

Exhibit A

Joel Hack Dep Trans

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1 Q. And at that point in time when you got the -- up to
2 that point in time when you got the temporary
3 occupancy permit you hadn't had any other interaction
4 with the Township?

5 A. Not that I recall.

6 Q. And what was the nature of your conversation with
7 Mr. Brandt?

8 A. Explained to him our situation of having to leave the
9 apartment and our daughter having surgery.

10 Q. Did he ever tell you he was going to refuse the
11 permit?

12 A. He said he would discuss it with the supervisor.

13 Q. And ultimately a temporary occupancy permit was
14 issued?

15 A. Yes.

16 Q. Do you know if that's an unusual circumstance?

17 A. I don't know.

18 Q. But from your perspective it was something that you
19 needed to have in order to accommodate your personal
20 needs at that point in time?

21 A. Yes.

22 Q. And Mr. Brandt accommodated you?

23 A. Yes.

24 Q. And he allowed you -- or issued a temporary occupancy
25 permit for the parcel?

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1 Q. And it was after this letter that you were approved to
2 have a temporary occupancy permit?

3 A. Yes.

4 Q. And your wife still is in the property today?

5 A. Yes.

6 Q. Nobody's told you you have to move out of the
7 property?

8 A. Yes, somebody has.

9 Q. Who?

10 A. My wife and my doctor.

11 Q. Poorly phrased question on my part. No official from
12 Milford Township has ever told you you have to move
13 out?

14 A. Correct.

15 Q. And what is it about the condition of the property
16 that makes you anxious?

17 A. All the water.

18 Q. Is the water there today?

19 A. Yes.

20 Q. Do you have an understanding as to what it would cost
21 to remedy that problem?

22 A. No.

23 Q. So even through this lawsuit as you sit here today,
24 nobody's told you, Joel, you know, we can take care of
25 this water problem and it's going to be X amount of

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1 Q. What's your rate?

2 A. 4.75. Thank you for reminding me.

3 Q. My first mortgage was 9 and a half percent, 1986
4 before they -- yeah, yeah.

5 MR. CRONKHITE: The CD's were paying --

6 THE WITNESS: You made enough there as a
7 young attorney.

8 BY MR. TAMM:

9 Q. So I want you to tell me in particular what Don Green
10 has done.

11 MR. CRONKHITE: Objection, form.

12 THE WITNESS: In regard to what?

13 BY MR. TAMM:

14 Q. Well, you know you're suing Mr. Green personally?

15 A. Yes.

16 Q. What did he do that caused you to sue him?

17 A. What did he do? Prevented us from finishing our
18 house.

19 Q. And describe the particular action that Mr. Green
20 took.

21 A. Getting involved.

22 Q. Well, and I asked you this earlier. If you called Don
23 Green about a problem with a neighbor, would you
24 expect him to respond to your request?

25 A. Depends on the nature of the problem.

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- 1 Q. Well, would you at least expect that he would ask
2 whoever's responsibility it was in the Township to
3 look into it?
- 4 A. I did ask him about something and I don't think he
5 ever did anything about it.
- 6 Q. Well, apparently Mr. Mamo asked him a bunch of times
7 too and he didn't do anything, but I want to know what
8 particular action you claim that Don Green took
9 against you that caused him to be a defendant.
- 10 A. I think he's taken over the duty of inspector and
11 decided to run things himself.
- 12 Q. And what's the basis for that?
- 13 A. I don't hear much from Tim. Tim has always been
14 cooperative. Tim said he had to talk to Don about
15 giving us temporary occupancy, so at that point he was
16 involved.
- 17 Q. And you got temporary occupancy, correct?
- 18 A. And we got a lot of other things from him too.
- 19 Q. But I want to know what in particular Mr. Green did.
20 A. Represents the Township.
- 21 Q. So that's it, he represents the Township, he's the
22 supervisor?
- 23 A. Yeah.
- 24 Q. Tell me what Mr. Brandt did.
25 A. Tim?

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1 Q. Tim Brandt, what did he do?

2 A. He's not doing his job.

3 Q. In what way is he not doing his job?

4 A. Recognizing that the things that we need to do aren't
5 necessarily required by law.

6 Q. And have you gone back to look at the ordinances that
7 the Township enacted to see whether or not they apply
8 to your property?

9 A. No.

10 Q. In Exhibit 37 Mr. Mamo cites to two Township
11 ordinances.

12 A. Uh-huh.

13 Q. Have you looked at those ordinances?

14 A. Before today?

15 Q. Yeah.

16 A. Yeah.

17 Q. Have you looked at the Township ordinances to see what
18 they require?

19 MR. CRONKHITE: Asked and answered.

20 THE WITNESS: No.

21 BY MR. TAMM:

22 Q. So if the Township ordinances require that you get a
23 fill permit, do you believe that you're entitled not
24 to comply with Township ordinances?

25 MR. CRONKHITE: Objection, you're asking for

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1 a legal conclusion.

2 MR. TAMM: No, I'm not. I'm asking him if
3 he thinks he doesn't have to comply.

4 THE WITNESS: If we were doing fill. I
5 don't believe we're doing fill.

6 BY MR. TAMM:

7 Q. Okay. Were you doing grading?

8 A. Grading in regard to what, putting in a driveway?

9 Q. Yes.

10 MR. CRONKHITE: Objection.

11 THE WITNESS: I don't know if that's
12 grading, to be honest with you.

13 BY MR. TAMM:

14 Q. As part of documents produced by Boss Engineering,
15 they included the Milford Township ordinance
16 requirements. Have you seen those in the Boss
17 Engineering --

18 A. No.

19 Q. -- documents?

20 The Boss Engineering documents produced in
21 response to subpoena also include design standards.
22 Did you look at those?

23 A. Design standards with regard to what?

24 Q. With regard to development occurring within Milford
25 Township.

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1 A. No.

2 Q. So you haven't looked at what the ordinance requires?

3 A. I haven't looked to see how my car runs, but I get in
4 and drive it. No, I haven't looked at it at all.

5 Q. Well, my question is if your car wasn't working, would
6 you try and find out why it wasn't working?

7 A. I'd call somebody.

8 Q. So you didn't go to look at the ordinances to see
9 whether they required something of you that wasn't set
10 forth in the ordinance?

11 A. I could look at it, but I wouldn't understand it.

12 Q. And is it your understanding that you can construct
13 improvements on your property that would negatively
14 affect a neighbor?

15 MR. CRONKHITE: Objection to the extent
16 you're asking for a legal conclusion.

17 THE WITNESS: As a nice neighbor I wouldn't
18 do that.

19 BY MR. TAMM:

20 Q. Well, as a nice neighbor you refused to continue to
21 meet with Mr. Mamo?

22 A. As a nice neighbor I put up with him for a long time
23 before I decided -- or I was actually instructed not
24 to deal with him anymore. So, yeah, I give him his 15
25 minutes.