

# RATTLESNAKES IN THE GRASS!



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June 2013

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I was preparing for a deposition recently as an expert witness in a lawsuit filed by an Association against their Developer. My assignment was to calculate, on the basis of National Reserve Study Standards, what the Reserve Fund balance should have been at the Association through its early years. My deposition would be necessary to get the facts on record, so that both parties could begin to discuss a settlement or decide to move forward towards a trial.

I had been hired by the Developer and was informed that the attorney who would be deposing me for the opposing side had a reputation of being aggressive and abrasive. I was advised to be prepared to be grilled on everything, and to be attacked on both a personal and professional level. I had prepared to be ambushed, as my mom used to say, "as if there were snakes in the grass". Sounded like a fun day (ha ha!).

Before leaving for the deposition, I reviewed my notes to make sure I was at my best and ready to keep a cool demeanor under fire. I had never visited the property before, so I decided to stop by and check it out, since it way on the way.

Within the first few minutes of walking around the extensive buildings and grounds, it was assuring to see that the description I had been provided of the property was accurate. No surprises. Comfortable that the facts of the matter were solid, my curiosity kicked in and I wanted to get a sense of the "flavor" of the property. I decided to read one of the many yellow flyers I had seen posted everywhere throughout the community. I imagined that the flyer would advertise a yard sale, a unit for rent, or a lost dog or cat. Boy was I surprised!

The flyers were warnings that a landscape employee had been bitten the week before by a rattlesnake, and that residents were advised to keep their pets and children inside! Not exactly what I wanted to hear after walking behind buildings and through bushes for the past 30 minutes! But even so, as I gingerly and cautiously worked my way from the rear of the property to the front, carefully scanning the ground in front of me, the attorney who would be grilling me in an hour suddenly didn't seem quite as scary as the rattlesnakes in the grass!