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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE: GENERAL MOTORS LLC
IGNITION SWITCH LITIGATION

14 MD 2543 (JMF)

-----x

ROBERT SCHEUER,

Plaintiff,

v.

14 Cv. 8176 (JMF)

GENERAL MOTORS LLC,

Defendant.

-----x

New York, N.Y.
March 24, 2016
9:00 a.m.

Before:

HON. JESSE M. FURMAN,

District Judge

APPEARANCES

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Yaek - direct

1 (Jury present)

2 THE COURT: You may be seated.

3 Good morning, and welcome back, ladies and gentlemen.

4 Hope you had a pleasant evening and afternoon yesterday, made
5 good use of your extra minute.

6 All right, New GM, please call your next witness.

7 MR. BROCK: We call Jennifer Yaek, your Honor.

8 THE COURT: All right.

9 JENNIFER YAEK,

10 called as a witness by the Defendant,

11 having been duly sworn, testified as follows:

12 THE DEPUTY CLERK: Please state and spell your full
13 name for the record.

14 THE WITNESS: Jennifer Yaek, J-e-n-n-i-f-e-r Y-a-e-k.

15 THE COURT: You may proceed, Mr. Brock.

16 MR. BROCK: Thank you, your Honor.

17 DIRECT EXAMINATION

18 BY MR. BROCK:

19 Q. Good morning, Ms. Yaek.

20 A. Good morning.

21 Q. Have you been retained in this matter by GM as an expert?

22 A. I have.

23 Q. And what is your area of expertise, please?

24 A. Accident reconstruction.

25 Q. What, generally, is the purpose of an accident

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Yaek - cross

1 THE WITNESS: I'm sorry. Can you ask the question
2 again?

3 MR. JACKSON: Sure.

4 THE COURT: The question is: Some of the information
5 that you are aware of is the fact that GM had acknowledged that
6 there was an ignition switch defect that affected this
7 particular model of car?

8 THE WITNESS: I am aware of a recall that was made
9 that included this car on the ignition switch.

10 BY MR. JACKSON:

11 Q. You're aware of the recall -- are you saying that you're
12 not aware of the ignition switch defect?

13 A. I believe that it was that the ignition switch could or may
14 be out of tolerance.

15 Q. Well --

16 A. My understanding of the recall.

17 Q. You're aware that GM acknowledged that there was a defect
18 in certain ignition switches, right?

19 MR. BROCK: Objection.

20 THE COURT: Overruled.

21 A. Again, I'm aware that there was a recall on ignition
22 switches that were below -- may be below threshold.

23 Q. So you're not -- I just want to be clear -- you don't want
24 to acknowledge that that was a defect, is that the distinction
25 you're drawing?

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Yaek - cross

1 MR. BROCK: Objection.

2 THE COURT: Overruled.

3 A. I am unaware of whether GM acknowledges it as a defect, as
4 you say.

5 Q. Whatever the case may be, you are aware that GM
6 acknowledged that it produced a number of cars with ignition
7 switches that had torque specifications -- that had torque that
8 was beneath GM's specifications, right?

9 A. That could be beneath, yes.

10 Q. Well, you're aware that they acknowledged that they
11 actually did produce a number of switches that actually were
12 beneath the torque specifications of GM, right?

13 MR. BROCK: Objection.

14 THE COURT: Sustained.

15 Q. Now, the fact that there was a known defect within the
16 model of vehicle that you were dealing with in this specific
17 investigation that you were dealing with here, that is some
18 relevant evidence for your investigation, right?

19 A. Again, I am aware that there was a recall, not a defect,
20 with the ignition switch being below threshold in some of the
21 ignition switches that included this model year vehicle.

22 Q. I won't call it a defect.

23 The fact that there had been a recall on this specific
24 model vehicle that you were looking at in connection with this
25 case that led to the ignition switch failures or related to