

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR PINELLAS COUNTY
CIVIL DIVISION

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Michaela Mahoney, as Personal	:	
Representative of the Estate of Shawn	:	
R. McMillan, deceased	:	Case No.
	:	01-8355-CI-21
Plaintiff,	:	
vs.	:	
	:	
DANIEL JOHN NORDMARK,	:	
	:	
Defendant.	:	
	:	
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DEPOSITION OF: Rita Nordmark

DATE: April 2, 2002

PLACE: ROBERT DEMPSTER & ASSOCIATES
1875 North Belcher Road
Clearwater, Florida

PURSUANT TO: Notice by counsel for Plaintiff
for purposes of discovery, use at
trial or such other purposes as
are permitted under the
Florida Rules of Civil Procedure

BEFORE: ERIC T. FRENCH, RPR
Notary Public, State of
Florida at Large

1 Q -- rear passenger door?

2 A Door, the bottom.

3 Q And the dark area is the paint of the car, and the
4 lighter area is the plastic?

5 A Yeah, the wheel, yeah.

6 Q If you could hold that up so we at least get it on
7 the camera and we know who it is. And the number on the
8 back is?

9 A No. 4.

10 Q Now, you mentioned earlier that Shawn McMillan was
11 wearing Doc Martins. How do you know that?

12 A Because it was -- I saw it in the picture. The
13 shoe was on the backside of the car. It was -- I saw the
14 shoe. One of his shoes was still in the car when they
15 released me the car.

16 Q Did he take his shoes off before the gun went off,
17 to your knowledge?

18 A I don't know that. I didn't see him.

19 Q Did he have his shoes on when you arrived at the
20 hospital?

21 A Yeah. I don't know. I didn't look at him. I
22 didn't look at the -- that wasn't --

23 Q I understand. He had his shoes on when he got in
24 the car?

25 A Yes. That's a better question. Yeah.

1 Q Let me show you this photograph.

2 A That's the back behind the driver's seat.

3 Q Okay. Again, your car, the left rear passenger
4 door area?

5 A Uh-huh. (Indicates affirmatively).

6 Q Is that the blood on the seat you tried to clean
7 off?

8 A Yes.

9 Q And that would be Shawn McMillan's shoe there on
10 the floor?

11 A That's his right shoe.

12 Q And what is that next to the shoe?

13 A It's the -- what you put in the front windows so
14 the sun doesn't come in.

15 Q Like a glare guard sort of thing?

16 A Yeah. And that's No. 5.

17 Q Does that picture show the gun on the other side
18 of the car?

19 A Is that it?

20 Q Well, I'm asking you if you recognize it to be.

21 A I guess. It just shows a part of it. I don't
22 know.

23 Q Okay. Was his shoe in the car when the police
24 released the car to you?

25 A Uh-huh. (Indicates affirmatively).

1 Q It was?

2 A Uh-huh. (Indicates affirmatively).

3 Q Just one shoe?

4 A Just this, the shoe and the --

5 Q So pretty much when they released the car to you,
6 that was how you got it as it's depicted there in picture
7 No. 5?

8 A Well, the gun wasn't there. If that's the gun, it
9 wasn't there.

10 Q I understand. Aside from the gun.

11 A Yeah.

12 Q His right shoe was in the car?

13 A Uh-huh. (Indicates affirmatively).

14 Q Is that "yes"?

15 A Yes.

16 Q I don't mean to keep asking you the same question.
17 I'm just trying to hear the answer.

18 A I'm getting a little tired.

19 Q That's all right.

20 A I know. Yeah, this was still in the car.

21 Q Whatever happened to that shoe?

22 A They took it.

23 Q When did they take it?

24 A Right after they told me that I can have my car
25 back, and I went up to the car, and I still saw these two

1 items in there, and I said "Well, his shoe is still in my
2 car."

3 Q Then they came to get it?

4 A They came and got it.

5 Q Who did you talk to, do you remember?

6 A (Indicates negatively).

7 Q Was it Parsons?

8 A I don't know. One of the officers.

9 Q Okay. I'm going to assume you don't recognize
10 what's in photo 6.

11 A No. A little blurry.

12 Q And what happened to the glare shade? Did they
13 take that?

14 A Yeah. They took it with the shoe.

15 Q Okay. So when you did take the car, the gun, the
16 glare shade, and the shoe was taken out of the car by the
17 Tarpon Springs Police Department?

18 A Yes.

19 Q This is picture No. 7.

20 A It's the gun, supposedly. I suppose it's sitting
21 on --

22 Q The floor of the car?

23 A -- the floor of the car. That's No. 7.

24 Q We'll have other pictures here. You can look at
25 this one.

1 Q Here's where I'm confused, Rita. You said
2 that -- maybe I'm getting this testimony wrong. I just want
3 to make sure I have it right. You said it was only until
4 after the FDLE told you there was blood on your headrest
5 that you realized there was blood on your headrest?

6 A That there was -- that there was as much blood
7 that they recommended that I would get my headrest replaced.

8 Q If you had cleaned your headrest, wouldn't you
9 have recalled that?

10 A I didn't see that. I didn't realize that
11 that -- that there was that much. If they recommended it,
12 because it's so close to my head when I'm driving, that it
13 should be for health reasons, be replaced, but they found
14 blood spots on there.

15 Q What I'm asking you is if you cleaned your
16 headrest after you received the car that next day, I mean
17 the next morning and all of that, wouldn't you have recalled
18 trying to clean that off?

19 A Not necessarily. I'm sure I cleaned it off
20 because that was gone. I'm sure we cleaned -- we cleaned
21 everything, tried to clean it all. It was probably part of
22 the cleaning process. That was not an enjoyable time to do
23 that. And I don't -- I know we cleaned it all, so that was
24 part of the cleaning process, yeah.

25 Q When you took the car to Carsmetics, did you tell

1 were some of the pictures included in there, on copies of
2 them, but they were very poor quality.

3 Q When you were pointing out to him what you thought
4 might be blood stains on the door, do you have any actual
5 knowledge as to whether they tested positive as blood
6 stains?

7 A No. It looks like blood.

8 Q So you are pointing out dots on the photographs
9 that look like they might be blood?

10 A That look like they could, yes.

11 Q Okay. From the time you left the parking lot of
12 the pub that night, did you ever see the gun again?

13 A No.

14 Q When you got to the hospital, did you ever see the
15 gun?

16 A No. I didn't know where it was until I actually
17 seen these pictures.

18 Q Do you know whether the gun was ever returned to
19 Dan at any time after the shot was fired in the car?

20 A I don't believe so, no.

21 Q Did you see the gun being removed from the
22 automobile by the police?

23 A No.

24 Q How long did you talk to Officer Parsons at the
25 hospital?

1 A Not that long. Maybe ten minutes.

2 Q Ten minutes. And during that time he was making
3 notes in a little notebook?

4 A In a little notebook.

5 Q Did he record your statement?

6 A No.

7 Q Was there a court reporter there as there was
8 today taking down your statement?

9 A No.

10 Q So what he wrote in his report, would it be fair
11 to characterize that as paraphrasing what he thought you
12 told him?

13 A Yes.

14 MR. PERENICH: I'm going to object to the form of
15 that question. I think it does call for speculation. And I
16 don't think we established she read his notes.

17 BY MS. KEMP:

18 Q The words that you read in that report today,
19 Ms. Nordmark, were those your exact words to Officer
20 Parsons?

21 A It doesn't look like it. It looks like he took
22 notes of what I told him and then wrote up the report later
23 on.

24 Q Okay. And was it about one paragraph of
25 summarizing your statement?

1 A In the report?

2 Q Yes.

3 A It looks like one or two paragraphs, yeah.

4 Q Okay. And that was about ten minutes of
5 interview?

6 A Yeah. We talked, yeah, between five, ten minutes
7 just about --

8 Q Where did this take place?

9 A In front of the hospital.

10 Q Outside?

11 A Outside by his car.

12 Q What was going on outside while Officer Parsons
13 was attempting to take notes of what you were telling him?

14 A He was talking to me, and there were other police
15 officers with Danny on the side. I'm trying to think what
16 else was going on. Jennifer and Bernie was arriving. I was
17 trying to have them contact Chris and his parents.

18 Q Was this time with Officer Parsons interrupted
19 from time to time?

20 A I know I told him that I need to call -- I need to
21 call Chris. I need to call my husband and to get him over
22 there. And I couldn't wake him up. I know that was
23 included in the conversation. There was just so many
24 people, so many police officers, and there's a lot of things
25 going on.