

EXHIBIT 10

HOLLY LUFT

December 7, 2011

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1	TABLE OF CONTENTS	1	A. Yes.
2		2	Q. How often?
3	WITNESS PAGE	3	A. A long time ago.
4	HOLLY LUFT	4	Q. Okay. Well, I'll just familiarize you with some of
5		5	the rules. I'm going to try to make this as brief as
6	EXAMINATION BY MR. KOLKEMA: 6	6	possible. And if you don't understand a question that
7	EXAMINATION BY MR. VANDER LAAN: 33	7	I ask, just let me know. Sometimes I don't always
8	EXAMINATION BY MR. FAHLSING: 46	8	phrase things the right way. And if you're confused
9	RE-EXAMINATION BY MR. KOLKEMA: 59	9	about a question, just -- you know, if you'd let me
10	RE-EXAMINATION BY MR. VANDER LAAN: 67	10	know, I'll rephrase it as best I can. If you need to
11	RE-EXAMINATION BY MR. FAHLSING: 69	11	take a break, any of that, you're free to. And if you
12		12	can just answer the questions yes, no, or without
13	EXHIBITS	13	head -- you know, head nods, head shakes, uh-huhs,
14		14	huh-uhs, we're trying to preserve a record here and it
15	EXHIBIT PAGE	15	makes for a better read of the transcript.
16	(Exhibit attached to transcript.)	16	Understood?
17		17	A. Yes.
18	DEPOSITION EXHIBIT 1 31	18	Q. Where are you currently employed?
19		19	A. Memorial Medical Center.
20		20	Q. How long have you been employed at Memorial?
21		21	A. Three-and-a-half years.
22		22	Q. Okay. What is your educational background?
23		23	A. Nursing degree.
24		24	Q. Where did you get your nursing degree?
25		25	A. West Shore Community College.

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1	Ludington, Michigan	1	Q. When did you graduate?
2	Wednesday, December 7, 2011	2	A. '08.
3	9:01 a.m.	3	Q. Where did you go to high school?
4		4	A. Ludington High School.
5	HOLLY LUFT,	5	Q. What year did you graduate?
6	was thereupon called as a witness herein, and after	6	A. 1989.
7	having first been duly sworn to testify to the truth,	7	Q. Did you attend high school with Joseph McAdam?
8	the whole truth and nothing but the truth, was	8	A. Yes, I did.
9	examined and testified as follows:	9	Q. Did you know him very well?
10	MR. KOLKEMA: Please let the record reflect	10	A. Yes, I did.
11	that this is the deposition of Ms. Holly Luft -- Is	11	Q. Did you hang out in the same circles?
12	it?	12	A. No.
13	THE WITNESS: Yes.	13	Q. Consider him a friend?
14	MR. KOLKEMA: -- arranged pursuant to	14	A. Yes.
15	notice for all purposes under the Federal Court Rules.	15	Q. How close were you? I guess it's all relative,
16	EXAMINATION	16	but did you call him from time to time?
17	BY MR. KOLKEMA:	17	A. No.
18	Q. Can you please identify yourself for the record.	18	Q. Okay. Aside from school itself, did you see him
19	A. Holly Luft.	19	outside of school --
20	Q. Ms. Luft, my name is Jason Kolkema. I'm going to ask	20	A. Yes.
21	you a series of questions related to an incident	21	Q. -- from time to time?
22	involving Joseph McAdam and just to see what you --	22	What occasions?
23	what, if any, information you have regarding this	23	A. You mean --
24	incident. Have you ever had your deposition taken	24	Q. How well do you know him? I'm just trying to
25	before?	25	ascertain --

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<p style="text-align: right;">Page 21</p> <p>1 A. Yeah.</p> <p>2 Q. And then associated symptoms, what is that? It looks</p> <p>3 like no sounds, okay. Lung sounds clear?</p> <p>4 A. Yes.</p> <p>5 Q. Abdomen soft and now tender?</p> <p>6 A. Non. Non-tender.</p> <p>7 Q. Patient alert, uncooperative, and agitated?</p> <p>8 A. Yes.</p> <p>9 Q. How was he uncooperative?</p> <p>10 A. Not complying, not staying still.</p> <p>11 Q. What was he doing?</p> <p>12 A. Moving.</p> <p>13 Q. Why don't you give me your best -- you know, how --</p> <p>14 did it cause a commotion?</p> <p>15 A. I don't know if it caused a commotion.</p> <p>16 Q. Maybe commotion is the wrong word. I don't know.</p> <p>17 A. Just moving around on the cart --</p> <p>18 Q. Okay.</p> <p>19 A. -- while we were trying to assess him.</p> <p>20 Q. Was he -- what was he talking about?</p> <p>21 A. I don't remember.</p> <p>22 Q. Were you in the room the entire time?</p> <p>23 A. Not the entire time.</p> <p>24 Q. And can you give me a brief description of the room in</p> <p>25 which he was taken to?</p>	<p style="text-align: right;">Page 23</p> <p>1 we're in right now, with four walls; that's correct?</p> <p>2 A. Correct.</p> <p>3 Q. Do you know how large of an area it is?</p> <p>4 A. No.</p> <p>5 Q. Do you have any idea or any recollection as to how</p> <p>6 busy you were that day?</p> <p>7 A. No.</p> <p>8 Q. How many curtained rooms are there? At least six, I'm</p> <p>9 assuming.</p> <p>10 MR. KILBANE: Do you want just the number</p> <p>11 of ED beds?</p> <p>12 MR. KOLKEMA: Yeah.</p> <p>13 MR. KILBANE: Just ED beds.</p> <p>14 THE WITNESS: Oh, ED beds?</p> <p>15 MR. KILBANE: There's some com- -- she's</p> <p>16 thinking in medical lingo, you know, so --</p> <p>17 THE WITNESS: We can hold 14 patients in</p> <p>18 beds.</p> <p>19 BY MR. KOLKEMA:</p> <p>20 Q. All right. But they don't all have their own</p> <p>21 curtained area?</p> <p>22 A. Not necessarily.</p> <p>23 Q. Okay. All right. Some of them are -- would be in the</p> <p>24 hallway? The information I'm getting, you know, I</p> <p>25 come in with some assumptions and -- most of which I</p>
<p style="text-align: right;">Page 22</p> <p>1 A. Room 6.</p> <p>2 Q. Room 6, okay.</p> <p>3 A. Yes. Got a wall on two sides and a curtain on two</p> <p>4 sides.</p> <p>5 Q. Okay. A wall on two sides and a curtain on two sides.</p> <p>6 If you're facing the bed, which way -- where are the</p> <p>7 walls; back and, I'm assuming, right or left?</p> <p>8 MR. KILBANE: Wait a minute. Facing the</p> <p>9 bed from what direction; the foot of the bed?</p> <p>10 BY MR. KOLKEMA:</p> <p>11 Q. Facing, yes, from the -- well, yeah, if you're at the</p> <p>12 foot of the bed looking at the head of the bed, where</p> <p>13 are the walls?</p> <p>14 A. A wall on the left, a wall to the back.</p> <p>15 Q. Okay. And then the two curtains, the other areas?</p> <p>16 A. The remaining sides, yes.</p> <p>17 Q. And is -- what's beyond the curtains?</p> <p>18 A. Another bed.</p> <p>19 Q. With a patient?</p> <p>20 A. If there was one.</p> <p>21 Q. Okay. Do you recall if there was one on this</p> <p>22 occasion?</p> <p>23 A. No, I don't.</p> <p>24 Q. Okay. So the room in which he was taken, Room Number</p> <p>25 6, I think you indicated, it's not like a room like</p>	<p style="text-align: right;">Page 24</p> <p>1 get from TV.</p> <p>2 A. Those are the people we can hold.</p> <p>3 MR. KILBANE: Is there an isolation room</p> <p>4 where that is more contained, or no, like, you know,</p> <p>5 for infection or something like that? I don't know if</p> <p>6 you have that.</p> <p>7 THE WITNESS: No, not really.</p> <p>8 BY MR. KOLKEMA:</p> <p>9 Q. Are patients that are in custody, in police custody,</p> <p>10 are they typically taken to Room 6?</p> <p>11 A. They're taken to whatever room is available.</p> <p>12 Q. Okay. All right. How would you describe his --</p> <p>13 Mr. McAdam's agitation?</p> <p>14 A. Like I said, moving on the cart.</p> <p>15 Q. Just moving on the cart?</p> <p>16 A. Yes.</p> <p>17 Q. Was he -- was he complaining of anything? Was he</p> <p>18 talking about anything?</p> <p>19 A. I don't remember things he was saying. I just -- he</p> <p>20 was very -- moving around.</p> <p>21 Q. Okay. When he comes into Room Number 6, it's my</p> <p>22 understanding that he was handcuffed. Do you have any</p> <p>23 independent recollection of that?</p> <p>24 A. No independent recollection. I don't remember.</p> <p>25 Q. Is it unusual for inmates or patients that are in</p>