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STATE OF MAINE
PENOBSCOT, ss

SUPERIOR COURT
CIVIL ACTION
Docket No. PENSC-CV-2021-20

* * * * *
OTTO SNOW,
Plaintiff,
vs.
ANDREW DAVIS, et al.
Defendant.
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DEPOSITION of JOHN HUHN

BEFORE: Christine Fraga Thornton, RDR, a
Maine Notary Public, via Zoom videoconference, on
Wednesday, October 5, 2022, beginning at 3:06 p.m.

APPEARANCES:

Christopher R. Largay, Esq. For the Plaintiff
Kady Huff, Esq. For the Defendants
Matthew Libby, Esq.
Sam Johnson, Esq.

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EXHIBITS

(No exhibits were marked.)

1 (This deposition was taken before Christine Fraga
2 Thornton, RDR, a Maine Notary Public, via Zoom
3 videoconference, on Wednesday, October 5, 2022,
4 beginning at 3:06 p.m.)

5 (The deponent was at Largay Law Office, 293 State
6 Street, Bangor, Maine, with Attorney Largay.)

7 * * * * *

8 (Also present at the deposition was Otto Snow, via
9 Zoom videoconference.)

10 * * * * *

11 (The deponent was administered the oath by the
12 Notary Public.)

13 * * * * *

14 JOHN HUHN, called, after having been duly sworn, on his oath
15 deposes and says as follows:

16 DIRECT EXAMINATION

17 BY MR. LARGAY:

18 Q. Okay. Your name for the record and spell your last
19 name if you will please.

20 A. My name's John Edward Huhn, and my last name is spelled
21 H-u-h-n.

22 Q. Okay. And John, we've met on one prior occasion, back
23 in 2021. Do you recall that?

24 A. Yes.

25 Q. Okay. Have we met any other times either before that

1 or since then?

2 A. No.

3 Q. Okay. And you were here at that time to tell me a
4 little bit about what happened to Otto on the day of
5 the incident in question; is that right?

6 A. Correct.

7 Q. Okay. What were you doing that day before you went for
8 a walk?

9 A. It was a nice day. It was -- and we were -- I just --
10 I stepped outside, and I saw him on his front porch,
11 and we started talking. And he was like, "You want to
12 go for a walk for half an hour?"

13 And I was, like, "Yeah."

14 Q. Okay. So you and Otto are -- sort of live in the same
15 neighborhood?

16 A. He lives across the street.

17 Q. Okay. And what's the address of where you live, John?

18 A. 67 Leighton Street.

19 Q. Is it almost directly across the street from Otto?

20 A. It is directly.

21 Q. Did you grow up on Leighton Street?

22 A. I grew up on Blackstone Street, which is just a couple
23 blocks down.

24 Q. How long have you lived on Leighton?

25 A. Approximately 2016.

1 Q. Okay. And when did Otto move in, to your knowledge?
2 Before or after '16? If you know.

3 A. I'm going to say somewhere around that time frame.

4 Q. Okay. So did you meet him soon after you --

5 A. Well I mean, I met him when he moved in --

6 Q. Okay.

7 A. -- just to say hi.

8 Q. Okay. And so you'd known him for about five years at
9 the time?

10 A. Yeah.

11 Q. Okay.

12 A. Yeah.

13 Q. And describe your relationship with Otto?

14 A. It's a "hi and good-bye" kind of thing. And you know,
15 and maybe sometime we'll go for a walk here or there,
16 like on Broadway Park.

17 Q. Okay.

18 A. And just talk or whatever, but I mean, that's in the
19 warmer months. When it's colder out, I mean I don't
20 talk to him.

21 Q. Right. Okay. And so you guys went for a walk on this
22 day in question?

23 A. Yeah.

24 Q. Do you have a -- how is your recollection of that
25 day --

1 A. It was --

2 Q. -- the events?

3 A. -- just like a day like today. We were just walking.

4 Q. Okay.

5 A. And we're like, "Okay, let's get some -- let's get some
6 pizza or whatever."

7 So we walked down the street, and we're on the
8 street the whole time.

9 Q. Okay. And you live on -- Leighton Street is what we
10 call --

11 A. Little City.

12 Q. -- Little City. And did you walk sort of outside of
13 Little City, the back way to Tri-City Pizza? Is that
14 where you were headed?

15 A. Yeah.

16 Q. Okay.

17 A. Yeah. We walked down Fountain and then around, yeah.

18 Q. Down Fountain Street and around. And then on to Earle
19 Avenue where this incident occurred?

20 A. Yeah.

21 Q. Okay.

22 A. We just made like a big loop.

23 Q. Okay. And you hadn't had your pizza yet when you were
24 walking; is that right?

25 A. Right. That's where we were headed.

1 Q. Okay.

2 A. Because it was -- where it happened was right, you
3 know, a stone's throw away.

4 Q. From the Tri-City Pizza business?

5 A. Yeah.

6 Q. What do you recall of that day, just prior to --

7 A. I hadn't talked to him. I just randomly came outside
8 and was like -- I had to get something out of my car or
9 what not. And he was on his porch. And I said, "Hey,
10 how's it going?" And it wasn't anything more than
11 that.

12 And he's, like, "You want to go for a walk later?"

13 And I was, like, "Yeah, all right."

14 So and then, like, an hour and a half later, we
15 went for a walk.

16 Q. Okay. In walking on Earle Avenue towards Tri-City
17 Pizza, you would be on the left-hand side of the road?

18 A. Yeah, because the cars were -- so that way we could see
19 them facing us.

20 Q. Okay. And was there a sidewalk across the road from
21 the house where this happened --

22 A. No.

23 Q. -- or relatively near where it happened?

24 A. No.

25 Q. Okay. And were you guys walking in the street or on

1 the grass of --

2 A. No. We were on the street the whole time.

3 Q. Okay. And do you recall when you first saw the dog in
4 relation to where the property is?

5 A. It was around the garage area, running around.

6 Q. Okay. And --

7 A. I didn't think anything of it. I kept walking.

8 Q. Okay. And was the dog on a leash when it was running
9 around?

10 A. It had a leash on it, but it was off the leash, like it
11 had got away from its owner.

12 Q. Okay. So you believe there was a leash on the collar,
13 but there was no human on the other end of the leash?

14 A. Correct.

15 Q. And was the dog -- what was the dog doing?

16 A. We were just walking, and I looked around for a second,
17 and so did Otto. And he didn't instigate it, and it
18 just -- the thing jumped out of their property onto
19 public property and bit him -- bit his lip off.

20 Q. Okay. And did you recall any conversation between you
21 or Otto with the individual who owned the dog --

22 A. No.

23 Q. -- Mr. Davis?

24 A. No.

25 Q. Okay. You don't recall him reaching out to you guys or

1 saying anything about the dog or Otto or you saying
2 anything to him about the dog?

3 A. We -- I think everybody was in shock because there was
4 so much blood, and it happened so fast.

5 Like, I honestly -- I just wanted a slice of
6 pizza.

7 Q. Right.

8 A. And I turned around. I didn't think anything of it
9 because the dog was just around with its owner or
10 whatever. And it ran -- I guess it just ran up to Otto
11 and jumped and bit him.

12 Q. Okay.

13 A. And it wasn't anything more complicated, but we were
14 never on his property when it -- when the attack
15 occurred.

16 Q. Okay. So your testimony is you were always in the
17 public way in the street?

18 A. Yes. Correct.

19 Q. Okay. And as you're walking in the street, had you
20 walked past the driveway to the residence?

21 A. Yes.

22 Q. Okay.

23 A. Yes.

24 Q. And was it then lawn out front?

25 A. It was lawn out front to the left --

1 Q. Okay.

2 A. -- but we were in the street the whole time.

3 Q. Okay. When the dog approached you and Otto, where was
4 Mr. Davis at that time, the presumed owner of the dog?

5 A. I think he was in shock also, and he was running
6 towards us.

7 Q. Okay. And describe exactly how the incident happened.
8 Did the dog approach Otto? Did Otto bend down to touch
9 the dog? How did that happen?

10 A. I believe he got his dog, and then Otto was kind of
11 like in a daze and a shock. And so he sat down.

12 That's the only time he was on their property was
13 when he sat down after it happened. He sat down on
14 their -- the front of their lawn off the cross of the
15 road there.

16 Q. Okay.

17 A. And his lip was all ripped open and hanging there.

18 Q. Okay. Tell us precisely, to the extent you can recall,
19 exactly where the dog was in relation to Otto.
20 Standing, sitting. We know they were in the -- you're
21 saying Otto was in the street at least.

22 Where did the dog come from? Across the lawn?
23 Out the driveway?

24 A. Across --

25 Q. From where?

1 A. So the driveway's -- okay, so say you're looking at the
2 house here. Tri-City's to your right. Their house is
3 to the left. We were about, I'm going to say 25 yards,
4 or whatever, right in the middle of their lawn. And
5 that's when the dog ran up. And I think it was just
6 excited or whatever. I don't know. But we were both
7 in the street. And we both kind of reacted, and I
8 didn't think anything of it and just kept walking. And
9 then it just -- it attacked him.

10 Q. Okay. Did you witness the attack?

11 A. Yes.

12 Q. And tell us how -- what that was like, what you saw.

13 A. Well, it was just kind of shocking, traumatic, because
14 I mean, it literally -- the dog jumped, like, six feet
15 and, like, right on his face.

16 Q. When you say six feet, do you mean six feet vertically
17 in the air or horizontally?

18 A. It was about three feet, four feet -- I mean, no, no,
19 it was higher than that. So I'm going to say -- it
20 jumped up, like, five feet, so I don't know -- four --
21 it was on its lawn and jumped into the road.

22 Q. Okay. And was there any warning or barking before it
23 jumped?

24 A. No. It just -- it looked excited, and we both turned,
25 and I didn't think anything of it, and I kept going.

1 And then we both kept walking, and it just -- it got
2 him on the lip.

3 Q. Okay. And was Otto bending down to pet the dog or
4 anything like that?

5 A. Not to pet it, no.

6 Q. Okay. Was he bending down at all?

7 A. No. He just looked at it. He just turned to look at
8 it.

9 Q. Okay. And did -- how would you describe the contact
10 between the muzzle or nose of the dog and Otto's lip or
11 face?

12 A. It happened so quick that it just --

13 Q. Right. Would you describe it as a bumping of the, you
14 know, the lip to the dog or would you describe -- how
15 would you describe how that contact was made? You said
16 the dog leapt; right?

17 A. No. I mean, the dog -- I mean, it wasn't like he went
18 to put his face in front of it.

19 Q. Okay. Did Otto do anything to in any way provoke the
20 dog?

21 A. No. We were just walking by, going to get some pizza.

22 Q. Okay. And after Otto was bit, what happened next?

23 A. We sat him down on the lawn. And he was bleeding all
24 over. And him and his family or whatever, apparently
25 his mom or sister was a nurse or something, and so we

1 wrapped him up in a towel. And I went and sat with him
2 over at St. Joe's Hospital.

3 Q. Okay. Did you observe him to be in any distressed
4 state or pain?

5 A. Shock.

6 Q. Shock?

7 A. Yeah.

8 Q. And what else did he say to you while at the premises?

9 A. He was just kind of pasty white, and he just said,
10 "Wow, I can't believe that just happened."

11 Q. Okay. And what did you observe about what parts of his
12 face had been bitten or chewed or whatever?

13 A. His upper lip.

14 Q. And do you know what side of his upper lip?

15 A. To the right side.

16 Q. Okay. What did it look like to you, John?

17 A. It looked like a flap of skin.

18 Q. Okay. Did you see any meat of his lip or cheek or
19 face?

20 A. Yeah, I mean. I -- you could see how it could flip
21 over, yeah.

22 Q. Okay. There was a piece of the --

23 A. Flesh.

24 Q. -- flesh? And how big was that piece of flesh? Was it
25 hanging and attached or was it separated?

1 A. It was separated, but there was a three inch flap kind
2 of deal, at least two and a half inches.

3 Q. Okay. From under his -- you were motioning -- we don't
4 have video for this, but you were motioning, like, from
5 underneath the right nostril over the right side of the
6 lip?

7 A. Yeah.

8 Q. And this area where a mustache would be above the lip,
9 would that be the area where the bite took place?

10 A. Correct.

11 Q. Okay. And was it a -- what we would call a
12 through-and-through bite? Do you know if it pierced
13 through from one side -- from the topical side of the
14 skin through into his mouth?

15 A. Yeah.

16 Q. Okay.

17 A. It went all the way.

18 Q. Describe the blood. Where was the blood? How much --

19 A. The blood was on the street.

20 Q. Okay. Was it puddling or pooling?

21 A. It was just spurting.

22 Q. Okay. What did Mr. Davis say, if anything, just after
23 the dog bite?

24 A. He -- it's never done this before.

25 Q. Okay. And anything else you can recall that day while

1 you were guys were there?

2 A. Genuinely, I just think everybody was in shock in that
3 the dog did that. And like I said, we were just out
4 for a walk to get some pizza and talk for a little bit.
5 And I don't think he meant for his dog to attack
6 Otto --

7 Q. Right.

8 A. -- but it did.

9 Q. Right. Okay. And you stayed with Otto at the
10 hospital?

11 A. Yes.

12 Q. Okay. And after Otto was released, did you see where
13 he had been stitched up and the plastic surgeon had
14 done the work?

15 A. Yeah.

16 Q. Did he go to Northern Light Health?

17 A. I believe so, yes.

18 Q. Did you go to Northern Light Health or did you just
19 go --

20 A. No, I went right after -- right during when his
21 accident happened, I went -- we went right over to
22 St. Joe's.

23 Q. Okay. And then from St. Joe's, did you go over to
24 Northern Light Health?

25 A. No.

1 Q. Okay.

2 A. No.

3 Q. But Otto did?

4 A. Otto did.

5 Q. Right. And so when did you next see Otto?

6 A. Approximately a day or two, when he got out of the
7 hospital.

8 Q. Okay. And what did he look like that day?

9 A. Really puffy and sore.

10 Q. Okay. Any black and blue on his face, do you know?

11 A. Yeah.

12 Q. Okay.

13 A. Under his eyes.

14 Q. Under his eyes? Right cheek area or --

15 A. Yeah. Yup.

16 Q. Okay. And what else can you recall of what he looked
17 like when he came back from the hospital?

18 A. Just tired.

19 Q. Okay. Did Otto get emotional or tear up or cry at all
20 during or around the incident if you recall?

21 A. No. I think he went in more of a survival mode. I
22 think he was just in shock.

23 Q. Okay. And when you saw him in the -- after he got back
24 from the hospital and was sutured up, was he acting
25 differently at all? Did you notice anything or did he

1 describe any pain to you or anything like that?

2 A. Insomnia.

3 Q. Not sleeping?

4 A. Yeah.

5 Q. Okay. What else did he tell you was an effect on him
6 from the dog bite?

7 A. It just -- I don't know whether he's a sensitive guy or
8 whatnot, but I -- it just seemed to affect him in a
9 negative way.

10 Q. Okay. Can you be a little more specific?

11 A. I feel that the -- with Otto, he's -- I don't know. It
12 really has affected him, because he's come out in the
13 mornings and brought it up and up and up, PTSD and
14 things. And I think that Otto, you know -- the dog, it
15 really -- it just -- it jumped out and it bit him in
16 face, and it wasn't any more complicated than that.

17 Q. Right.

18 Has he talked to you about it since then?

19 A. Yeah, he talks about it all the time.

20 Q. Okay. And what does he say when he talks about it?

21 Does he repeat the same things over and over or does
22 he --

23 A. No, it's consistent.

24 Q. Okay. And what generally -- can you paraphrase for us
25 what kinds of things he talks about?

1 A. Just the fact that we -- you know, it didn't -- it
2 wasn't -- this wasn't meant to, like, have an animal
3 put down or, like, have anybody hurt. It was just the
4 fact that we were walking on the street, and the dog
5 jumped up and bit him and ripped his nose -- and ripped
6 his lip off.

7 Q. Right.

8 A. And I don't know what else you guys want me to tell
9 you.

10 Q. Okay.

11 A. I mean, I was just walking along and getting pizza.

12 Q. Sure. How many times a week on average, if you do see
13 him weekly, would you see Otto? Would you have
14 occasion to see him?

15 A. Hi and good-bye, so maybe four or five times a week. I
16 live across the street.

17 Q. Okay.

18 A. But it's not like we have these big conversations.

19 Q. Okay. When's the last time he talked to you about his
20 PTSD being aggravated or whatnot?

21 A. Not lately.

22 Q. Okay. When was the last time, do you know, he would
23 have mentioned it?

24 A. It's -- I don't know. He doesn't -- we don't really
25 talk about that stuff.

1 Q. Have you seen him without his mustache and beard?

2 A. No. Actually, no, not since his -- like, he hides it
3 now.

4 Q. Right.

5 A. His scar.

6 Q. Had you seen him before without a mustache or beard?

7 A. Yeah.

8 Q. Okay. And did you notice any scarring before this
9 incident at all on his face?

10 A. No.

11 Q. Okay. Anything else you can recall about the incident
12 at all that we haven't talked about today?

13 A. I genuinely just -- I think it was an accident.

14 Q. Right.

15 A. I really do. And I think it was unfortunate that it
16 happened.

17 Q. Okay.

18 A. But at the same time, the dog -- we weren't on their
19 property, and the dog did bite when it was on the
20 street.

21 Q. Okay. Is there anything else about the injury to Otto
22 that you can recall that you haven't told us today?

23 A. There was just a lot of blood.

24 Q. Okay. And about the aftermath, about how his behavior
25 has changed, if at all?

1 A. He's been -- he's become a lot more reclusive.

2 Q. Have you noticed that specifically?

3 A. Yeah.

4 Q. Tell me a little bit about that. I'm almost done,
5 but --

6 A. You know, like even taking out the garbage in the
7 morning on Thursdays, you know, he'll -- I'll say, "Hi"
8 and stuff, but I mean, we don't really talk that much.
9 He just -- he sticks to himself a lot.

10 Q. Okay. More so than before?

11 A. Yeah. More so.

12 Q. Okay. And you've noticed that?

13 A. Yeah. So.

14 Q. And do you believe that was a direct result, his being
15 more -- less social being a direct result of having
16 been attacked by the dog or bitten?

17 A. Well, I think it --

18 MS. HUFF: Object to foundation.

19 MR. LIBBY: Yeah, I'll join in the objection.

20 MR. JOHNSON: Same objection.

21 A. Well, I think it was a contributing factor.

22 MR. LARGAY: Okay. That's all I have for
23 Mr. Huhn. And I'll turn it over to which of the three
24 attorneys wishes to begin.

25 You okay to begin answering questions? You want

1 to take a break? I don't think anybody's going to be
2 very long.

3 THE WITNESS: No, let's do this.

4 MS. HUFF: I have a few questions if I could
5 jump in. Is that fine?

6 MR. LIBBY: Yeah. Go ahead, Kady.

7 CROSS EXAMINATION

8 BY MS. HUFF:

9 Q. So good afternoon, Mr. Huhn. My name is Kady Huff. I
10 represent Andrew Davis in this matter, and I have a few
11 questions for you.

12 Can you tell us where you grew up?

13 A. Yeah, I grew up in Hudson, Ohio; and Morgantown, West
14 Virginia.

15 Q. And what point did you move to Maine?

16 A. Elementary school, middle school, somewhere around
17 there.

18 Q. Okay. And how long ago was that?

19 A. Right around the ice storm that we had. Remember that
20 ice storm?

21 MR. LARGAY: Yeah. I can offer it was 1998.

22 A. Yeah, so it was like the year before, so probably '97,
23 I believe.

24 BY MS. HUFF:

25 Q. And have you ever had any involvement in a lawsuit

1 before?

2 A. [REDACTED].

3 Q. [REDACTED]

4 [REDACTED]

5 A. [REDACTED]

6 Q. [REDACTED]

7 A. [REDACTED]

8 [REDACTED]

9 Q. [REDACTED]

10 A. This thing with Otto happened years ago.

11 Q. Correct.

12 [REDACTED]

13 [REDACTED]

14 A. I don't know. I'd have to look it up.

15 Q. Were you convicted?

16 A. Yes.

17 Q. [REDACTED]

18 [REDACTED]

19 A. [REDACTED]

20 Q. [REDACTED]

21 [REDACTED]

22 A. [REDACTED]

23 Q. [REDACTED]

24 A. Yes.

25 Q. And you've had no convictions in any other states?

1 A. No.

2 Q. [REDACTED]

3 A. [REDACTED]

4 Q. [REDACTED]

5 [REDACTED]

6 A. [REDACTED]

7 Q. [REDACTED]

8 A. [REDACTED]

9 Q. [REDACTED]

10 [REDACTED]

11 A. [REDACTED]

12 [REDACTED]

13 Q. [REDACTED]

14 [REDACTED]

15 A. [REDACTED]

16 Q. [REDACTED]

17 [REDACTED]

18 A. [REDACTED]

19 Q. [REDACTED]

20 [REDACTED]

21 A. [REDACTED]

22 Q. [REDACTED]

23 A. [REDACTED]

24 Q. [REDACTED]

25 A. [REDACTED]

1 Q. And have you ever had assistance or treatment for drug
2 abuse of any kind?

3 A. No, no.

4 Q. And so have you ever taken drugs of any kind, whether
5 prescribed or not prescribed?

6 A. No.

7 Q. [REDACTED]

8 [REDACTED]

9 A. [REDACTED]

10 Q. [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 A. [REDACTED]

14 Q. [REDACTED]

15 A. [REDACTED]

16 Q. [REDACTED]

17 A. [REDACTED]

18 Q. [REDACTED]

19 [REDACTED]

20 A. [REDACTED]

21 Q. [REDACTED]

22 [REDACTED]

23 A. [REDACTED]

24 Q. [REDACTED]

25 A. [REDACTED]

1 Q. And are you aware of Mr. Snow taking any substances?

2 A. Not to my knowledge.

3 Q. Have you ever observed Mr. Snow being under the
4 influence of alcohol?

5 A. No, I've never really seen him sit down and drink. I
6 don't hang out with him.

7 Q. Okay. Have there -- has Mr. Snow paid you for any
8 services of any kind?

9 A. No.

10 Q. Has he paid you for transporting him to and from
11 appointments or other locations?

12 A. No.

13 Q. [REDACTED]

14 A. [REDACTED]

15 Q. [REDACTED]

16 [REDACTED]

17 A. [REDACTED]

18 Q. [REDACTED]

19 A. [REDACTED]

20 Q. [REDACTED]

21 [REDACTED]

22 A. [REDACTED]

23 Q. [REDACTED]

24 A. [REDACTED]

25 [REDACTED]

1 [REDACTED]

2 [REDACTED]

3 Q. [REDACTED]

4 [REDACTED] [REDACTED]

5 A. [REDACTED] [REDACTED]

6 Q. [REDACTED] [REDACTED]

7 [REDACTED]

8 A. [REDACTED]

9 Q. [REDACTED]

10 A. [REDACTED]

11 Q. [REDACTED]

12 [REDACTED]

13 A. [REDACTED]

14 [REDACTED]

15 Q. And have you ever given Mr. Snow a ride to or from any

16 location?

17 A. No. He never needed one.

18 Q. Are you aware of Mr. Snow paying any individuals for

19 assistance traveling or going to appointments or

20 anything like that?

21 A. None of my business. I don't know.

22 Q. But you're not one of those individuals; is that safe

23 to say?

24 A. Yeah. No, I'm not one of those individuals.

25 Q. Okay. So you were talking a little bit about what you

1 think the impact on Otto is with respect to the
2 incident, but you indicated that you've had quite a few
3 conversations with Mr. Snow about the incident; is that
4 fair to say?

5 A. That's fair to say.

6 Q. And so he openly discusses the issue -- the incident
7 with you?

8 A. I mean as much as we can recall, yeah.

9 Q. And you said that Mr. Snow has become more reclusive, I
10 believe is the phrase that you used. Are you aware of
11 Mr. Snow's intentions to go public with his past
12 traumas?

13 A. No. That has nothing to do with me.

14 Q. So he's had no conversations with you about going
15 public?

16 A. I didn't know I was involved with that. I just wanted
17 to say that the dog bit him in the street. I don't
18 know, so no. I don't know about that.

19 Q. Okay. And how frequently would you say you have
20 conversations with Mr. Snow, regardless of the topic?

21 A. It's just like any neighbor relationship would be, I
22 guess. I mean, I talk to him when I take the trash
23 cans out, and I'll see him and say, "Hi," and you know.
24 I mean, it's -- I think it's just like a healthy, "hi
25 and good-bye" kind of relationship. We're not, like,

1 close or anything. I don't sit and watch Netflix with
2 him.

3 Q. Have you ever been inside of his home?

4 A. Yeah.

5 Q. And when was the last time you were inside of his home?

6 A. A couple days ago. Just -- yeah. The grounds guys
7 were there, so I went and talked to them too, so.

8 Q. And what do you mean "grounds guys"? Does he hire
9 someone to care for his property?

10 A. Yeah.

11 Q. Are you involved in any way with the lab equipment that
12 Mr. Snow has in his home or in his --

13 A. I have absolutely no idea about that stuff.

14 Q. Have you ever seen it?

15 A. No. I've only been in his upstairs when you walk in
16 the door. I've -- I don't know where he keeps that --
17 I don't go upstairs or downstairs, so I don't know.
18 All I've seen is just the -- when you walk in the
19 living room.

20 MS. HUFF: That's all I have. I'll turn it
21 over to Matt or Sam.

22 MR. LIBBY: Sam, do you have questions?

23 MR. JOHNSON: I had just a couple, but not
24 too many. Did you have any?

25 MR. LIBBY: Yeah, probably a couple.

1 MR. JOHNSON: Do you want to jump in? I can
2 bat third.

3 MR. LIBBY: Yeah, sure.

4 CROSS EXAMINATION

5 BY MR. LIBBY:

6 Q. So hi, John. My name is Matt Libby.

7 A. Hi.

8 Q. I represent one of the defendants in the case, Deb
9 Conley.

10 What is your date of birth?

11 A. [REDACTED].

12 Q. [REDACTED]

13 A. [REDACTED]

14 Q. [REDACTED]

15 A. [REDACTED]

16 [REDACTED]

17 Q. Okay. And is your father's house across the Otto?

18 A. Yes. That's the only reason why I interacted with him,
19 yes.

20 Q. Okay. How long have you lived at your dad's house?

21 A. Off and on a couple years.

22 Q. Where did you live before that?

23 A. I lived on Kenduskeag Avenue, but that's been a while,
24 so yeah. 664 Kenduskeag Avenue.

25 Q. Did you live there by yourself?

1 A. No. Actually it was my mom's house before she moved to
2 Florida.

3 Q. So you lived with your mom, and how long did you live
4 with your mom there?

5 A. See, like I say, off and on, ten years. It's --
6 because I mean, I had girlfriends and stuff, so.

7 Q. Okay. When you had girlfriends, would you --

8 A. That sounds scattered, but it's kind of hard to go back
9 that far.

10 Q. When you had girlfriends during that ten-year period,
11 would you live -- would your girlfriend live with you
12 at your mom's house or would you move out and live --

13 A. Yeah.

14 Q. -- with your girlfriend?

15 A. Yeah, that kind of deal. Yeah.

16 Q. Okay. What was the last job that you had?

17 A. I had a construction job, slash, roofing, slash,
18 painting.

19 Q. When was that?

20 A. A month ago.

21 Q. For who?

22 A. XXXXXXXXXX.

23 Q. And why did you stop working for Mr. XXXX?

24 A. I don't know. We just -- we kind of had a little bit
25 of a falling out, I guess.

1 Q. Did you graduate from high school?

2 A. Yes, I did.

3 Q. What year?

4 A. 2003.

5 Q. From what school?

6 A. Bangor High School.

7 Q. Did you go to college?

8 A. Yeah, I went to USM for my first year, which I never
9 should have left, and then I went to Orono.

10 Q. Did you graduate from Orono?

11 A. No, I got -- I have 90 credits. I was going to be
12 education with a minor in history, but it's not too
13 late, because I wanted to be a football coach. That's
14 what I want to do actually, so --

15 Q. You want to be a football coach?

16 A. Yup. Social studies teacher, geography, football
17 coach. That's what I want to do.

18 Q. You want to -- do you want to be a football coach at
19 the high school or --

20 A. Yeah.

21 Q. -- amateur level?

22 A. Yeah.

23 Q. So after you finished up at Orono, I understand you
24 didn't graduate. What has your working career been
25 like? Have you just been in the construction field?

1 A. Yeah. A lot of labor, custodial. A lot of labor jobs,
2 painting job, roofing. Just a lot of blue collar
3 stuff.

4 Q. [REDACTED]

5 A. [REDACTED]

6 Q. Okay. What about unemployment?

7 A. No.

8 Q. Do you have any other sources of income -- do you have
9 any sources of income as of today?

10 A. Not at the moment.

11 Q. On the day that Otto was hurt by this dog, you
12 testified earlier that you don't have any recollection
13 of either you or Otto talking or having a conversation
14 with the owner of the dog; is that right?

15 A. My recollection is he was 30 yards away on his -- by
16 his garage, in his driveway or whatever. And we were
17 just walking by. I wasn't even paying attention. I
18 never met the dude. I don't even know the guy's name.
19 And I just -- we were walking by. And I looked over,
20 and I keep walking. And I looked back, and then it
21 jumps up and bites him in the face.

22 Q. Okay. So before he was bit, you don't have any
23 recollection of you, yourself, having a conversation
24 with the owner of the dog?

25 A. No.

1 Q. Okay.

2 A. It's not like I knew its name.

3 Q. Right. But you don't need to know someone's name to
4 have a conversation with them; right?

5 A. Right. No. I didn't -- I didn't even interact with
6 it.

7 Q. Okay.

8 A. I didn't know those people or its dog.

9 Q. Right. And --

10 A. Still don't know the people.

11 Q. Right. And your testimony is that you didn't observe
12 or see Otto have a conversation with the owner of the
13 dog before he was bit?

14 A. No. We were just walking by.

15 Q. All right. And --

16 A. And we just -- yeah, just -- I don't know. Just like
17 anybody would. Just look over and be like, Okay,
18 there's a dog.

19 Q. Do you have any recollection of Otto asking to meet the
20 dog?

21 A. No.

22 Q. Your testimony is that you had a normal relationship
23 with Otto in terms of -- I should say a normal
24 neighborly relationship; right?

25 A. Yeah.

1 Q. You guys aren't close friends?

2 A. No. We don't sit and have popcorn together, no.

3 Q. Right. So your interactions are limited to seeing each
4 other when you take out the trash, for example?

5 A. Yeah, when I leave -- when I walk out of the house and
6 the front door. It's not like, I -- you know, we,
7 like -- we're text buddies or anything.

8 Q. Right.

9 So what is your basis to say that you think, since
10 this dog bite, he has become more reclusive, if the
11 interactions were really just limited to, you know,
12 these sporadic engagements when you would be -- one of
13 you would leave the house?

14 A. Just over the span of the fact of how long he's lived
15 there, because I've lived at my dad's before he lived
16 at his house. So just over the period of time, you get
17 to know somebody on a certain level, and you can tell.
18 You can read people.

19 Q. When you say he's been more reclusive, that means he
20 stays in his house more? Is that what you're saying?

21 A. Yeah. Yeah, he stays in his house more. He doesn't --
22 he doesn't -- he actually used to walk around a little
23 bit, and he'd come out and feed the squirrels and
24 stuff, because I know he's a little eccentric, but at
25 the same time he's not hurting anybody. But no, he

1 just -- he wouldn't come out of his house and things
2 like that. Because he'd say, "Hey, John, how's it
3 going?"

4 I'd say, "Hey, Otto." But I mean, it wasn't
5 anything more than that, but there'd be, like, weeks
6 where I wouldn't see him.

7 Q. Are you aware that he has mental health issues?

8 A. I've been briefly told, but I wasn't privy to that
9 knowledge.

10 Q. Well, who told you?

11 A. Just the fact that he's told me that he's struggled
12 sometimes.

13 Q. So he's told you that he has mental health issues?

14 A. No. No.

15 Q. So who told you that he had mental health issues?

16 A. No one told me that he had mental issues. It's just I
17 could see sometimes that he just got reclused, and I
18 didn't know what to say to him. That's all. But I
19 mean, that was after all this happened. And I don't
20 know -- I'm not a psychologist.

21 I'm feeling uncomfortable, because I don't know
22 what to say. He just seemed like he was different
23 after the dog bit him. That's my point.

24 I mean, I have nothing here to, like, win or gain.

25 I -- I'm just saying, I just wanted a slice of pizza,

1 and we went for a walk, and the dog bit him.

2 I don't -- I don't know what else you guys want
3 from me.

4 MR. LIBBY: Thanks, John. Those are all the
5 questions I have.

6 THE WITNESS: All right.

7 CROSS EXAMINATION

8 BY MR. JOHNSON:

9 Q. Hi, John. I'm the last one up here. My name is Sam
10 Johnson, and I represent the Dora Smith Family Real
11 Estate Company.

12 One of the benefits of going through third is much
13 of what I would have asked you has already been asked,
14 so I'll do my best not to be repetitive, but I probably
15 will jump around a little bit so I'm not repeating
16 questions you've already been asked.

17 You testified you went for a walk with Mr. Snow.
18 How often had you gone on walks with him before that
19 date?

20 A. Once or twice, if never. I mean, yeah. Like, I don't
21 know. We never went for walks. It was just a nice --
22 it was nice day, and we went for a walk. So yeah, I'd
23 say I can count on my hands how many times we've gone
24 for a walk.

25 Q. And have you gone for any walks since that date?

1 A. No.

2 Q. Okay. You testified Mr. Snow has never paid you for
3 any services, and you've never driven him anywhere
4 else; correct?

5 A. Correct.

6 Q. Has he ever paid for you to stay in a hotel?

7 A. No.

8 Q. Has he ever paid for meals for you -- strike that. Let
9 me ask this a different way.

10 Have you ever traveled with him to appointments
11 before?

12 A. Appointments?

13 Q. Doctors appointments?

14 A. Yeah, I've traveled with him in Portland, like, two
15 years ago.

16 Q. Okay. Was that before this happened or after this
17 happened?

18 A. That was after.

19 Q. Okay. And did he give you any money on that date for
20 any reason?

21 A. No.

22 Q. Okay. Have you ever done any work inside of Otto's
23 house?

24 A. No. To be honest, we don't communicate that much.

25 That's why I'm --

1 Q. Have you ever spoken with anyone at Dora Smith Family
2 Real Estate Company?

3 A. I don't even know where that is or who that is.

4 Q. Sure.

5 And you testified earlier this entire incident
6 involving the dog and Mr. Snow's injury took place in
7 the roadway?

8 A. Yes. Yeah.

9 Q. Okay. At any point that day, did either you or
10 Mr. Snow enter the property at 31 Earle Avenue?

11 A. No, we just walked by. The only time that he -- well,
12 I mean, after he got bit, he sat down on the grass, and
13 I -- we were all kind of like trying to figure out what
14 to do.

15 Q. Have you ever observed Mr. Snow talk with a lisp?

16 A. I haven't paid -- the way he talks is the way he talks.
17 I don't know.

18 Q. Would you characterize him speaking with a lisp at any
19 point when you've talked to him?

20 A. No.

21 MR. JOHNSON: Those are all the questions
22 that I have.

23 MR. LARGAY: Kady or Matt, anything in
24 follow-up to Sam's questions?

25 MS. HUFF: Not from me.

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MR. LARGAY: Okay.

MR. LIBBY: No, all set.

MR. LARGAY: I'm all set too.

John, we didn't discuss this, but a witness who has their deposition taken, like today, has the right to read the transcript as it's produced by the court reporter and then sign it and make any changes to it that aren't meaning changes, but typos, spelling words, grammatical-type stuff, or you can give up that right, and it will get published as it is typed up.

How do you prefer to do it?

THE WITNESS: I'll read it.

MR. LARGAY: You want to read it first?

THE WITNESS: Yes.

(Colloquy off the record. The deposition concluded at 3:49 p.m.)

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CERTIFICATE

I, Christine Fraga Thornton, RDR, a Notary Public in and for the State of Maine, hereby certify that on October 5, 2022, personally appeared before me JOHN HUHN, the within-named deponent, who was sworn to testify to the truth, the whole truth, and nothing but the truth in the cause of action now pending in the State of Maine, Penobscot Superior Court, and that this deposition was stenographically reported by me and later reduced to typewritten form with the aid of Computer-Aided Transcription, and the foregoing is a full and true record of the testimony given by the witness.

I further certify that I am a disinterested person in the event or outcome of the above-named cause of action.

IN WITNESS WHEREOF, I subscribe my hand and affix my seal October 25, 2022.

Christine Fraga Thornton, RDR
Notary Public, Court Reporter

My Commission Expires April 10, 2028.

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October 25, 2022

Christopher R. Largay, Esq.
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Re: Snow v. Davis, et al.
Deposition of John Huhn, October 5, 2022

Dear Chris:

Attached is your transcript of the deposition of John Huhn, which was taken in this matter on October 5, 2022, along with a separate signature page and errata sheet for the deponent to execute.

Please provide these items, along with appropriate instructions, to John Huhn for his review and signature. Once the deponent has completed reviewing the transcript and has returned the executed sheet to you, please retain a copy of those documents with your original and forward copies directly to Kady Huff, Esq.; Matt Libby, Esq.; and Sam Johnson, Esq., for inclusion in their copies of the transcript.

Sincerely,

DON THOMPSON & ASSOC., INC.

Christine Fraga Thornton, RDR
Freelance Court Reporter

cft

cc: Kady Huff, Esq.; Matt Libby, Esq.; and
Sam Johnson, Esq.

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SIGNATURE PAGE

TO BE COMPLETED BY DEPONENT:

I, JOHN HUHN, have read or had read to me the foregoing pages of my deposition and have noted any errors in form or substance of my testimony, together with their respective corrections and the reasons therefore on the following errata page.

(Signature) _____

(Date) _____

Name of person reading transcript to deponent if deponent cannot read:

* * * * *

TO BE COMPLETED BY NOTARY PUBLIC/ATTORNEY:

I, _____, a Notary Public/Attorney, hereby acknowledge that the above-named deponent personally appeared before me and affixed his/her signature above as his/her own true act and deed.

(Signature) _____

(Date) _____

My Commission Expires: _____

Title: Snow v. Davis, et al.
Jurisdiction: State of Maine, Penobscot Superior Court
Date of Deposition: October 5, 2022
Transcript Mailing Date: October 25, 2022

Noticing party:
Christopher R. Largay, Esq.
LARGAY LAW OFFICE

Copies sent to:
Kady Huff, Esq., EATON PEABODY;
Matt Libby, Esq., MONAGHAN LEAHY, LLP; and
Sam Johnson, Esq., NORMAN HANSON & DeTROY, LLC

Reporter: Christine F. Thornton, RDR

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