

STATE OF MAINE  
PENOBSCOT, ss.

SUPERIOR COURT  
CIVIL ACTION  
DOCKET NO. PENSC-CV-2021-20

\* \* \* \* \*

OTTO SNOW,

Plaintiff

vs.

ANDREW DAVIS,

and

DORA SMITH FAMILY REAL ESTATE  
COMPANY, LLC c/o Barbara Nicholas  
and DEBRA CONLEY

Defendants

\* \* \* \* \*

**ZOOM DEPOSITION OF: DEBRA CONLEY**

BEFORE: Melissa L. Merenberg, RPR, Notary  
Public, in and for the State of Maine, on  
September 30, 2022, beginning at 9:00 a.m.

APPEARANCES

Christopher R. Largay, Esq. For the Plaintiff

Kady S. Huff, Esq. For the Defendants  
Thomas S. Marjerison, Esq.  
Laura A. Maher, Esq.

THE REPORTING GROUP  
(207) 281-4230

DEPONENT: DEBRA CONLEY

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EXHIBIT LIST

No. Marked	Description
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(No exhibits were marked during the deposition.)

\* \* \* \* \*

1           (This Zoom deposition was taken before Melissa L.  
2           Merenberg, RPR, Notary Public, in and for the State of  
3           Maine, on September 30, 2022, beginning at 9:00 a.m.)

4                           \* \* \* \* \*

5           (The deponent was administered the oath by the  
6           Notary Public.)

7                           \* \* \* \* \*

8           DEBRA CONLEY, called, after having been duly sworn on her  
9           oath, deposes and says as follows:

10                                  EXAMINATION

11           BY MR. MARJERISON

12           Q     Ma'am, my name is Tom Marjerison. We are here to take  
13                 your deposition; do you understand that?

14           A     I do.

15           Q     Okay. And I represent the Dora Smith Family Real  
16                 Estate Company, LLC. And I know you're here with your  
17                 attorney. And this is a chance for me to ask you  
18                 questions, under oath, about the circumstances of this  
19                 accident; do you understand that?

20           A     I do.

21           Q     Okay. I guaranty this will be one of the shortest  
22                 depositions ever taken --

23           A     Okay.

24           Q     -- so -- but if at any time, you want to take a break,  
25                 you just let me know and I will let you take a break

1           for any reason and we can go on after that; do you  
2           understand that?

3       A     I do.

4       Q     All right.  If at any time I ask you a question that's  
5           confusing and one you don't understand, please stop me  
6           and I will rephrase the question; do you understand  
7           that?

8       A     I do.

9       Q     If at any time, you want to refer to any documents or  
10          there is a writing that would help you answer a  
11          question, just let me know; do you understand that?

12      A     I do.

13      Q     All right.  What I'd like to do is just go right into  
14          the circumstances of this accident and more  
15          importantly your rental of the property.  Do you still  
16          live at that property or are you somewhere else?

17      A     Somewhere else.

18      Q     What's your present address?

19      A     410 South Main Street in Brewer.

20      Q     What do you do for work?  What do you do for a living?

21      A     I'm a nurse.

22      Q     What type of nurse?

23      A     I do skilled rehab.

24      Q     Where do you work?

25      A     Brewer Rehab.

1 Q And how long have you been a nurse for?

2 A Twenty-seven years.

3 Q Now, when did you -- I asked you some questions about  
4 how you came to rent this particular property where  
5 the dog bite occurred, when did you first move in; do  
6 you recall?

7 A I do not.

8 Q If I told you it was -- appears to be December 1st of  
9 2014, would that sound generally accurate?

10 A Yes.

11 Q Okay. When you moved in, you understood that you  
12 weren't allowed to have pets, correct?

13 A Correct.

14 Q All right. Now, that prohibition, in your mind,  
15 didn't extend to people visiting with a pet; is that  
16 correct?

17 MR. LARGAY: Excuse me. I need to put an  
18 objection on the record.

19 MR. MARJERISON: Okay.

20 MR. LARGAY: I realize it's not your primary  
21 witness, but you did notice the deposition, so it was  
22 leading. Form objection.

23 MR. MARJERISON: But she's an opposing party  
24 and I have a cross-claim, don't I?

25 MR. LARGAY: I don't think you do.

1 MR. MARJERISON: Why don't we say your  
2 objection's noted and you don't need to remake it as  
3 far as leading.

4 MR. LARGAY: Excuse me, I didn't hear the  
5 last part, Tom.

6 MR. MARJERISON: You don't need to remake it  
7 each time. What we'll do is we'll just say it's a  
8 continuing objection, okay?

9 MR. LARGAY: Yeah.

10 MR. MARJERISON: I can lead in this  
11 particular deposition.

12 MR. LARGAY: Okay. We disagree on that,  
13 but.

14 MR. MARJERISON: Right. We can let a judge  
15 decide that later, so I'll let you have a continuing  
16 objection.

17 MR. LARGAY: We will.

18 BY MR. MARJERISON:

19 Q All right. Ma'am, as I was saying, you moved in some  
20 time towards the end of 2014; is that correct?

21 A Yes.

22 Q And with respect to pets, you never had your own pets  
23 at the premises; is that correct?

24 A That's correct.

25 Q Did anybody else live with you at any time at that

1 premises?

2 A When I moved in, my underage daughter, she was a  
3 teenager, and one of my sons would stay there  
4 periodically, but it was more like a week or two at a  
5 time.

6 Q Sure. And in respect to this particular incident,  
7 your son, is that Andrew Davis?

8 A Correct.

9 Q And is that the son that would stay with you or is  
10 that a different son?

11 A A different son. That was Michael that would stay  
12 with me.

13 Q Okay. Now, my understanding is that Andrew's dog's  
14 name was Piper; is that correct?

15 A Yes.

16 Q And with respect to the date of the accident,  
17 April 15, 2018, tell me about what brought Andrew to  
18 your house or your apartment to visit.

19 A Andrew had a new puppy, the dog. I wanted to meet the  
20 dog they were calling my grand puppy. He had a couple  
21 of hours worth of work to do, and I took the dog for a  
22 couple of hours.

23 Q At any time, did the dog exhibit any aggressive or  
24 dangerous propensities or tendencies that you noticed?

25 A No, never.

1 Q Did anybody ever tell you or suggest to you the dog  
2 posed any danger of biting or snapping at anyone?

3 A No.

4 Q Did anyone ever suggest to you or tell you that the  
5 dog had ever exhibited any aggressive or dangerous  
6 tendencies?

7 A No.

8 Q So Andrew brought the dog, Piper, to your apartment  
9 and you took care of it for how long?

10 A Couple of hours.

11 Q And what was Andrew doing?

12 A He was finishing up his workday.

13 Q Where was he working?

14 A Delivering potato chips.

15 Q All right. Now, Andrew returned to pick up Piper; is  
16 that correct?

17 A Yes.

18 Q All right. When he picked up Piper, describe for me  
19 what happened.

20 A That was years ago. I know he came to get the dog.  
21 At one point, he took the dog outside, and then I  
22 heard there was an incident with Otto.

23 Q All right. I'm going to stop before the incident with  
24 Otto.

25 At no time, were you -- let me ask this, at any



1 time, were you ever the owner of Piper?

2 A No.

3 Q At any time, other than looking after the dog  
4 temporarily, were you the keeper of Piper?

5 A No.

6 Q At the time the bite occurred, was the dog under the  
7 control of Andrew?

8 A Yes.

9 Q Now, did you actually see the dog bite incident?

10 A No.

11 Q Describe for me what you recall happening.

12 A Immediately afterwards they came in told me there was  
13 an incident with the dog, somebody was bleeding. I  
14 got -- I believe I got a cold cloth and went out to  
15 take a look at what was going on. I couldn't really  
16 see the area because of facial hair and I didn't have  
17 gloves or anything and I didn't want to get in there.  
18 And we drove him to the hospital.

19 Q When you say we drove him to the hospital, who are you  
20 referring to?

21 A I believe it was Andrew and myself in the car.

22 Q Okay. Do you know where the dog bite happened in  
23 relationship -- whether it was in the public way or  
24 where it was?

25 A Firsthand knowledge, no.

1 Q Okay. Did anybody ever tell you what happened?

2 A Yes.

3 Q And who told you what happened?

4 A Andrew.

5 Q And what did Andrew tell you?

6 A He indicated that it happened in the -- near to the  
7 road.

8 Q Did he tell you how it happened?

9 A Not that I can remember with any clarity.

10 Q Prior to Piper coming to the property, did you contact  
11 your landlord --

12 A I did.

13 Q -- Dora Smith Realty?

14 A I did.

15 Q And what did you contact them to discuss?

16 A I explained -- I knew there was -- I couldn't have  
17 pets in the lease. I called, I let them know that my  
18 son got a dog, asked if it would be okay if the dog  
19 came over for a couple of hours at a time now and  
20 again. And she ultimately said, yes, that was fine,  
21 as long the dog wasn't living there.

22 Q And who did you speak to?

23 A Barbara.

24 Q She said as long as the dog was just visiting, that  
25 was fine, correct?

1 A Yes.

2 Q Did you tell Barbara about the dog, whether it posed  
3 any danger to people or was aggressive in any way?

4 A No, I had no knowledge of the dog being at all  
5 aggressive.

6 Q Okay. After this dog bite incident, did you ever see  
7 Piper be aggressive or act in a dangerous manner to  
8 any other person?

9 A No.

10 Q Can you describe the disposition of Piper based upon  
11 your experience?

12 A Piper is very friendly. She wants to kiss and cuddle  
13 and get her belly scratched. She's a big dog now, so  
14 she can come right up to me and snuggle and almost  
15 kind of force my arm to pet her. I don't see any  
16 aggression with the dog.

17 Q With the exception of that -- the conversation with  
18 Barbara that you just discussed about the dog  
19 visiting, did you have any other discussions with your  
20 landlord regarding dogs or pets?

21 A My having them, no, not that I recall.

22 Q Okay. Did you ever have other animals visit or was  
23 this the first time?

24 A No, that was the first time.

25 Q Okay. Well, I promised you this would be one of the

1           shortest depositions ever, so I think I've made --  
2           come through on my promise. I have no further  
3           questions.

4       A     Okay.

5                       MS. MAHER: I don't have any questions.

6                       And I think -- Attorney Largay, I think you are  
7           on mute if you were just speaking.

8                       MS. HUFF: I have just a couple of questions  
9           if I can jump in. I don't know, Chris, do you have  
10          some questions?

11                      MR. LARGAY: Yes, I do. Sorry, I was on  
12          mute. Thank you for pointing that out.

13                      Do you want me to go first, Kady?

14                      MS. HUFF: Yeah, you can go ahead.

15   EXAMINATION

16       BY MR. LARGAY:

17       Q     Unfortunately, Ms. Conley, Mr. Marjerison -- Attorney  
18           Marjerison doesn't speak for us. It is his deposition  
19           notice, but we have to ask questions. My client was  
20           very seriously injured. He lost about a quarter of  
21           his lip. And so we'll take whatever time is  
22           necessary.

23                      Can you tell us who you prepared for this  
24           deposition with, by name only, not what they said?

25       A     Laura.

- 1 Q Excuse me?
- 2 A Laura.
- 3 Q Yes. Anyone else?
- 4 A No.
- 5 Q And what documents, if any, did you review prior to  
6 this deposition?
- 7 A None.
- 8 Q Okay. Have you seen pictures of my client's lip at  
9 all?
- 10 A Years ago -- oh, actually, no, I did see one  
11 yesterday.
- 12 Q Okay. Which one did you see?
- 13 A A picture of his lip.
- 14 Q Yeah. And what did it show to you, which -- there  
15 were multiple pictures of his lip that were shown, did  
16 you see --
- 17 A It showed an injury to the right side of his upper  
18 lip.
- 19 Q Okay. Can you describe a little more particularly  
20 because there were about three or four different  
21 photos of the injury to his lip?
- 22 A I can't be any more specific than that.
- 23 Q Okay. Did you see Otto's lip the day of the dog bite?
- 24 A I did.
- 25 Q And did it look similar to what you saw in the photos?

1 A No.

2 Q Okay. How did it look different?

3 A Well, first of all, it was really hard to see because  
4 of his facial hair, and there was blood. It just  
5 looked different.

6 Q Okay. Did you go to the hospital with Otto?

7 A I did. I drove him.

8 Q At first that was St. Joe's?

9 A Yes.

10 Q And did you go to Northern Light or Eastern Maine with  
11 him?

12 A I did not.

13 Q Okay. How long did you remain at the hospital after  
14 you took him there?

15 A I don't recall.

16 Q Were you there when he came back out of the triage  
17 room?

18 A I don't recall.

19 Q Okay. Who did you go with?

20 A Andrew and I drove him.

21 Q Okay. In your vehicle?

22 A Yes.

23 Q Was there anyone else who came to the ER that day,  
24 either family or friends of you, Andrew, or someone  
25 supporting Otto?

1 A No.

2 Q Okay. Had you met Otto before?

3 A No.

4 Q Had you ever seen him walking in the neighborhood of  
5 Earle Avenue?

6 A No.

7 Q Okay. With regard to Piper, how long had Andrew had  
8 her, to your knowledge, prior to this day?

9 A I don't know.

10 Q Okay. Well, would it have been a month or two or  
11 years?

12 A A month or two.

13 Q Okay. And you knew that your lease restricted you  
14 from having pets?

15 A Correct.

16 Q And who else have you spoken to about this incident,  
17 aside from your lawyers or anyone that works for the  
18 law firm?

19 A I might have mentioned it to a friend or two.

20 Q Okay. And you also spoke to an insurance investigator  
21 early on? It may have been an adjustor.

22 A I talked -- when the lawsuit came up, I notified my  
23 insurance company.

24 Q Right. And you spoke with that adjustor at State Farm  
25 I believe it was, right?

1 MS. MAHER: Objection to foundation.

2 You can answer if you know, Debbie.

3 A I don't know.

4 BY MR. LARGAY:

5 Q Okay. Well, let me ask you this, you had babysat for  
6 Andrew taking care of Piper on prior occasions, hadn't  
7 you?

8 A No.

9 MS. MAHER: Object to foundation.

10 BY MR. LARGAY:

11 Q Dog-sat, let me rephrase it, not baby-sat. Do you  
12 admit or deny that you dog-sat for Piper prior to this  
13 date in question?

14 A Deny.

15 Q Okay. And are you certain here, as you testify under  
16 oath, that you told no one that you regularly dog-sat  
17 for Piper?

18 A Yes.

19 Q Okay. Have you lived in the Bangor area your whole  
20 life?

21 A No.

22 Q Okay. Where were you born?

23 A Philadelphia.

24 Q And when did you come to Bangor for the first time to  
25 live?



- 1 A Oh, Michael's 33. He was 7, so 28 years.
- 2 Q Okay. And did you go to college to get your RN?
- 3 A I did.
- 4 Q Where did you attend?
- 5 A Community College of Rhode Island.
- 6 Q Okay. And when you came 28 years ago, where did you  
7 move to physically?
- 8 A Glenburn, Maine.
- 9 Q Okay. Did you own a home there?
- 10 A Did not.
- 11 Q Did you have a dog there?
- 12 A Many years later.
- 13 Q Okay. And what kind of dog was that?
- 14 A Jack Russell Terrier.
- 15 Q I assume Andrew lived with you at that time?
- 16 A Possibly.
- 17 Q Part of it at least, right?
- 18 A It was a lot of years later.
- 19 Q Okay.
- 20 A He might have been an older teenager then.
- 21 Q And I apologize, I didn't catch your daughter's name?
- 22 A Caitlyn.
- 23 Q Caitlyn. And how do you spell that, Caitlyn?
- 24 A C-a-i-t-l-y-n.
- 25 Q And how old is Caitlyn roughly?

- 1 A Right now she's 23.
- 2 Q Okay. And she was present on the day in question?
- 3 A I don't think so.
- 4 Q Okay. And your other son, besides Andrew, is Michael,  
5 is his last name Davis, as well?
- 6 A It is.
- 7 Q And I should ask, is that also Caitlyn's last name?
- 8 A No.
- 9 Q And what is her last name?
- 10 A Conley.
- 11 Q Okay. What was the address in Glenburn, if you  
12 recall?
- 13 A 2801 Broadway.
- 14 Q And where did you move after that?
- 15 A Ohio Street in Glenburn.
- 16 Q Do you know the address on Ohio Street?
- 17 A 2793, I believe.
- 18 Q Okay. When did you move from Ohio Street?
- 19 A When did I leave there?
- 20 Q Yes.
- 21 A I couldn't reasonably tell you.
- 22 Q Okay. Approximately, how many years would that have  
23 been?
- 24 A Maybe 10 years ago.
- 25 Q Okay. And where did you move to from that location?

1 A A townhouse in Glenburn. I don't recall the address  
2 there.

3 Q Okay. Was it by -- okay. Strike that.

4 Did you have any dogs -- what was the name of  
5 your Jack Russell?

6 A Beanie.

7 Q B-e-a-n-i-e, is that how you would spell it?

8 A Yes.

9 Q Okay. And did Beanie -- was Beanie still with you  
10 when you moved to Ohio Street?

11 A No.

12 Q Okay. Did you have any dogs at Ohio Street?

13 A No.

14 Q And did you have any dogs at the townhouse in  
15 Glenburn?

16 A No.

17 Q And when -- where did you move from the townhouse in  
18 Glenburn?

19 A 5 Dean Street in Bangor.

20 Q Okay. And do you know approximately when you moved  
21 from Dean Street?

22 A December 1, 2014.

23 Q Okay. And did you move to Earle Avenue at that point?

24 A Yes.

25 Q Okay. Did you have any pet or dog -- dog at Dean

1 Street in Bangor?

2 A No.

3 Q Did you ever care for anyone else's dogs at either the  
4 Ohio Street, Glenburn, or Dean Street addresses?

5 A Not that I recall.

6 Q Did you get Beanie as a puppy or a rescue or later in  
7 her (sic) life?

8 A A little later in his life.

9 Q In his life. Excuse me.

10 And did -- were you -- did you get any papers  
11 when you got Beanie, AKC papers?

12 A No, no.

13 Q Okay. Do you know where you got Beanie?

14 A A woman in southern Maine.

15 Q Okay. And did you have Beanie undergo any dog-  
16 obedience training?

17 A No.

18 Q Did Beanie ever go to a kennel?

19 A No.

20 Q And did you have any occasion to where you became  
21 aware of, saw, or were present when Beanie bit anyone?

22 A There was an incident when we first got him, he was  
23 overexcited. I don't recall what the incident was.

24 Q And that was when you were in Glenburn; isn't that  
25 right?

1 A Yes.

2 Q And tell me about the circumstances of that dog bite.

3 A I do not recall, and I do not know that it was a dog  
4 bite.

5 Q Okay. Tell me what you do recall of the incident,  
6 please.

7 A That there was an incident with the dog and a person.  
8 I don't know the specifics. I was not home at the  
9 time. I don't know.

10 Q Okay. It occurred at the home in Glenburn?

11 A I believe so.

12 Q On the property or in the street or public way?

13 A On the property.

14 Q Okay. Who was --

15 A From what I understand.

16 Q And who reported it to you?

17 A I don't recall.

18 Q Do you remember getting interviewed by what we call an  
19 ACO, an animal control officer?

20 A Oh, possibly.

21 Q Is there anything that would trigger your memory as to  
22 whether you spoke with animal control?

23 A No.

24 Q Okay. Who would have been home at the time of this  
25 dog incident?

- 1 A I don't -- I don't know, my husband maybe.
- 2 Q What's your husband's name?
- 3 A Berton Conley. He's deceased.
- 4 Q Okay. Was there anyone else who would have been home  
5 around that time?
- 6 A I don't -- I don't know.
- 7 Q Okay. How many times have you taken care of Piper  
8 prior to this? How many times had Piper been at your  
9 apartment?
- 10 A That was the first time.
- 11 Q That was the first time ever on Earle Avenue?
- 12 A Correct.
- 13 Q Okay. And did anyone else in the -- that apartment  
14 building has, what, three units or is it two?
- 15 A Two.
- 16 Q What was the -- was there a letter for your apartment  
17 or your unit? Is it A or B?
- 18 A I think it was B.
- 19 Q Okay. Who lived in A, to your knowledge, at the time  
20 you lived there?
- 21 A Steve and his mother. I don't remember his mother's  
22 name.
- 23 Q And Steve's last name?
- 24 A I don't know.
- 25 Q And were you aware that home recently sold?

1 A No, I was not.

2 Q Okay. Did Steve or his mother ever have a dog that  
3 came to their apartment?

4 A I think so, but I'm not sure.

5 Q Did you ever get anything in writing from the landlord  
6 that acknowledged your right to have a dog there on  
7 occasion?

8 A No.

9 Q Had you had any other dog there on occasion besides  
10 Piper?

11 A Not that I recall.

12 Q Okay. If someone were to testify that there was  
13 considerable dog poop, feces, in the yard on that  
14 property, would you agree or disagree with that?

15 A Disagree.

16 MS. MAHER: Objection to foundation.

17 You can answer.

18 BY MR. LARGAY:

19 Q Did you --

20 MR. MARJERISON: Same objection.

21 BY MR. LARGAY:

22 Q Did you ever notice dog --

23 MS. MAHER: Can we just for the record --  
24 oh, are you repeating the question, Attorney Largay?

25 MR. LARGAY: I'm exploring it further.

1 MS. MAHER: Okay. Because I didn't hear,  
2 for the record, her answer to that, so I just wanted  
3 her to repeat that, if possible.

4 MR. LARGAY: Sure. We can have it read back  
5 if she doesn't recall.

6 A No, there was never dog poop in the yard.

7 BY MR. LARGAY:

8 Q Okay. Never any?

9 A Not that I recall.

10 Q And you don't know of any neighbors that were  
11 complaining that there was dog poop that wasn't picked  
12 up that was in the yard?

13 A Not that I know of.

14 Q Okay. Did you know any of your neighbors on Earle  
15 Avenue?

16 A To say hi to.

17 Q Does that mean you didn't know anybody by name?

18 A Correct.

19 Q Okay. So you didn't socialize with the people across  
20 the street or up the street?

21 A No.

22 Q Okay. And how long were you there in total?

23 A I think I left in 2019.

24 Q I want to sort of go step-by-step on the day of the  
25 incident. Did you get Piper that day or did Piper



1 just arrive with your son, Andrew?

2 MS. MAHER: Object to the form of the  
3 question.

4 You can answer.

5 A I didn't go pick up the dog. Andrew brought the dog.

6 BY MR. LARGAY:

7 Q Okay. How long before the dog incident did Andrew  
8 bring the dog over?

9 A I don't recall.

10 Q Okay. Do you know what you were doing that day?

11 A Watching the dog.

12 Q Okay. Do you remember around what time the incident  
13 happened?

14 A I do not.

15 Q Okay. And you were inside during the incident?

16 A Yes.

17 Q And so were you looking out the window while --

18 A No.

19 Q Okay. Did you see any part of the dog attack, that is  
20 until the time where the dog was separate and not on  
21 Otto's lip?

22 MS. MAHER: Object to the form of the  
23 question, mostly to the word attack.

24 You can answer it, Debbie.

25 A Can you repeat the question?

1 BY MR. LARGAY:

2 Q Yes, I will. Did you see the dog outside when Otto  
3 was still present at the scene?

4 A No.

5 Q Okay. Did you go outside at all?

6 A After the incident.

7 Q Okay. How long after, to your knowledge?

8 A Immediately.

9 Q Okay. Was there anyone else in the apartment with  
10 you?

11 A Andrew's girlfriend at the time might have been there.  
12 I don't recall specifically.

13 Q Okay. And who -- did someone alert you from outside,  
14 in other words, vocally, verbally, or did someone come  
15 running inside to get you or anything?

16 A Andrew came inside to get me.

17 Q Do you recall -- tell us what he said, if you can.

18 A I do not recall.

19 Q Okay. And do you know if he had a leash in his hands?

20 A If he had the dog, he had a leash. He might -- I have  
21 no idea what was in his hand.

22 Q Okay. And what did you do next?

23 A I got a wet wash cloth and went outside.

24 Q Okay. And where was Otto at that time?

25 A Outside.

1 Q Where, in the driveway, on the lawn, in the street, or  
2 otherwise, other location?

3 A I think he was sitting on the grass.

4 Q Okay. Up by the street?

5 A Yes.

6 Q There's no sidewalk on that side of Earle Avenue where  
7 your apartment was, is there?

8 A Correct.

9 Q The sidewalk is on the other side of the street?

10 A Correct.

11 Q Okay. And tell us what you saw.

12 A Otto bleeding.

13 Q Okay. He was laying on the ground?

14 A I think he was sitting.

15 Q Okay. And did you recognize that there was another  
16 gentleman there with him?

17 A Yes.

18 Q Okay. I'll just tell you, for the record, his name is  
19 John Huhn, H-u-h-n. Had you ever seen Mr. Huhn  
20 before?

21 A No.

22 Q And have you seen him since?

23 A No.

24 Q Did you have any discussions with Mr. Huhn --

25 A No.

1 Q -- at the scene of this?

2 A Not that I recall.

3 Q Okay. You don't recall anything else Mr. -- anything  
4 at all Mr. Huhn would have said to you?

5 A Him, himself, no.

6 Q Okay. Did you hear Otto say anything that day?

7 A He -- I did hear him say something. I don't know  
8 what.

9 Q Did you tell -- fair enough. I know we are going back  
10 several years.

11 Did you tell anyone else what you heard Otto say  
12 or what you believe you heard him say?

13 A No, not that I recall.

14 Q Okay. Not closer in time to the incident, nor more  
15 recently when you spoke to the insurance company?

16 A No.

17 Q Okay. Had you ever taken -- where was -- was Andrew  
18 living in Old Town at this time?

19 A I think so.

20 Q Okay. Had you ever dog-sat for Piper or dog-sat Piper  
21 for Andrew at any other location, other than Earle  
22 Avenue? And I understand --

23 A No, that day was the first time.

24 Q Okay. You had never dog-sat Piper in Old Town or in  
25 Orrington or at a park or anywhere else for Andrew?

1 A No.

2 MS. MAHER: Objection, asked and answered.

3 You can answer.

4 BY MR. LARGAY:

5 Q What was the name of the --

6 MR. LARGAY: Are you all set with that,

7 Laura?

8 MS. MAHER: Yes.

9 BY MR. LARGAY:

10 Q What was the name of the potato chip company that

11 Andrew was working for at the time?

12 A I don't know.

13 Q Okay. You don't know the company he was employed by?

14 A I don't know the company name, no.

15 Q Okay. For how long had did he work for that company,  
16 to the best of your knowledge?

17 A I don't know. I have no idea.

18 Q Okay. When did you first meet Piper?

19 A That day.

20 Q Okay. And how did you learn that Andrew had a new  
21 dog, was it by him arriving there or had he told you  
22 before?

23 A He called me one day and told me.

24 Q Okay. And do you remember what he told you in that  
25 call?

1 A That he got a new dog.

2 Q And did he tell you where he got that dog from?

3 A Humane Society.

4 Q And did he -- did you know he was looking for a dog  
5 before he got Piper?

6 A I know he's always liked animals. I don't know if he  
7 was actively looking or not.

8 Q Okay. And did he tell you about anything the Humane  
9 Society told him about Piper or temperament --

10 A No.

11 Q -- shots, anything like that at all?

12 A No.

13 Q Okay. Do you know how far before that day Andrew  
14 actually got Piper before he was bringing her to  
15 introduce her to you?

16 A No.

17 Q Okay. Do you know if Piper had undergone any dog-  
18 obedience training ever?

19 A I have no way of knowing that.

20 Q Okay. You spoke with the animal control officer on  
21 the day of this incident; do you remember that? It  
22 was a woman.

23 A I spoke with somebody.

24 Q Okay. Where did you speak with somebody?

25 A At the hospital maybe.

1 Q Do you remember speaking with the police officer,  
2 Bangor Police officer?

3 A I remember speaking with somebody.

4 Q Okay. You just don't recall whether that was an  
5 officer uniformed with Bangor Police or whether it was  
6 an animal control officer?

7 A Correct.

8 Q And no one gave you a business card, to your  
9 recollection?

10 A Not to my recollection.

11 Q Okay. Do you know if anybody came to your house after  
12 the day of this incident to follow-up on interviews or  
13 talk with you about any additional information?

14 A I don't recall.

15 Q Do you recall anything that Andrew said to Otto on the  
16 way to or at the hospital?

17 A No.

18 Q Do you recall anything that Otto said to Andrew or to  
19 you or anyone else on the way to or at the hospital?

20 A No.

21 Q Okay. Do you own or rent the home on South Main  
22 Street in Brewer?

23 A Own.

24 Q Is that like right next to Tozier's, across from  
25 Cap's, that kind of area?

1 A It's down by the church.

2 Q St. Teresa's?

3 A If there's a playground next to it, yes, then it would  
4 be St. Teresa's.

5 Q Yeah, that's it. And who do you live with there, if  
6 anyone?

7 A I own the house with my other son.

8 Q And where does -- does Michael work?

9 A He does.

10 Q And where did he work?

11 A Bar Harbor.

12 Q At what business?

13 A You would have to ask me that now. Give me a minute.

14 Q That's okay. You can tell me what kind of business.

15 A It's a restaurant.

16 Q Okay. And would Michael have any knowledge of this  
17 incident at all; do you know?

18 A No.

19 Q Okay. I'm just going to take a moment to review my  
20 notes, I may have no further questions and then I will  
21 turn it over to Ms. Huff or Ms. Maher.

22 Do you have a dog or does Michael have a dog at  
23 your house now?

24 A No.

25 Q Okay. Did you ever see the muzzle that Andrew had



1 purchased or acquired for Piper?

2 MS. MAHER: Objection, foundation.

3 A No.

4 MR. LARGAY: I'm sorry, Laura. I didn't get  
5 the objection.

6 MS. MAHER: Objection to foundation.

7 BY MR. LARGAY:

8 Q Okay. When you first met Piper, did you see a leash  
9 that Andrew had for Piper?

10 A Yes.

11 Q Is it possible for you to describe that leash by  
12 color, by material, by length, anything, whether it's  
13 a retractable one or plastic casing or --

14 A I don't know what kind of leash the dog was on.

15 Q Okay. And do you recall whether the dog had a collar?

16 A Yes.

17 Q Do you recall what kind of a collar?

18 A One that goes around its neck.

19 Q Right. And collars have colors, I would assume,  
20 right?

21 A I don't know if there was a color to the collar or  
22 not.

23 Q Collars have different materials, there are different  
24 kinds of collars, right?

25 A Yes. I don't know.

1 Q Okay. Had you ever seen the muzzle that Andrew had  
2 for Piper?

3 MS. MAHER: Again, objection to foundation.  
4 There's no evidence that he had a muzzle.

5 MR. LARGAY: I'm sorry, Laura, I know you  
6 weren't in the previous depositions, but Andrew  
7 admitted that he has a muzzle for Piper.

8 MS. MAHER: Okay.

9 MR. LARGAY: So fair enough, but I -- that's  
10 what the foundation is. Okay.

11 BY MR. LARGAY:

12 Q And I guess -- I just want to make sure of the answer  
13 to the question, did you see Piper with a muzzle that  
14 day, Ms. Conley?

15 A I've never seen Piper with a muzzle.

16 Q Okay. Fair enough.

17 I'm just going to review my notes real quick, and  
18 I may be done with my questioning at this time.

19 Just one or two follow-ups. Ms. Conley, do you  
20 belong now or have you ever belonged to any advocacy  
21 organization for animals?

22 A No.

23 Q Okay. That's all I have then. Thank you.

24 MS. HUFF: I have just a couple of questions  
25 if I can jump in now.

## EXAMINATION

1  
2 BY MS. HUFF:

3 Q Good morning, Ms. Conley. My name is Kady Huff. I  
4 represent Andrew in this lawsuit. And I just have a  
5 couple of follow-up questions. Earlier you testified  
6 that you contacted your landlord prior to Piper going  
7 to the property; do you recall that line of questions?

8 A I do.

9 Q And you spoke with an individual named Barbara; is  
10 that right?

11 A Yes.

12 Q And what did you ask Barbara?

13 A I explained to Barbara that my son had a dog, wanted  
14 to come over and visit now and again, and that was  
15 really about it.

16 Q And in that call, did Barbara give you permission to  
17 have the dog as a visitor?

18 A She did.

19 Q And did Barbara ask you any specific questions about  
20 the dog at the time?

21 A About the dog, no.

22 Q What types of things did she ask you?

23 A It was sometimes difficult for Barbara to -- yeah,  
24 excuse my voice. I have COVID right now.

25 Q I'm sorry to hear that.

1 A Oh, that's okay.

2 Just getting her to understand that the dog was  
3 visiting and not living there, and I did not have a  
4 child, son, living there with me. It was a difficult  
5 conversation to get her to understand that.

6 Q And did she give you any specific time frame or I  
7 should say length of time that it would be acceptable  
8 for Piper to be at your apartment?

9 A Not that I recall.

10 Q Did she give you any restrictions on Piper's  
11 visitation at the apartment?

12 A Just that Piper could not -- I could not have a dog  
13 living there.

14 Q Okay. That is all I have for you, Ms. Conley. Thank  
15 you for your time this morning.

16 A Okay. Thank you.

17 MS. MAHER: I don't have any questions.

18 I don't know if you have any follow-up, Tom.

19 MR. MARJERISON: No. Thank you.

20 MR. LARGAY: No follow-up.

21 Thank you, Ms. Conley, for your time today.

22 (The deposition was concluded at 9:39 a.m.)

23 (Read and sign was sent to Ms. Maher.)

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CERTIFICATE

I, Melissa L. Merenberg, RPR, a Notary Public in and for the State of Maine, hereby certify that the within-named deponent was sworn to testify to the truth, the whole truth, and nothing but the truth, in the aforementioned cause of action.

I further certify that this deposition was stenographically reported by me and later reduced to print through computer-aided transcription and that the foregoing is a full and true record of the testimony given by the deponent.

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 this 12th day of October, 2022.

/s/ Melissa L. Merenberg

MELISSA L. MERENBERG, RPR

NOTARY PUBLIC

Court Reporter

My commission expires: February 28, 2029.

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SIGNATURE PAGE

I, DEBRA CONLEY, have read the foregoing pages of my transcript or have had the foregoing pages of my testimony read to me and have noted any changes in form or substance of my testimony, together with their respective corrections and the reasons therefore, on the following errata sheet(s).

\_\_\_\_\_

DEBRA CONLEY

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(Date)

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TO BE COMPLETED BY NOTARY PUBLIC OR ATTORNEY:

I, a Notary Public/Attorney in and for the State of Maine, hereby acknowledge that the above-named witness personally appeared before me, swore to the truth of the foregoing statements and affixed his/her signature above as his/her true act and deed.

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October 12, 2022

RE: Otto Snow v. Andrew Davis and Dora Smith Family  
Real Estate Company, LLC c/o Barbara Nicholas,  
and Debra Conley.

Deposition of: Debra Conley

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