

1 IN THE MATTER OF ARBITRATION BETWEEN:

2

3 LACLEDE GAS COMPANY,

4

5 COMPANY,

6

7 and

8

9 UNITED STEEL WORKERS, LOCAL 11-6,

10

11 UNION.

12

13

14

15 GRIEVANT: LOUIS JACKSON

16 ARBITRATION PROCEEDINGS

17

18 March 24, 2006

19

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22 -----

23 GORE PERRY GATEWAY & LIPA REPORTING COMPANY

24 515 Olive St. Louis, Missouri

25 1-800-878-6750 (314) 241-6750

1 THE ARBITRATOR: We understand. Uh-huh.

2 MS. GARNER: Okay.

3 (Discussion off the Record.)

4 MS. GARNER: Mr. Arbitrator, my name is
5 Judy Garner, and I'm the labor counsel for the
6 Laclede Gas Company, and I'm representing Laclede
7 Gas Company in this arbitration of the discharge of
8 Louis Jackson.

9 This is a case about safety, credibility
10 and trust. The Grievant, Louis Jackson, was
11 discharged from Laclede Gas Company because he
12 failed to perform a required safety test, falsified
13 company documents and as far as his overall work
14 record. The Union and Company have stipulated that
15 the work that Grievant was supposed to do that day
16 was, required by the procedures of Laclede, was
17 safety related, and that failure to do that work
18 would lead to discharge. So what does that leave?
19 Did the Grievant do the work?

20 You will hear the testimony of several
21 witnesses today concerning the events of March 3rd,
22 2005. Laclede has two eyewitnesses, two Service &
23 Installation Department foremen, Mr. Sisak and
24 Mr. Ferris, who will testify that Grievant did not
25 perform the required safety tests. The Union will

1 my first witness?

2 THE ARBITRATOR: You bet.

3 MS. GARNER: Mr. Reitz, please, Wally

4 Reitz.

5 WALTER A. REITZ

6

7 of lawful age, having been first duly sworn to

8 testify the truth, the whole truth, and nothing but

9 the truth in the case aforesaid, testifies and says

10 in reply to oral interrogatories propounded as

11 follows, to-wit:

12

13 EXAMINATION

14 QUESTIONS BY MS. GARNER:

15 Q. Please state your name and spell it for

16 the record?

17 A. It's Walter A. Reitz, R-e-i-t-z.

18 Q. And how long have you been employed by

19 Laclede Gas Company?

20 A. 28 years.

21 Q. What's your current title at Laclede Gas?

22 A. Manager of labor relations.

23 Q. And what's your role as manager of labor

24 relations?

25 A. I represent the Company in many dealings

1 with the Union, including contract negotiations,
2 grievances and other matters.

3 Q. How many employees are employed by Laclede?

4 A. Approximately 1400.

5 Q. And how many of those are represented by
6 the local here, Local 11-6?

7 A. I believe they have just approximately, I
8 guess, about 1100.

9 Q. Please describe briefly the nature of
10 Laclede's business.

11 A. Laclede is a local distribution company.
12 We supply natural gas to approximately 600,000
13 customers in the metropolitan area.

14 Q. Is it a regulated business?

15 A. Yes, it is.

16 Q. And who is it regulated by?

17 A. Missouri Public Service Commission.

18 Q. Are there public safety issues related to
19 Grievant's position?

20 A. Yes, there are.

21 Q. And what are they?

22 A. The Grievant works with natural gas. His
23 job is -- there's inherent danger with natural gas
24 that requires the work to be performed safely
25 because of the nature of gas and the fact that gas

1 can leak and migrate and cause fires and explosions,
2 things like that.

3 Q. Does Laclede have any duty with regard to
4 providing safe and adequate service?

5 A. Yes, we do.

6 Q. And where is that duty?

7 A. There's a Missouri statute that requires it.

8 MS. GARNER: I would ask that the
9 Arbitrator take judicial notice of Section 393.13 of
10 the Missouri Revised Statutes.

11 Q. What is the potential for danger in
12 performing Grievant's position?

13 A. There could be exposure to gas leaks,
14 fires, explosions, carbon monoxide poisoning.

15 Q. Why was Grievant discharged by Laclede Gas
16 Company?

17 A. He failed to go into two homes with the
18 required CGI in order to perform the safety-related
19 test, and then he falsified the documentations
20 claiming that he performed those tests, and his
21 overall record.

22 Q. And those are all bases for his discharge?

23 A. That was the basis for his discharge,
24 correct.

25 Q. You understand that the Union has

1 BY MS. GARNER:

2 Q. And could you go to the CIS ticket for

3 Trumbell, please?

4 A. Okay. It's three pages back from the

5 Titus, should be the 9th page.

6 Q. Farther back?

7 A. Farther back towards the end of the day.

8 THE ARBITRATOR: Three pages you say? I

9 got a Mallard on the third page.

10 THE WITNESS: Yeah. That's the name. The

11 address is below it.

12 THE ARBITRATOR: Oh, okay. All right.

13 THE WITNESS: You had it.

14 THE ARBITRATOR: There you go.

15 MS. GARNER: Need to give lessons on how

16 to read our documents.

17 THE WITNESS: Should have highlighted them

18 for you.

19 BY MS. GARNER:

20 Q. Before we go to Trumbell, can you explain

21 what an SEI, service entrance inspection, is?

22 A. Service entrance inspection is required

23 when a TFTO is performed, and they check for the

24 presence of migrating gas when they're in the home.

25 Actually, any time a service technician enters the

1 home, they take -- they make sure the home is gas
2 safe. The purpose of the TFTO is to create a final
3 bill for the previous customer and start a new
4 account for this customer. While they're in the
5 home, they do the CGI check and they do a personal
6 inspection of the appliances and things like that.

7 Q. Back to the CIS ticket for Trumbell, can
8 you indicate the portion of the ticket that was
9 falsified?

10 A. That would also be on the back of the form.
11 On this particular job, again the supervisor told me
12 that Mr. Jackson did not enter the premises with the
13 CGI so, therefore, the zero percent reading at the
14 SEI at the top of the page is falsified.

15 They did observe him later at the end of
16 that job go to his van and get a CGI, come out to
17 the curb and do the outside bar -- the outside zero
18 percent is accurate, and the comments where it says
19 read meter, make gas safe inspection, which is the
20 CGI portion of it, all okay, so he claimed he did it
21 again on the remarks.

22 Q. On the CIS tickets, does Mr. Jackson sign
23 these tickets?

24 A. They are signed on the front.

25 MR. WILKEY: That's GSI again, not CGI.

1 Mr. Jackson did not get that read?

2 A. Any time -- our procedures require any time
3 we enter a customer's home to obtain a CGI reading,
4 to do a gas safety inspection, so once we go in to
5 obtain the meter read, we're required to perform the
6 inspection.

7 Q. Okay. And what's the reason for performing
8 that inspection and getting the read on the inside
9 of the house?

10 A. Because whenever -- whenever a service
11 technician is in the customer's home, they need to
12 make sure that the customer's home is safe from --
13 is gas safe.

14 Q. Just to make sure that there's no gas
15 inside the house?

16 A. That's correct.

17 Q. Is that right?

18 A. Yeah.

19 Q. That's the same way with Trumbell also?

20 A. Yes, it is.

21 Q. You stated that you did not witness but yet
22 you're going on the belief of what the two
23 supervisors observed that day; is that correct?

24 A. That's correct.

25 Q. Okay. And you stated that, your final

1 Q. And the reason they sent them back was
2 because of needing to get a read inside to make sure
3 there was no gas there; is that correct?

4 A. That's correct.

5 Q. Okay. And you testified that you -- you
6 did -- you were involved in the investigation
7 personally?

8 A. I did not go in the residences, but I was
9 involved from the perspective I was notified as it
10 was ongoing and I interviewed all the parties
11 involved and looked at the information that is in
12 Company Exhibit 2, correct.

13 Q. But you made the recommendation to
14 discharge?

15 A. Yes, I did.

16 Q. Did you ever talk to the customer at any
17 one of those addresses, the Trumbell or Titus?

18 MS. GARNER: I'll object, because talking
19 to a customer in this instance is not going to help.
20 They are not going to know what a CGI is or whether
21 or not he had it. And I'll also add that they're
22 not bringing the customers in, so it's not relevant
23 to anything we're talking about here.

24 MR. WILKEY: I would say, number one, the
25 Company has the burden of proof, and,

1 serviceman back on to get the inside read that they
2 claim that Mr. Jackson didn't get?

3 A. You mean on that day?

4 Q. Uh-huh.

5 A. Well, I know they sent him back to those
6 two. I don't know if they were sent back to any
7 other one or not.

8 Q. Didn't send them back to any other jobs?

9 A. They may have. Mr. Williams would probably
10 know that possibly.

11 Q. Okay.

12 MR. WILKEY: That's all I have.

13 MS. GARNER: I have nothing further.

14 THE ARBITRATOR: Thank you.

15 (Witness excused)

16 THE ARBITRATOR: You want to take a break?

17 MR. WILKEY: I would like to take a short
18 break.

19 THE ARBITRATOR: Short break, yes.

20 (Recess)

21 JOSEPH J. WILLIAMS

22

23 of lawful age, having been first duly sworn to
24 testify the truth, the whole truth, and nothing but
25 the truth in the case aforesaid, testifies and says

1 in reply to oral interrogatories propounded as
2 follows, to-wit:

3

4 EXAMINATION

5 QUESTIONS BY MS. GARNER:

6 Q. Please state your name and spell it for the
7 record?

8 A. Joseph J. Williams, J-o-s-e-p-h,
9 W-i-l-l-i-a-m-s.

10 Q. And are you currently employed by Laclede
11 Gas Company?

12 A. Yes.

13 Q. And how long have you been employed by
14 Laclede Gas Company?

15 A. 23 years.

16 Q. How long?

17 A. 23 years.

18 Q. What's your current position with Laclede
19 Gas Company?

20 A. General foreman, Central District.

21 Q. In the Service and Installation Department?

22 A. In the Service and Installation Department,
23 yes.

24 Q. And in March of 2005, what was your
25 position at Laclede Gas Company?

1 independently by themselves, and that's about it.

2 Q. And if the service technician has a
3 question or an issue on the job, he can contact his
4 foreman by telephone and inquire about how he should
5 proceed; is that correct?

6 A. Correct.

7 Q. And with respect to -- strike that.

8 Before we get into the facts of this case,
9 would you please explain a few terms for the benefit
10 of the Arbitrator and the record? What's the
11 procedure required for an inside turn off turn on?

12 A. Inside turn off turn on, the service
13 technician is required to do gas safe inspection.
14 Gas safe inspection includes a cursory inspection of
15 the customer's gas appliances, check to make sure if
16 that they're operating safely and properly. Also to
17 take combustible gas reading at the inside service
18 entrance.

19 Q. Tell me what an inside service entrance is.

20 A. That's the Laclede Gas pipe that enters the
21 building.

22 Q. And you said they're supposed to take a CGI
23 reading?

24 A. Yes.

25 Q. What's a CGI?

1 A. Combustible gas indicator.

2 Q. And I'm pointing to what's been marked

3 Joint Exhibit 13. Can you tell me what this is?

4 A. That's a Gas Ranger is what we call it, a

5 combustible gas indicator.

6 Q. And what does it have attached to it?

7 A. That's the wand, the --

8 Q. You want me to give you a word here?

9 A. Yeah.

10 Q. This is the goose neck?

11 A. That's the goose neck.

12 THE ARBITRATOR: What?

13 THE WITNESS: It's called a goose neck,

14 I'm sorry. It's called a goose neck because it's

15 flexible.

16 BY MS. GARNER:

17 Q. And you said the wand?

18 A. That's the wand.

19 Q. And what's attached to the wand?

20 A. The filter and the hose.

21 Q. Can you show me where the filter is?

22 A. This is the filter here (indicating).

23 Q. And does the goose neck also have a filter

24 on it?

25 A. Yes, it does.

1 Q. Where's the filter? You need to turn it?

2 A. This is the filter (indicating).

3 Q. Does the CGI have a filter on it without
4 either the goose neck or the hose and the wand?

5 A. No.

6 Q. So the CGI is both the reading that we take
7 and sometimes what we call the machine when we take
8 it?

9 A. Yes.

10 Q. Why is it important to do an inside service
11 entrance CGI on an inside meter?

12 A. Because you have to make -- you have to
13 make sure that the gas service entering the building
14 is not leaking, and that there is no migrating gas
15 from other sources outside entering the building
16 that can accumulate.

17 Q. When you take a CGI into a building, can
18 you demonstrate how you would use the CGI? Let's
19 pretend that the water pitcher is a meter --

20 A. Yes.

21 Q. -- with the service entrance coming in
22 where the handle is.

23 A. Yes.

24 Q. Can you demonstrate, please, what you would
25 use this for?

1 repair. So it tells they have to use it with a
2 filter.

3 THE ARBITRATOR: Okay. That has a filter
4 too you said?

5 THE WITNESS: Yes. This actually has two
6 filters. It has one here and one at the end
7 (indicating).

8 THE ARBITRATOR: Okay.

9 BY MS. GARNER:

10 Q. This has a filter?

11 A. This has a filter here (indicating).

12 THE ARBITRATOR: Okay. Do I get to take
13 that home with me?

14 MS. GARNER: We were hoping that you would
15 be satisfied with the pictures.

16 THE ARBITRATOR: The greatest exhibit
17 anybody ever had was Tom Erbs. He came back from an
18 arbitration case and he had a quart of old Jack
19 Daniels.

20 MS. GARNER: Did he have to save it as an
21 exhibit?

22 THE WITNESS: 905 case.

23 (Discussion off the Record.)

24 BY MS. GARNER:

25 Q. Okay. Let's see. Aside from checking for

1 leaks in the company facilities, the service
2 entrance and the meter, are there any other reasons
3 why we would check or why we do a CGI inside a
4 house?

5 A. For migrating gas. To ensure there's no
6 migrating gas migrating from the outside.

7 Q. Can you explain migrating gas?

8 A. Migrating gas is outside underground leak,
9 and the gas will take the path of the least
10 resistance, which means it will travel down the side
11 of the pipe, the gas service entry, the water pipe,
12 or the sewer line, it can actually migrate in around
13 those pipes and accumulate on the inside of the
14 building.

15 Q. And in this case, the use of the outside
16 CGI is not at issue; is that correct?

17 A. Yes.

18 Q. Just the inside CGI?

19 A. Yes.

20 Q. I think I already asked you this, but are
21 you supposed to use the CGI without any attachment?

22 A. No.

23 Q. I did. Okay. And are service technicians
24 trained to use it only with an attachment?

25 A. Yes, they are.

1 saw?

2 A. Mr. Sisak stated that he didn't see

3 Mr. Jackson take his CGI equipment in on the jobs.

4 Q. On either one of those two jobs?

5 MR. WILKEY: I'm going to object to the

6 line of questioning. I'm sure those supervisors are

7 going to testify.

8 THE ARBITRATOR: They're going to come in.

9 Let him -- I don't know what his part is in the

10 actual discipline of the Grievant. All he's doing

11 is reiterating what they have said. I assume he can

12 only tell your people what he heard from them.

13 MS. GARNER: Correct. I'm just showing

14 his involvement that they came back and conferred --

15 THE ARBITRATOR: Sure.

16 MS. GARNER: -- with their general foreman

17 while conducting the investigation.

18 THE ARBITRATOR: Right.

19 BY MS. GARNER:

20 Q. Why did you tell Mr. Sisak to send another

21 service technician out to those two homes?

22 A. Because our policy requires us to do an

23 inside CGI reading, and we knew that Mr. Jackson

24 hadn't performed one on either one of those jobs,

25 and this is -- it's a safety matter, and we take it

1 Mr. Sisak took his CIS forms and his route sheet and
2 reviewed them and brought them in to me.

3 Q. And why did he bring them to you?

4 A. Because he noticed that Mr. Jackson had
5 falsified his CIS forms.

6 Q. And how were they falsified?

7 A. He had put on the back that he had took a
8 CGI reading on the inside of Titus and Trumbell.

9 Q. And what happened next?

10 A. Mr. Jackson was still standing at the
11 counter. I went out -- after reviewing the CIS
12 route sheet, I went out and I informed Mr. Jackson
13 that he was indefinitely suspended for falsification
14 for not following company safety procedures and
15 loafing.

16 Q. Okay. Were you present at the third step
17 meeting with respect to this matter?

18 A. Yes, I was.

19 Q. Were the Donnelly/Jaudes letters discussed
20 at that meeting?

21 A. Yes, they were.

22 Q. Did the Grievant or his Union claim they
23 were not aware of the Donnelly/Jaudes letters?

24 A. No, they didn't.

25 Q. Are there public safety issues related to

1 Grievant's position?

2 A. Yes, there is.

3 Q. And what's the potential for danger in
4 performing Grievant's position?

5 A. The danger is that he -- Mr. Jackson was to
6 leave a leak or didn't perform a CGI and there was
7 gas migrating into the building and it accumulated
8 that there could be loss of life or property.

9 MS. GARNER: Nothing further on this
10 witness.

11 THE ARBITRATOR: Cross examination.

12 EXAMINATION

13 QUESTIONS BY MR. WILKEY:

14 Q. Yes, if you would, Mr. Williams, would you
15 look at Joint Exhibit Number 3 real quick? I don't
16 think you have it with you. This is the route sheet
17 of March 3rd.

18 Can you identify which two jobs that you
19 sent a serviceman back out on to get a read that
20 your supervisors claim that Mr. Jackson did not get?

21 MS. GARNER: If I could, he didn't send
22 somebody back out. He instructed Mr. Sisak to send
23 somebody back out.

24 BY MR. WILKEY:

25 Q. Okay. Do you know which two jobs that the

1 THE ARBITRATOR: You want to take a break?

2 MS. GARNER: We can take a break if we're
3 going to work through lunch. That would be great.

4 THE ARBITRATOR: Yeah, we're going to work
5 through lunch.

6 (Discussion off the Record.)

7 (Recess)

8 THE ARBITRATOR: Okay. Let's go.

9 MS. GARNER: Are you ready? Mr. Sisak,
10 please.

11 MIKE SISAK

12

13 of lawful age, having been first duly sworn to
14 testify the truth, the whole truth, and nothing but
15 the truth in the case aforesaid, testifies and says
16 in reply to oral interrogatories propounded as
17 follows, to-wit:

18

19 EXAMINATION

20 QUESTIONS BY MS. GARNER:

21 Q. Okay. Please state your name and spell it
22 for the record?

23 A. Mike Sisak, S-i-s-a-k.

24 Q. And what's your current position at Laclede
25 Gas Company?

1 A. Foreman, SAID.

2 Q. And in what district?

3 A. North District.

4 Q. How long have you been an SAID foreman in
5 the North District?

6 A. Almost three years.

7 Q. Please describe briefly the work that you
8 do for Laclede?

9 A. Distribute the routes in the morning, field
10 phone calls from the service techs, collect their
11 routes in the evening and observe their work.

12 Q. And do you at times go out on a service
13 tech's route and observe them on their route?

14 A. Yes.

15 Q. How long have you been employed by Laclede
16 Gas Company?

17 A. Almost 26 years.

18 Q. You said the last three years you've been
19 in management?

20 A. Yes.

21 Q. What did you do for the first 23 years?

22 A. I was in the Service Department, service
23 tech.

24 Q. And were you ever disciplined when you were
25 in the Service Department as a service tech?

1 guess I'm asking?

2 THE WITNESS: Why were we there at that
3 house?

4 THE ARBITRATOR: Yes.

5 MS. GARNER: You can sit down now.

6 THE WITNESS: Okay. A turn off turn on is
7 normally when a new party is moving out and a new
8 party is moving in --

9 THE ARBITRATOR: All right.

10 THE WITNESS: -- and we're required on
11 inside meter sets to check at the entrance and the
12 surrounding piping when we're there because it may
13 be several years before we get back there again. We
14 don't go check every house every year on that
15 situation.

16 THE ARBITRATOR: I don't think I've had a
17 gas man in my house in 20 years.

18 THE WITNESS: When you sell your house and
19 move out, sir, we'll be there, with a Ranger
20 hopefully.

21 MS. GARNER: You know to look for one.

22 BY MS. GARNER:

23 Q. Did he do an inside CGI at 8735 Trumbell?

24 A. No.

25 Q. What did you do after Trumbell?

1 exhibit in this stack.

2 MS. GARNER: Do you have yours?

3 THE ARBITRATOR: I got it.

4 MR. WILKEY: Here it is.

5 BY MS. GARNER:

6 Q. Company 8? I'm sorry, can you go ahead and
7 identify that again, please?

8 A. This is the route sheet from Rich Bruno on
9 March 3rd, 2005.

10 Q. What does it reflect with respect to Titus
11 and Trumbell?

12 A. That he arrived to do his CGI check at
13 Titus at 1:30, 1330 military time, and at 1405,
14 2:05, on Trumbell, 8735 Trumbell.

15 Q. And did he do the required CGI?

16 A. Yes.

17 Q. And why did you send him back to do the CGI?

18 A. Because Mr. Jackson failed to do an inside
19 CGI check, and we had to check company facilities
20 there for safety checks.

21 Q. And we knew he didn't do it because we knew
22 he didn't have his equipment?

23 A. Right. Yes.

24 Q. What was the next stop where you saw the
25 Grievant? You might want the other route sheet. It

1 apples and oranges?

2 A. Yes.

3 Q. Dispatch board versus routed work?

4 A. Yes.

5 MS. GARNER: That's all I have.

6 MR. WILKEY: That's it. No lie.

7 THE ARBITRATOR: You're off the hot seat,
8 sir.

9 (Witness excused)

10 MS. GARNER: All right, I have one more
11 witness.

12 MR. WILKEY: Is this a long one or short
13 one?

14 MS. GARNER: As long as this.

15 (Discussion off the Record.)

16 STEPHEN FERRIS

17

18 of lawful age, having been first duly sworn to
19 testify the truth, the whole truth, and nothing but
20 the truth in the case aforesaid, testifies and says
21 in reply to oral interrogatories propounded as
22 follows, to-wit:

23

24 EXAMINATION

25 QUESTIONS BY MS. GARNER:

1 Q. Can you please state your name and spell it
2 for the record?

3 A. Stephen Ferris, S-t-e-p-h-e-n, F-e-r-r-i-s.

4 Q. And what is your current title at Laclede
5 Gas Company?

6 A. Foreman.

7 Q. In what department?

8 A. SAID.

9 Q. And what district?

10 A. North -- Central right now.

11 Q. Where were you on -- what district were you
12 on March 3rd of 2005?

13 A. North District.

14 Q. You just recently got moved to Central?

15 A. Yes.

16 Q. How long have you been an SAID foreman?

17 A. About 13 and a half months.

18 Q. So at the time March 3rd of '05, you were a
19 foreman?

20 A. Yes.

21 Q. Describe briefly the work that you do for
22 Laclede.

23 A. I supervise service technicians.

24 Q. And how long have you been employed by
25 Laclede Gas Company?

1 A. 14 and a half years.

2 Q. What was your position at Laclede prior to
3 becoming a SAID foreman?

4 A. I was a service technician.

5 Q. How well do you know the Grievant,
6 Mr. Jackson?

7 A. Not well.

8 Q. Do you know him at all?

9 A. Just from, just from here and seeing him in
10 the bullpen area. That's when the men get their
11 work.

12 Q. You saw him in the bullpen prior to March
13 3rd of '05?

14 A. That's correct.

15 Q. Have you ever directly supervised
16 Mr. Jackson?

17 A. Maybe once or twice.

18 Q. But never on a regular basis?

19 A. No.

20 Q. What happened on March 3rd, 2005?

21 A. I was told by Mike Sisak you're going to
22 come with me.

23 Q. And where were you going to go with Mike
24 Sisak?

25 A. We were going to follow somebody.

1 enter a home with just a device and no goose neck or
2 hose and wand?

3 A. No.

4 Q. What would you do if you did see that?

5 A. I would tell them to put one on.

6 Q. Put one of the devices on?

7 A. Put one of the devices.

8 Q. Have you ever seen a service tech enter a
9 home without his tool bucket?

10 A. No.

11 Q. And if you did see a serviceman enter his,
12 a home without his tool bucket, what would you do?

13 A. I would tell him hey, we need to bring
14 tools in.

15 Q. Is the performance of the CGI a safety
16 inspection?

17 A. Yes.

18 Q. And are you inspecting company facilities?

19 A. Yes.

20 Q. Okay. You're going to have to stand for
21 part of this. I'm going to have you -- hand you
22 Joint Exhibit 8. I'm going to have him do the same
23 thing that I had Mr. Sisak do. I can go through it
24 all again and have them remarked if that's what you
25 want.

1 Q. Didn't go to any other address?

2 A. No.

3 Q. Did you watch the video after you made it?

4 A. No.

5 Q. If I told you that on Trumbell Lane that

6 you actually videoed 8677 that that would be

7 correct, that you videoed the wrong address?

8 A. No.

9 Q. There's no way you could have videoed the

10 wrong address?

11 A. No.

12 Q. So I'm telling you a story then, right?

13 A. Yes.

14 Q. Okay. And the turn off turn on, TFTO we

15 talked about, what's the reason for getting that

16 inside read?

17 A. To see if there's any gas coming through,

18 if that service is leaking any gas coming through

19 the foundation of the house.

20 Q. So it's a safety concern?

21 A. Yes.

22 Q. If there's gas inside and we don't get in

23 to check, there could be a fire? If there's gas

24 present, there could be a fire, yes or no?

25 A. Not necessarily a fire.

1 Q. Potential fire?

2 A. Potential explosion.

3 Q. Okay. And when you observed Mr. Jackson,
4 how many, how many feet were you away from him?

5 MS. GARNER: At which location, please?

6 MR. WILKEY: At either one, both of them?

7 A. On Titus, we were, you know, approximately
8 about 171; 170, 171 feet away.

9 Q. Okay. Did you measure that?

10 A. I think we stepped it off.

11 Q. Who stepped it off?

12 A. I think we both did.

13 Q. Both stepped it off?

14 A. Yes.

15 Q. Okay. How far away were you on Trumbell?

16 A. On Trumbell -- no, wait a minute. On
17 Trumbell, we were about 171 feet away. We were
18 about the same distance on -- at both locations.

19 Q. Is it possible you were 1 -- you earlier in
20 the third step meeting, you said you were 175 feet
21 away, is that possible?

22 A. We're talking approximate figure, you know,
23 couple two or three feet.

24 Q. At any time did you say you were a hundred
25 feet away?