

## DEPOSITIONS GIVEN

by

**Thomas L. Liston, P.E., Mechanical Engineer**

Date: May 30, 2007

Client: Christina Pan, Esq. of Clapp, Moroney, Bellagamba et al of San Bruno

Deposing attorney: Bryce Chastain, Esq of Rehon & Roberts of San Jose

Case: GF Construction v. Vanni Investments, et al.

Side: Plaintiff

Event: HVAC complaints in office complex.

Date: May 17, 2007

Client: Paul Van Der Walde, Esq. of Sunnyvale, Ca.

Case: Ester Duvon

Deposing attorney: Tony Pinelli, Esq. of Williams, Pinelli & Cullin of San Jose

Side: Plaintiff

Event: Carbon monoxide poisoning of renter of small cottage, non-lethal.

Date: May 24, 2006

Client: Robert W. Cottle, Esq. of Mainor Eglet Cottle

Case: Strong vs. Hayward

Deposing attorney: William S. Roberts, Attorney at Law

Side: Plaintiff

Event: Pool filter lid blew off, causing brain damage to Strong.

Date: August 31, 2005

Client: Burton, Volkmann & Schmal

Case: Scott's Valley High School vs. BFGC Architects, Capitol Engineers, et al

Deposing attorney: Bill Peters

Side: Plaintiff

Event: Construction Defects

Date: August 10, 2005

Client: Eric R. Hillier of Wood Smith Henning & Berman, LLP of Concord, Calif.

Case: SPM Housing Associates v. McConstruction, Inc.

Deposing firms: Fortune, Drevolou, O'Sullivan & Hudson. Sheppard Mullin

Richter & Hampton. Charter Davis.

Event: Construction defects in an apartment complex in Tracy, Calif. Apollo HydroHeat & Cooling units with Grundfos pumps were involved.

Side: Defense.

Date: July 11, 2005  
Client: Timan  
Case: Award Homes  
Deposing attorney: Dan Smith of Bowman & Brooke, LLP of San Jose  
Side: Plaintiff  
Event: Hot water recirculation lines leaked.

Date: March 7, 2005  
Client: Randy M. Andrus of Andrus & Assoc., of Folsom Ca.  
Deposing attorney: Jeffrey T. Nichols (of A. O. Smith?)  
Case name: Prasad vs. Merryhill, et al.  
Side: Plaintiff  
Event: Water heater flare-back burned janitor's legs.

Date: 12/15/2004  
Client: Dave Ditora of Goldsberry, Freeman, Guzman & Ditora of Sacramento  
Case: Condo owner wanted to install air conditioning @ So. Lake Tahoe  
Deposing attorney: Feldman Shaw, LLP of Zephyr Cove, Nevada  
Case name: F. E. Hollow vs. Lakeland Village Owners Assn.  
Side: Lakeland Village Owners Assn.

Date: 12/17/2003  
Client: Calvin Stead of Borland & Petrini, et al of Fresno  
Case: Pismo Beach Motel CO poisoning  
Deposing attorney: James R. Murphy, Jr. of Arroyo Grande, Ca  
Case name: Bonkosky v. Canopus Investments, LLC  
Case: Carbon monoxide poisoning by apartment wall heater.  
Side: Defense of apartment owner.

Date: 3/31/03  
Client: Marlin Howes of Sempra Energy Law Department of Los Angeles  
Case name: Zabate vs. Southern California Gas Company  
Deposing attorney: Juanita Madole of Madole Law Office of Irvine  
Case: Carbon monoxide death by apartment wall heater.  
Side: Defense of gas company.

Date: 5/30/02  
Client: Grant C. Woodruff & Associates of Roseville, California  
Case name: Caudillo vs. Ranchwood Home Owners  
Deposing attorney: Kim Jennings of Clapp, Moroney, et al of Pleasanton  
Case: HVAC defects.  
Side: Defense of HVAC contractor.

Date: 7/9/01

Client: Michael Drayton of Stuart L. Smits of Sacramento

Case name: Linville vs. Cooper et al

Deposing attorneys: John Fletcher of Fletcher, White & Adair of Malibu and Wilma Grey of McNamara, Dodge, Ney et al of Walnut Creek

Case: Chronic CO poisoning from domestic water heater.

Side: Plaintiff.

Date: 6/26/01

Client: Richard G. White, Esq. of San Jose

Case name: Salah, et al v. Consolidated Industries, it al

Deposing attorney: Kevin Cody of Ropers, Majeski, Kohn & Bentley of San Jose.

Case: Faulty factory modification of residential furnaces caused fires.

Side: Plaintiff.

Date: 2/16/01

Client: Robert Cottle, Esq., of Maynor & Harris, Las Vegas

Case name: Anthony Lehrer versus American Products, Inc.

Deposing attorneys: D. Shane Clifford of Dixon & Truman of Las Vegas

Case: Pool filter lid blew off, injuring plaintiff.

Side: Plaintiff.

Date: 12/6/00

Client: Noel Kidd of the Jeffrey F. Paccassi Law Firm of San Francisco

Case name: Three Oaks Apartments v. et al

Deposing attorneys: Stevan C. Adelman of Miller, Morton, Caillat & Nevis of San Jose &

Kim D. Jennings of Clapp/Moroney of Pleasanton.

Case: Apartments with split system heatpumps were alleged to be faulty.

Side: Defense of mechanical design/build contractor.

Date: 8/15/2000

Client: Joseph P. Harris of Sweeney, Mason, Wilson & Bosomworth

Case name: Bryan Family Partnership II, Ltd v E-Tek Dynamics, Inc.

Deposing attorney: Scott L. B. McLaughlin of Hoge, Fenton, Jones & Appel

Case: Prospective tenant refused to move into R & D building because of problems with building, including HVAC shortcomings; broke lease.

Side: Prospective tenant (defense).

Date: 5/23/2000

Client: Maguire & Gahan of San Rafael, California

Case name: Fire Insurance Exchange vs. Rheem Mfg & Robertshaw

Deposing attorneys: Frank Bondonno of Popelka, Allard of San Jose &  
Terry Tadlock of Imai, Tadlock & Keeney of San Francisco

Case: Major residential fire believed to have been caused by malfunction of  
furnace's ignition control circuit board.

Side: Plaintiff.

Date: 7/14/99

Client: Aana Pregliasco, Esq., of Williams, Pinell & Culen of San Jose

Case name: Parkview Home Owners v Silverado

Deposing attorney: Julie A. Welsh of Archer, McComas, Breslin, McMahon &  
Chritton of Walnut Creek

Case: Condominium defects: Misc. HVAC shortcomings.

Side: Defense.

Date: 1/13/99

Client: Aana Pregliasco, Esq, of Williams, Pinelli & Cullen of San Jose

Case name: Fairview Greens

Deposing attorney: Michael Polentz of Berger & Hopkins of San Jose

Case: Condominium defects: misc. HVAC shortcomings

Side: Defense.

Date: 8/12/98

Client: e. robert (bob) wallach, esq. of San Francisco

Deposing attorney: Terrence Kenney of Wild, Carey & Fife of San Francisco

Case name: Truehart v. Fleetwood RVs

Case: Recreational Vehicle had propane explosion. Traced cause to furnace.

Side: Plaintiff.

Date: 8/6/98

Clients: Sheldon Blum, Esq. & Jeff Widman, Esq., both of San Jose

Deposing attorney: Christopher Schumb of San Jose

Case name: Blum vs. Trillo Air Conditioning

Case: Replacement of building's air conditioning system was done badly.

Side: Plaintiff.

Date: 5/6/98  
Client firm: McCormic, Barstow, Sheppard, Wayte & Carruth of Fresno  
Client attorney: Curt Vote, Esq.  
Deposing attorneys: Mark B. Freschi, Attorney at Law, of San Jose &  
Kevin D. Reese of Steel, Levitt & Weiss of San Francisco  
Case name: Moroa Park Apartments, Fresno  
Case: ABS drain pipe failure.  
Side: Defense

Date: 12/15/97  
Client firm: Gudmundson, Siggins, Stone & Skinner of San Francisco  
Client attorney: Mark A. Hagopian  
Deposing attorney: Michael G. McKenna of Durard et al of San Mateo  
Case name: Copsey. American Air Company, Inc.  
Case: Dust from ducts caused telephone operator's asthma?  
Side: Defense.

Date: 3/24/97  
Client firm: Clapp, Moroney, Bellagamba, Davis & Vucinich of San Jose  
Client attorney: Carol Stair  
Case name: Casa Blanca Condominiums, Sunnyvale  
Case: Condominium plumbing installation imperfections  
Side: Defense.

Date: 3/13/97  
Client firm: Law Office of Richard White, San Jose  
Client attorney: Steve White  
Case name: Woodside Terraces, Aptos  
Case: Condominium defects = leaking PVC water mains.  
Side: Plaintiff

Date: 10/28/96  
Client firm: Law Office of Richard White, San Jose  
Client attorney: Steve White  
Case name: Hamilton Place  
Case: Condominium defects  
Side: Plaintiff

Date: 5/29/96  
Client firm: Schofield Schiller of Walnut Creek  
Client attorney: Louis F. Schofield  
Deposing attorney: Gail M. McMahon of San Francisco  
Case name: Rodegeb v. Giusto, et al.  
Case: Floor furnace fire killed Redegeb  
Side: Defense.

Date: 1/31/96  
Client firm: Law Office of Ronald Miller of San Rafael  
Client attorney: Ron Miller  
Case name: Fire Insurance Exchange versus Carrier Corporation, et al.  
Case: Furnace set house on fire.  
Side: Plaintiff

Date: 8/6/94  
Client firm: Dreyer, Babich, Buccola & Callaham of Sacramento  
Client attorney: Roger Dreyer  
Case name: Vasquez v Watt, et al.  
Case: Child burned by hot water in tub/shower.  
Side: Plaintiff

Date: 6/7/94  
Client firm: Law Office of McGuire & Gahan  
Client attorney: John Cesari, Ron Miller, Dan McGuire  
Case name: Fire Insurance Exchange vs. American Home Shield  
Case: Furnace & water heater flues caused fire.  
Side: Plaintiff.

Date: 11/10/93  
Client firm: Luna & Brownwood  
Client attorney: Donna M. Maryanski  
Case: Scalded foot from ruptured garden hose with hot water.  
Side: Defense of plumbing contractor.

Date: 5/13/93  
Client firm: Bohn, Bennion & Niland of San Jose  
Client attorney: Edward L. Niland  
Case name: Sadowski v. Los Altos Athletic Club, Inc.  
Case: Steam burned client.  
Side: Plaintiff.

Date: 4/16/93  
Client firm: Bostwick, Rowe & Janoff of San Jose  
Client attorney: Jeffrey D. Janoff  
Case: Injury due to clogged water closet in restaurant.  
Side: Plaintiff.

Date: 2/10/93  
Client firm: Sedgwick, Detert, Moran & Arnold of San Francisco  
Client attorney: Karin A. Poire  
Case: Carbon monoxide injury due to faulty furnace flue.  
Side: Plaintiff.

Date: 11/17/92  
Client firm: Ropers, Majeski, et al of Redwood City  
Client attorney: James McKibben  
Case name: Brittany Landing Bay v. Ponderosa  
Case: H.V.A.C. defects in condominiums.  
Side: Defense.

Date: 10/21/91  
Client firm: Schmidt, Herlihy, Hepler, Mertes & Klein of S.F.  
Client attorney: Paul J. Herlihy & Ed Bloom  
Case name: Snowcreek, Inc. v. Gary Vilhauer  
Case: Restaurant dishwasher dumped to crawl space.  
Side: Defense.