

1 advanced directive by Terri regarding removal of
2 life support and medical treatment? Are you aware
3 of any living will executed by Terri?

4 A No. I'm not.

5 Q I believe you mentioned you were
6 engaged. How long have you been engaged?

7 A Four years.

8 Q Do you have a wedding date?

9 A We have no wedding date set.

10 MR. FELOS: I have no other questions.

11 THE COURT: Thank you. You can stand
12 down, Mr. Schiavo.

13 THE WITNESS: Thank you.

14 THE COURT: Call your next witness.

15 MR. FELOS: We call Scott Schiavo.

16 THE COURT: Raise your right hand for
17 me, please.

18 (THEREUPON, THE WITNESS WAS SWORN ON OATH BY
19 THE COURT.)

20 THE COURT: Thank you, sir. Have a
21 seat there, please.

22 DIRECT EXAMINATION

23 BY MS. FELOS:

24 Q Good morning. State your full name for
25 the record, please.

- 1 A Scott Schiavo.
- 2 Q Mr. Schiavo, where do you live?
- 3 A In Carmel, Indiana.
- 4 Q How long have you been there?
- 5 A A little over three years.
- 6 Q Where did you live before then?
- 7 A In Trevoise, Pennsylvania.
- 8 Q Approximately where is that located?
- 9 A It's, I guess close to northeast
10 Philadelphia.
- 11 Q Thank you. Have you lived in the
12 Philadelphia area most of your life?
- 13 A The suburbs of Philadelphia. Yes. All
14 my life.
- 15 Q Mr. Schiavo, what is your educational
16 background?
- 17 A I graduated high school. I graduated
18 from Philadelphia School of Offset Printing.
- 19 Q Are you currently employed?
- 20 A Yes. I am.
- 21 Q What do you do?
- 22 A I'm a landscaper.
- 23 Q What do you do in your work?
- 24 A I install irrigation systems.
- 25 Q Are you related to Mike Schiavo?

1 A Yes.

2 Q How?

3 A He is my younger brother.

4 Q Tell us about your general family
5 background. Are your parents still living?

6 A My father is. Yes.

7 Q Your mother?

8 A She passed away.

9 Q Approximately when was that?

10 A What year is it? It's going to be three
11 years this July.

12 Q What about your grandparents, are they
13 still alive?

14 A No. They have passed away.

15 Q You have brothers?

16 A Yes. I do. Four.

17 Q How many?

18 A Four.

19 Q Any sisters?

20 A No. I don't.

21 Q Are all the brothers living?

22 A Yes. They are.

23 Q What about are they married?

24 A Yes. They are.

25 Q So you have how many sister-in-laws?

1 A I have four.

2 Q So Theresa Schiavo, Michael's wife, is
3 your sister-in-law; is that correct?

4 A Yes. She is.

5 Q When did you meet her?

6 A I believe it was around October. I
7 believe it was of 1983.

8 Q How did you meet her?

9 A At a family gathering at my brother's
10 house.

11 Q What kind of gathering was this?

12 A If I remember correctly, it was my
13 brother's birthday.

14 Q Was this a date or something that Mike
15 had with her?

16 A Yes.

17 Q They were not married yet?

18 A No. He brought her there on a date to
19 meet the family.

20 Q Did you then see Theresa after that
21 period of time when you first met her that
22 evening?

23 A On other occasions?

24 Q Um-hmm.

25 A Yes. Many.

1 Q In what way? When did you have occasion
2 to see her again?

3 A Typically, family gatherings. There was
4 times that Mike and Terri would stop into my house
5 or -- but it was mainly family gatherings.

6 Q So they just would pop in or --

7 A Yeah. That is the way we were. You did
8 not need an invite to come to any of our houses.
9 If you were around the corner, you stopped in. It
10 was pretty much an open door family type of deal.
11 You did not have to call somebody up and invite
12 them over to visit or whatever. They just stopped
13 in.

14 Q So how often would you say you saw
15 Terri?

16 A On average I would say one to two times
17 a week depending on the holiday season. Because
18 we had several birthdays or a couple each month or
19 whatever.

20 Q Were you married then?

21 A Yes. I was.

22 Q Any children?

23 A I have one. I had one at the time.

24 Q What is the child's name?

25 A Her name is Aileen.

1 Q When was she born?

2 A In February of 1983.

3 Q Okay. Probably you might have met Terri
4 before then?

5 A Yes. Before the baby was born.

6 Q I think you said '83.

7 A I'm sorry. The baby was born -- let me
8 get the dates right here. She was born in
9 February of '93 (sic).

10 Q '83?

11 A The baby was born before Terri.
12 Because we met Terri in October of 1983.

13 Q Did Terri take any special interest in
14 Aileen?

15 A My daughter, five weeks old, had
16 developed SIDS. She was taken to Children's
17 Hospital of Philadelphia.

18 Q Um-hmm.

19 A Terri would call us. When we came home,
20 of course all my family would come to see us.
21 This and that. See the baby. But Terri, she had
22 brought her a little stuffed puppy that my
23 daughter still has to this day.

24 Q And how old is she now?

25 A Seventeen in February.

1 Q What was Terri like when you were seeing
2 so much of her?

3 A As in?

4 Q What kind of personality did she have?

5 A A beautiful person. Terri was
6 outgoing. The first we met her, I guess at any
7 date your first time coming to a family she was
8 kind of uncomfortable, not knowing everybody when
9 she came in. But after, boy, an hour or so, she
10 just lightened up. By the end of the night, she
11 was having a great time when she knew everybody.

12 My brother is kind of a crazy guy.
13 Likes to have a good time. She loosened up real
14 nice. I have never seen Terri uncomfortable
15 around my family or any event since then.

16 Q So she was friendly?

17 A Yes.

18 Q What about a sense of humor? Did she
19 have a sense of humor?

20 A Yes. In fact, I still to this day have
21 a card she sent my wife on a postcard from Florida
22 of some gentlemen with their back sides bared and
23 a little letter saying to my wife, "Geez, Karen,
24 these are my four new boyfriends. Do you want to
25 come over?"

1 Q She was joking around?

2 A Yes. She was joking around. She just
3 had that type of sense of humor. Like my whole
4 family. She sort of like built into it.

5 Q Did you ever see Terri without Mike?

6 A Yes. I have. There is times when Mike
7 -- Mike was a manager for McDonald's and he also
8 -- at the time. And she would, if there was a
9 family get together, whatever, Terri would show
10 up. Terri didn't -- she was -- she sort of
11 blended in with us.

12 Same thing, she stopped at our house
13 before on a night that Mike was working because
14 they only lived around the corner from where we
15 lived. She would show up. Sit down and watch TV
16 with us. Talk to my wife about things. You know
17 how girls get together and chat. She would do
18 stuff like that.

19 Q What kind of relationship did you have
20 with Terri?

21 A Um, I would say more as a sister than a
22 sister-in-law. That goes for all of us. My
23 mother always said that she never had any
24 daughters, but she had her four girls.

25 Q It's okay. Are you okay?

1 A Yeah. It's a tough thing.

2 Q Let's kind of go back for a little bit
3 of recollection.

4 A No. She would -- our family is -- we
5 have sister-in-laws, brother-in-laws, whatever.
6 They became more of a sister or brother, it was,
7 and was not treated as inlaws.

8 Q Okay. Thank you. Have you seen Terri
9 since the medical accident that she had?

10 A Yes.

11 Q When would that have been? You saw her
12 down here, I presume?

13 A Yes. It was. I came out here in --
14 I'm trying to think of the date.

15 Q That's okay. We can come back to it. I
16 can see you need to relax a little bit.

17 A I believe it was in 1990 --
18 approximately six years ago.

19 Q So '94? Something like that?

20 A Yeah.

21 Q Okay. That is the only time you have
22 been in Florida in the last 10 years or so?

23 A Yeah.

24 Q Something -- did you do any recording or
25 something for Terri when her accident first

1 occurred?

2 A Yes. When Terri -- when this first
3 happened to Terri, we were all told Mike was
4 trying to do whatever he could for Terri. They
5 had said to stimulate Terri's listening skills I
6 guess, and her brain, that if she heard familiar
7 voices and everything else -- so we all had met at
8 my mother and father's house when they are living
9 back in Lovelton, Pennsylvania.

10 We took turns and went into my parent's
11 bedroom and we each made our own little recording
12 on the tape to talk to Terri. We then sent it to
13 Mike where he had purchased a Sony walkman tape
14 for her to listen to.

15 Q Besides Terri, have you ever had a
16 relative maintained on artificial life support?

17 A Yes. My grandmother.

18 Q Tell us a little bit about how that
19 happened.

20 A Well, she had -- it was a touchy
21 situation because she had signed a living will, a
22 DNR, but the doctor at the time did not have it in
23 his hand. When she had taken a turn for the
24 worse, they performed I guess CPR and put her on
25 the life support system.

1 Q Then what happened?

2 A Well, it was totally against her will
3 and there was nothing we could do because they
4 said once you're on it, you can't just turn it
5 off.

6 Q So that is what they told you?

7 A Yes. And her doctor mentioned there
8 are ways they can work with the medication or
9 whatever because at the time she was only being
10 kept alive by a machine. She was pretty much
11 gone. It upset us all because it was not the way
12 she wanted to be kept alive. To see her like
13 that, it was not the memory that we all wanted.

14 Q When you say "we all", who was there?

15 A At the time it was my mother and father,
16 my two aunts, two uncles, my three older brothers,
17 and two of my sister-in-laws because at the time
18 my one brother was not married. Myself. My wife
19 was home with my kids because we had an infant at
20 the time.

21 I got a phone call that Saturday morning
22 that she was not doing well. So my one brother
23 picked me up on the way to the hospital.

24 Q So it sounds like the whole family was
25 there except for --

1 A Yes. Well, Mike was not. Mike was
2 living here in Florida.

3 Q When did your grandmother die?

4 A She passed on that same day, later on.

5 Q Did Mike and Terri come up for the
6 funeral?

7 A Yes. They came for the funeral at that
8 time.

9 Q Were there any conversations at the
10 funeral or after regarding your grandmother?

11 A Yes. There was. At a luncheon that we
12 had, you know, my family, friends and stuff.

13 Q Kind of describe that for us.

14 A We went to a, it's called a country club
15 but we went there for a luncheon afterwards.
16 There was family, friends, relatives. We were
17 sitting around. At the time, it was pretty much
18 all the brothers and sisters sitting around the
19 table.

20 And we were discussing, talking about my
21 grandmother, because she was a great woman. We
22 were kind of upset about the way that she left the
23 world. It was not her wish the way she wanted to
24 live.

25 Q So where were you sitting?

1 A We were sitting around somewhat of a
2 round table. We were all sitting around it at the
3 time. My wife was to my right and it was pretty
4 much boy/girl all the way around. We came out.
5 Terri was sitting on my left-hand side.

6 I was really upset because they did this
7 to my grandmother. We were all like "it stinks".
8 The only reason why they put you on these things
9 is to raise more money for the hospital.
10 Basically that is the way I felt.

11 If somebody is gone, why keep them on a
12 machine? If -- they are great machines if you are
13 going to save somebody's life or open heart
14 surgery, this and that, but when somebody is gone
15 that means God intends for them to go, and if they
16 are going to be kept alive on a machine, they are
17 not really living.

18 And Terri made mention at that
19 conversation that, "If I ever go like that, just
20 let me go. Don't leave me there. I don't want to
21 be kept alive on a machine." Pretty much
22 everybody at that table that was in the discussion
23 had made the same comment. No way I want to be
24 kept alive on a machine.

25 Q What do you mean by machine?

1 A Artificially. It is something that is
2 breathing for you. It is not really your own
3 heart pumping air into your blood and oxygen to
4 your brain and everything else. It is an
5 artificial way of being kept alive.

6 Q Does that mean anything else? Anything
7 to do with tubes or other kind of artificial life
8 support?

9 A There is also the case that -- my
10 sister-in-law, for one. She passed away. The
11 reason why I was out here for and I saw Terri is
12 that my sister-in-law was diagnosed with
13 inoperable brain cancer. This is my wife's
14 sister. Her last wish was for my wife's whole
15 family to go to Disney World. When we came out
16 here, my wife's grandmother had lived in
17 Clearwater, so we stayed here a couple of days.

18 That is when I saw Terri for the first .
19 time after the incident. But when we went home,
20 it was within six months that my sister-in-law had
21 to be put on a feeding tube because she could not
22 eat or swallow. She lost all ability to swallow
23 her food and everything else.

24 Q So what happened?

25 A So they put her on a feeding tube.

1 Q Did they take it out?

2 A Yes. Because it was doing -- she could
3 not have a bowel movement. She started to
4 actually throw up her own feces because it was
5 backing up in her system.

6 Q When you are referring to, as you have,
7 to a number of situations such as the grandmother
8 and sister, you talk about artificial life support
9 and machines, you are looking at the whole
10 artificial life support system?

11 A Yes. Artificial life support, to me
12 it's all well and great if it is going to help
13 somebody live for a period that, you know, there
14 is a new heart coming in and you know they are
15 waiting for that and it's going to keep them alive
16 until that heart is transplanted or whatever. But
17 if there is nothing there, why prolong that
18 person's agony?

19 Q So in your understanding, at the time
20 you were at your grandmother's funeral luncheon
21 and the conversation was between all the brothers
22 and sister-in-laws --

23 A Yes.

24 Q -- Terri shared that opinion?

25 A Yes. She did.

1 Q If Terri did not share that opinion, do
2 you think she would have spoken up?

3 A If she didn't?

4 Q Right.

5 A I feel if she did not share that
6 opinion, she would not have said anything. The
7 only reason she said it is because she shared the
8 same opinion as us. If -- I guess is what I'm
9 trying to say --

10 Q Well, we don't need to guess.

11 A Well, I think if she didn't want it, I
12 think she would have --

13 Q You mentioned what she said at the time.

14 A Yes.

15 Q Now were there any other occasions where
16 an issue on artificial life support came up that
17 you had between you and Terri? Any other
18 conversations about artificial life support?

19 A I believe it was basically that, you
20 know, because we had talked about it at the table.

21 Q So that was the only time it ever came
22 up?

23 A Yes.

24 Q When did you first mention this
25 recollection of that event?

1 A When did I?

2 Q How did that come about?

3 A How did I?

4 Q How did you -- how did it come about
5 that you mentioned that you remembered this event
6 at your grandmother's funeral?

7 A It was something that -- we all talked
8 about it that day. It was like we all went home,
9 grieved, and had to pretty much go on with our
10 lives. Never in my wildest dreams did I ever see
11 this happening to Terri, but when this was all
12 coming about --

13 Q When you say this was all coming about,
14 like when? The last couple of years or --

15 A No. No. It came up when I spoke to
16 Mike's lawyer about if I had ever heard Terri
17 mention this or that. If she ever came to me, sat
18 down and talked to me about something. This and
19 that. I had mentioned that on this date that at
20 my grandmother's funeral we talked about this as a
21 family. As all the kids in the family.

22 And Terri was sitting with us and Terri
23 made the mention that she would never want to be
24 kept alive like that. You know, if it is her time
25 to go, it's her time to go.

1 Q Do you remember approximately when that
2 was when you talked to -- it was Mr. Felos, I
3 presume?

4 A He called me on a Sunday morning.

5 Q Within the last year?

6 A Yes. It was either September or
7 October.

8 Q Okay.

9 A I work seven days a week.

10 Q Of '99?

11 A Yes.

12 Q Okay. I don't have any -- maybe I do.
13 Excuse me. With respect to the last question when
14 you spoke to Mr. Felos sometime in September/
15 October of '99, did you tell Mike about this
16 before that time or after you spoke with
17 Mr. Felos?

18 A It was after. It was after Mike.
19 Because Mike had -- I talked to Mike. Told him I
20 spoke to his lawyer. He asked me how it went. I
21 told him "Everything I knew, Mike." He had said
22 what was that? I said, "Do you remember
23 grandmom's funeral at the dinner?" He said I
24 didn't think about that.

25 I said my mother used to kid me saying

1 that if you want to know something, call Scott
2 because he knows it. I seem to remember stuff for
3 some reason.

4 MS. FELOS: Thank you. I have no
5 further questions.

6 THE COURT: Thank you. Cross-
7 examination?

8 CROSS-EXAMINATION

9 BY MS. CAMPBELL:

10 Q Mr. Schiavo, my name is Pam Campbell. I
11 am the attorney for Mr. and Mrs. Schindler,
12 Theresa's parents. What year did your grandmother
13 die?

14 A She passed away in February of 1986 --
15 '88.

16 Q Do you recall when Terri and Mike moved
17 to Florida?

18 A They moved to Florida, I believe in the
19 spring of, let's see. I believe the spring of '85
20 or '86. '86, I believe.

21 Q Did you see Terri or Mike very much
22 after they moved to Florida?

23 A Just when they came back. In fact, they
24 surprised me one night. I had called my father's
25 house from work. Mike answered the phone. You

1 know, it was like Mike. "No. You've got the
2 wrong number." I hung up. I called back. My dad
3 answered. I said, "Was that Mike?" He said no.
4 No.

5 Later on that night -- I had lived in a
6 mobile home. I was putting up new skirting. As I
7 came back in the house, there was Mike and Terri.
8 I said, "You son of a gun. I knew you were
9 there." When they came back, they would stop in
10 and see us.

11 Q Was that prior to your grandmother's
12 death?

13 A Yes.

14 Q Do you have any advance directives such
15 as a living will?

16 A Myself?

17 Q Yes.

18 A Yes. I do.

19 Q What would your personal wishes be?

20 A My personal wishes are if I'm in a
21 situation that I cannot be saved, I just want to
22 go.

23 Q Would you want artificial nutrition and
24 hydration withdrawn or withheld?

25 A No (sic). Not if it was not going to

1 save me within a week or two. If I was waiting
2 for a new heart or something, yes. But if there
3 was no outlook in my life, I would not want to
4 live like this. No.

5 Q How long of a time frame would you
6 expect somebody to wait for the artificial heart
7 in the hypothetical?

8 A I would say a week. Two weeks at the
9 most.

10 Q At this luncheon where your grandmother
11 was discussed, did your brother share in your
12 anger? You testified you were angry and upset
13 about what happened to your grandmother. Did your
14 brother share in that?

15 MS. FELOS: Objection. He never said
16 anger. He did say upset.

17 Q (By Ms. Campbell) Excuse me. Did your
18 brother share in the upset?

19 A Sure. We all were. It was something
20 that, you know, knowing my grandmother, it was
21 upsetting to see, to walk in to say goodbye to
22 your grandmother and the machine has her lifting
23 off the bed for air. Her chest pumping up. When
24 you go to talk to her, she stared at the ceiling.

25 This was not my grandmother living

1 there. As far as I was concerned, her spirit had
2 already gone to Heaven.

3 Q How long was your grandmother on the
4 ventilator?

5 A From the early morning hours till mid
6 afternoon of the same day.

7 Q So it was on that same day that you saw
8 your grandmother in that condition?

9 A Yes.

10 Q At this luncheon, how many people were
11 at the luncheon?

12 A I could not give you an absolute honest
13 figure. Several people were there. A lot of
14 relatives. Some friends of hers.

15 Q Was Michael Schiavo there?

16 A Yes.

17 Q Approximately how large was the table?

18 A I believe it sat, I think a seating of
19 twelve.

20 Q Was it just one table of family members
21 and friends?

22 A No. No. In fact, we had some cousins
23 there. Two of my cousins that were not married
24 where sitting with us, too.

25 Q So did your family occupy several tables

1 within this country club setting?

2 A Yes.

3 Q Was Michael sitting on the other side of
4 Terri?

5 A Yes. He was.

6 Q Did you specifically hear Terri make the
7 comment?

8 A Yes. I did. With my own ears. She was
9 sitting to my left.

10 Q She was not just sharing the opinion
11 that was expressed at the table?

12 A No. She had made a statement that if I
13 was in this predicament, let me go. If it is my
14 time, it is my time.

15 Q Are you aware of what kind of feeding
16 tube or ventilator, any kind of life support
17 system that Terri is on currently?

18 A Am I aware of them?

19 Q Um-hmm.

20 A I'm aware she is on a feeding tube.
21 Yes.

22 Q Is Terri on a ventilator?...

23 A No. She's not.

24 Q Have you seen Terri this visit?

25 A No. I just got in last night. I got up

1 this morning and came here, but I do expect to go
2 see her before I leave.

3 Q You testified the prior time for you to
4 see Terri was about six years ago?

5 A Yes. Approximately. It was in -- yeah.
6 Approximately six years ago.

7 Q In that six year time frame, have you
8 made any other tapes or any other kind of
9 communication for Terri to listen to?

10 A No. I did not.

11 Q Did you ever talk with Michael Schiavo,
12 prior to your talking with his attorney, about
13 Terri's conversation at the grandmother's funeral
14 luncheon?

15 A No. I did not. Like I said, we left
16 there that day. We did see each other before Mike
17 and Terri had left again to come back to Florida,
18 but I mean, it was all a statement that we were
19 talking about because it was fresh in our mind.

20 We had just buried our grandmother. It
21 is not the way she would want to leave the world
22 the way she was left. We were all -- so pretty
23 much like a conversation at dinner. It's not
24 something you bring up everyday because you just
25 don't think about it. You go on with your life.

1 When I was approached and asked if I
2 ever heard this or Terri make a statement of this
3 matter, yes. I did hear, with my own ears, Terri
4 make a statement.

5 Q When Terri's accident occurred in
6 February 1990, did you come to Florida then?

7 A No. I did not. But my brother, Brian,
8 called me and told me about this incident. And
9 the first thing I was doing was going for my
10 credit card to call. My wife said to me, "Look,
11 Scott. If they need you there, I know they will
12 call you." I was like, "I've got to be there for
13 them." Talking to my brother, Brian, he said
14 "Mom, dad, and I are going. You've got kids. A
15 job. We will keep you informed and everything
16 else."

17 So that is basically what we did. It
18 was not going to do Terri any good to have us, all
19 five of us, clamoring around.

20 Q From the time of the accident then until
21 six years ago when you came to see Terri, were you
22 with Terri during that time frame?

23 A No. I was not. I could not afford it.
24 Like I said, it was -- the first -- my first
25 instinct was get a ticket and be there for Terri.

1 When I calmed down and stopped -- at the time, I
2 had three children. An infant. It was
3 financially impossible for me to do this.

4 Q When you came down six years ago, were
5 you surprised to learn that Terri was on a feeding
6 tube?

7 A No. I was -- at the time, I was told
8 she was on it.

9 Q Did you see a feeding tube?

10 A No. She was not being fed at the time.

11 Q Did you remind Michael, at the time, of
12 Terri's comments about not wanting to live like
13 that?

14 A No. Because that day, it was a very
15 tough year for myself. My son was diagnosed with
16 juvenile diabetes February 1st of that year, and
17 on April 6th of that year my sister-in-law was
18 diagnosed with brain cancer. Everything was
19 snowballing. I had a lot on my plate at the time.
20 Then when I went to see Terri, it was a very tough
21 afternoon. It just didn't click or anything.

22 Q When you saw Terri, on that day was it?
23 Just one day?

24 A Yes.

25 Q Did she make any response or reaction to

1 you?

2 A Absolutely none.

3 Q Were her eyes open or closed?

4 A She just stared at the ceiling.

5 Q Did her head turn toward you when you
6 talked to her?

7 A I don't believe so. No.

8 Q Do you know whether Mr. Felos spoke
9 with any other of your brothers?

10 A To be honest with you, I don't believe
11 so. I personally don't know if he talked to any
12 of them.

13 Q Why do you think he specifically spoke
14 then to you?

15 A Because I told Mike that if he needed me
16 for anything, I'm there for you. That is
17 basically why.

18 Q Are you and Mike still real close?

19 A We are all close, my brothers. Any one
20 of us would be there for him. I mean, we were.

21 Q When your mother passed away, was that
22 here in Pinellas County?

23 A No. It was not.

24 Q Where did she pass away?

25 A She passed away in Langhorne,

1 Pennsylvania.

2 Q Was her funeral held there?

3 A Yes.

4 MS. CAMPBELL: No further questions.

5 THE COURT: Thank you. Redirect?

6 REDIRECT EXAMINATION

7 BY MS. FELOS:

8 Q Mr. Schiavo, you wanted your
9 grandmother's wishes honored; didn't you?

10 A Yes.

11 Q You would want your wishes honored?

12 A Yes. I would.

13 Q You would want anybody's wishes honored;
14 isn't that correct?

15 A I believe that.

16 Q Whatever the person wished, you
17 would want to go along with that?

18 A Yes. That is what they wished.

19 Q Have you ever been in Florida in the
20 last ten years where you did not see Terri?

21 A No.

22 Q When you were in her nursing home room,
23 what other things did you observe? Ms. Campbell
24 mentioned a few things. What other things did you
25 observe about her?

1 A It was very uneasy for me to see her
2 arms and legs, which were curled up, twisted. It
3 was -- it was just like it was not Terri. It was
4 like an old beat up car. Just mangled up. It was
5 sickening.

6 Q You don't know personally who Mr. Felos
7 spoke to; do you?

8 A No. Not personally.

9 Q You don't have that information; is that
10 correct?

11 A No. I don't know.

12 MS. FELOS: Thank you. No further
13 questions.

14 THE COURT: Anything further?

15 MS. CAMPBELL: No, Your Honor.

16 THE COURT: Thank you. You may stand
17 down. Why don't we break for lunch now. Be back
18 at 1:15 by my watch. I have about 12 to 12:00.

19 THE BAILIFF: All rise. Court stands in
20 recess.

21 (THEREUPON, COURT RESUMED AT 1:15 P.M.)

22 THE BAILIFF: All rise. Circuit court
23 is back in session.

24 THE COURT: Are you ready to proceed?

25 MS. FELOS: Yes, judge. We are having

1 some technical difficulties. If you would bear
2 with us for one moment.

3 THE COURT: Very well.

4 MR. FELOS: Your Honor, at this time, I
5 wanted to read a portion of the depositions of
6 Robert and Mary Schindler.

7 THE COURT: Mr. Felos, do you want to do
8 that a little slower than normal?

9 MR. FELOS: This is from the deposition
10 of Robert Schindler taken August 12, 1999
11 starting on Page 67, Line 24.

12 Question. Hypothetically, if Terri told
13 Michael I don't want to be kept alive artificially,
14 would that change your position in this case?

15 Answer. No.

16 Next from the deposition of Mary
17 Schindler taken August 12, 1999 starting on Page
18 62.

19 Question. And Mr. Schiavo then says
20 that Theresa told him that if anything happened to
21 her where she had to be cared for by others, open
22 quotation, please don't let me live like that,
23 close quotation. Does that seem to be unusual or
24 out of character for Theresa?

25 Answer. I don't know. I don't know

1 that.

2 Moving to Page 63, Line 7. Now
3 hypothetically, this is a hypothetical question,
4 I want you just to assume for purposes of this
5 question that Theresa really did say that. Would
6 that change your position as to whether her life
7 support should be removed in this case?

8 Answer. No.

9 Page 63, Line 23. Again, a hypothetical
10 question. Assuming, just for purposes of this
11 question, that in response to watching those
12 television news shows or programs that with people
13 on life support that Theresa in fact did say that
14 she would not want her life maintained by
15 artificial means, would that change your position
16 as to the removal of her feeding tube?

17 Answer. No.

18 THE COURT: Ms. Campbell, do you wish to
19 have other portions of those depositions read at
20 this time?

21 MS. CAMPBELL: No, Your Honor. Not at
22 this time. Thank you.

23 MR. FELOS: Your Honor, we call our next
24 witness, Dr. James Barnhill.

25 THE BAILIFF: Would you stand right