. In terms of the range

1 of all bonuses that were awarded?

2 Q. For being a practice group leader, office managing partner.

3 A. I -- I don't recall.

4 MR. RAPOPORT: Your Honor, pardon my interruption,
5 but 6281 is not the summary chart that needed to be marked.
6 6281 was clearly marked in already and moved into evidence.
7 Counsel showed the jury something else on a white sheet of
8 paper not marked at all that needs a trial exhibit number.

9 MR. BAYMAN: All right. We'll put a number on it.
10 It's a demonstrative.

11 MR. RAPOPORT: Whatever it is.

12 BY MR. BAYMAN:

13 Q. You're not in a position to assume that Mr. Dolin would
14 have continued to receive a bonus as the practice group leader
15 of the corporate and securities group, are you?

16 A. I would never assume anything like that.

17 Q. In fact, you wouldn't even assume that Mr. Dolin was going
18 to remain as a co-practice group leader, correct?

19 A. I would not assume that.

20 Q. And, in fact, after Mr. Dolin passed away, Mr. Jaskot
21 became the sole practice group leader of the corporate and
22 securities group, correct?

23 A. Yes.

24 Q. He did the job by himself, correct?

25 A. He did for -- yes. Well, he was the sole PGL. I'm sure

1 he had deputies or whatever. In fact, I know he had deputies.

2 Q. A new co-PG -- practice group leader wasn't appointed --

3 A. No.

4 Q. -- after Mr. Dolin's death?

5 A. No.

6 Q. Now, you talked earlier about Mr. Dolin's -- that Mr.
7 Dolin's band was reduced for 2010 meaning his compensation was
8 reduced, correct?

9 A. Yes.

10 Q. And, in fact, it was reduced from -- it was reduced by
11 135,000, from 990,000 to 855,000, correct?

12 A. Uh-huh.

13 Q. Is that right?

14 A. Yes, I think so.

15 Q. Do you need -- would you like to refer to a document to
16 confirm that?

17 A. I will -- if you give me a document, I'll be able to
18 confirm that.

19 Q. I'm handing you what's been marked as defense Exhibit
20 3129. You're familiar with these kinds of documents, correct?

21 A. I am. This is for 2008.

22 Q. And it is the -- it is the -- if you look at -- well, it's
23 called an equity partner pro forma, correct?

24 A. Yes.

25 Q. And this lists the various bands of partner, equity

1 partners as well as what the budgeted compensation was to be,
2 correct?

3 A. Yes. The change from 2007 to 2008.

4 Q. Yes. I -- go ahead.

5 A. Now, when I say I'm familiar, this is sorted by practice
6 group, you know. What I would -- what I would see if there
7 was a sort for me, it would be by the office, but it's similar.

8 Q. But Reed Smith generates these for the various practice
9 groups, correct?

10 A. Yes, yes.

11 MR. BAYMAN: Your Honor, at this time, I would move
12 for admission of defense Exhibit 3129 and ask permission to
13 publish.

14 MR. RAPOPORT: Your Honor, I object because there's
15 been no showing that this is the correct timeframe.

16 MR. BAYMAN: Well, I've tabbed Page 19, and I was
17 just going to take him to that, your Honor, which shows 2009
18 and 2010.

19 MR. RAPOPORT: Your Honor, counsel is testifying now.
20 He needs to lay the foundation through the witness, and it
21 hasn't been done to this point.

22 THE COURT: All right. You may inquire of the witness.

23 BY MR. BAYMAN:

24 Q. Sure. Turn, if you would, to the page I tabbed, Mr.
25 Lovallo. I'm not trying to be tricky here.

1 MR. RAPOPORT: Objection, your Honor. It should just
2 be questions.

3 THE COURT: Proceed.

4 BY MR. BAYMAN:

5 Q. Page 19.

6 A. Uh-huh.

7 Q. Do you see that? It says, does it not, at the top, "2009
8 budget comp," and then there's a column for 2010 budget comp,
9 and then there's a column for bonus and a bonus explanation;
10 is that correct?

11 A. Uh-huh.

12 Q. So this would -- based on your experience as a partner at
13 Reed Smith and the managing partner of the Chicago office,
14 this document reflects what Mr. Dolin's budgeted compensation
15 would be for 2010 as compared to 2009, correct?

16 A. Yes.

17 MR. BAYMAN: Your Honor, now may I --

18 THE COURT: Yes.

19 MR. BAYMAN: -- have permission --

20 MR. RAPOPORT: No objection.

21 THE COURT: Just put the question. Let's not --

22 MR. BAYMAN: Okay. Let's put that page up, Roger,
23 please, Page 19.

24 BY MR. BAYMAN:

25 Q. And you said it would be helpful to look at a document and

1 compare. This shows, does it not, that in 2009 his budgeted
2 compensation was 990,000; for 2010, it was reduced by 135,000
3 which yields 855,000, correct?

4 A. Uh-huh.

5 Q. Thank you. And you mentioned before we took a break that
6 after an equity partner passes away, the partner's beneficiary
7 receives 36-month payments each in the amount of 3-1/3 percent
8 of the budgeted compensation allocated to that partner at the
9 time of his death?

10 MR. RAPOPORT: Objection, your Honor. That's
11 collateral source.

12 THE COURT: Pardon me?

13 MR. RAPOPORT: Objection, collateral source.

14 MR. BAYMAN: I don't think it is, your Honor. It's
15 compensation from the law firm.

16 THE COURT: Let's go to the sidebar.

17 (Proceedings heard at sidebar:)

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 [REDACTED] [REDACTED]
2 [REDACTED] [REDACTED]
3 [REDACTED] [REDACTED]
4 [REDACTED] [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED] [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED] [REDACTED]
13 [REDACTED] [REDACTED]
14 [REDACTED] [REDACTED] [REDACTED]
15 [REDACTED] [REDACTED]

16 (Proceedings heard in open court:)
17 THE COURT: The objection is sustained to the last
18 question. The reference will be struck.
19 You may proceed, sir.
20 MR. BAYMAN: Thank you, your Honor.
21 BY MR. BAYMAN:
22 Q. One last area, Mr. Lovallo. We had talked about the
23 events of Mr. Dolin's last week, particularly with respect to
24 Standard Parking and Miniatic. You recall that, correct?
25 A. Yes.

1 MR. BAYMAN: Your Honor, I neglected to move for
2 admission of Exhibit 3064-B which was Mr. Lovallo's email to
3 Mr. Gallatin that the jury saw prior to the break, and I would
4 just move for its admission. I'm not going to go back over it.

5 THE COURT: All right.

6 MR. RAPOPORT: No objection.

7 (Defendant's Exhibit 3064-B received in evidence.)

8 BY MR. BAYMAN:

9 Q. At any time during the years you knew Stewart Dolin, did
10 he ever relay to you that he was ever experiencing anxiety?

11 A. No.

12 Q. Did he ever relay to you that he was having feelings of
13 depression?

14 A. No.

15 Q. And he never told you that he had ever sought any
16 treatment from a mental health professional, correct?

17 A. I believe that is correct.

18 Q. And --

19 THE COURT: I think that was covered.

20 BY MR. BAYMAN:

21 Q. On direct examination, you talked -- we talked about the
22 events of the last week, and what I wanted to ask you is if he
23 shared feelings of anxiety or insecurities with others either
24 before Saturday, July 10, 2010, or during the final week of
25 his life, he certainly didn't share them with you, correct?

1 A. Nothing notable. I mean, we were friends, you know. We
2 shared some aspects of our lives. There was nothing particular.

3 Q. And if he shared feelings of losing a client or worries
4 about keeping a client the evening of Wednesday, July 14th,
5 with someone such as a therapy -- therapist, he did not share
6 those feelings with you on Thursday morning when you met with
7 him, correct?

8 A. No.

9 MR. BAYMAN: Your Honor, I have no further questions.

10 THE COURT: Any redirect?

11 MR. RAPOPORT: There is some redirect, your Honor.

12 Thank you.

13 THE COURT: All right.

14 MR. RAPOPORT: To begin my redirect, your Honor, I
15 will need the exhibit that doesn't have a number on it.

16 MR. BAYMAN: We've marked this demonstrative as
17 defense Exhibit 7034.

18 MR. RAPOPORT: Thank you. I'm going to try to get
19 the -- can you help me get the Elmo working?

20 MR. WISNER: It's up.

21 REDIRECT EXAMINATION

22 BY MR. RAPOPORT:

23 Q. Do you still have the various exhibits that you were
24 handed up during that cross-examination nearby?

25 A. Yes, I do.

1 Q. Okay. What I'd like to do is have you turn to 3039, the
2 one that looks like this.

3 Great. Do you have it in your hand there?

4 A. I do.

5 Q. And let's turn in 3039 to the last page. They're
6 two-sided, but it's really the second-to-the-last page. Do
7 you see that one?

8 A. December 10, Page 1 of 2?

9 Q. Yes. Now, this is the page where the statistics for the
10 total year billable hours was drawn from, right?

11 A. Yes, for working attorney, working timekeeper.

12 Q. For working timekeeper. And working timekeeper that we're
13 looking at here is Stu Dolin?

14 A. Yes.

15 Q. Now, also on here we have the non-billable hours that
16 Mr. Dolin worked in the same timeframe just a few lines down,
17 don't we?

18 A. Yes.

19 Q. Is that 706?

20 A. Yes.

21 Q. All right. So to get the billable hours and the
22 non-billable hour total, we would add the figure 706 more
23 hours, would we not?

24 A. Yes.

25 Q. And if we wanted -- so that, one way to do that would be

1 to write on here. I'm not going to ruin the exhibit, but we
2 could add a column to this and show how much the man was
3 working, both billable and non-billable, if we wanted to,
4 couldn't we?

5 A. Yes.

6 Q. And if we did that, we would be adding 460 and 706 to
7 get --

8 A. I think 489.2.

9 Q. Okay. So the actual numbers working is a little bit
10 higher than what they put on the exhibit here?

11 A. The number I see for billable hours worked is 489.20.

12 MR. BAYMAN: Objection, your Honor. We pointed out
13 there were hours in July. This is for six months.

14 THE WITNESS: Oh, okay. December -- I'm reading
15 December '10 which you asked me to do.

16 BY MR. RAPOPORT:

17 Q. Okay. That's okay. I'm not so much focused on the
18 difference between 489 and 460 as I am on leaving out all of
19 the non-billable work that the guy was doing. So when we take
20 into account the non-billable work and the billable work that
21 is documented on this record, defense Exhibit 3039, it is fair
22 to conclude that Stewart was working very long hours the
23 entire year that he died, wouldn't you say?

24 A. He was working a full complement of workload. It was a
25 full workload for an equity partner.

1 Q. There is no indication in the records that you have seen
2 that Stu Dolin ever missed a single day of work because of any
3 mental health condition, isn't that a fact?

4 A. I am not aware of any day that Stewart would have missed
5 because of -- that he was in, whenever. You know, he was in
6 except if he was on vacation, he was in.

7 Q. Would you agree with me that it would be an inaccurate
8 characterization to suggest that Stu Dolin was working
9 part-time?

10 MR. BAYMAN: Object to the leading, your Honor, and
11 mischaracterizes the question.

12 THE COURT: You may answer.

13 You may answer.

14 THE WITNESS: Say it again, please. I'm sorry.

15 THE COURT: Read it back. -- why don't you rephrase
16 it.

17 MR. RAPOPORT: Yes, I'll be happy to.

18 THE COURT: Why don't you just ask him directly.

19 BY MR. RAPOPORT:

20 Q. Yes, absolutely. So it's crystal clear that the man was
21 working full-time and not part-time?

22 A. Yes, he was working full-time.

23 Q. One of the questions you were asked had to do with looking
24 at the police report and whether that refreshed your
25 recollection about the conversation with the police. Do you

1 remember those questions?

2 A. I do.

3 Q. And I want to call your attention to the same portion of
4 the report that your attention was called to before, which was
5 on Page 7, the third paragraph from the bottom.

6 A. Yes.

7 Q. Does that refresh your recollection about certain things
8 that were discussed in the conversation with the police
9 officer that nobody's asked you about yet today?

10 A. Yes.

11 Q. Please tell the jury about those.

12 A. May I read the pertinent sentence, the sentence that, you
13 know, "Michael" --

14 MR. BAYMAN: He's reading now. He's reading now.
15 It's not refreshing his recollection.

16 THE COURT: Yes, you have to refresh your
17 recollection. You know we have these procedures, sir. You've
18 got to tell us what you remember after you refresh your
19 recollection.

20 THE WITNESS: I recall saying -- yes, my recollection
21 has been refreshed, but I think I would recall this without
22 this paper, that I pointed out the things, the client-related,
23 practice-related matters that were causing stress and said
24 that -- but that it was nothing that Stewart should have taken
25 his life over.

1 BY MR. RAPOPORT:

2 Q. Thank you, sir. Now, you were asked a lot of questions
3 about numbers, and I want to ask a few more that hopefully
4 will cut to the bottom line here. Do you have the exhibits
5 before you with different numbers in them so we can move
6 through this very quickly?

7 A. I do. Just tell me which one.

8 Q. Great. So let's start with Plaintiff's 24, which is the
9 thing with Stewart's picture on it. All right. Now, as -- I
10 guess before we go through this, keep it in hand, I want to
11 get a couple of other facts down.

12 THE COURT: Take this off the screen, sir.

13 MR. RAPOPORT: Oh, yes. Sure.

14 BY MR. RAPOPORT:

15 Q. So you mentioned something about layoffs since Mr. Dolin
16 died. You were asked in particular about 2016. Have there
17 been any layoffs since Mr. Dolin died where equity partners
18 were laid off from Reed Smith?

19 A. I do not think so.

20 Q. And in general terms without meaningful detail at all, how
21 have economic conditions been compared to, say, 2009?

22 A. They've been steadily improving. They probably, you know,
23 got to the good level of improvement by 2011 and since then,
24 things have been steady to positive.

25 Q. All right. If Mr. Dolin was still with us and had his

1 health otherwise, do you have any reason to believe that he
2 would no longer be at Reed Smith at this point for any reason?

3 A. No reason at all.

4 Q. All right. Now, I want to come back to these numbers and
5 understand what we can learn from them about his earnings and
6 also the situation if he hadn't died. So a starting point is
7 his 2009 actual compensation without bonus, correct?

8 A. Yes.

9 Q. And that, the jury has already heard, is \$1,089,000,
10 agreed?

11 A. Again, are you referring to 2009?

12 Q. Yes, 2009 actual compensation because I want to get us
13 started, and I want to try to get these numbers straight if we
14 can. So to calculate the total earnings for 2009, we would
15 add to that another \$75,000 for the bonus, agreed?

16 A. Yes.

17 Q. All right. Then in getting at the 2010 compensation, both
18 the partial year that he worked and if he hadn't been killed
19 and we just assumed he worked a full year, his band adjustment
20 would have accounted for him receiving budgeted compensation
21 of \$855,000, right?

22 MR. BAYMAN: Objection to the characterization, your
23 Honor, "getting killed."

24 MR. RAPOPORT: Well, "died."

25 THE COURT: Proceed, please.

1 BY MR. RAPOPORT:

2 Q. So in any event, because of the band adjustment, if he had
3 been alive in order for this kind of review process to occur
4 for 2010, his budgeted payments would have been 855, correct?

5 A. Yes.

6 Q. And that means he would have drawn that out more or less
7 in pay that was paid out in the year?

8 A. Or shortly thereafter the end of the year.

9 Q. Okay. Then the discussion at that point would have been
10 both about bonus, but also there would have been a
11 mathematical calculation to add money if the firm was
12 profitable in 2010 --

13 A. Yes.

14 Q. -- right?

15 And so is it a reasonable --

16 MR. BAYMAN: Objection to leading, your Honor.

17 THE COURT: Proceed.

18 BY MR. RAPOPORT:

19 Q. Is it a reasonable calculation in order to take into
20 account the band adjustment to take Mr. Dolin's 2009 total
21 earnings and subtract 10 percent from it for the band
22 adjustment and call that a reasonable or conservative estimate
23 of what he would have or could have made at Reed Smith if he
24 had lived?

25 MR. BAYMAN: Objection, your Honor. This is now

1 calling for an expert opinion and for speculation. This is
2 beyond the scope of the witness's expertise.

3 THE COURT: I think it's within the range of this
4 witness to say if he can.

5 THE WITNESS: Yes. Let me -- I think it's simpler
6 than that.

7 BY MR. RAPOPORT:

8 Q. Okay.

9 A. If he had lived for the entire year, his compensation
10 would have been 855 plus or minus our variance to budget. We
11 were over budget that year because, you know, we're over
12 budget most years. I don't remember by what percentage we
13 were over budget that year, probably somewhere between 5 and
14 10 percent. And then the -- and the bonus then, if any, would
15 have been added to that. And, in fact, there was a bonus
16 postmortem that was awarded in this case.

17 THE COURT: Keep your voice up, sir.

18 THE WITNESS: Yes.

19 BY MR. RAPOPORT:

20 Q. So are the -- we have fairly stable earnings, looking back
21 in retrospect at the five years that we have here. Would
22 averaging them as an estimate for what 2010 would have been
23 delivered be a reasonable approach?

24 MR. BAYMAN: Objection, your Honor. This calls for
25 speculation as to what the performance --

1 THE COURT: Overruled.

2 MR. BAYMAN: -- would have been in 2010.

3 THE COURT: Overruled.

4 BY THE WITNESS:

5 A. It's one approach. The reality is, I think -- I know that
6 you can know with certainty but for perhaps some difference in
7 the bonus had he lived the entire year exactly what he would
8 have earned because we now know what the 2010 results were
9 compared to budget. It's a direct calculation.

10 BY MR. RAPOPORT:

11 Q. So please give us your best figure that you can.

12 MR. BAYMAN: Same objection.

13 THE COURT: Overruled.

14 BY THE WITNESS:

15 A. Well, trying to unpack this 949,050 number from this
16 exhibit and deducting what I think are some payments pursuant
17 to the partnership agreement which I think would be, in my
18 calculation, 147,500, his, you know, payment for the seven
19 months, 7/12 of the year for 2010 would be then \$800,000.

20 Now, I don't know whether one should annualize that
21 or not but, you know, I think, you know, it gives some
22 framework. I think he would have, you know, in 2010, base --
23 well, he did receive a bonus actually, would have received
24 that, and then 2011 would have been a new determination.

25 MR. BAYMAN: Your Honor, now he's speculating for

1 future years, 2011, which is that speculation because
2 compensation gets renewed at the end of the year.

3 THE COURT: We have actual numbers, I guess, for 2011.

4 THE WITNESS: No, we can't. We can't --

5 THE COURT: No?

6 MR. BAYMAN: No.

7 MR. RAPOPORT: So he knows more than anybody --

8 THE WITNESS: All I said is that it would have been
9 reviewed naturally in the next term. Every year, we're
10 reviewed.

11 THE COURT: There are no numbers for 2011?

12 MR. RAPOPORT: Well, it's not a question of no
13 numbers. There are future damages, and so this is the
14 evidence --

15 THE COURT: I understand that, sir, but are there --
16 is there data that shows what happened in 2011?

17 MR. RAPOPORT: Oh, I understand your question. I
18 don't think that's been within the scope of --

19 THE COURT: That's not -- there's no data in the
20 record to show that. Proceed.

21 BY MR. RAPOPORT:

22 Q. Yes. So you are -- so I think what I'd like you to do,
23 I'm not sure that we finalized 2010. Let's just stay there
24 for the moment, which is, what is your best estimate about
25 what his earnings would have been in 2010 taking everything

1 into account that you know. I heard you mention 800 for seven
2 months.

3 A. Well, you would take the 855. You would add the 5 or 10
4 percent overrun, whatever we had. So, you know, we'll make it
5 925 for that. You would take 7/12 of that, of 925. And then
6 we know at 100 for the bonus that he received, and beyond
7 that, you know, we don't know. We don't know what the rest of
8 the year would have been.

9 Q. So Mr. Dolin, based on his book of business and based on
10 his knowledge, training, experience, and expertise, was
11 marketable in the legal profession both at Reed Smith and
12 elsewhere, correct?

13 MR. BAYMAN: Object to leading, your Honor.

14 THE COURT: Well, it's kind of compound.

15 BY MR. RAPOPORT:

16 Q. Okay. Was Mr. Dolin -- you've already testified about his
17 value at Reed Smith. Would he be valuable to others in the
18 marketplace as well?

19 A. Yes.

20 Q. And was his compensation over the last five, six years of
21 his life a reasonable reflection of his value in that
22 marketplace?

23 A. Yes.

24 Q. Are you aware of any factors that would have decreased his
25 value in the marketplace in the years that have gone by since

1 then?

2 A. No.

3 Q. Or, for that matter, what you expect to happen in the
4 years ahead?

5 MR. BAYMAN: Objection. "What you expect to happen
6 in the years ahead," your Honor, is speculative.

7 THE COURT: Yes. Sustained.

8 MR. BAYMAN: I ask the jury to disregard that.

9 THE COURT: Disregard it.

10 BY MR. RAPOPORT:

11 Q. All right. And you were asked some questions about
12 pedigrees, and I want to return to that briefly. So first of
13 all, how was Stewart Dolin's pedigree?

14 A. What do you mean?

15 Q. I thought the word "pedigree" was used, but credentialing.
16 So there were -- let me start again.

17 There were questions in the cross-examination asking
18 you about whether his lack of an Ivy League set of
19 qualifications makes any difference to anything. Let's start
20 with your view that your face expresses.

21 A. I'm sorry. Stewart graduated from the University of
22 Illinois undergraduate, I think, in 1974. I think he
23 graduated --

24 THE COURT: We've been through all this now.

25 MR. RAPOPORT: Yes. So --

1 THE COURT: Let's not cover the same thing over and
2 over again, gentlemen.

3 MR. RAPOPORT: Okay. Let me see what else I've got
4 here. Maybe we can wrap up.

5 BY MR. RAPOPORT:

6 Q. You were asked some questions about different work
7 situations and what stress it may have caused. I just want
8 you to compare and contrast briefly the stresses in 2009 that
9 Mr. Dolin and you and your colleagues would have faced and
10 compare that to the stresses that Mr. Dolin was facing in the
11 immediate period before his death.

12 MR. BAYMAN: He's asking for speculation now about
13 what Mr. Dolin faced in 2009 and how he reacted.

14 THE COURT: Well, it's beyond the scope of the
15 cross-examination. This is redirect.

16 MR. RAPOPORT: All right.

17 THE COURT: You must limit yourself to what you heard
18 on cross.

19 BY MR. RAPOPORT:

20 Q. All right. Let me move forward to that email that
21 contains two things with reference to one of the problems you
22 told us about, what a nightmare and hanging on to the client
23 by the fingernails. You won't need the specifics for this.
24 So what -- did you discuss this language and this kind of
25 terminology with Mr. Dolin?

1 A. No.

2 Q. Did you have an understanding of what it was that he was
3 trying to communicate?

4 MR. BAYMAN: Your Honor, he said he didn't discuss it
5 with him, and now he's trying to give his state of mind
6 testimony.

7 MR. RAPOPORT: It's --

8 THE COURT: Put another question.

9 BY MR. RAPOPORT:

10 Q. What was the question? It's, with respect to -- let's
11 take them one at a time. With respect to the statement,
12 "hanging on by the fingernails," was that a literal reference,
13 in your opinion?

14 MR. BAYMAN: Objection, your Honor.

15 THE COURT: Sustained.

16 MR. RAPOPORT: Do you have --

17 THE COURT: The jury will have to decide.

18 BY MR. RAPOPORT:

19 Q. What was Mr. Dolin trying to communicate in that email?

20 MR. BAYMAN: The same objection.

21 THE COURT: Overruled. Let's get on with it, please.

22 BY THE WITNESS:

23 A. My reading of it was that he was being -- using pretty
24 aggressive, somewhat graphic language to make it clear that he
25 was quite annoyed.

1 BY MR. RAPOPORT:

2 Q. Did these various figures that we've looked at for
3 earnings include deferred compensation, too, in other words,
4 the 401(k) or whatever else --

5 A. These numbers are all-in.

6 MR. RAPOPORT: All-in. Okay. I don't have any other
7 questions. Thank you.

8 MR. BAYMAN: Briefly.

9 THE COURT: Very briefly. Very, very briefly.

10 MR. BAYMAN: Yes, sir.

11 RECROSS-EXAMINATION

12 BY MR. BAYMAN:

13 Q. You don't recall sitting here today how much Reed Smith
14 exceeded its budget in 2010, correct?

15 A. I think it was between 5 and 10 percent but that, somebody
16 could tell you that.

17 Q. That's just your estimate, correct?

18 A. Yes.

19 MR. BAYMAN: And can we put up PX 24? And bring up
20 the second, under charge hours and non-chargeable. Highlight
21 the first -- yes, there you go.

22 BY MR. BAYMAN:

23 Q. This shows Mr. Dolin's both chargeable and non-chargeable
24 hours, correct?

25 A. Yes.

1 Q. And non-chargeable hours are not revenue to the law firm,
2 correct?

3 A. They are not.

4 Q. In fact, the firm emphasizes billable or chargeable hours
5 over non-chargeable hours in the main, correct?

6 A. I think the firm in general would certainly want there to
7 be more chargeable hours than non-chargeable hours. It could
8 vary depending on your role in the firm.

9 Q. And you know that equity partners were supposed to bill
10 all told chargeable plus non-chargeable 2400 hours, correct?

11 A. That was the expressed goal.

12 Q. In 2007, in 20' -- certainly in 2009, Mr. Dolin did not do
13 that, correct?

14 A. No.

15 Q. The combination of his non-billable and --

16 A. 2131.

17 Q. -- did not -- it fell below the firm's expectation, correct?

18 A. The stated expectations.

19 Q. And his pace in 2010 was below the stated expectation,
20 correct?

21 A. Yes.

22 MR. BAYMAN: Nothing further, your Honor.

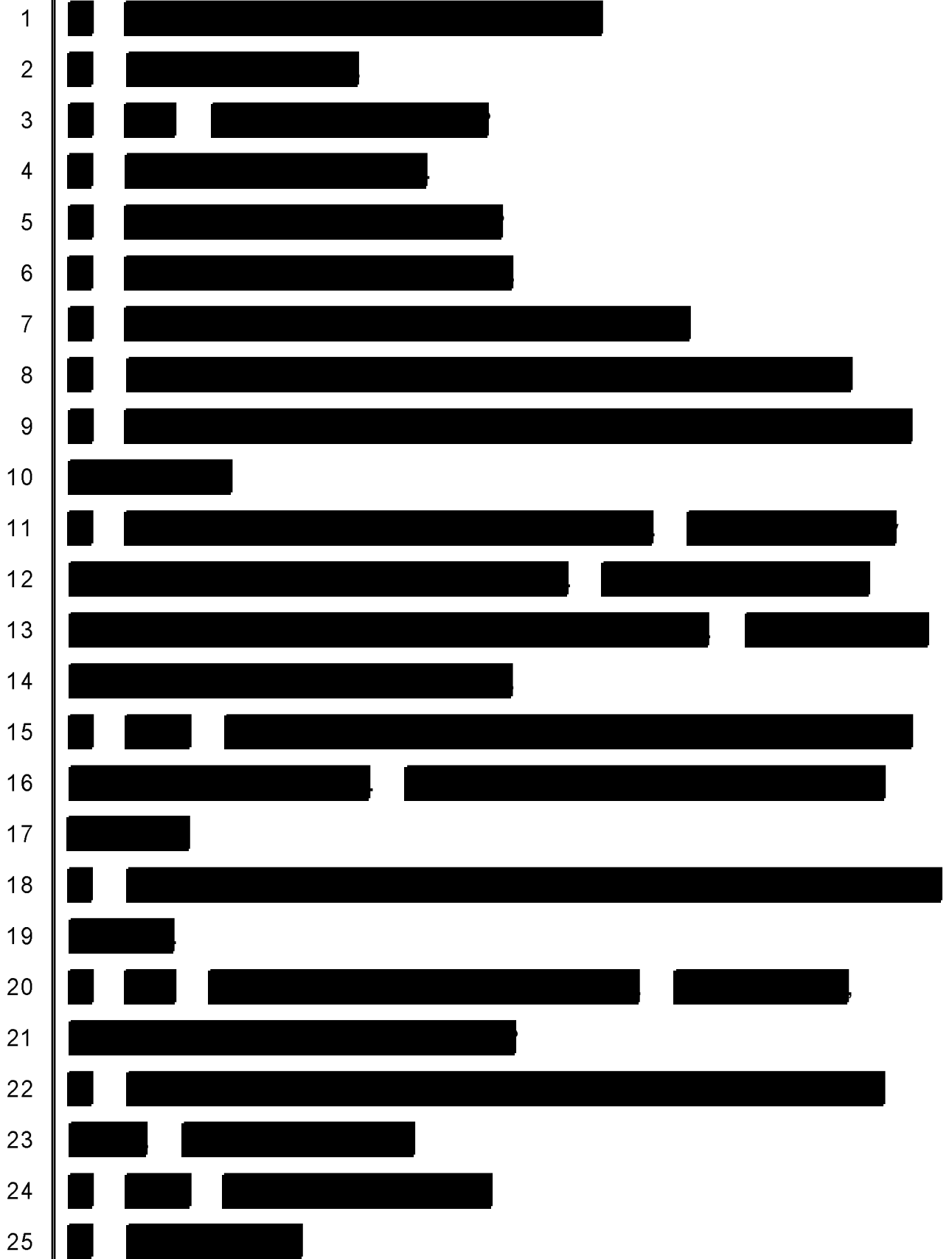
23 THE COURT: All right. Thank you, sir.

24 THE WITNESS: Thank you.

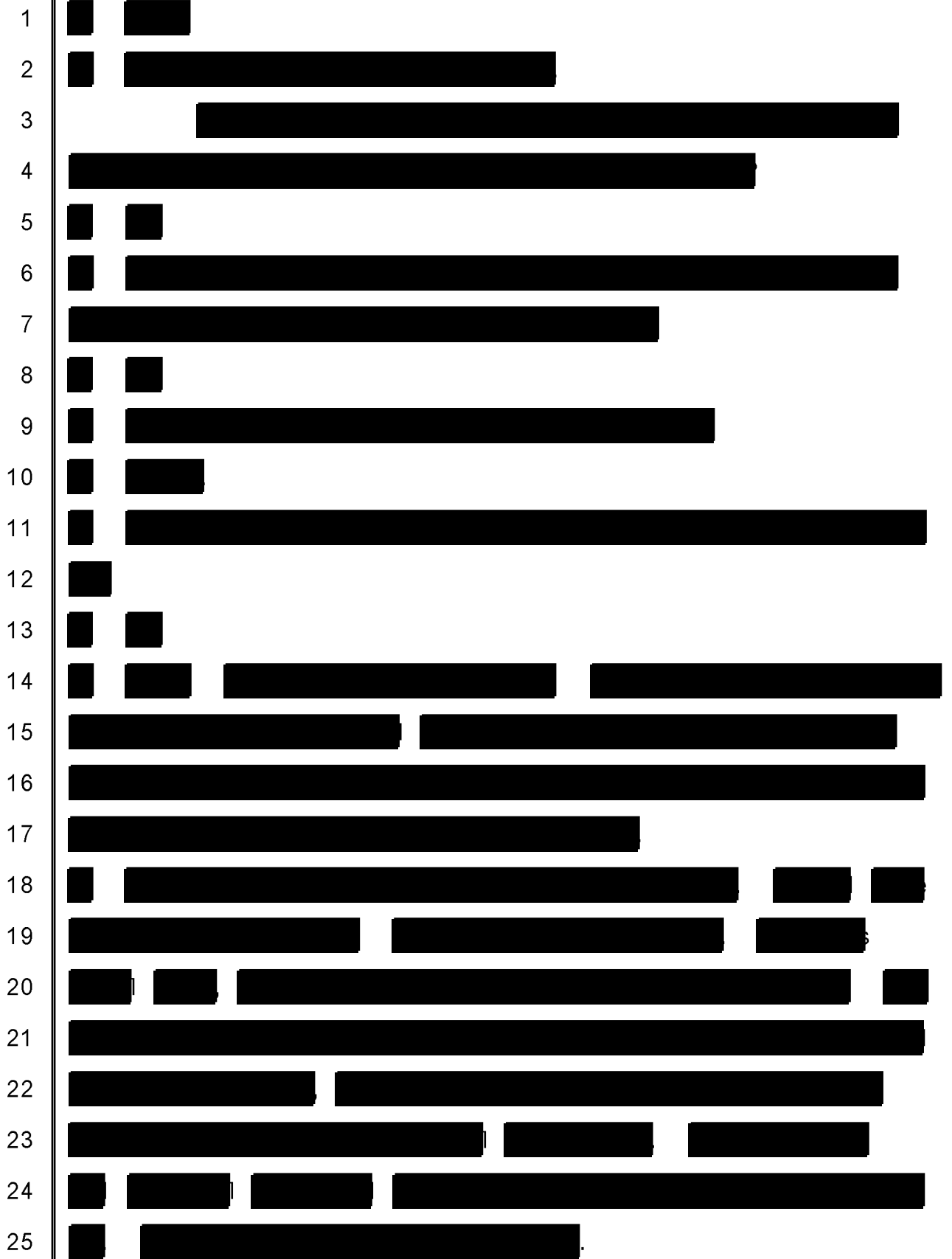
25 THE COURT: You may step down.

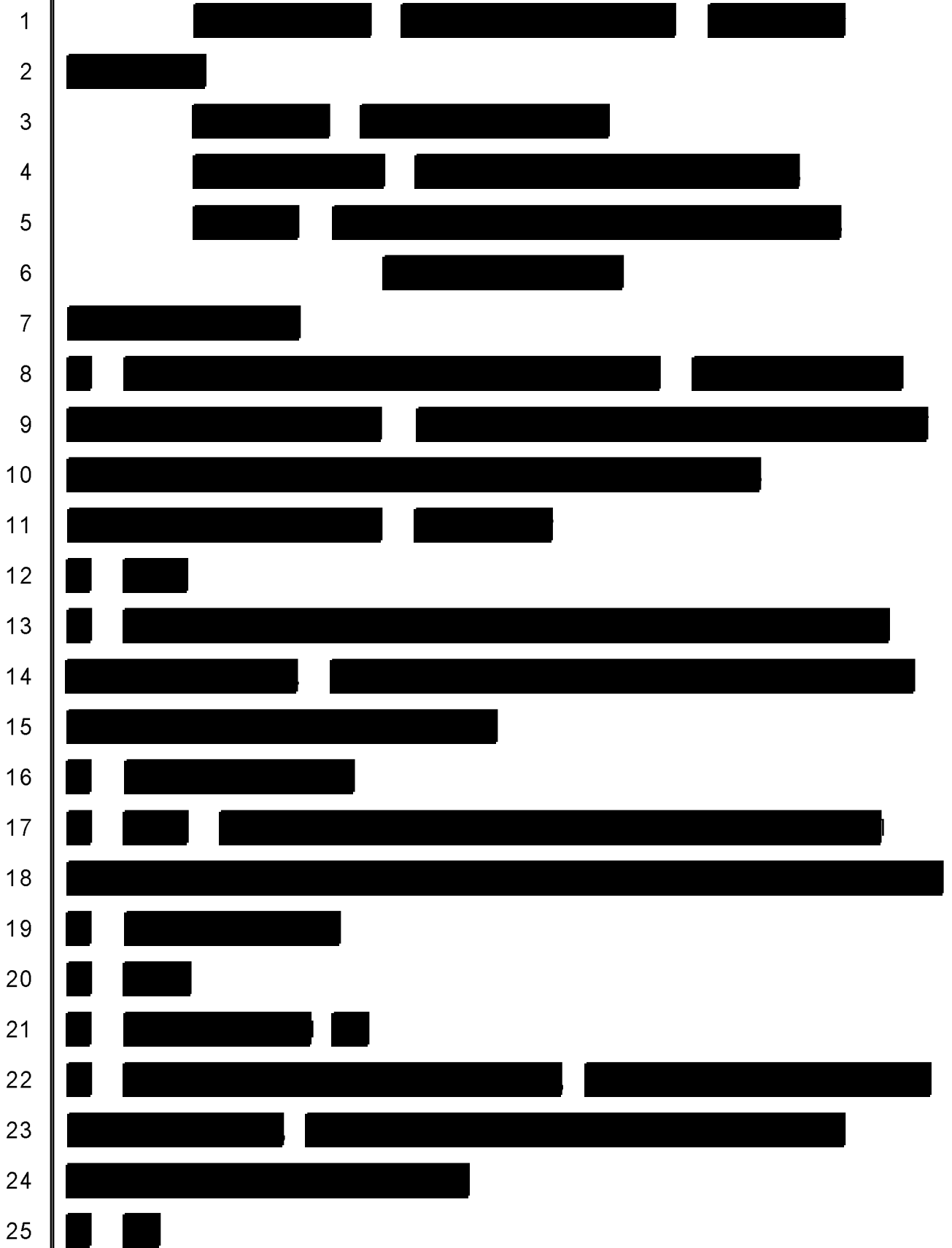


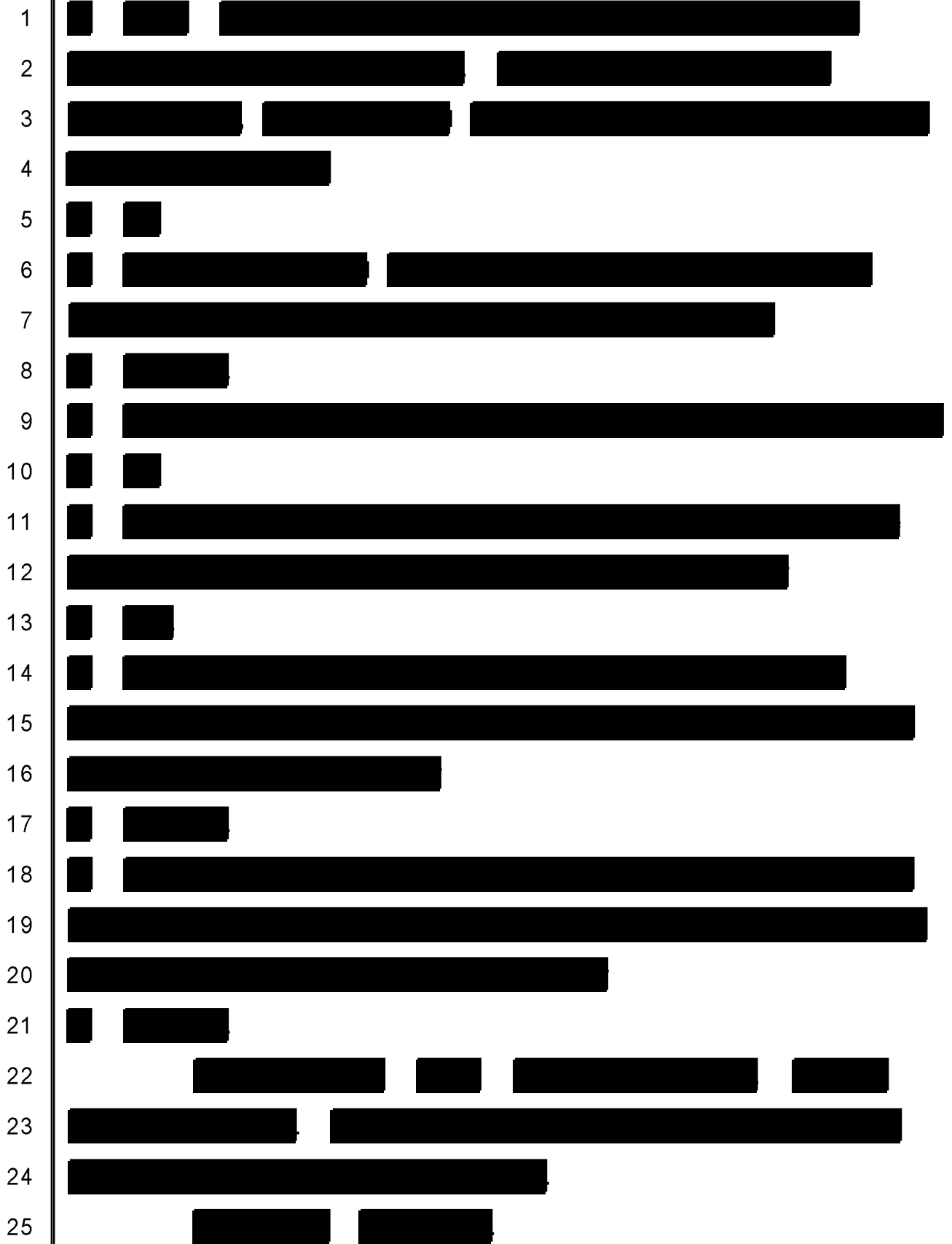
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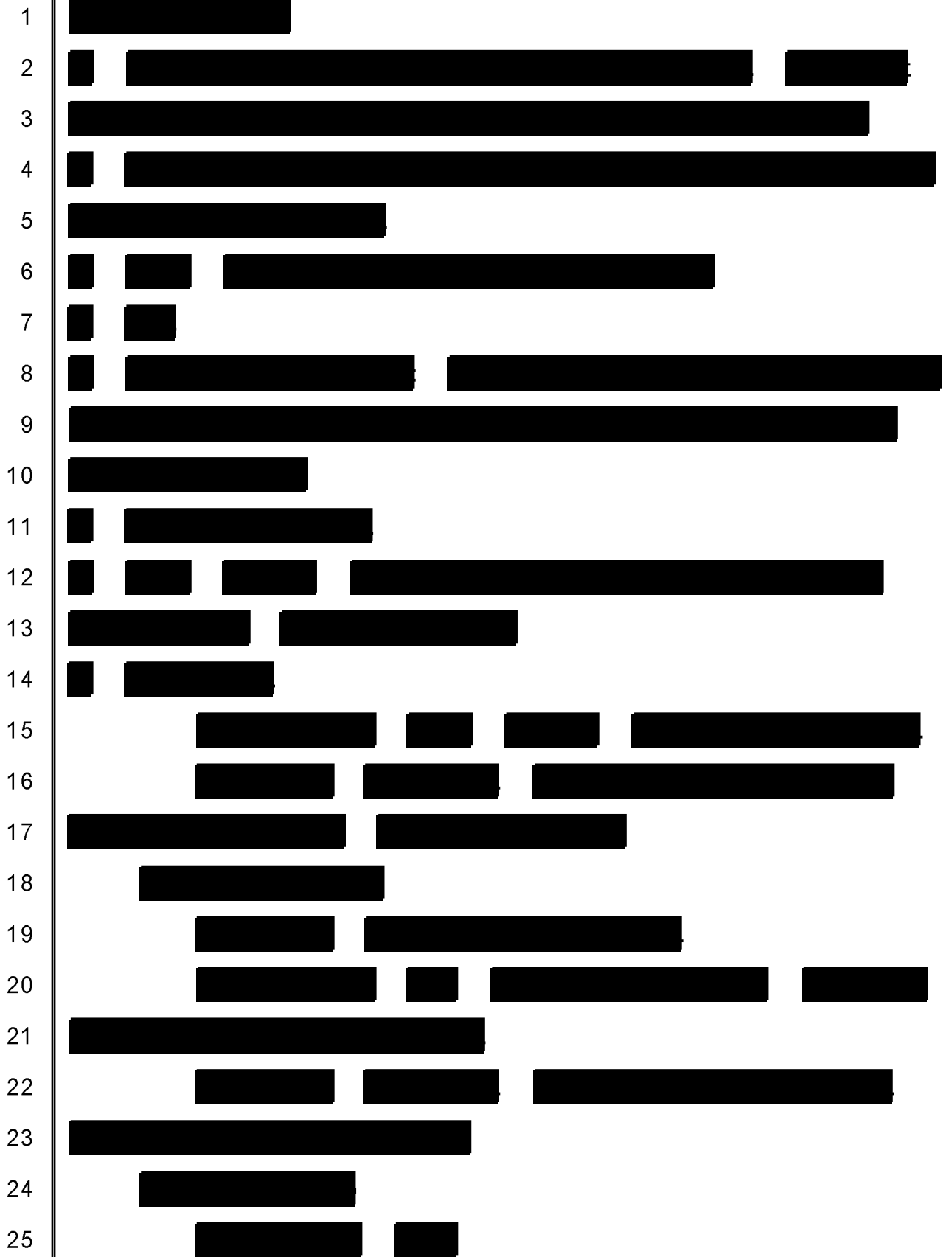


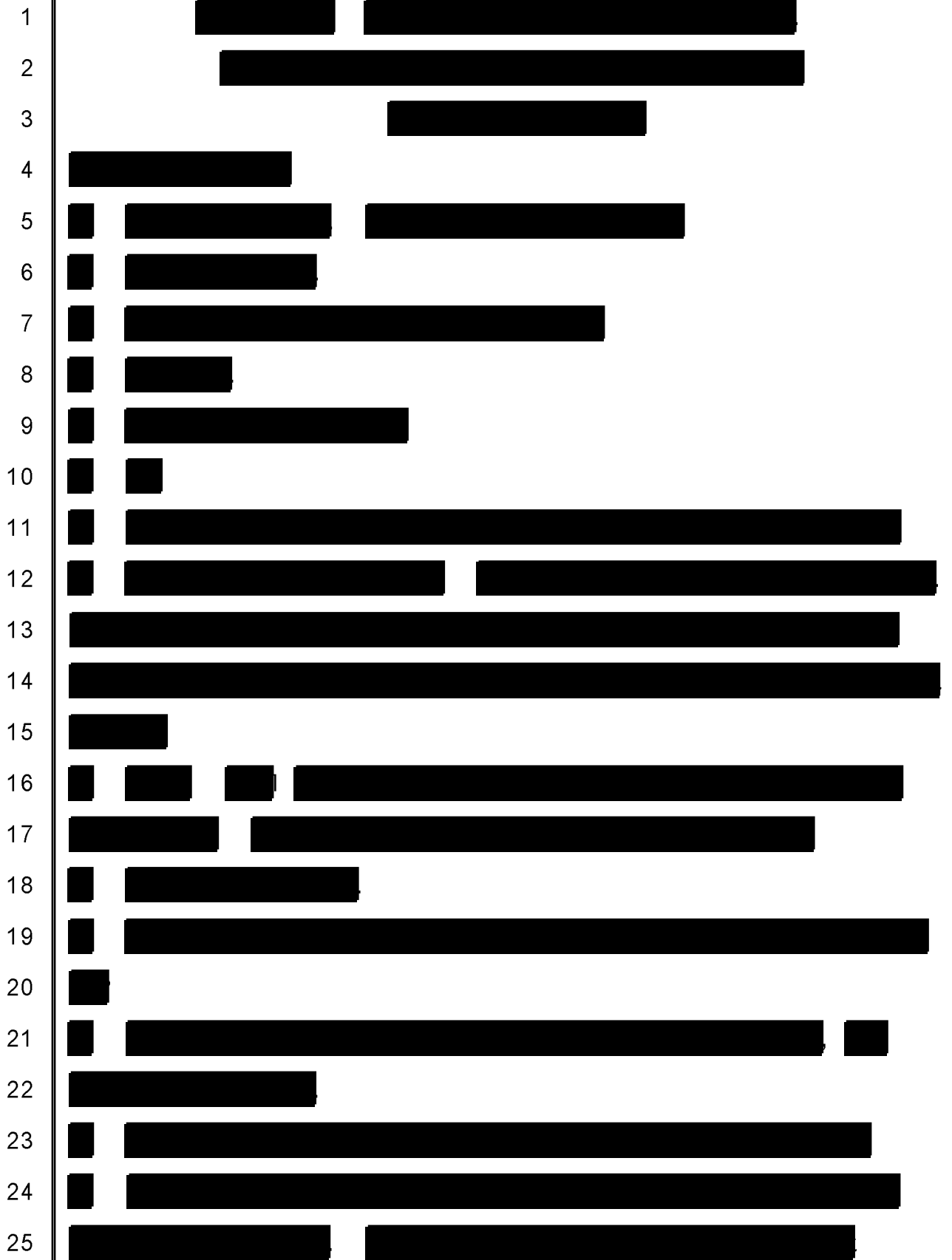


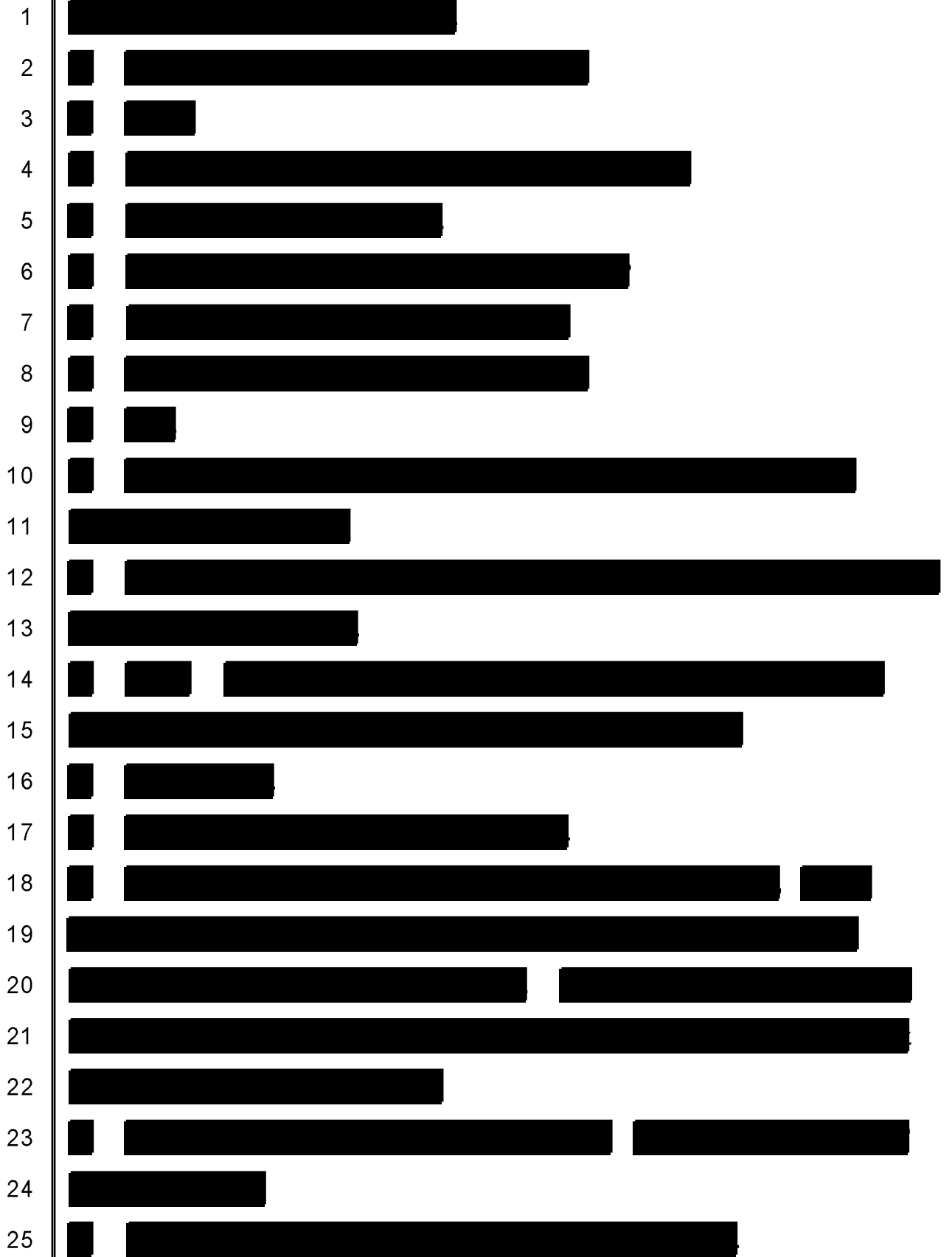
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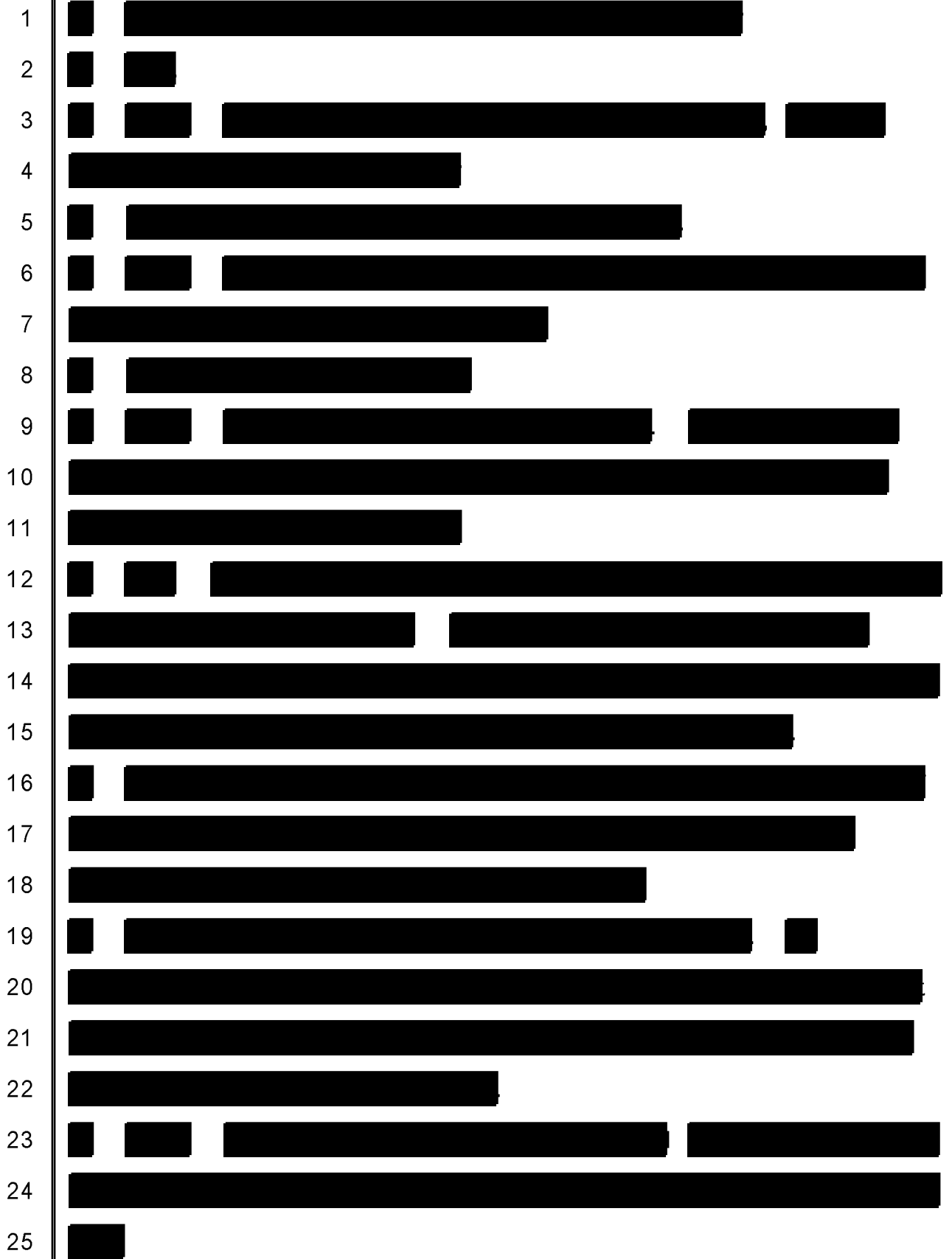
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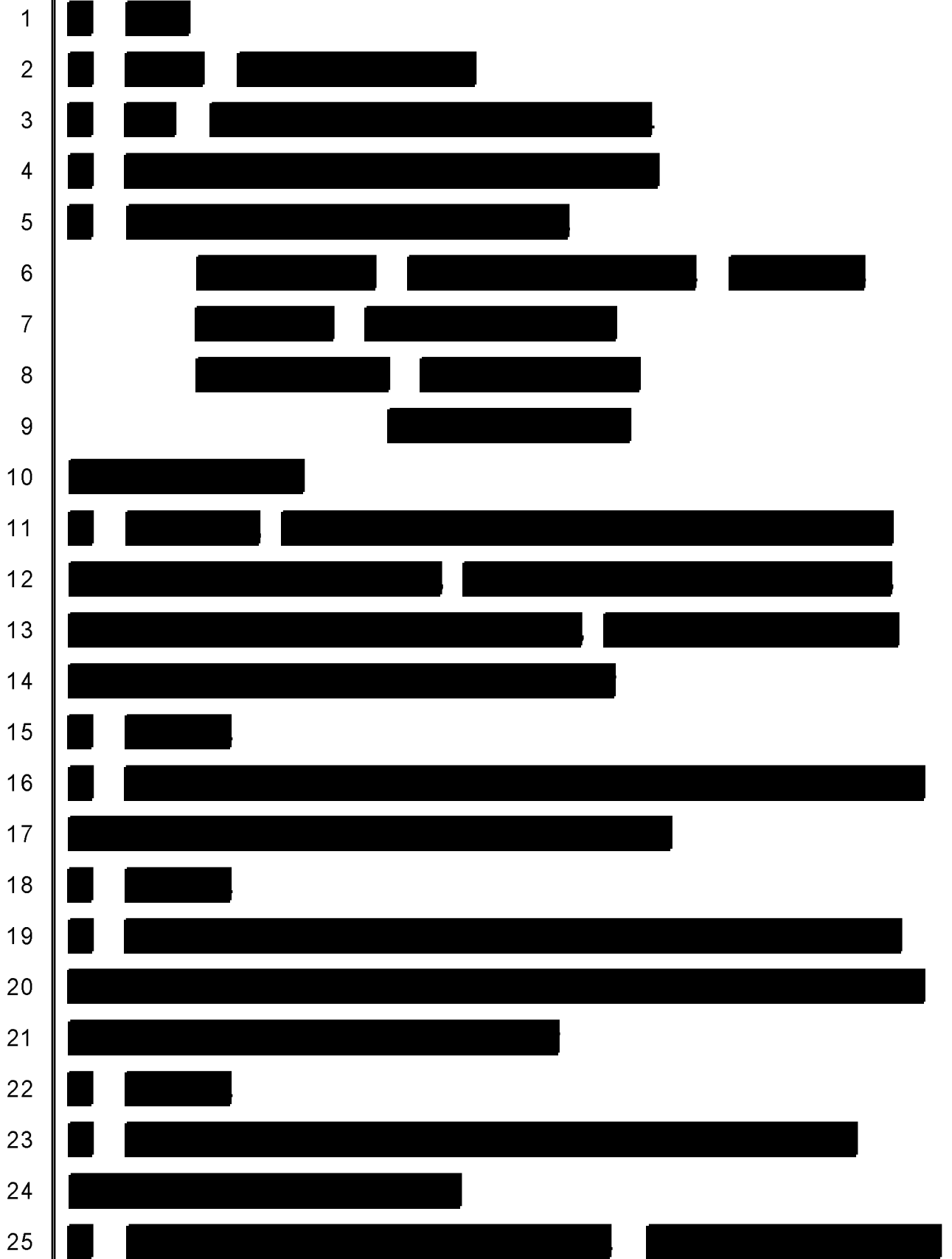


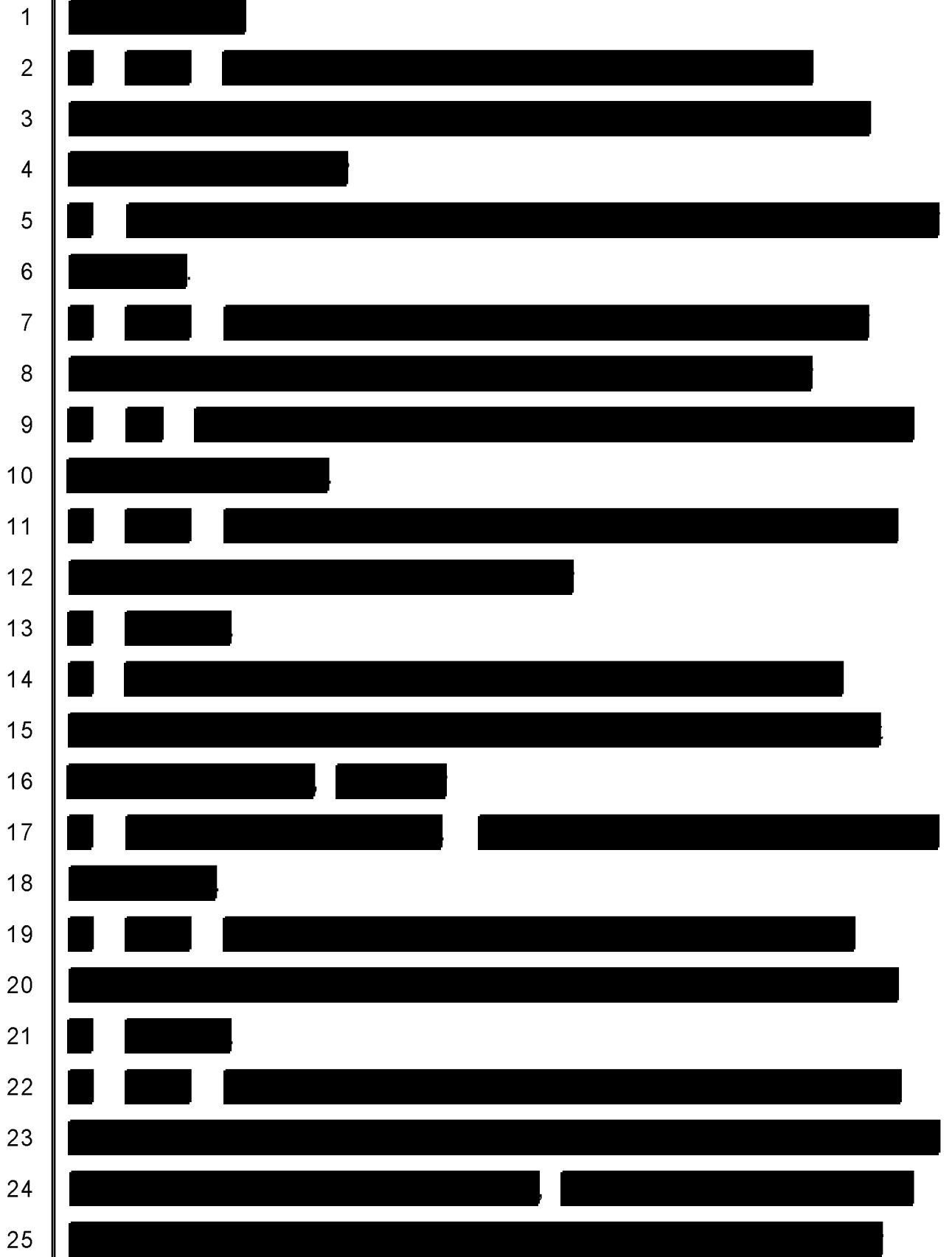


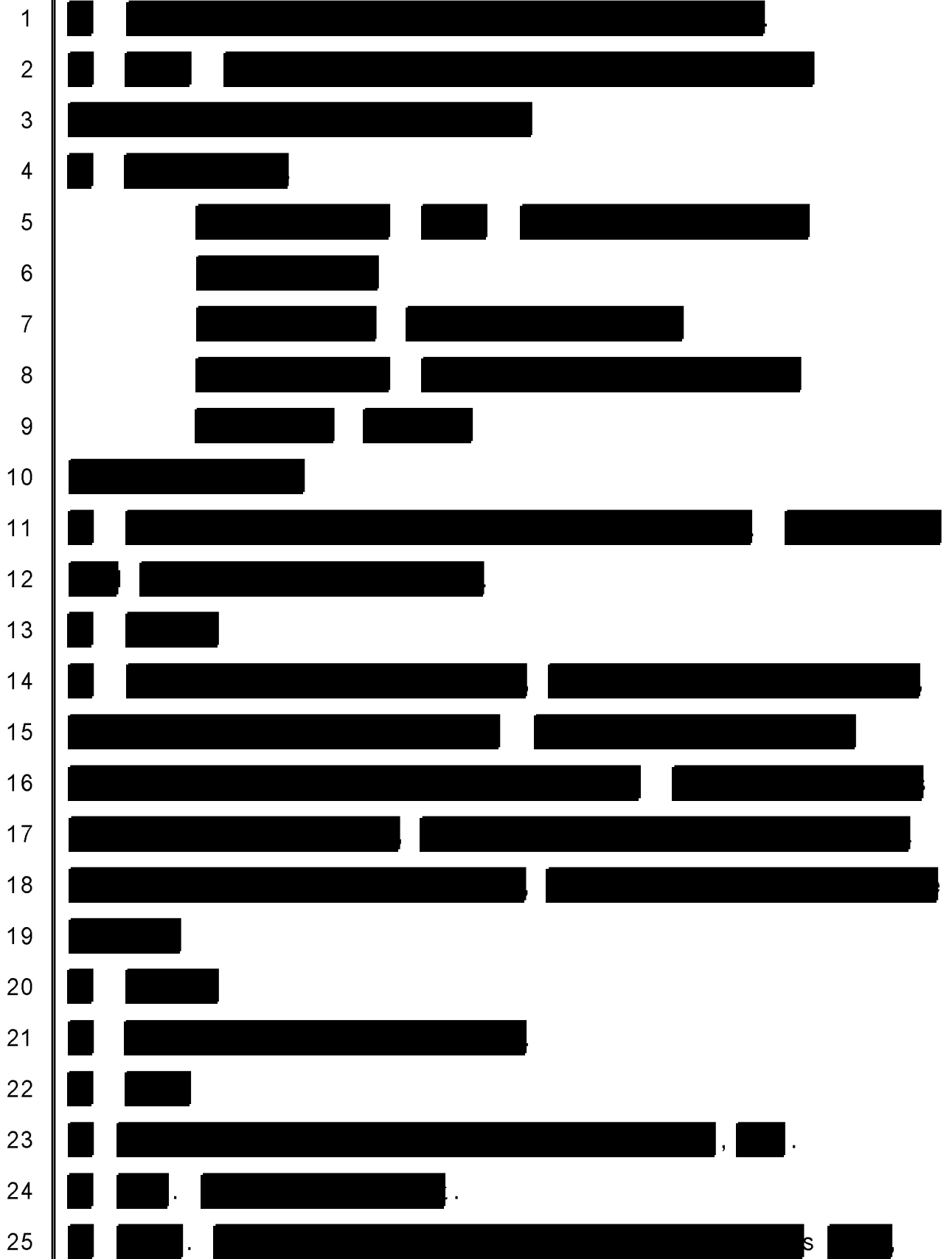
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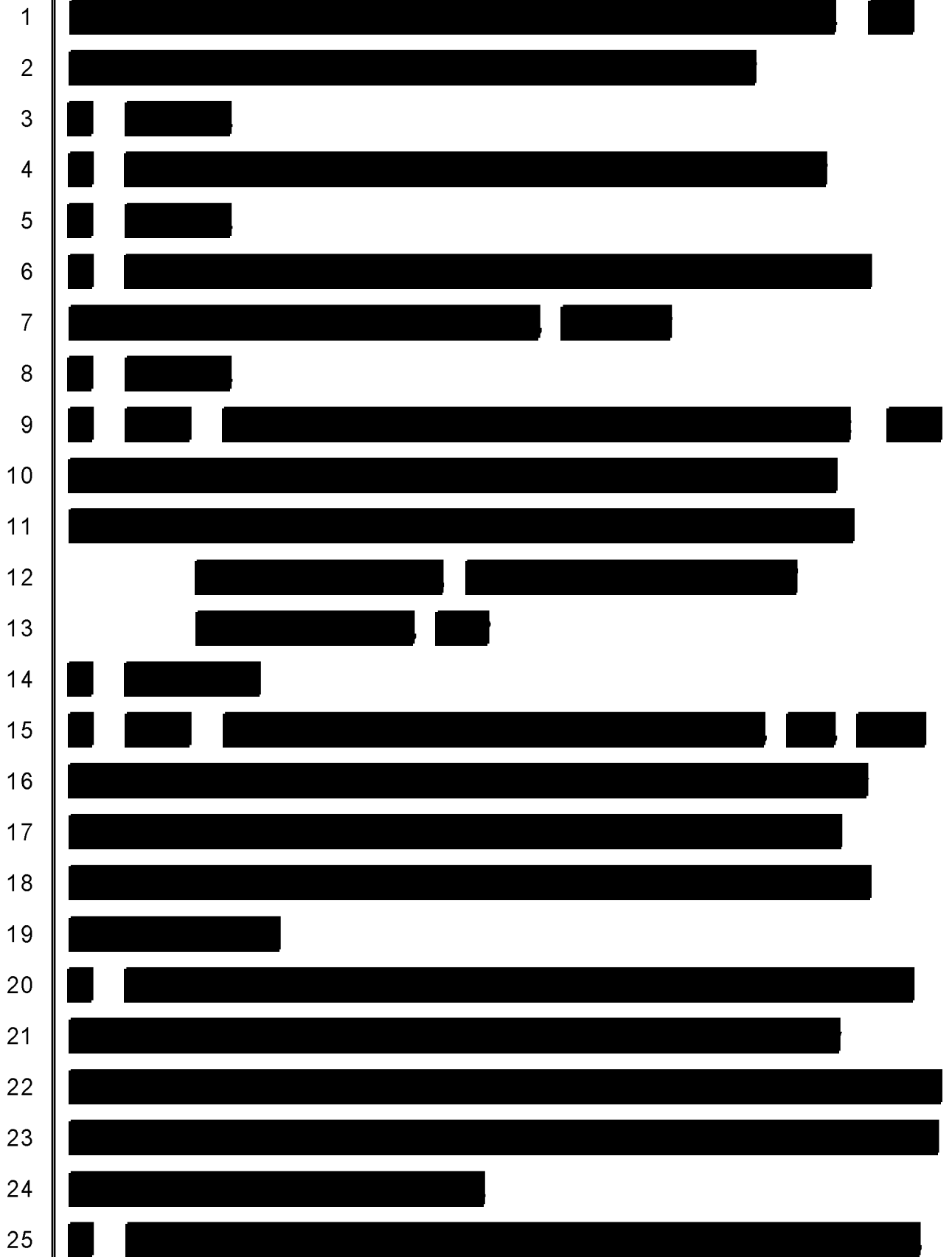


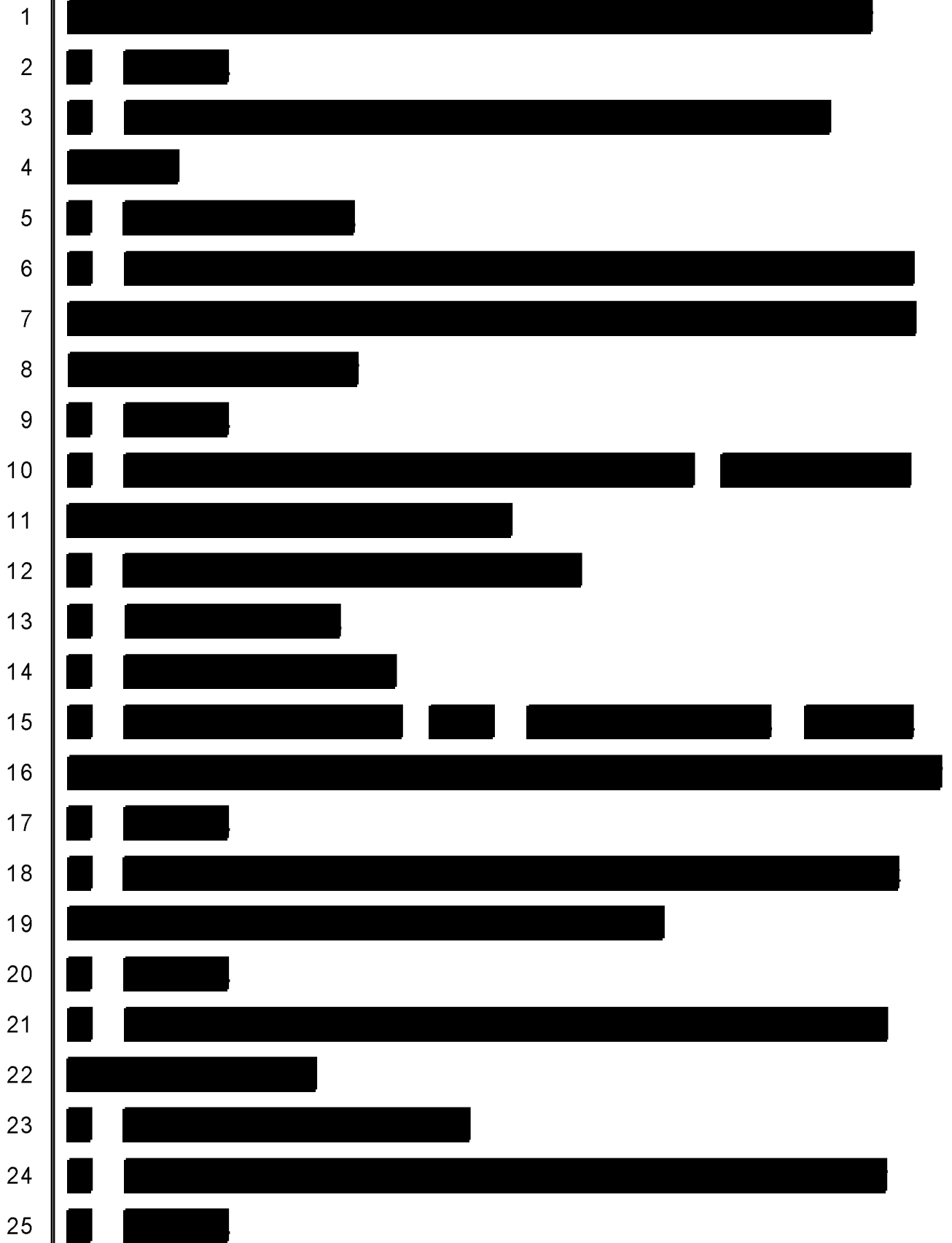
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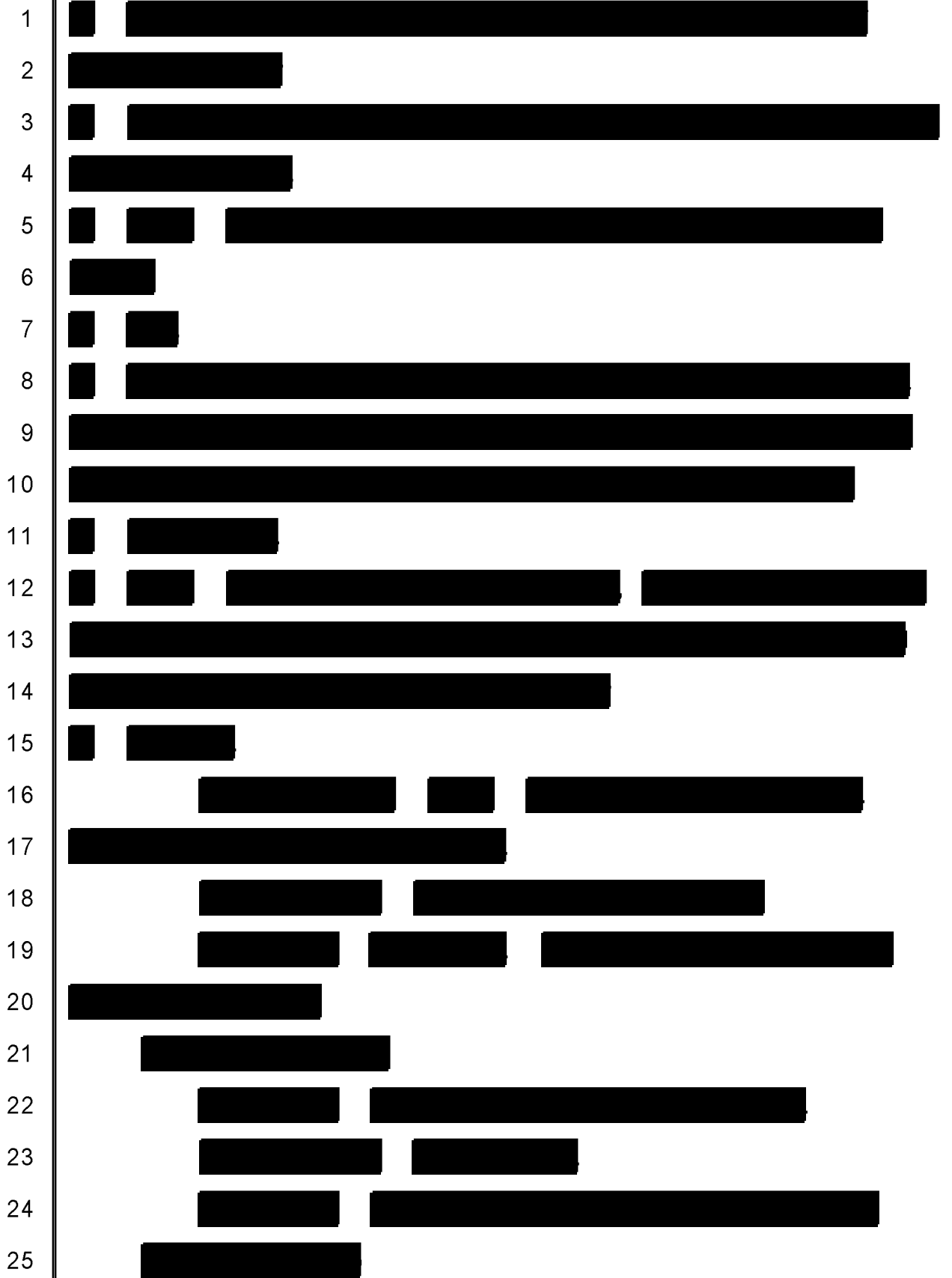












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WENDY DOLIN, PLAINTIFF'S WITNESS, SWORN

5

DIRECT EXAMINATION

6

BY MR. RAPOPORT:

7

Q. Thank you. Please state your name.

8

A. Wendy Dolin.

9

Q. How long have you lived in the Chicago area?

10

A. My whole life.

11

Q. Where do you live now?

12

A. Chicago.

13

Q. Yes. I mean --

14

A. Downtown Chicago.

15

Q. Okay. Back when -- before July, on or before July 15th of

16

'10, where did you live?

17

A. Glencoe.

18

Q. Let's talk a little -- where did you grow up, what

19

neighborhood did you grow up?

20

A. Rogers Park.

21

Q. And what high school did you graduate from?

22

A. Sullivan High School.

23

Q. When did -- how old were you when you first met Stu Dolin?

24

A. 16.

25

Q. Where did the two of you meet?

1 A. Miami, Florida.

2 Q. Under what circumstances?

3 A. Well, the athletic director for my high school took a
4 bunch of us down to Florida, I guess for team building, and
5 Stewart was on spring break with his family. And in April of
6 1968, people walked up and down Collins Avenue. And we walked
7 into a hotel, a hotel that neither of us were staying at, and
8 sort of like, you know, it sounds corny, the song in *South*
9 *Pacific*, it was like literally across a crowded room, we just
10 went up to each other and started talking, and that was pretty
11 much it.

12 Q. What team -- what kind of team building? What team were
13 you on?

14 A. I was a cheerleader. And I think it was, you know, some
15 of the other athletes, you know, that --

16 Q. And what high school was he going to?

17 A. Stewart went to Senn High School.

18 Q. So that, for anyone who may not be familiar with it, how
19 far apart are Sullivan and Senn?

20 A. About 15 minutes apart.

21 Q. So what happened? Obviously, you met across that crowded
22 room. What happened?

23 A. We spent a few days together in Florida. He took my
24 number, and he called. And that was pretty much it for both
25 of us for the rest of our lives.

1 Q. How far apart were you in school?

2 A. I was a year older than him.

3 Q. Where did you go to college?

4 A. The University of Illinois.

5 Q. And what did he do when he graduated a year later?

6 A. He went to the University of Illinois.

7 Q. Did you continuously date until the time that you later
8 married?

9 A. Yeah. It's kind of a funny story because I think both of
10 our parents would say to us, "You know, maybe you should date
11 somebody else." You know, 15 and 16, it's a very cute story.
12 And my father was crazy for Stewart. As he was about to walk
13 me down the aisle, he said, "So, are you going to date
14 somebody else?"

15 So it was really, we got married on June 15th, 1974.

16 Q. All right. And in the years that went by after that, how
17 in general terms would you characterize or describe your
18 marriage?

19 A. You know, there's been so many words that people use to
20 describe a love story, you know, the love of your life, soul
21 mate, best friend. Yeah, we were that couple. It was great.

22 Q. Did either of you ever imagine what sort of success he
23 would have?

24 A. No, no. I mean, it's actually a very interesting
25 question. I mean, you know, when you meet someone at 16 and

1 15, you know, I don't know that we had the depth of
2 understanding about the future, but I saw this really, really
3 smart guy who I think from the moment I met him, I was struck
4 by what a work ethic this guy had. I mean, at 15 years old,
5 he was delivering prescriptions for the Belmont Pharmacy. And
6 for those of you I know are from Chicago, the pink hotel on
7 Bryn Mawr used to have a soda shop. And he was a short-order
8 cook there. And this was at 15 years old. So he was an
9 extraordinarily hard worker and really smart.

10 Q. Did he come from a wealthy family?

11 A. No. I would say, you know, middle-class, working middle-
12 class family.

13 Q. And how about yourself?

14 A. I came from a more upper middle-class family.

15 Q. Okay. Are either of your parents still alive?

16 A. Yes. My mom is going to be 97 in November, and my dad
17 died at -- actually, 16 weeks after Stewart at the age of 93.

18 Q. Next topic, let's talk a little bit about Stewart's
19 anxiety, depression, whatever you knew about that. When -- go
20 back to whenever you first knew anything about that, and let's
21 start there --

22 A. Sure.

23 Q. -- and then move forward.

24 A. Sure, of course. You know, I think the best way to
25 describe it was during times of transition, he would get a

1 little more anxious, so when he went from college to law
2 school, from one firm to another. And it was kind of very
3 episodic, you know, very similar. He'd have some sulk-outs,
4 and then he seemed to develop coping strategies and he would
5 feel better.

6 Q. Okay. Now, I can tell in your language that you have some
7 social work training. When did you get that in your life?

8 A. I didn't become a social worker -- I went back to school
9 when I was 48 years old, so I did not become a social worker
10 until the year 2003.

11 Q. What was your original degree at the University of
12 Illinois?

13 A. I got a bachelor of science of early childhood education.
14 I had taught third grade for a while.

15 Q. For how many years did you do that?

16 A. I taught for seven years before my son was born, and then
17 I was home, and then I did some, you know, just extra little
18 jobs, but it was always my dream that when Bari was ready to
19 go back to college, I wanted to go back to college, so I got a
20 master's from Loyola.

21 Q. Were you otherwise an at-home mom?

22 A. Yes, I was. I was blessed.

23 Q. So with regard to Stewart's early signs or symptoms of
24 what you now know may be anxiety, you first observed these
25 when; back when you were a teacher or even before?

1 A. Oh, yeah, when I met him. I mean, during -- like I say,
2 during a transition, I mean, that was just his thing.

3 Q. Okay. And how would you deal with it, and how would he
4 deal with it?

5 A. I think, you know, Stewart was someone who was really
6 proactive. I think that's the best way to put it. He took
7 care of it. I mean, he thought about it, you know. You know,
8 I just thought he was a normal human being who periodically
9 had stress and anxiety like probably most of us.

10 Q. There -- the folks have seen some summaries of what's
11 known from Dr. Roth's billing records covering a period of
12 several years. What do you remember about that timeframe and
13 his involvement with Dr. Roth?

14 A. I think he -- I mean, I think he went occasionally
15 individually, did a couple of group therapy sessions, but I
16 think it was on and off. I don't have it in front of me, but
17 I think it was just kind of on and off.

18 Q. And was there a break of many years between Dr. Roth and
19 when he first saw Sydney Reed?

20 A. I think there was, from what I remember.

21 Q. And we've been through all of those records and all those
22 details before. So what was happening in his life in those
23 many years when he wasn't getting any talk therapy at all?

24 A. He was just living his life. I mean, I don't -- I am not
25 clearly understanding the question, if you could just

1 articulate it a little better.

2 Q. Yes. Was he -- did he seem mentally ill to you?

3 A. Oh, God. Oh, God, no. No, no, no, no, no.

4 Q. And have you acted -- how did you handle, during these
5 years from the time that you first started getting educated as
6 a social worker yourself, how did you handle the -- you know,
7 were you a wife, were you a social worker, were you both, to
8 him, I mean?

9 A. That's a great question. I would say that I was always a
10 supportive wife. And I think we were supportive to each
11 other. And I would say that even after getting training, it
12 was really no different. We were just supportive to each
13 other.

14 Q. Were you happy -- well, let me withdraw that. Were you
15 aware that he was seeing Sydney Reed?

16 A. Yes.

17 Q. And were you supportive of that?

18 A. Yes.

19 Q. What did you know about her?

20 A. I knew -- well, she had been my supervisor when I had been
21 at the Family Service Center.

22 Q. And so when did you first meet her?

23 A. I think she was the head of my field placement. I don't
24 remember the year exactly.

25 Q. Okay. In any event, he saw her for a number of years, and

1 the folks here have heard her testimony --

2 A. Yes.

3 Q. -- about those interactions.

4 During the timeframe, let's say, just, we'll leave
5 out the last six months of his life for now and just sort of
6 carry forward filling in from the start of his care with
7 Sydney Reed until, say, the last six months or so of his life,
8 what -- please describe what his mental condition, mental
9 health condition seemed to be to you.

10 A. You know, I think he just would have some stress and
11 anxiety about work, just kind of normal conversations about it.

12 Q. Okay. And what -- thinking back on this, what do you
13 believe the highest stress levels were from work?

14 A. What were the highest stress levels, like --

15 Q. What period of time in his life was it worse? You
16 mentioned --

17 A. Oh, I probably would say in 2007 during the merger probably.

18 Q. Tell us a little bit about that.

19 A. Well, you know, it was really interesting. So Stewart had
20 been the head -- not the head, on the Board of Directors for
21 Sachnoff & Weaver. And they were a great law firm, that they
22 just wanted to get a more, what I heard was a global presence,
23 you know. And Stewart was on the merger committee and very
24 excited about it.

25 And then once the merger took place, I just think

1 that there were a lot of issues associated with the merger.
2 And being who he was, I think he heard a lot about it. And I
3 think it increased his stress.

4 Q. Was he talking to you during that timeframe about any
5 uncertainties or fears or --

6 A. He would say certain things, you know. I mean, you know,
7 "Am I -- got the right credentials." You know, he would say
8 those kind of things to me.

9 Q. Did he ever mention a bag lady?

10 A. You know, I know that I don't mean to make light of that,
11 but that was just kind of -- I don't want to say a joke
12 because I don't want to minimize it, but I'd say, "What's your
13 worst fear?"

14 "Well, I don't want to be a bag lady."

15 You know, it was just -- I can't explain it. I'm not
16 articulating it well, but it's not as serious as it sounds. I
17 mean, it was just something he would say.

18 Q. At any point in your life together with Stu Dolin, are you
19 aware of him ever missing a single day from work because of a
20 mental health problem?

21 A. No, no, no, no, no.

22 Q. Are you aware of him ever having a day in the hospital for
23 a mental health problem?

24 A. Oh, God, no, no.

25 THE COURT: All right. We'll take a break at this

1 time. Ladies and gentlemen, you may step into the jury room.

2 (Recess from 3:00 p.m. to 3:10 p.m.)

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1 (Change of reporters, Volume 12-C.)

2 [REDACTED] [REDACTED]

3 [REDACTED] [REDACTED]

4 [REDACTED] [REDACTED] [REDACTED]

5 (Jury enters courtroom.)

6 THE COURT: All right. Thank you very much, ladies
7 and gentlemen. Please be seated. We will resume.

8 You may proceed, sir.

9 MR. RAPOPORT: Thank you, your Honor.

10 BY MR. RAPOPORT:

11 Q. At any point in your husband's life, did he ever say to
12 you, "I want to kill myself"?

13 A. Never.

14 Q. Did he ever say any other kinds of words that added up to
15 that?

16 A. Never.

17 Q. During his life, had you ever heard about any references
18 to any such thing in any of his mental health records?

19 A. Never.

20 Q. During his life, had you ever seen his mental health
21 records?

22 A. As the result of being deposed, I did.

23 Q. Yeah, but I'm saying during his life.

24 A. Oh, God no. No, those are personal notes.

25 Q. Even with a wife that's a social worker?

1 A. Never.

2 Q. What is your involvement -- are you practicing?

3 A. Yes, I am. I am.

4 Q. And where do you practice?

5 A. I practice in Evanston, Illinois.

6 Q. What kind of practice do you have?

7 A. I see -- well, I'm -- in addition to having my LCSW, I'm
8 also a family therapist, so basically, I see every population
9 except, like, 13 and younger because my office isn't set up
10 for play therapy, so that's about the earliest I'll do.

11 Q. Okay. So, let's come a little closer to July 15th of
12 2010. Zeroing in on, let's say, the month of June, just to
13 stay away from July for a moment, please tell us all that you
14 can remember about Stewart Dolin's attitude and life in that
15 month.

16 A. Well, I think in general, in June, he was going through
17 some transitions, and he was feeling anxious about some of
18 those transitions.

19 Q. What transitions are you referring to?

20 A. Well, my father was dying, and we had just moved him
21 shortly before that into -- my parents lived in one of those
22 facilities for senior care where there's different levels of
23 care; and it became clear to us that he was going to die, and
24 we had to move him into the nursing home part of the program.
25 So, that was a terrible -- terrible emotional thing for our

1 family.

2 Regarding work, he had -- it goes back a little bit.
3 I'm sure you've all heard this, but earlier on in his career,
4 he had been doing a lot of it as the head of the group. There
5 was a lot of administrative work, and he was spending a lot of
6 time on his administrative work and not as much time with his
7 clients. And during the year 2010, he refocused on his
8 clients.

9 And I'd say Stewart was probably known as a rain
10 maker for the law firm, so his business had taken off. He was
11 having his best year. And he still was trying to -- you know,
12 even though there was a co-head, he was still doing a lot of
13 administrative work.

14 So, I think that that was the transition. I'd say
15 the transition was administratively. The transition was, you
16 know, the next level of care for my dad. And I think the
17 third transition is that he was really, really busy.

18 Q. What do you know about him going onto Zoloft briefly in
19 June?

20 A. I think -- I know that he had started and stopped it.

21 Q. Do you know anything about why or anything?

22 A. I don't know that it agreed with him. I'm not certain of
23 all that.

24 Q. Okay. And what is your understanding about him --
25 withdrawn.

1 Back at the time, what was your understanding about
2 him going onto generic Paxil?

3 A. I think maybe just trying a different one.

4 Q. Okay. Do you know when he went onto that drug?

5 A. Yes. He had told me that he started it that Saturday.

6 Q. That would be July the 10th --

7 A. Correct.

8 Q. -- of 2010?

9 A. Yes.

10 Q. Okay. Now, zeroing in on that last period of time between
11 July 10th and July 15th of 2010, my first question is: Did
12 you see him every night?

13 A. Yes.

14 Q. And he spent every night, then, in your home? He was not
15 traveling that week?

16 A. No, he was not traveling that week.

17 Q. What were his normal hours when -- during the week?

18 A. I'd say he would get up for work about 5:30 and go to bed
19 at 10:30 at night.

20 Q. Okay. And what during the week at that period of time
21 were your normal hours?

22 A. I usually got up maybe an hour after him. We both would
23 get into bed around the same time, both got into bed at
24 10:00 o'clock at night. He was usually out after the sports,
25 and then I would watch TV a little bit longer. But we always

1 went -- not always, but the vast majority of time, we went to
2 bed at the same time.

3 Q. Okay. And what about on weekends? What was your typical
4 weekend flow?

5 A. That's really a very special time. When Stewart -- let me
6 back up. After the kids were out of the house, I had started
7 my practice, and he was traveling a more -- more frequently.
8 Our weekends consisted of something that's really special. On
9 Fridays and Saturday nights, he'd say, "Well, what time do you
10 want to get up, Babes?" He used to call me Babes. And I'd
11 tell him the time.

12 And he'd usually bring up a cup of coffee, and then
13 the dog would follow. And he would wake me up; and we'd come
14 downstairs, and we'd sit on the couch in the living room, talk
15 for a long time. Our friends used to say to me, "What the
16 heck do you talk about?" And I'd say, "Well, we manage to
17 talk." And that became known as couch time.

18 And what's really special about couch time is my
19 friends know how special that is, so when my friends sleep
20 over, everybody has to have couch time.

21 But that was really -- you know, it's really funny --
22 not funny ha ha. It's that, you know, we worked so hard to
23 get to a place where we had no debt and our house was paid
24 off. You know, you saw these two beautifully high-functioning
25 connected kids settled in their jobs, and you're able to do

1 things like go to dinner or go on a trip. But when it's all
2 taken away, that's what I just ache for, that special time,
3 which is just -- brings you back to what it was really like
4 to just be Wendy and Stewart.

5 Q. Okay. So, we have a good idea of the usual flow of your
6 life at that point.

7 A. Yes.

8 Q. Let's zero in on that last weekend that you had together,
9 July 10th and 11th, a Saturday and a Sunday. What was that
10 weekend like for you at home?

11 A. We'd gone out with some friends, you know, kind of your
12 typical weekend, just some different people.

13 Q. And did you notice anything unusual either during the day
14 on Saturday, Saturday night, or Sunday day?

15 A. Well, Sunday, Sunday evening. I mean, it was -- he was
16 kind of down. He -- he would be -- you know, we went out to
17 eat, and he didn't really eat that much. Kind of not himself,
18 not himself.

19 Q. All right. And by the way, about not eating much, I do
20 want to pick up the situation with his weight. Did he lose
21 some weight in the month or two or five before his death?

22 A. I mean, he -- you know, here's the thing. I think he'd
23 lost some weight, but we'd gone on a trip at Christmas, and he
24 decided he wanted to lose some weight. So, I think he did
25 lose some weight maybe towards the last month or two.

1 Q. Was he looking to lose weight?

2 A. Pardon me?

3 Q. Was he looking to lose weight?

4 A. Yes, he was looking to lose some weight.

5 Q. Do you believe that any weight loss that he had was a
6 function of anything going on in his brain?

7 MS. HENNINGER: Objection. Speculative, beyond the
8 status.

9 THE COURT: Overruled.

10 BY THE WITNESS:

11 A. Could you -- I couldn't hear you.

12 THE COURT: Read it back.

13 (Record read.)

14 BY THE WITNESS:

15 A. Yeah, I think so. I think so.

16 BY MR. RAPOPORT:

17 Q. Okay. Now, moving forward, then, you mentioned about
18 Sunday night. Have you told us everything you remember about
19 Sunday night?

20 A. Yeah, it just was -- there was just some agitation. I
21 mean, he was just -- I can't explain it, not himself. He was
22 just not himself.

23 Q. Okay. Then let's go forward to Monday.

24 A. Okay.

25 Q. And go ahead and tell us whatever it is that you remember.

1 A. Well, Monday was -- Monday was particularly -- I mean,
2 Sunday night, he was starting to be really not himself, kind
3 of out of character, but Monday was really interesting. You
4 know, one of the things that's strange for most people who
5 knew Stu was this guy was really pretty laid back, like a
6 really laid back kind of guy.

7 And he'd get phone calls from work, and he'd either
8 sit in this corner on the couch or on a chair. He got this
9 call, and he started kind of like pacing in the house, and
10 then went out the front door. And we had this kind of big
11 wide stairs, and he was kind of walking up and down the
12 stairs.

13 And I just said, "What's going on?" He was anxious,
14 you know.

15 Q. And had you ever seen him do anything like that before?

16 A. Never saw that, never.

17 Q. Did it strike you as alarming in the moment?

18 A. You know, I thought that he just was anxious. I mean, I
19 would say my radar went up, you know, slightly, but I was --
20 how can I explain it? You know, he'd seen his therapist, so I
21 thought, "Okay. He's working on something." But he did seem
22 more anxious.

23 Q. Okay. And when you say he had seen his therapist, we've
24 all seen the records. So, are you referring to after he came
25 home after he saw Dr. Sahlstrom on July 12th?

1 A. Yeah, yeah.

2 Q. Okay. Then let's carry forward to either overnight or the
3 next morning, whatever it is that stands out in your mind.

4 A. Tuesday morning, he woke up kind of weepy, you know,
5 didn't really want to go to work, but he made the decision
6 that it would be best if he went to work.

7 Q. And had you seen him -- normally, he would be gone by the
8 time you woke up.

9 A. Yeah.

10 Q. You saw him that morning?

11 A. Yeah, thanks for bringing that up. I never thought about
12 that until right now. That is unusual. He was home later
13 than normal.

14 Q. So, this thing you're describing, it's not that you were
15 up at 5:30?

16 A. No, no, no, not at all.

17 Q. Around what time was it, would you say, that that
18 happened?

19 A. My usual time to get up would be about 6:30. He was
20 usually gone by then.

21 Q. Okay. And what happened after what you've told us about
22 already, what happened next?

23 A. He went to work.

24 Q. And did you speak with him at all during the day?

25 A. I don't think so.

1 Q. Would you normally? How much communication would you
2 have?

3 A. I have to rethink that question. I'm not certain if I
4 talked to him. I mean, we would check in, you know, later in
5 the day. I don't remember clearly.

6 Q. All right. And what, if anything -- let's just walk
7 through, you know, the remaining time. So, is it Tuesday
8 night now that you saw him next?

9 A. Um-hum.

10 Q. So, what, if anything, did you notice Tuesday night?

11 A. Tuesday night, he seemed, like, balanced out a little bit.
12 He seemed a little calmer.

13 Q. Okay. And is that a night you went to a memorial service
14 and dinner?

15 A. Yeah, it was a memorial service. Yeah, he seemed a little
16 calmer that night.

17 Q. Did you notice anything unusual or --

18 A. Not so much that night.

19 Q. And what next did you notice carrying into Wednesday?

20 A. Wednesday was more significant. He had come home from
21 work and kind of -- you know, had dinner and was kind of
22 like -- I don't know if you can see what I'm doing here, just
23 a little tapping of the leg.

24 Q. Nobody can see.

25 A. Well, just kind of like, you know --

1 Q. If you do want to show it, I'm sure his Honor would let
2 you --

3 THE COURT: No, just describe it.

4 BY MR. RAPOPORT:

5 Q. So, just describe what you're doing.

6 A. You know, just kind of tapping your leg up and down.

7 Q. Okay.

8 A. And he said to me, "Wendy, I don't get it. I still feel
9 so anxious." But yet he seemed like he had some strategies.
10 You know, he had seen his therapist, and he had said, "Oh, she
11 gave me a meditation tape." And, in fact, he said to me, "Do
12 you want to listen to it with me?" And I said, "You know,
13 I've listened to those all the time."

14 But he did go upstairs to listen to the medication
15 tape. And, you know, he went to bed. And he had a plan for
16 the next morning. He had said, "You know, I really haven't
17 been exercising. I'm going to get up and exercise."

18 And he did. He got up and exercised, because I found
19 his clothes near the washing machine where he would normally
20 keep them.

21 Q. And what kind of equipment for exercise did you have at
22 your place?

23 A. In our basement, we had an exercise bike, and we had an
24 elliptical machine.

25 Q. I don't know if we discussed it directly, but the folks

1 have heard that he was a football player at Senn. Did Stewart
2 continue trying to stay in touch with physical fitness for
3 most of his life?

4 A. Yeah, he was very -- like Bari told you, he used to like
5 to spin. He would ski. I didn't share skiing with him, but
6 we liked to hike. You know, he was a guy who worked out
7 several -- I think several times a week.

8 Q. Okay. So, did you see him -- this is now Thursday
9 morning, the 15th?

10 A. Um-hum.

11 Q. So, did you see him that morning?

12 A. No, but I talked to him.

13 Q. And approximately when did you talk to him?

14 A. About 6:30.

15 Q. All right. Was this by cellphone?

16 A. Yes.

17 Q. And to the best of your recollection, please share the
18 conversation as if we're all listening to it.

19 A. Okay. So, this is a tad embarrassing. We had this dog,
20 you know, our Labrador, and if the dog hadn't pooped when he
21 took him out early in the morning -- I didn't say that word,
22 that wasn't the exact word, but I'd say, "Did the dog poop?"
23 And he would say -- if he said yes, that means I didn't have
24 to take the dog out for such a long walk, or not, that I had
25 to.

1 I said, "How are you doing?"

2 He said, "I exercised. I feel better."

3 "Did the dog," and, "I love you." That was the last
4 words that I said to him on that day.

5 Q. And had you noticed anything unusual, or was that a
6 typical kind of conversation?

7 A. That was a typical conversation.

8 Q. What was the answer by the way? Did the dog go?

9 A. Gratefully, the dog had pooped, gratefully.

10 Q. So, I take it that that was your last time speaking with
11 Stewart?

12 A. Yeah.

13 Q. And have you now shared with us all that you can remember
14 about the days leading up to that?

15 A. I believe so.

16 Q. Okay. At some point, you learned what had happened.
17 Approximately what time -- and I'm not going to pull you
18 through all that, but approximately what time did that occur?

19 A. I -- I did not find out until 8:00 o'clock that Thursday
20 night. He had died at -- I now know at 1:42; and even though
21 I was home that afternoon, no one contacted me. So, I didn't
22 find out until 8:00 o'clock that night.

23 Q. That evening, I know many friends gathered. So, let me
24 take you to some different places from there.

25 If you would, please share with us in a few words

1 what it is that the loss of Stu Dolin has meant to you.

2 A. Wow. I don't want to go through the specifics of his
3 fabulous personality, who he was. He was funny. He was
4 loving. But I think that this really summarizes the best is
5 that about six months ago, *Psychology Today* did a piece on
6 intimacy, not sexual intimacy, real intimacy. And it said,
7 "Real intimacy is being with that human being who truly gets
8 you."

9 And I realized -- I mean, I've got goose bumps now.
10 We were both with that person who truly gets you. And that
11 becomes your safe place, and you know that no matter what
12 happens in your life, you're supported. And if you threw into
13 that unconditional love -- you know, Stewart wasn't a drama
14 queen. Neither was I. And the fact that we had this shared
15 vision of what we wanted our family to be.

16 And I will say that the greatest accomplishment of my
17 life and Stewart's were those two kids you just saw. They are
18 unbelievable, and now I have a new daughter who joins that
19 mix.

20 But the loss is -- you know, the life of a widow is
21 just profound. And listen, I know that I'm not the only one
22 in this room who has suffered loss, but it's just so hard.
23 It's just like -- to realize that that -- you're never going
24 to have that person ever again. It's just -- I don't know.

25 And, you know, it's funny because early on, I

1 realized through this horror of shock and trauma that I had
2 two people that were relying on me. And even though they're
3 adults, I didn't want them to be responsible for me. I didn't
4 want it ever to happen.

5 And so I embarked on this journey towards grief and
6 grief work. And it's unfortunate. It's ongoing. And it's
7 really, really hard. I mean, I -- to give up that connection.
8 I mean, it's embarrassing to say this, but I still go to the
9 cemetery. It's -- I'm trying to work now on not going as
10 often, but it's just so hard to be without him.

11 It's like, you know, I drive there, I sit either on
12 the ground or on the bench near him, and whatever is going on
13 in my life, I sit down, deep sighing, and I can hear him say,
14 "Okay, Babes." Now, if Stewart was alive today, he'd say, "Of
15 course she loves it because I can't answer her back, so she
16 just can sit there and talk to me forever."

17 But it's just -- and I think for me the hardest thing
18 is what he will miss and what he's missed. I mean, Zack, you
19 know, married this unbelievable woman who we're all crazy for;
20 and that moment when you've got to walk up to that microphone
21 by yourself and you know that somebody should be there with
22 you, and you try to nail it because you want to be funny, but
23 you want to be great. And it's those sorts of things that are
24 just so difficult.

25 And, you know, I -- I often think that my song is --

1 my life is kind of like that Dionne Warwick song. There's
2 always something there to remind you. You know, there's
3 always a trigger, and I just am not built that way.

4 Like some people can say, "I'm not going to think
5 about it." And sometimes I go, "Wow, two hours have gone by,
6 and I haven't thought of Stewart." And I want to tell him.

7 There's just -- I can go on and on. It's like you go
8 to a restaurant. And even -- I live my life in odd numbers.
9 And I'm very grateful people still take me out, and I go with
10 them; and inevitably when you tell the waiter -- or you make
11 reservations for three, inevitably the table is set for four,
12 and the waiter or waitress looks at you and says, "Are you
13 expecting somebody else?"

14 And these are things that I never thought of. So,
15 it's really hard.

16 Q. Let me ask you questions in a little bit different area.
17 Questions have been raised about Stewart's cellphone.

18 A. Um-hum.

19 Q. And what ever became of it. So, my question for you about
20 that is: When you received possessions back from Reed Smith,
21 was there a cellphone?

22 A. No, there was not.

23 Q. And you've seen the kind of inventory of things that the
24 police had. Was there a reference to a cellphone there?

25 A. No.

1 Q. You do not know what happened to his cellphone?

2 A. I do not.

3 Q. Now let's talk about the wallet.

4 A. Okay.

5 Q. First of all, what were -- what were your husband's
6 habits --

7 A. Okay.

8 Q. -- about carrying a wallet?

9 A. He never carried a wallet on his body ever.

10 Q. How did -- what did he do?

11 A. He had it in his briefcase, so he would keep, like, cards
12 that he didn't need in his briefcase. And I think he would
13 just pull out and put in his pocket whatever he needed. So,
14 when we even went out on a Saturday night or something like
15 that, he always would just put his money in his pocket, credit
16 cards.

17 Q. Where would he leave his wallet on a Saturday night?

18 A. It would be in the briefcase on the counter in the
19 kitchen.

20 Q. So, he'd leave it at home?

21 A. Yeah.

22 Q. Why would he do this?

23 A. I personally just don't think he liked carrying a wallet.

24 Q. So, but what did he have a wallet for, then, in his
25 briefcase?

1 A. I think for all the extra cards, maybe like his American
2 Bar Association cards, things that might come up once in a
3 while that he needed, an insurance card. But just on his
4 day-to-day body, he just didn't -- my dad was actually the
5 same way. And what he would do, when he came home from work,
6 he put his briefcase on the counter, and there would be his
7 money and his credit cards.

8 Q. Was there -- when things were returned to you from Reed
9 Smith, what was returned to you?

10 A. The briefcase.

11 Q. And anything else? Books, pictures?

12 A. Yeah, I mean, basically, yeah. I mean, Stewart in the --
13 yeah, books. I guess when he did these mergers and
14 acquisitions, like, you would get a statue or something from
15 the merger. Like when he did, I think, Anne's House of Nuts
16 or something, he got a nut jar, kind of those award things.

17 But, I mean, the main things that were significant to
18 me were some of the pictures of the family that he had had at
19 work.

20 Q. What did you do with that -- those possessions?

21 A. I didn't keep them. I mean, I didn't -- you know, I had
22 them in the house, and when I moved, I didn't take them with
23 me.

24 And his law books, I donated, I think, to some -- no,
25 I took them, to like, Half Price Books.

1 Q. What did you do with his briefcase?

2 A. I gave it to my brother.

3 Q. And inside the -- what was inside the briefcase?

4 A. Just some, you know, pens, things like that, nothing
5 really special. And his wallet was in there, and, you know, I
6 took out whatever cards it was and just threw the wallet away.

7 Q. Okay. All right. So, we've talked about the possessions.
8 I want to talk about chewing tobacco. Do you remember the
9 police had something they recovered in the subway, a tin of
10 chewing tobacco or something like that?

11 A. Yeah. You know -- I mean, I obviously saw it, but what
12 Stewart had was Ice Breaker mints that he would keep in his
13 pocket, and they were in a circular container. And when I saw
14 that, I kind of laughed. Stewart was very, very
15 anti-nicotine, and he never chewed chewing tobacco.

16 Q. Tell us a little bit -- we have a montage that runs
17 11 minutes. It's marked as Plaintiff's Exhibit 2. Would you
18 tell us a little bit about how that was built? What was
19 that -- it's not built for Court. What was it built for?

20 A. For an event we had in his Honor.

21 Q. And who put it together?

22 A. I did.

23 Q. Does it fairly and accurately show the life and times of
24 Stewart Dolin?

25 A. Yes.

1 MR. RAPOPORT: Your Honor, at this time, we -- I
2 think it's already been moved into evidence before trial, and
3 either now or after the break, it runs 11 minutes -- oh, we're
4 done with our break. If this is a good time, I'm moving to
5 show the montage.

6 THE COURT: Okay. Have you finished with the
7 witness?

8 MR. WISNER: There will be a couple of questions
9 after the montage, or I could do it the other way --

10 THE COURT: Why don't you finish with the witness.

11 MR. RAPOPORT: Great. I'm happy to do that.

12 BY MR. RAPOPORT:

13 Q. So, I only have a couple more questions. One is: What do
14 you do for your grief?

15 A. Whoa. You know, so I went to therapy. I continued --
16 before Stewart died, I was getting into meditation. I
17 meditate. I joined a widow's group and a suicide group, and
18 we still get together once a month. I've probably read every
19 book known to mankind on grief.

20 But the thing -- and I -- you know, I talk to people.
21 Last year, I attended a workshop on complicated grief, because
22 I read somewhere that there's a new type of grief that keeps
23 going on and on. So, I thought, "Well, I'll go to that
24 workshop." And the sum total of that workshop was the more
25 you love somebody, the harder it is to let go. So that was

1 the sum total of that workshop.

2 But the two things that I still find most comfort in
3 is I write to him a lot. I write to him several times a week,
4 just -- you know, and I'd say the two things that comfort me
5 the most besides the -- you know, he would be so proud of our
6 family. He would be so proud of how we have held it together
7 and that it's not been a perfect journey, as you can only
8 imagine, but the love and -- I couldn't be prouder of these
9 kids and the life we have together.

10 But it's so hard to move on. It just really is,
11 because the things that are the most comforting to me are the
12 things that keep me the most stuck.

13 But I love writing to him. It's like cathartic.
14 It's like couch time, you know, through a letter. And then
15 the cemetery is still something that -- I don't know. Grief,
16 it's -- you know, everyone in this room, I'm sure, has had a
17 loss of someone dear; and it's just really hard, you know.
18 And I try to be whole as much as I can. I try to put on a
19 happy face, but it's hard. There's always something there to
20 remind me of him.

21 Q. Let's go to your financial planning together.

22 First of all, not long before Stu died, he had put
23 together a statement of your net worth that he shared with a
24 financial counselor, correct?

25 A. Yeah, I believe so.

1 Q. And that showed approximately \$3 million of net worth?

2 A. Yes, yes.

3 Q. Were you aware that in the partnership agreement at Reed
4 Smith, there was something of a mandatory equity retirement
5 age of 70 years old?

6 A. No, I was not.

7 Q. He was 57 when he passed away, and you were 58?

8 A. Yes.

9 Q. Did the two of you at that point in time have a concrete
10 decision about retirement age?

11 A. You know, we thought maybe 67-ish, you know. It was kind
12 of fluid. We thought about that.

13 Q. And now you're --

14 A. Well, this is a very interesting conversation, because I
15 turned 65 on March 13th, and someone said to me, "Are you
16 going to retire?" And I said, "No."

17 You know, so I don't know when the actual reality of
18 retirement would have hit him, would he actually retire.

19 In -- and let me make this clear. When he talked
20 about retiring, it was not so much that he was going to leave
21 the law. He would maybe be more of counsel. You know, he
22 would always be working, at least I thought, at Reed Smith for
23 a while, but just in a different capacity.

24 Q. And based on everything you know now, including the fact
25 that I just shared with you about the 70 retirement age, do

1 you have an opinion about the most likely time that he would
2 have given up his partnership?

3 A. Probably 70 years old, now that I know that. Yeah, I
4 think that --

5 Q. Why do you say that?

6 A. Just because if that was the age, I think he would have
7 thought that through and thought that was a good idea.

8 Actually, let me try to articulate this. 65 to 67 was just a
9 loose sort of fitted idea. If he had had -- Stewart was very
10 analytical. If he would have had a concrete number in front
11 of him, I think that would have been more motivational to
12 think about that.

13 Q. Why is it that you continue working now?

14 A. I love it. I just love it.

15 Q. All right. And have you already shared all that you care
16 to about what the life of a widow is like, or is there
17 anything more you'd like to say?

18 A. You know, I just -- I mean, there's only one more story.
19 I mean, listen, for the sake of brevity here, I mean, there's
20 constant ones, but this is a recent one that happened about a
21 year ago.

22 I was very fortunate that two couples invited me to
23 go with them on a trip, and we were in a museum in Arizona.
24 And these two couples had had the good fortune of just
25 becoming grandparents. We're having a perfectly beautiful

1 day, and they're in the gift shop; and I'm watching two of --
2 they're all our good friends, but two of Stewart's best guy
3 friends, Larry and Steve, picking out a toy for their
4 grandchild.

5 And it's at that moment where, you know, perfectly
6 great day, and all of a sudden you're just overwhelmed with
7 grief because you know that Stewart will never get to do that
8 for his grandchildren; and Stewart was so much the kid at
9 heart, that being a grandfather would have been something that
10 would have been right up his alley. You know, he was the dad
11 that took everybody to the water slide park. He was the dad
12 that was the Great America dad. He was -- you know, I held
13 the coats while everybody went on the rides, but he did all
14 that.

15 But he -- the kids missed out on Papa Stu, or
16 whatever they would have called him. And so you're in the
17 gift shop. You don't want to be a buzz kill for your friends.
18 So, I go to the bathroom. And you pull yourself together, and
19 you come back out with your happy face; but it's just an
20 ongoing source of sadness.

21 MR. RAPOPORT: Thank you. At this time, your Honor,
22 I'd move to -- I have no further questions and move to play
23 Exhibit 2.

24 THE COURT: Cross-examination first, I think.

25 MS. HENNINGER: That's fine.

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CROSS-EXAMINATION

BY MS. HENNINGER:

Q. Mrs. Dolin, I have a couple of questions, a little bit more so than for your two children. I want to start out by talking with you.

You talked a little bit about your dream when you were 48 and you went back to school, and you became a Licensed Social Worker in 2003, correct?

A. Yes.

Q. I'm sorry?

A. Yes.

Q. Okay. Thank you.

And you also became a Licensed Clinical Social Worker a little bit later, but that was around 2007, 2008?

A. Yes.

Q. And you mentioned that you also had been certified and was -- family therapy as well, correct?

A. Yes.

Q. And this was all during the time that your husband was still living, correct?

A. Yes.

Q. And you're -- clearly, you're still -- all of your licenses are still active because you're still practicing, correct?

A. Correct.

1 Q. Now, just so we're clear, the jury has heard from some
2 social workers such as Ms. Reed. You trained under Ms. Reed,
3 correct?

4 A. Correct.

5 Q. She taught some of the classes that you had to take in
6 order to become a Licensed Social Worker?

7 A. Yes. I know the nod doesn't a heck of a lot for you.
8 Sorry about that.

9 Q. Thank you. Sorry to have to remind you.

10 And one of the things that social workers can't do is
11 that they can't prescribe any medications, and I guess my
12 question to you is you've never been in a position where you
13 were prescribing medication, correct?

14 A. Oh, God no.

15 Q. Thank you. I just wanted to clarify that. And today you
16 have your own practice, which is Wendy Dolin Therapy, correct?

17 A. Yes.

18 Q. And at the time that your husband was still living, you
19 worked at the Family Service Center, correct?

20 A. Correct.

21 Q. And that is the same place where your husband would go and
22 see Ms. Reed when he was having therapy, correct?

23 A. I do not believe he went to the Family Service Center.

24 Q. Okay. But is that where he met Ms. Reed?

25 A. Yes. But I do not believe she saw clients there.

1 Q. Okay. So, she saw him in her office? That was probably
2 my mistake.

3 A. Yeah, it's your mistake.

4 Q. And you were at the Family Service Center for about
5 10 years, correct?

6 A. Correct.

7 Q. Now, you would see clients there, correct?

8 A. Correct.

9 Q. Okay. And in your practice, both back in 2010 and before,
10 as well as now, you see patients for a variety of issues,
11 including anxiety and depression?

12 A. Yeah.

13 Q. And as you told Mr. Rapoport, your husband was your
14 husband, not your patient, correct?

15 A. Correct.

16 Q. And I want to -- the jury's heard a lot about your
17 husband's legal career mainly from Sachnoff Weaver through the
18 transition to Reed Smith, and I want to ask you basically a
19 little bit about what he did after law school, if that's okay
20 with you.

21 It won't be tricky. I promise I will refresh your
22 recollection.

23 A. No, it's not tricky. I just turned 65.

24 Q. Okay. How about if I help you?

25 A. Okay. I just -- okay.

1 Q. You know what, let me do this, because I have -- you've
2 answered some of these questions, and I just want to -- he
3 graduated law school in 1977?

4 A. He graduated law school in 1977. I believe he started
5 working for a law firm. I want to say Rosenberg Sadner &
6 Unicol (phonetic).

7 Q. It was a Rosenberg law firm was his first law firm, right?

8 A. I think so, yeah. And I think he might have even clerked
9 for them during law school.

10 Q. You're right. He clerked for them, and he worked for them
11 for a couple of years; and then he left the Rosenberg firm in
12 the early 1980s and went to a firm called Fox & Grove, is that
13 correct?

14 A. Yes.

15 Q. And then that firm, Fox & Grove, decided to -- they --
16 your husband and some other people left that firm and opened
17 up their own practice?

18 A. Right.

19 Q. And that had a long name, but I'm going to go ahead and
20 read it. It was Greenbaum, Brown, Kane, Wolfe & Dolin,
21 correct?

22 A. Yeah. I think everybody wanted their name in the title.

23 Q. So, that's probably everybody that went?

24 A. Everybody, the whole firm.

25 Q. All right. And then eventually the Greenbaum firm merged

1 with another firm that merged with Sachnoff Weaver?

2 A. Yes.

3 Q. Okay. And then the jury has heard about the Sachnoff
4 Weaver transition to Reed Smith, and that was about 2007,
5 correct?

6 A. Yes.

7 Q. Okay. Now, it was around 1989, correct me if I'm wrong,
8 that your husband joined the Sachnoff Weaver firm?

9 A. I think, yeah. I mean, you've got it in front of you.
10 I'm sure you're accurate.

11 Q. And that -- at the time, the Sachnoff Weaver firm was the
12 largest of all of those law firms that we've mentioned that
13 your husband had from graduating law school until that time,
14 correct?

15 A. Yes.

16 Q. Okay. And during his period of working for Sachnoff
17 Weaver, that was the first time he started having some
18 management responsibilities at his law firm, correct?

19 A. I -- he might have had had some at Greenbaum Brown Kane
20 Wolfe & Dolin, I'm not clear; but I think if you're looking
21 for, like, an elected board position, I think the first one
22 would have most likely been at Sachnoff.

23 Q. Okay. And he was chairman of the business services group
24 at Sachnoff, correct?

25 A. Yes.

1 Q. And when he became chairman of the business services
2 group, that's the -- he started talking with you, correct me
3 if I'm wrong, about the tension he had between his time on
4 administrative matters and his time for his clients or his
5 billable work, correct?

6 A. Go back. I think that's not accurate.

7 Q. Okay.

8 A. Read me that, please.

9 Q. Let me -- let me -- your husband has expressed to you
10 throughout his legal career, when he had administrative
11 positions, a tension he felt between the administrative
12 portion of his job and the billable work and serving his
13 clients?

14 A. Okay.

15 Q. Does that seem fair?

16 A. Yes.

17 Q. Okay. And he expressed some of that tension to you when
18 he was at Sachnoff Weaver, correct?

19 A. I don't feel -- you know, I don't remember.

20 Q. Okay.

21 A. I don't remember that.

22 Q. Fair enough. And I have your deposition, and I'm sure
23 you've reviewed it; but let me see if I can do it this way
24 without having to bring --

25 A. That would be great.

1 Q. Okay. You recall him expressing some of the tension to
2 you while he was at Reed Smith, correct?

3 A. At Reed Smith, but I thought your question was asking me
4 about Sachnoff & Weaver.

5 Q. It was, you're right. But you recall him doing that
6 definitely at Reed Smith, correct?

7 A. Yes, definitely.

8 Q. Okay. Now, what you don't recall is him specifically
9 doing that while he was at Sachnoff Weaver?

10 A. I don't. I mean, if it's in my deposition, yeah, for the
11 sake of time, yes.

12 Q. Okay. Well, and I hate to do that. Let me go ahead and
13 just hand you your deposition. I'm just going to refresh your
14 recollection of what you said.

15 A. Okay.

16 Q. And then we can be on our way.

17 I'm sorry, Mrs. Dolin. You recall your deposition,
18 it started in the morning, and then you took a lunch break and
19 then there was the afternoon session; and unfortunately, my
20 organizational skills are not necessarily where they need to
21 be.

22 Let me see if I can hand this to you?

23 MR. RAPOPORT: I don't need it. Thank you.

24 MS. HENNINGER: Okay. And if I may approach the
25 witness.

1 BY MS. HENNINGER:

2 Q. Here you are, Mrs. Dolin.

3 A. Thank you.

4 Q. Um-hum.

5 A. What page are we looking at?

6 Q. Just one second. We're looking at page 107. And I think
7 you might have heard me explain to your son about the line
8 numbers on the side, but if you look at 107 --

9 A. The actual page number is on the bottom there?

10 Q. Yes, ma'am, on the bottom right-hand corner.

11 A. Okay, sure.

12 Q. Okay. So, 107, if you look to the left, you see the line
13 numbers, ma'am, correct?

14 A. Yes.

15 Q. So, if you look at line 23 to the end of the page, and it
16 goes on to 108, I'm just going to ask you to read over this
17 page and see if that refreshes your recollection --

18 A. Starting at line 23?

19 Q. Well, I'm just going to -- let's see. Start up -- if you
20 start -- if you can skim the whole 107, because it's talking
21 about Sachnoff; and then line 23 is the portion that I think
22 may refresh your recollection.

23 A. Okay. Let me start here.

24 Okay. I think he always thought that there would be
25 a time factor. Is that what you're getting to?

1 Q. It's just -- the point was there was some discussion
2 about --

3 A. Okay.

4 Q. -- him having some tension between those times.

5 A. Okay.

6 Q. And he had that at Sachnoff Weaver as well as Reed Smith,
7 correct?

8 A. Okay. Correct. Thank you.

9 Q. Thank you. And as you discussed with Mr. Rapoport, you
10 noticed some anxiety in your husband after he graduated law
11 school and started working, correct?

12 A. Yes. Sorry about that. I apologize for the head nodding.
13 Sorry about that.

14 Q. No. It's normal, and I'll try to do like this and remind
15 you.

16 A. I'll try and do better, too. Thank you.

17 Q. Okay. And you recall most of your recollections of your
18 husband showing signs of anxiety or depression started after
19 he joined the Sachnoff Weaver firm, correct?

20 A. Actually, when I went back, he actually had started in the
21 transition from college to law school.

22 Q. Okay. So, the college to law school transition, and then
23 the Sachnoff -- the transition to Sachnoff Weaver, and then
24 the transition from Sachnoff Weaver to Reed Smith, correct?

25 A. Um-hum, correct.

1 Q. Okay. But he didn't start seeking any type of counseling
2 until the point where he was at Sachnoff Weaver, correct?

3 A. I --

4 Q. At least as far as you're aware of?

5 A. Yeah, as far as I'm aware of, thank you.

6 Q. As far as you're aware, the first counseling he sought was
7 Dr. Roth, which you discussed with Mr. Rapoport, correct?

8 A. Yes.

9 Q. Okay. And the jury's seen those records. We're not going
10 to necessarily go through that.

11 But you indicated that your husband was sometimes
12 proactive with seeing -- or taking care of his anxiety and
13 depression, and Dr. Roth was a good example of that because
14 that's a doctor he found, correct?

15 A. I believe so.

16 Q. You had no relationship with --

17 A. Correct.

18 Q. -- or experience with Dr. Roth, correct?

19 Now, there were times during your marriage while your
20 husband was working that you saw him have periods where he was
21 a little bit more anxious or depressed, and those mainly
22 centered around transitional periods?

23 A. Correct.

24 Q. Okay. There were times throughout his career that you
25 noticed your husband would have trouble sleeping when he was

1 anxious, correct?

2 A. Correct.

3 Q. And there were times throughout his career where you
4 noticed he might lose a little bit of weight here and there,
5 correct?

6 A. Correct.

7 Q. Now, your husband would talk with you about the depression
8 and anxiety he experienced during some of these work-related
9 transitions, correct?

10 A. Correct.

11 Q. And he would sometimes talk with you about the tension
12 between practicing law and managing the law, correct?

13 A. What do you -- can you clarify that, please?

14 Q. Sure. And that was probably a poor choice of language on
15 my side.

16 He acted -- he had a role as a manager in his law
17 firm, correct?

18 A. Yes.

19 Q. And he had a role in his law firm as a practitioner or
20 someone who serves his clients, correct?

21 A. Correct.

22 Q. And sometimes throughout your marriage, he would discuss
23 with you a tension he felt in that role where he had both
24 administrative as well as his client duties, correct?

25 A. Correct.

1 Q. Okay. And sometimes he would express anxiety or fears to
2 you that you thought perhaps weren't based on fact, correct?

3 A. Yes.

4 Q. Such as you referred to earlier when he would express to
5 you a fear of becoming a bag lady, correct?

6 A. Yes.

7 Q. And there were some other things that he would say to you
8 that you also thought weren't necessarily based on fact, like
9 being fired, correct?

10 A. Right.

11 Q. And he would have some of his anxiety and his depression
12 at some of the times when he was most successful in his
13 career?

14 A. Yes.

15 Q. And you found it ironic that your husband would show those
16 signs of anxiety and depression in the best years or sometimes
17 when he's most successful, didn't you?

18 A. Did I say the word "ironic"?

19 Q. Yes.

20 A. Okay. I mean, yeah, it --

21 Q. Okay. And you would describe your husband as a worrier,
22 correct, Mrs. Dolin?

23 A. I would say that's a little misleading.

24 Q. Okay.

25 A. I would say that he would have concerns about work, but I

1 wouldn't say that he was this ongoing worrier. I mean, for
2 the most part, my experience with Stewart was a very normal
3 guy going through a normal life, very happy guy, high on
4 life. And, yes, there were these occasional periods of when
5 he would have stress or anxiety.

6 Q. Fair enough. I'd like you to look at your deposition, if
7 you don't mind, please, Mrs. Dolin, on page 109. And on lines
8 16 through 17, let me know, please, when you've found it.

9 A. Yeah, I see.

10 Q. And you were asked, "Would you describe him as a worrier?"

11 And your response was, "Yes," correct?

12 A. Correct.

13 Q. Okay. And one thing that your husband would talk with you
14 about is some of the pressures or stress and anxiety he was
15 having at work because of the billable hour requirements he
16 had, correct?

17 A. Correct.

18 Q. Okay. Oh, just briefly on Dr. Roth, you don't know if
19 Dr. Roth ever diagnosed your husband with any kind of anxiety
20 or depression?

21 A. I have no idea.

22 Q. And to your knowledge, at least, he never prescribed any
23 type of medication?

24 A. No.

25 Q. But he was a psychiatrist, correct?

1 A. Right.

2 Q. Okay. Now, focusing back on the transitional stress and
3 anxiety your husband sometimes felt, you recall, based on your
4 observations as his wife, that your husband's anxiety
5 surrounding the merger into Reed Smith being greater than his
6 anxiety when his firm merged with Sachnoff Weaver, correct?

7 A. Yes.

8 Q. And he had some merge -- I mean, he had some anxiety about
9 that merger with Reed Smith even before the actual merger took
10 place, correct?

11 A. I don't remember.

12 Q. Okay. I know you said that he was on the merger
13 committee, for lack of a better word, correct?

14 A. Yes.

15 Q. Okay.

16 A. I'm sorry, the head nod. Sorry about that.

17 Q. You don't need to apologize.

18 And he expressed to you at that time before the
19 merger took place just some anxiety he had as to the
20 uncertainty, whether people at his firm would be happy --

21 A. Right.

22 Q. -- and whether his clients would be happy?

23 A. Yes.

24 Q. So, there was a little bit of anxiety he had even before
25 the merger took place?

1 A. Yes.

2 Q. And one of the things he was worried about is whether or
3 not his clients, who were used to the Sachnoff Weaver size and
4 the rate structure would be happy at a big firm with higher
5 rates, correct?

6 A. Correct.

7 Q. Okay. And when your husband merged with Reed Smith, he
8 had a position where he co-led the corporate securities group
9 in the United States, correct?

10 A. Correct. Wait. Co-head? I thought he was originally the
11 head and then the co-head.

12 Q. Okay. The jury's heard some testimony from people that
13 worked with your husband, and I'm not here to necessarily
14 correct you, Mrs. Dolin, but that he started out as a co-head,
15 became the head, and then ended as a co head. Okay?

16 A. Oh, okay.

17 Q. So, I'm just asking you what you remember.

18 A. I didn't remember that he was a co-head first. I just
19 remember the head is my answer.

20 Q. And that's fair enough. And I guess my question really
21 doesn't revolve around whether or not he was the sole head or
22 the co-head; but when he started this management position at
23 Reed Smith, you recall him having more responsibility than he
24 did in his management position at Sachnoff Weaver?

25 A. I believe so.

1 Q. Okay. And that included more travel, because unlike
2 Sachnoff Weaver, Reed Smith had offices all around the United
3 States?

4 A. Yes.

5 Q. And he had to spend more time on administrative tasks
6 versus his clients at Reed Smith, correct?

7 A. Yes.

8 Q. Because he had a lot more people to manage, correct?

9 A. Yes.

10 Q. And your husband expressed anxiety to you about how he
11 could divide up his time in those capacities, administrative
12 and management, while he was at Reed Smith?

13 A. Yes.

14 Q. Now, you indicated that your husband was proactive in
15 caring for himself. And one of the times he became proactive
16 is he thought therapy for his anxiety and depression, correct?

17 A. Correct.

18 Q. And he would manage his anxiety and depression both with
19 talk therapy, sometimes medication, and exercise; fair?

20 A. Yes.

21 Q. Okay. And do you recall in 2007, during the merger, that
22 your husband got anxious, and he decided to see Sydney Reed,
23 correct?

24 A. Yes.

25 Q. Okay. And again, as Mr. Rapoport has alluded to, the jury

1 has heard all of Ms. Reed's testimony and seen her records,
2 and I do not intend to go through that with you.

3 But I do want to make clear that some of the things
4 that he was telling Ms. Reed that they've seen in the therapy
5 notes, he'd also told you, for example, fears about the
6 transition to Reed Smith, correct?

7 A. Yes.

8 Q. And he also talked with you at the time about not maybe
9 having the proper pedigree or credentials or whatever word you
10 want to use.

11 A. Yes.

12 Q. Because he had the impression that Reed Smith all went to
13 Ivy League schools?

14 A. Yes.

15 Q. And that was one of the times he expressed to you a fear
16 of becoming a bag lady, correct?

17 A. Yes.

18 Q. Okay. And he had some financial fears around that time as
19 well, correct, around -- let me be more specific.

20 A. Yeah, please do.

21 Q. Because when you look confused, I don't want to confuse
22 you at all.

23 A. Yeah.

24 Q. In the period when he was experiencing some transitional
25 issues with the merger, he also had some financial concerns

1 that you two were dealing with at the same time, mainly
2 involving he wanted a financial backstop, correct?

3 A. Would you please explain that? I'm unclear where you're
4 going with this.

5 Q. Sure. Maybe I should back up. I was trying to jump ahead
6 a little bit too much.

7 You know Mrs. -- Ms. Reed, of course, because she
8 helped you through your educational process, correct?

9 A. Yes.

10 Q. And after your husband passed away, you wrote to her and
11 requested a summary of the medical records or her therapy
12 notes, correct?

13 A. Yes.

14 Q. And the jury's seen that letter. And she provided you a
15 summary, but you've also seen through the course of all of
16 this lawsuit the actual records, correct?

17 A. Um-hum -- yes.

18 Q. Okay. And you know that not only was he expressing --
19 your husband expressing concerns with Ms. Reed about the
20 work-related issues, he also was discussing some concerns he
21 had with financial stability and needing to plan for the
22 future.

23 A. Was that when we got a financial planner? Is that where
24 you're going with this.

25 Q. Yes, yes.

1 A. Okay.

2 Q. It was about the same time. Your parents had moved to
3 Florida, and then they returned because they ran out of money,
4 correct?

5 A. Correct.

6 Q. And then although they had supported you and your husband
7 when he was in law school, he was now supporting them, or the
8 two of you were now supporting your parents financially?

9 A. As well as my brother and sister.

10 Q. As well as your brother and sister?

11 A. Yes.

12 Q. Okay. And that led to some of your husband's anxiety at
13 the time that he sought counseling with Ms. Reed for?

14 A. Yes.

15 Q. And that's about the time that you became -- or that the
16 two of you started going to see a financial planner, correct?

17 A. Yes.

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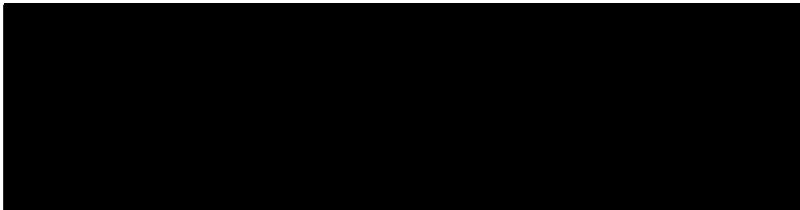
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BY MS. HENNINGER:

Q. Did you ever discuss with your husband his parents' mental health, whether or not they had anxiety and depression?

A. Yes.

Q. Okay. Did your husband tell you that his parents had anxiety and depression?

MR. RAPOPORT: Objection. Same objection, your Honor. No expert witness testified --

THE COURT: Sustained.

MS. HENNINGER: Okay.

BY MS. HENNINGER:

Q. I'm skipping a lot here, so just bear with me, please.

All right. I want to talk with you now, Mrs. Dolin, about -- I want to focus on 2010. And you described a little bit with Mr. Rapoport your routine that last week, and I want to just generally talk.

You would always typically be asleep when your husband left for work, correct?

A. Yes.

Q. And I think you alluded to it, but you'd usually have a phone call on his way to work about the dog and whether or not he had done his daily business?

1 A. Yes.

2 Q. And generally, you may have stayed in touch every now and
3 then during the day; but generally, you wouldn't talk with him
4 until he was on his way home from work, correct?

5 A. I believe so.

6 Q. And he sometimes would drive to work, and he would
7 sometimes take the Metra, correct?

8 A. Never the Metra.

9 Q. Never the Metra? What train would he take?

10 A. It's the North Western. It's Ogilvie. He never, ever,
11 ever took the subway to work.

12 Q. Okay. Sorry. So, he sometimes would drive and sometimes
13 would take public transportation, correct?

14 A. Yes, yeah.

15 Q. Okay. And, now, the jury has heard about -- they've heard
16 from Dr. Sachman, and you have been friends with Dr. Sachman
17 and his wife for a number of years, correct?

18 A. Yes.

19 Q. And you were friends before he became your doctor,
20 correct?

21 A. Yes.

22 Q. And in addition to Stewart, your husband, Dr. Sachman
23 treated you and your children as well, correct?

24 A. Yes.

25 Q. And he did that through -- the jury's heard a little bit

1 about a concierge or boutique practice he had.

2 A. Yes.

3 Q. And that's where you pay a fee, and you get access to
4 Dr. Sachman more frequently, correct?

5 A. Yeah.

6 Q. And because you were friends, you and your husband and
7 your children didn't have to pay that fee, correct?

8 A. Yeah.

9 MR. WISNER: Objection, your Honor. The deceased's
10 care is the only thing that's relevant. Mrs. Dolin's care and
11 the children's care is absolutely irrelevant.

12 THE COURT: Sustained.

13 MR. RAPOPORT: Move to strike that aspect.

14 THE COURT: It may go out.

15 BY MS. HENNINGER:

16 Q. Let me rephrase that just so it's clear. Your husband
17 never had to pay the fee for the concierge or the boutique
18 practice that Dr. Sachman had, correct?

19 A. No.

20 Q. And that essentially meant that Dr. Sachman treated your
21 husband for free, correct?

22 A. Yes.

23 Q. Now, I want to talk a little bit about your husband's use
24 of paroxetine. You didn't -- well, let me ask you this: You
25 didn't know when he was first prescribed paroxetine, do you?

1 Let me rephrase, because I --

2 A. Your questions are a little confusing.

3 Q. Yes. Prior to this lawsuit, you knew your husband was
4 taking some anti-anxiety medication in the 2005-2006 time
5 frame, but you did not know what kind of medication; is that
6 fair?

7 A. Yes.

8 Q. And during that time, your husband never complained to
9 you, that you recall, of any problems he had, except for some
10 certain side effects he was having from the medication,
11 correct?

12 A. Yes.

13 Q. And the side effects he was having from the medication in
14 that 2005 and 2006 time period were sexual side effects, some
15 weight gain, sleeping difficulty, correct?

16 A. Yes.

17 Q. Okay. But he didn't complain about any other side
18 effects, that you can remember, correct?

19 A. No.

20 Q. Okay. And you believe that the medication, whatever it
21 was in that time period, gave your husband some relief for
22 his anxiety and depression, correct?

23 A. Yes.

24 Q. Okay. Now, during the time that he took which we now know
25 was paroxetine during 2005 and 2006, did you notice any

1 unusual behavior on his part?

2 A. No.

3 Q. You didn't notice him pacing or the leg tapping that you
4 described earlier?

5 A. No.

6 Q. Okay. And Dr. Sachman also prescribed that paroxetine for
7 your husband at the time, correct?

8 A. Yes.

9 Q. And other than -- just so we're clear, other than
10 Dr. Sachman, you're unaware of any other healthcare provider
11 of any sort that prescribed your husband anti-anxiety
12 medication?

13 A. Yeah.

14 Q. Not aware of any?

15 A. No, I mean I'm not aware.

16 Q. Okay. Now, in 2010, the summer of 2010, your husband
17 returned to Ms. Reed, correct?

18 A. To the what?

19 Q. Maybe in the spring, your husband returned to Ms. Reed,
20 seeing Ms. Reed?

21 A. I believe so.

22 Q. Okay. And the best recollection that you have as to why
23 your husband returned to Ms. Reed in 2010 is because he found
24 her to be helpful in 2007, correct?

25 A. Yes.

1 Q. And he was having some work-related issues and anxiety in
2 2010 similar to 2007, correct?

3 A. Yes.

4 Q. And the specific work-related issues he was having in
5 2010, Mrs. Dolin, included figuring out a balance between
6 those administrative tasks and his client work, correct?

7 A. Yes.

8 Q. Because 2009, he spent a lot of time on the administrative
9 tasks he had and not much time with his clients, correct?

10 A. Yes.

11 Q. And these were also all things that he spoke to you about
12 in addition to speaking with Ms. Reed about, correct?

13 A. Yes.

14 Q. Okay. And you recall believing that he was a little
15 stressed out at the time about that balancing between
16 administration and client demands, correct?

17 A. Yes.

18 Q. And you recall that the anxiety level he had in June 2010
19 being similar to that he experienced during the transition in
20 2007?

21 A. Yes.

22 Q. Your husband told you that he was not enjoying being a
23 practice group leader any longer in the summer of 2010,
24 correct?

25 A. I don't know --

1 Q. Maybe I should take the time period off. Sometime in
2 2010, you recall your husband telling you that he was no
3 longer enjoying being a practice group leader, correct?

4 A. Well, I'm having trouble with the word "enjoy."

5 Q. Okay. That's fair enough. Let's see. Maybe if you
6 turned to 255 in your deposition, and I'm just going to let
7 you look at it and refresh your recollection, because I think
8 it's a word that was used.

9 A. Okay. What line are you at, please?

10 Q. Yes, I'm sorry. 12 through 15. Oh, wait. That's the
11 wrong lines. I'm sorry. 255, 22 through 25. I apologize,
12 Mrs. Dolin.

13 A. 22.

14 Q. Through 25. And actually, that's fair, because I think
15 what -- now that I'm looking at it, this is referring to
16 Ms. Reed's notes.

17 A. Yeah, those --

18 Q. Her notes had the word "enjoy," correct?

19 A. Yeah, that's not my word.

20 Q. And it's not a word that Stewart used with you, despite my
21 question?

22 A. Correct.

23 Q. So, if you don't mind, how did he describe with you his
24 unhappiness or how would he describe for you his role as the
25 practice group leader at that time?

1 A. I think the best way he would describe it was that with
2 his -- I mean, as it's been stated earlier, with his business
3 increasing, he still felt he had these administrative
4 responsibilities. I don't think the word "enjoy" is accurate.
5 I think it would be balance.

6 Q. He had -- it was more of a struggle with that correct
7 balance?

8 A. It was trying to find the right balance.

9 Q. Okay. And one of the things that he discussed with you
10 at the time was that he was going to -- or that a co-leader
11 of the practice group had been appointed, correct?

12 A. Yes, there was a co-head.

13 Q. It began -- again, you remember him starting as the
14 leader, but regardless of whether he started as co and then
15 became the leader, at some time -- in the summer range or
16 sometime in 2010, a co-leader was appointed for the corporate
17 and securities group, correct?

18 A. Um-hum, yes.

19 Q. And that was a Mr. Jaskot?

20 A. Jaskot, yes.

21 Q. And your husband told you that it was his idea or that he
22 welcomed the co-leader, Mr. Jaskot, correct?

23 A. That's what I recall.

24 Q. Okay. Now, your husband also expressed fears to you that
25 he would be fired by Reed Smith, correct?

1 A. Was that in his therapy notes or to me?

2 Q. Both. Let me refresh you to look at 130 in your
3 deposition, lines 14 through 17.

4 THE COURT: All right. We'll recess at this time.

5 MS. HENNINGER: Oh, sorry.

6 THE COURT: Until tomorrow morning, 9:30.

7 Ladies and gentlemen, thank you very much. See you
8 in the morning.

9 (Jury exits courtroom.)

10 [REDACTED]

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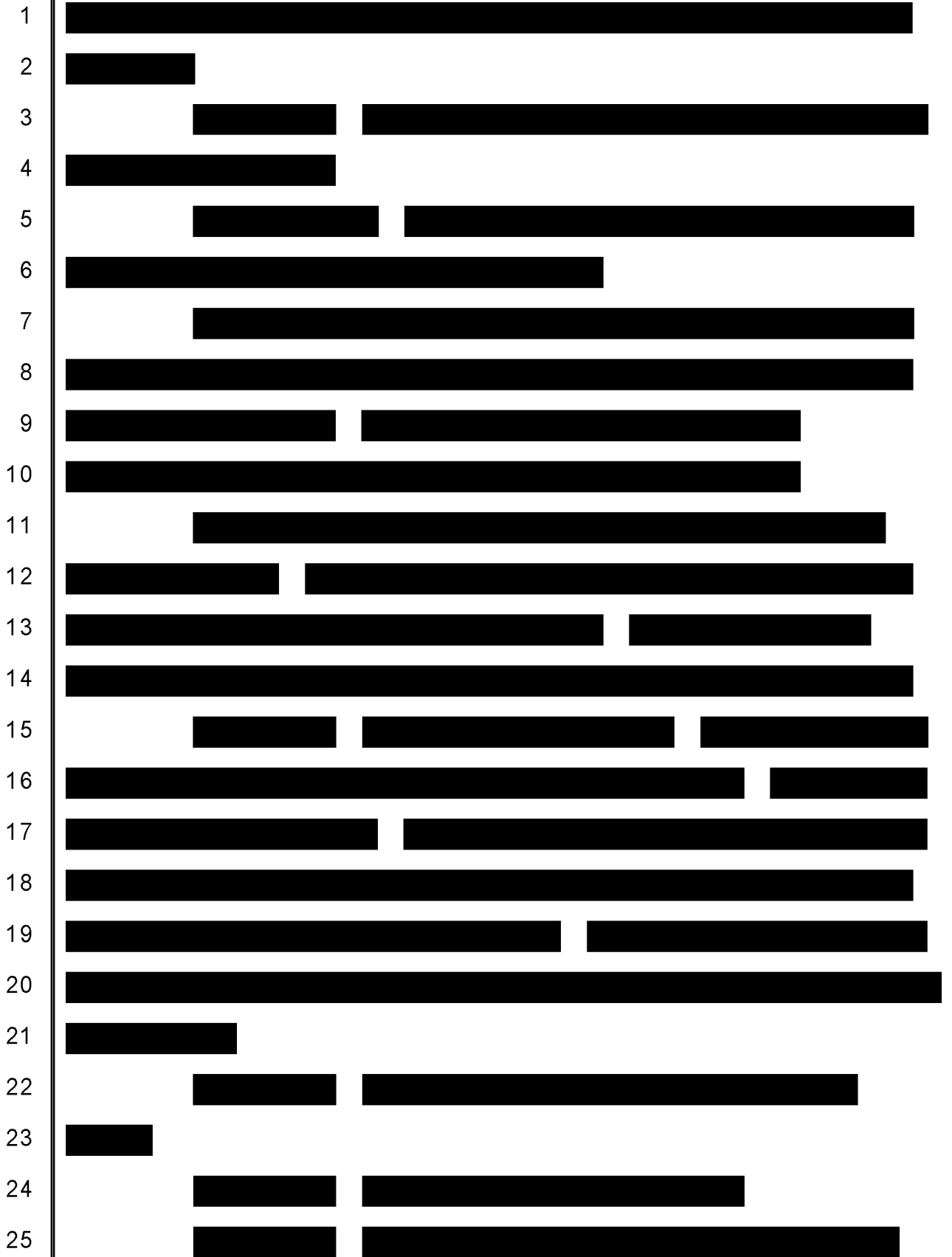
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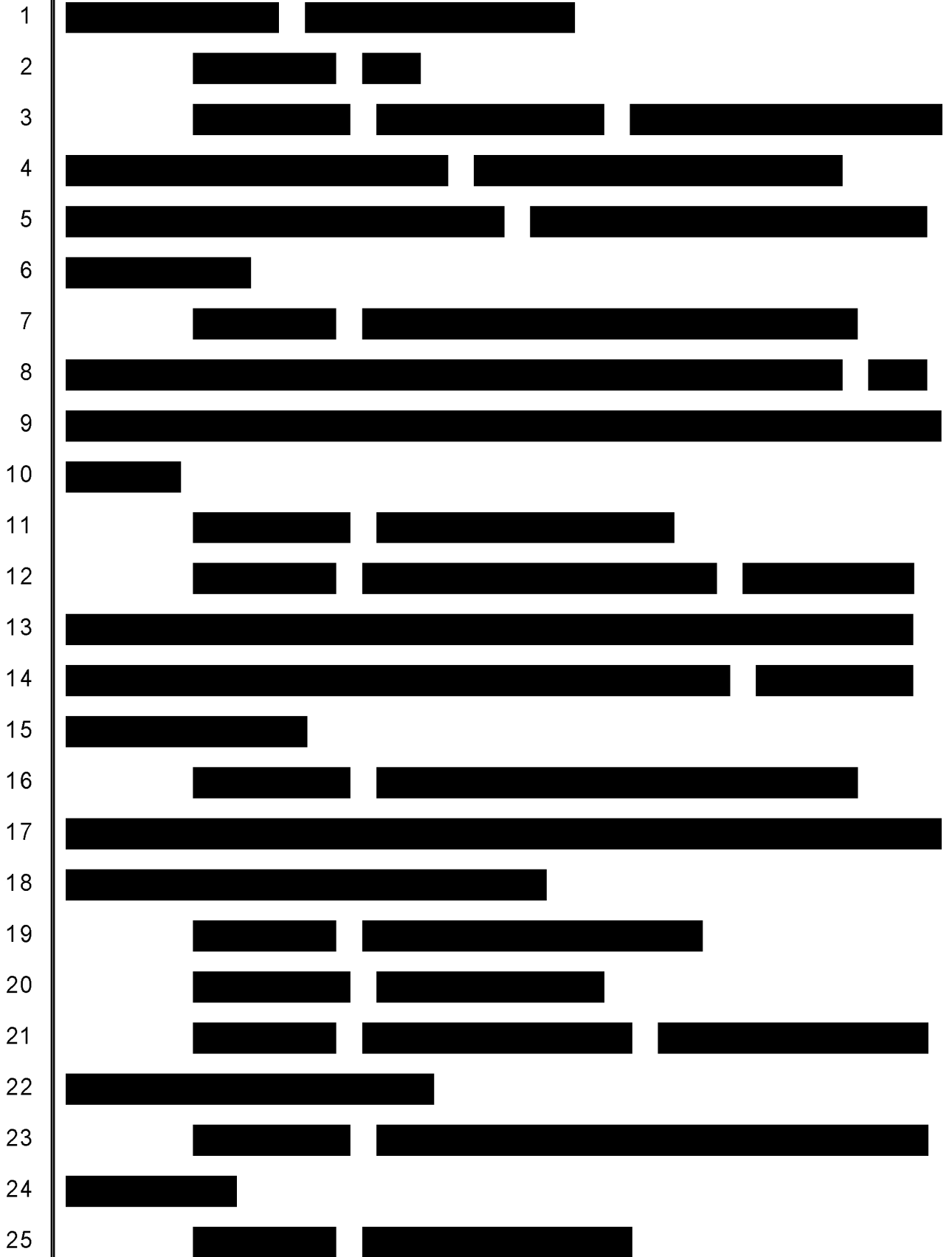
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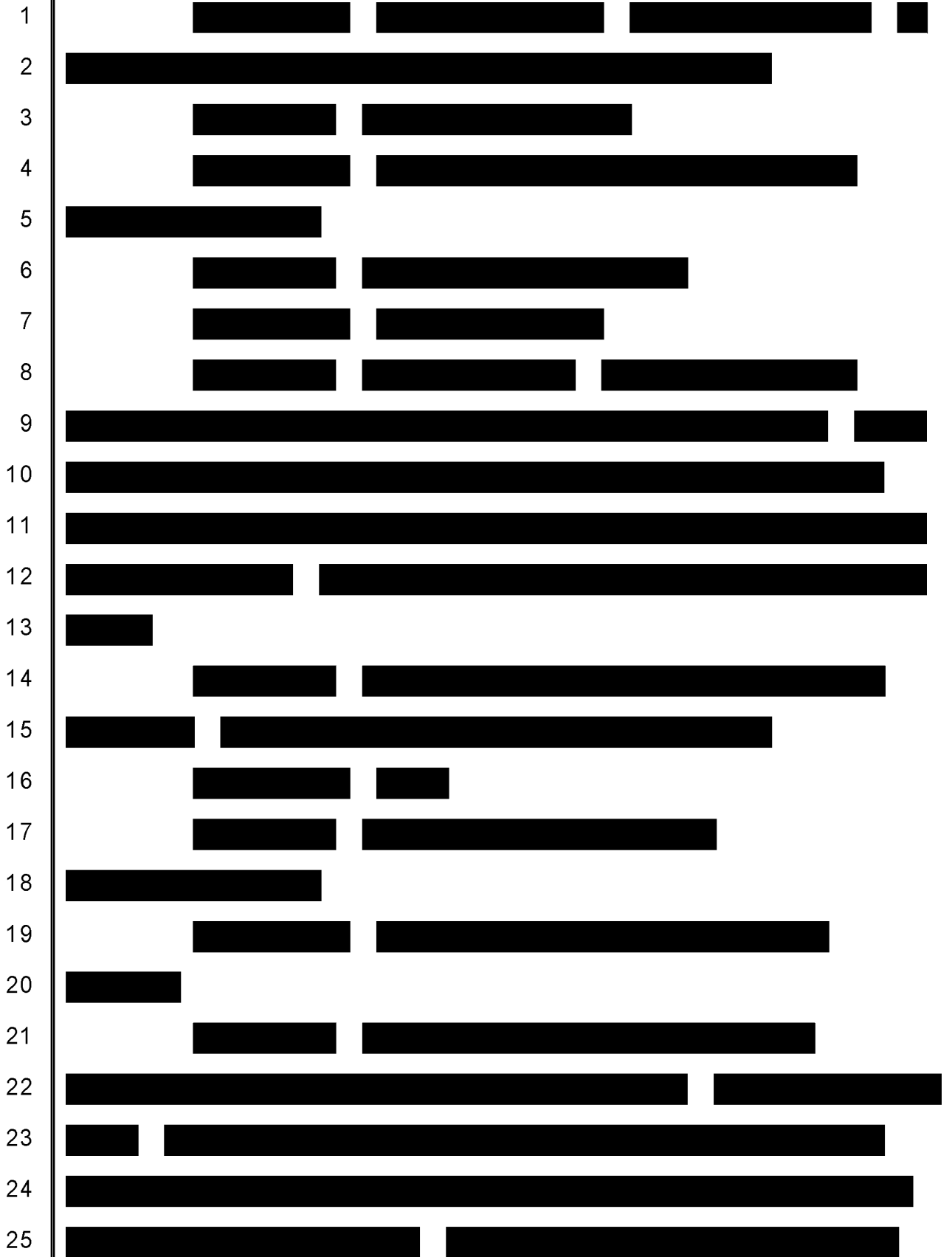
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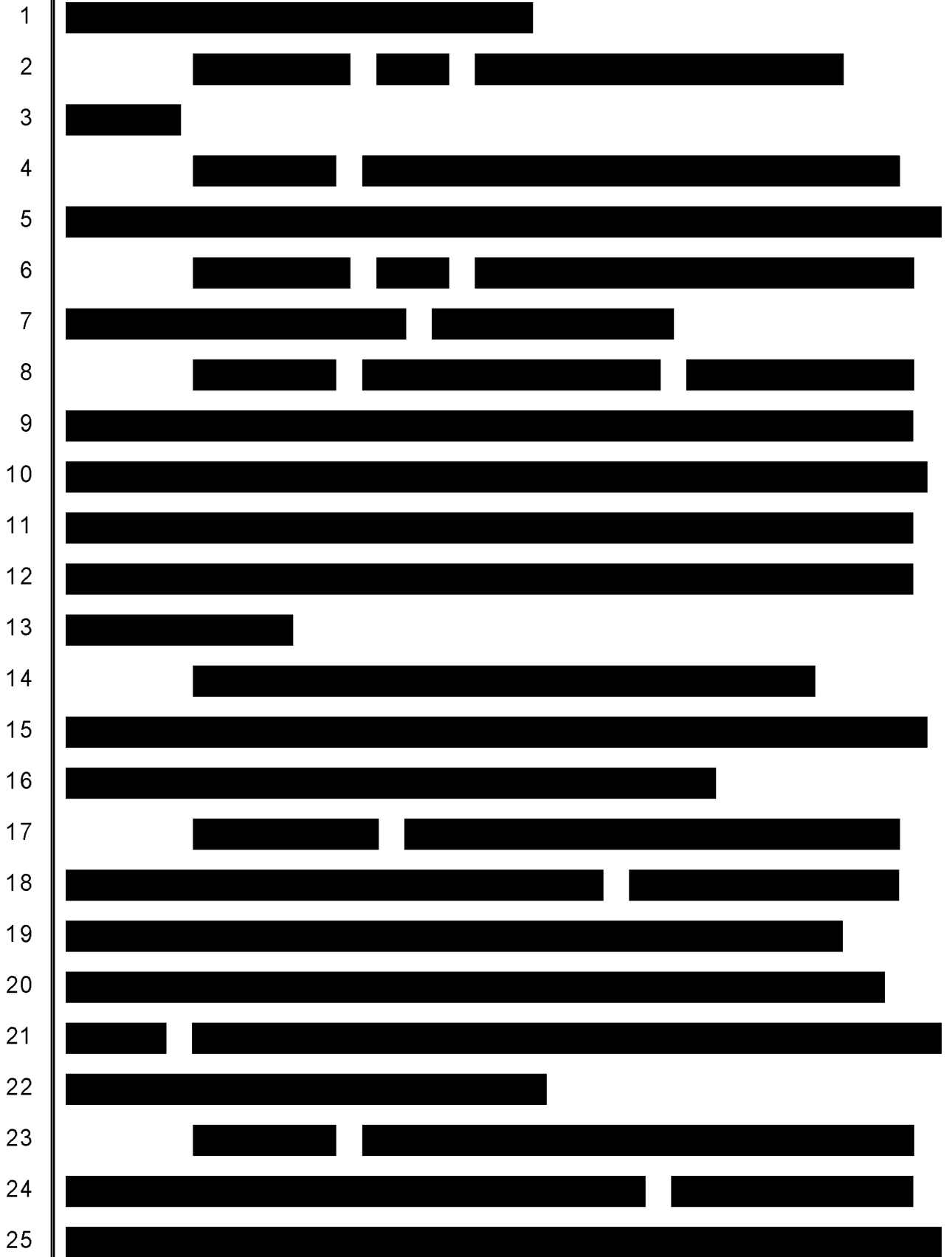
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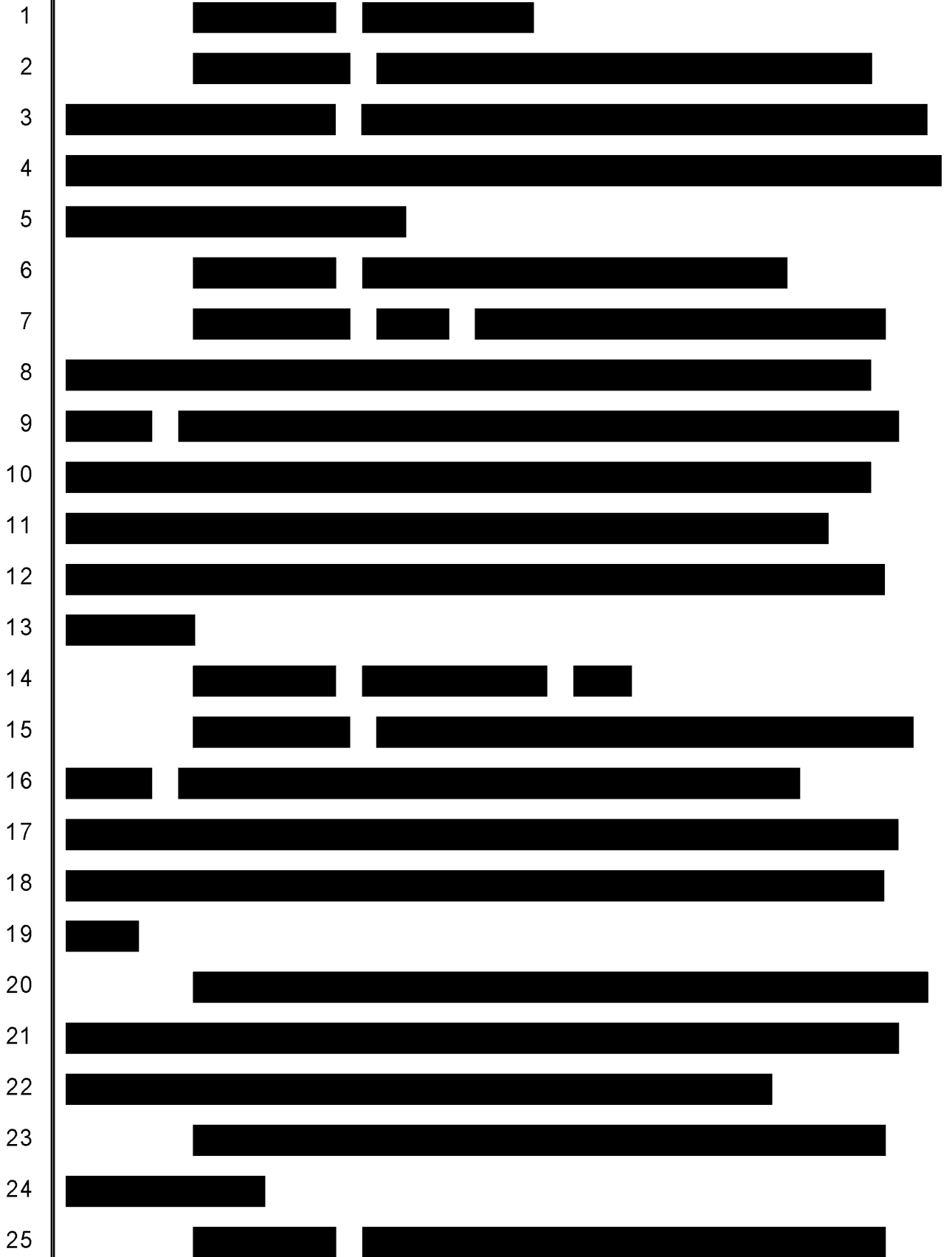


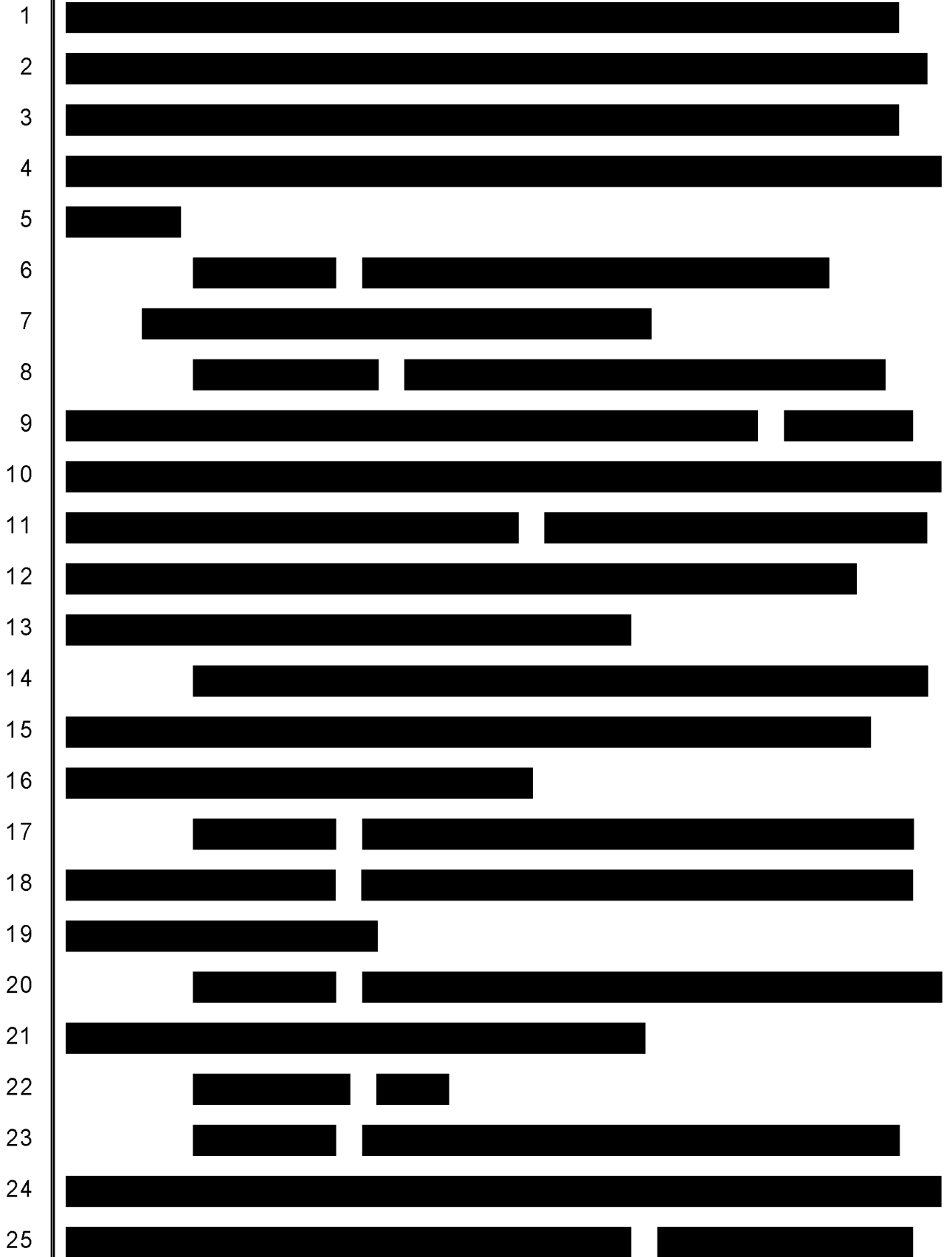


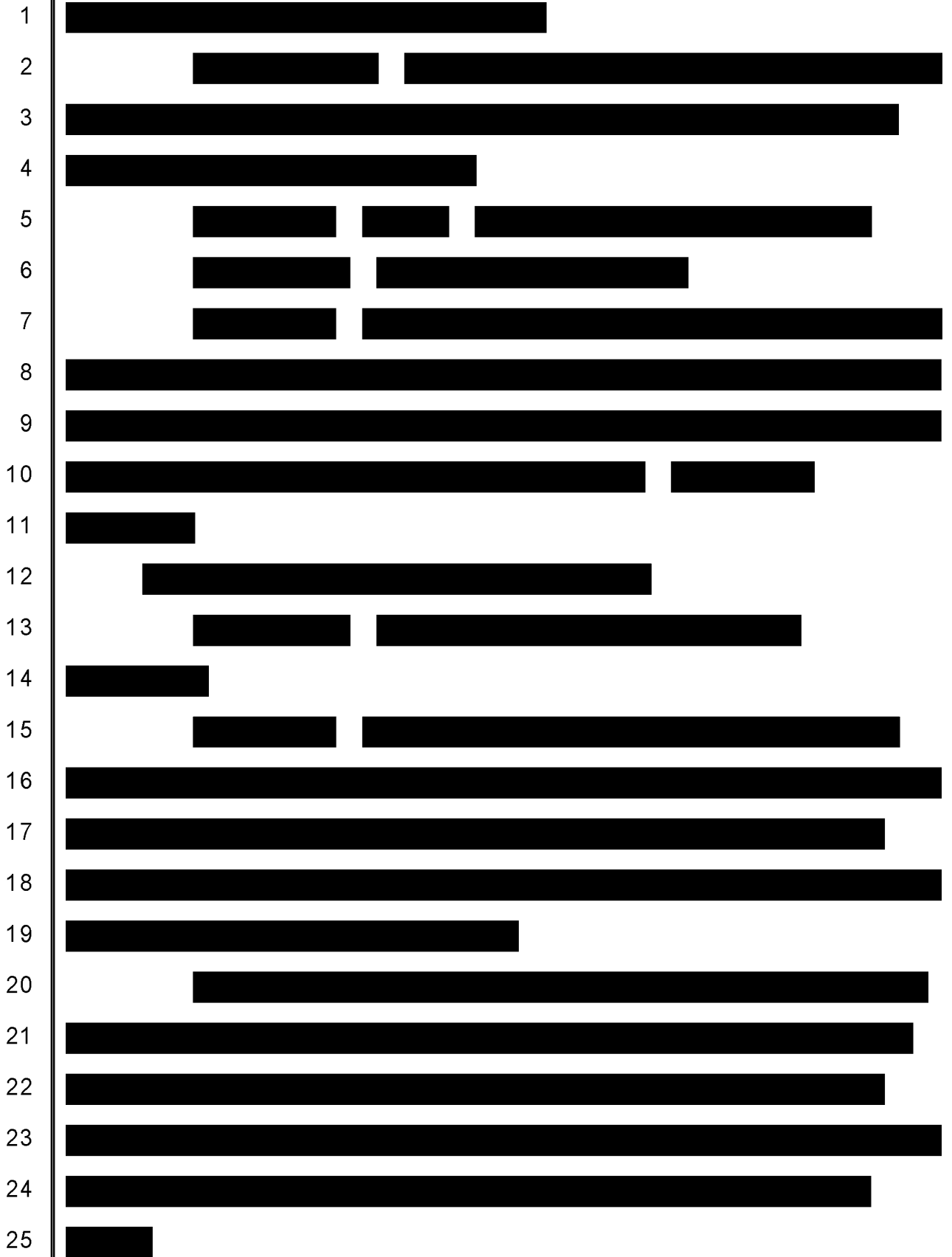




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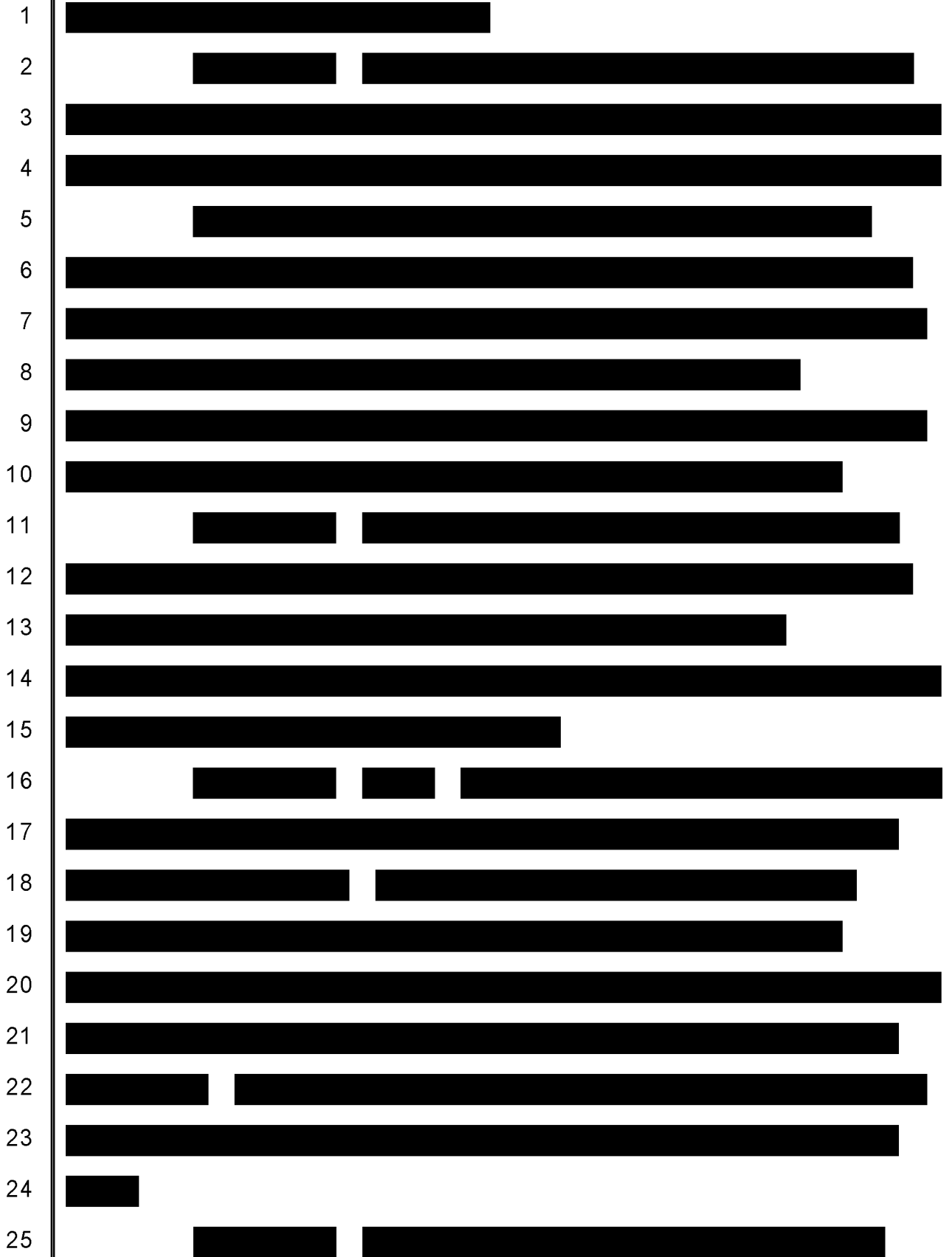


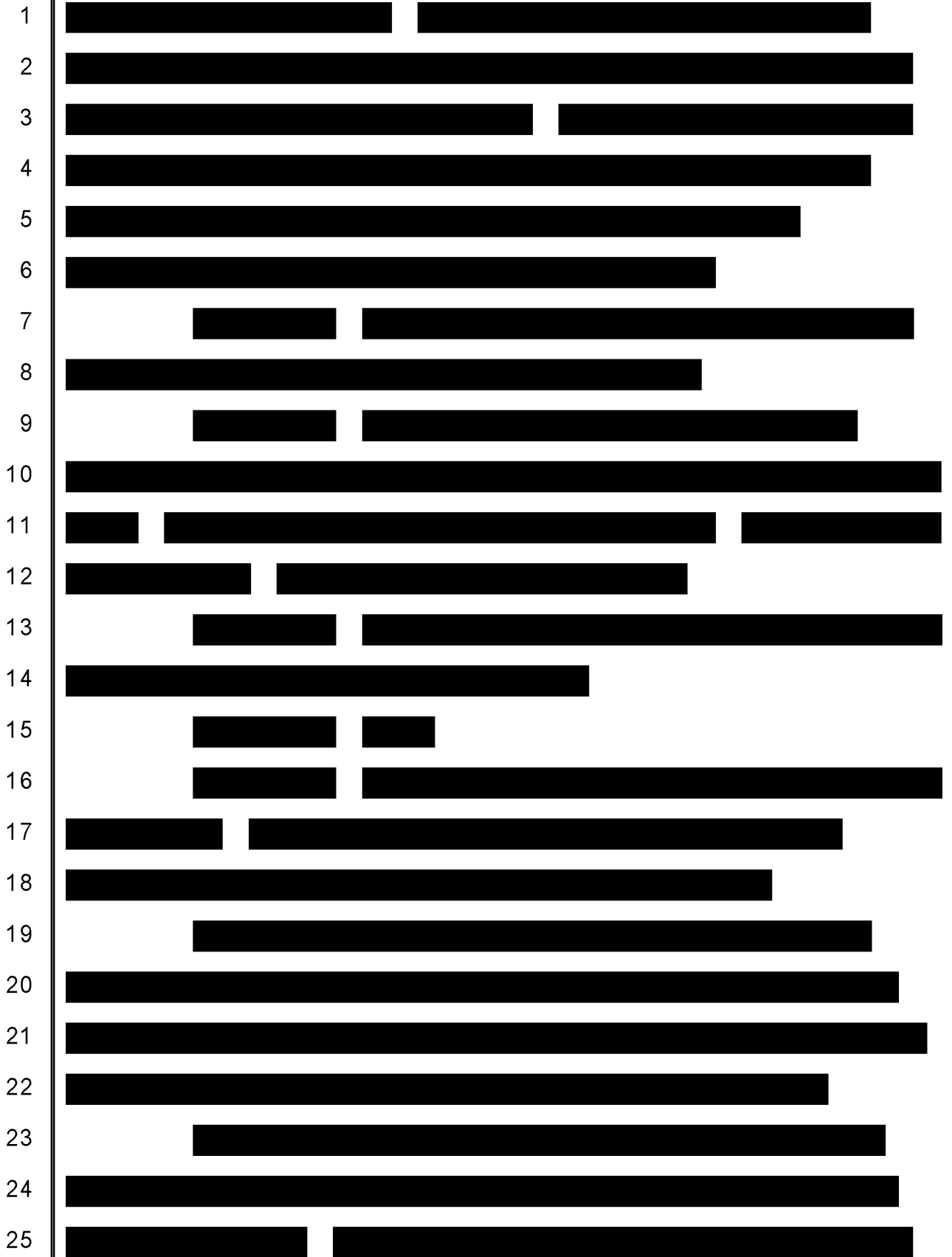


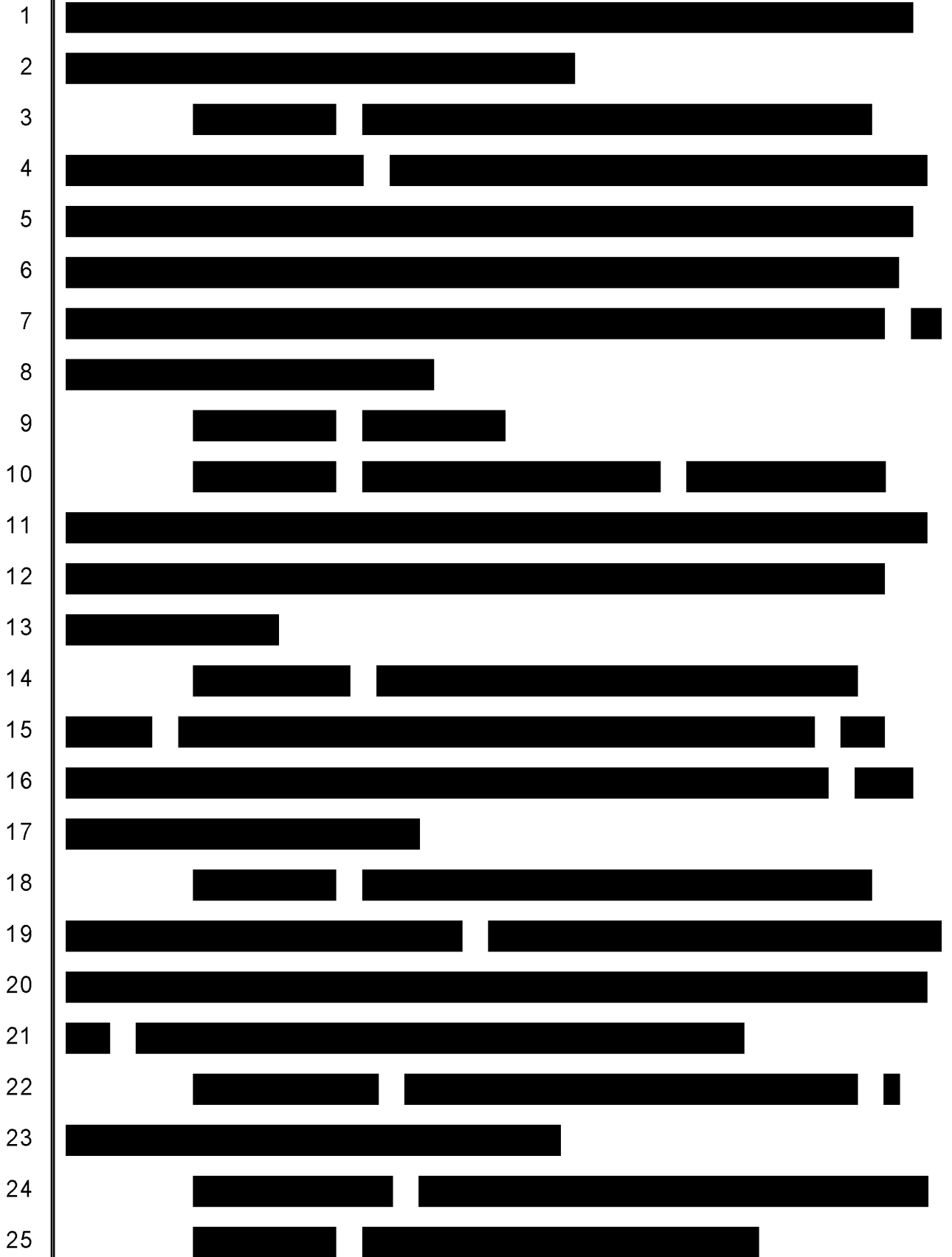


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[REDACTED]

(Court adjourned, to reconvene 4/4/17 at 9:30 a.m.)

CERTIFICATE

We certify that the foregoing is a correct transcript from the record of proceedings in the above-entitled matter.

/s/Judith A. Walsh

April 3, 2017

Judith A. Walsh
Official Court Reporter

Date

/s/Charles R. Zandi

April 3, 2017

Charles R. Zandi
Official Court Reporter

Date