

1 STATE OF MINNESOTA DISTRICT COURT
 2 COUNTY OF BLUE EARTH FIFTH JUDICIAL DISTRICT
 Case Type: Civil
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 5 Timothy J. McGowan, Court File No.
 09-CV-00-0000
 6 Plaintiff,
 7 vs.
 8 McGowan Reporting, LLC,
 9 Defendant.
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 13 Deposition of
 14 TIMOTHY J. MCGOWAN
 15 February 9, 2011
 16 9:00 a.m.
 17
 18
 19
 20
 21
 22
 23 Reported by:
 Timothy J. McGowan, McGowan Reporting, LLC
 24 230 Westwood Drive, Mankato, Minnesota 56001-2243
 office: 507-344-8194 fax: 507-344-2126
 25 e-mail: Admin@McGowanReporting.com

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 1 Deposition of TIMOTHY J. MCGOWAN, taken
 2 pursuant to Subpoena and taken before Timothy J.
 3 McGowan, a Notary Public in and for the County of
 4 Blue Earth and State of Minnesota, at the offices
 5 of McGowan Reporting, LLC, 230 Westwood Drive,
 6 Mankato, Minnesota, on the 9th day of February,
 7 2011, commencing at approximately 9:00 a.m.
 8 * * * * *
 9 APPEARANCES:
 10 Representing the Plaintiff:
 11 James B. Shield, Esquire
 Shield Law Firm, PA
 12 123 First Street
 Mankato, Minnesota 56001-0000
 13 phone: 507-555-2345
 fax: 507-555-6789
 14 e-mail: James@erehwon.com
 15 Representing the Defendant:
 16 John A. Questioner, Esquire
 Pryer & Questioner, PA
 17 123 Main Street
 Mankato, Minnesota 56001-0000
 18 phone: 507-555-1234
 19 fax: 507-555-5678
 20 e-mail: John@erehwesle.com
 21
 22
 23
 24
 25

3
 1 INDEX
 2 EXAMINATION:
 3 By Mr. Questioner 4
 4 By Mr. Shield 10
 5 REQUESTS:
 6 For information None
 7 For production
 8 Resume 9
 9 To mark transcript None
 10 OBJECTIONS:
 11 By Mr. Shield 8
 12 By Mr. Questioner None
 13 EXHIBITS:
 14 1: 2011 McGowan Reporting calendar 8
 15 2: McGowan Reporting St. Patrick's Day card . . . 8
 16 3: 02/09/11 1:18 p.m. printout of
 17 McGowanReporting.com home page 10
 18 * * * * *
 19 WHEREUPON, the following proceedings were had:
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4
 1 TIMOTHY J. MCGOWAN,
 2 having been first duly sworn,
 3 testified as follows:
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 5 EXAMINATION
 6 BY MR. QUESTIONER:
 7 Q. Mr. McGowan, my name is John Questioner. I have a
 8 few questions for you.
 9 Please state your full name.
 10 A. Timothy John McGowan.
 11 Q. Have you ever been known by any other name?
 12 A. No.
 13 Q. Now, Jack and Diann McGowan are your parents?
 14 A. Yes.
 15 Q. How many brothers and sisters do you have?
 16 A. Seven.
 17 Q. Which one are you? Oldest? Youngest? What?
 18 A. I'm the oldest.
 19 Q. What is your address?
 20 A. 230 Westwood Drive, Mankato, Minnesota, 56001.
 21 Q. What is your phone number?
 22 A. 507-344-8194.
 23 Q. Do you have a cell phone?
 24 A. Yes.
 25 Q. What is that number?

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1 A. I can never remember. Just call the previous
 2 number, and if I don't answer, press zero to get me
 3 on my cell phone.
 4 You didn't ask, but I have a toll-free
 5 number and a fax as well.
 6 Q. What is your fax number?
 7 A. 507-344-2126. And the toll-free number is
 8 866-452-7002. If I don't answer that, zero gets my
 9 cell from there too.
 10 Q. Did you graduate from high school?
 11 A. Yes; I went to Loyola High School in Mankato and
 12 graduated in the early '80s.
 13 Q. Any college?
 14 A. Three years. I went to St. Mary's College in
 15 Winona, Minnesota, right after high school. I
 16 needed about a half a year's credits to graduate,
 17 but I left when I couldn't afford school anymore.
 18 Q. Okay. Any other education?
 19 A. After a few years, I went to what was then known as
 20 Rasmussen Business College in Minnetonka,
 21 Minnesota -- or it might have had a Plymouth
 22 address. It was across Highway 12 from Ridgedale.
 23 Q. Did you graduate?
 24 A. Yes, with an associate in applied science degree in
 25 court reporting. I graduated in the early '90s.

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1 Apart from years of self-guided studies
 2 in grammar, spelling, vocabulary, punctuation, and
 3 usage, that's all my education. Well, and I've
 4 learned a lot about personal computers since
 5 getting out of school too. Friends call me Tim's
 6 Tech Support --
 7 MR. SHIELD: I think you've answered him.
 8 BY MR. QUESTIONER:
 9 Q. Well, now, you're a court reporter, aren't you?
 10 A. Yeah, since 1993. I organized as McGowan
 11 Reporting, LLC, in 2003.
 12 Q. Where have you practiced?
 13 A. Minnesota, mostly in the Twin Cities and, of
 14 course, now in Mankato since the fall of 2006.
 15 Q. What services do you offer?
 16 A. I report depositions, arbitrations, and statements
 17 under oath -- you know, the usual.
 18 I offer a few unique services. I scan
 19 any exhibits and put them in a PDF file with the
 20 transcript. The PDF file includes bookmarks, also
 21 known as outlines. These are links which appear in
 22 a pane on the left side of the document, and they
 23 take the reader to the index, examination,
 24 exhibits, and other important sections of the
 25 transcript. It's handy, I think, having the index

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1 always available.
 2 Because scans of exhibits are pictures,
 3 really, and not searchable text, I use OCR software
 4 to lay an invisible layer of the text over the
 5 scanned exhibit. When you search for something in
 6 the PDF file, you'll look through both the
 7 transcript and the exhibits. Of course, a
 8 bad-looking exhibit can yield poor OCR results: A
 9 fax of a fax of a fax usually spells
 10 disappointment.
 11 Oh, and I also offer transcripts in
 12 native Word and WordPerfect format, not the clunky
 13 conversions from ASCII that I've seen elsewhere.
 14 Adobe Acrobat 8 introduced the concept of
 15 portfolios, and I make use of the feature. All of
 16 the foregoing files get placed into a portfolio, so
 17 you only need download a single file to obtain all
 18 of the files.
 19 A final feature I offer: encryption. My
 20 laptop hard drive is encrypted in its entirety.
 21 The thumb drives I use for backup are encrypted.
 22 All backups I make are encrypted. If your client's
 23 confidential data is found anywhere it doesn't
 24 belong, it didn't come from me.
 25 MR. QUESTIONER: I'm going to ask the

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1 reporter to mark this, please.
 2 (Exhibit 1 marked.)
 3 BY MR. QUESTIONER:
 4 Q. What is this?
 5 A. It's a calendar for 2011.
 6 Q. And on the back you have calendars for 2008, 2009,
 7 2010, and 2012?
 8 A. Yes.
 9 Q. And is this a document you've created?
 10 A. Yeah, it is. It's just a WordPerfect table, you
 11 know. Well, five tables, if you want to get
 12 technical.
 13 Q. And your logo is a shamrock, I see. How very Irish
 14 of you.
 15 MR. SHIELD: Objection --
 16 THE WITNESS: Sorry; no. It's a clover.
 17 The graphic file I adapted called it a shamrock,
 18 but it's really a four-leaf clover.
 19 MR. QUESTIONER: Oh. Learned something.
 20 THE WITNESS: My dad taught me that one.
 21 MR. QUESTIONER: Well, I guess that's all
 22 I had to ask about that, then.
 23 (Exhibit 2 marked.)
 24 BY MR. QUESTIONER:
 25 Q. And what's this?

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1 A. It's the St. Patrick's Day card I send out.
 2 Q. Is this another document you've created?
 3 A. Yep. In WordPerfect.
 4 I'm hoping to come up with some new text
 5 this year, but the well's run dry for the moment.
 6 Q. What's the deal with the leprechaun?
 7 A. Besides what's in the fine print on the back?
 8 Q. Oh. (Reviewing document.) Guess that answers that
 9 question, in a really indirect way.
 10 A. There's a more prosaic version of that on my Web
 11 site.
 12 Q. Got it. What I still don't have, though, is a copy
 13 of your Resume.
 14 A. I left it at home, right by the door, where I'd be
 15 sure not to miss it on my way here. Obviously,
 16 that's not working out for me too well.
 17 Q. Can you get a copy of that to your attorney so he
 18 can send it to me?
 19 A. Absolutely.
 20 (Document request.)
 21 MR. QUESTIONER: I guess that's really
 22 all I needed to get on the record. Just try to get
 23 that to me sometime next week, if you can.
 24 MR. SHIELD: One point of clarification,
 25 I think, is in order.

10

1 EXAMINATION
 2 BY MR. SHIELD:
 3 Q. You mentioned you have a Web site.
 4 What's the address?
 5 A. McGowanReporting.com.
 6 Q. Do you have an e-mail address?
 7 A. Yeah; it's Admin@McGowanReporting.com.
 8 (Exhibit 3 marked.)
 9 BY MR. SHIELD:
 10 Q. Is this a printout of your Web site's home page?
 11 A. That's right. As it existed on that date.
 12 Q. I've used that link on your Web site to send e-mail
 13 to you, and it points to a different address.
 14 A. Yes, and that one works just fine too. I was
 15 trying to keep the address from being harvested by
 16 spam bots, but I think that cat's long since out of
 17 the bag.
 18 Q. Oh, I see.
 19 MR. SHIELD: That's all I have.
 20 MR. QUESTIONER: I'm good.
 21 MR. SHIELD: This was short, but I always
 22 advise reading and signing, so that's what we'll
 23 do.
 24 (Time noted: 9:15 a.m.)
 25 * * * *

11

1 STATE OF MINNESOTA)
) ss. CERTIFICATE
 2 COUNTY OF BLUE EARTH)
 3 Be it known that I, Timothy J. McGowan,
 recorded the foregoing deposition of TIMOTHY J.
 4 McGOWAN;
 That I was then and there a notary public
 5 in and for the County of Blue Earth and State of
 Minnesota;
 6 That by virtue thereof I was then and
 there duly authorized to administer an oath;
 7 That the witness, before testifying, was
 by me first duly sworn to testify to the truth, the
 8 whole truth, and nothing but the truth relative to
 said cause;
 9 That the testimony of said witness was
 recorded in stenotypy by me and was reduced to
 10 typewriting by me or under my direction, and that
 the transcript is a true record, to the best of my
 11 ability, of the testimony given by the witness;
 That the right to read and sign the
 12 transcript by the said witness was reserved;
 That the cost of the original was charged
 13 to the attorney noticing the deposition and that
 all parties that ordered copies were charged
 14 equally;
 That the sealed original transcript will
 15 be delivered to John A. Questioner, Esquire, upon
 receipt of signed errata sheet(s) or upon
 16 expiration of the 30-day time limit;
 That I am not related to or employed by
 17 or contracting with any of the parties or attorneys
 in this matter, nor am I interested in the outcome
 18 of the action; and
 That the reading and signing has been
 19 executed as evidenced by the following page(s).
 20 WITNESS my hand and seal this 9th day of
 February, 2011.
 21
 22
 23
 24
 25

 Timothy J. McGowan, Notary Public
 My commission expires
 January 31, 2015.

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1 DEPOSITION CORRECTION SHEET
 2 TITLE: McGOWAN vs. McGOWAN REPORTING
 3 WITNESS: TIMOTHY J. McGOWAN
 4 PAGE LINE DESIRED CHANGE
 5 _____
 6 _____
 7 _____
 8 _____
 9 _____
 10 _____
 11 _____
 12 _____
 13 _____
 14 _____
 15 _____
 16 _____
 17 _____
 18 _____
 19 _____
 20 _____
 21 _____
 22 _____
 23 _____
 24 DATE _____ TIMOTHY J. McGOWAN
 25 Return to Timothy J. McGowan, McGowan Reporting, LLC,
 230 Westwood Drive, Mankato, MN 56001-2243