

IN THE CIRCUIT COURT OF  
DARROW COUNTY, STATE OF NITA  
CIVIL DIVISION

FLINDERS ALUMINUM FABRICATION CORPORATION,

Plaintiff,

vs.

No. CV-235894

MISMO FIRE INSURANCE COMPANY,

Defendant.

Deposition of David Pinkus  
(Excerpts)  
Taken on August 15, 2024

Line

1 Q. Please state your name.

2 A. David Pinkus.

3 Q: What is your role in this case?

4 A: I was hired to give my opinion about the cause of the fire at Flinders Aluminum on  
5 November 16, 2023.

6 Q: Who hired you in this case?

7 A: The attorney for either Arthur Jackson or Flinders Aluminum. To me, they are really one  
8 and the same.

9 Q: Who would you say you do most of your work for in arson cases?

10 A: For the past 6 years, I have worked in both civil and criminal cases, but primarily in the area  
11 of criminal cases.

12 Q: What side have you worked for primarily in criminal cases?

13 A: I have worked for both the State and the defense.

14 Q: How about in civil cases like this one? What side has hired you in those kinds of cases?

15 A: I have worked for both sides, but I would say that about 90% of the time, I have been hired

1 by the plaintiff in the case.

2 Q: And in those 90% of cases, was the plaintiff claiming that arson was not the cause of the  
3 fire?

4 A: Yes.

5 Q: You would agree that you have never testified in a civil case that a fire was purposefully  
6 set.

7 A: I believe that is correct.

8 Q: Usually what you do is attack the findings of the investigation team?

9 A: Yes.

10 Q: How much are you paid for your work?

11 A: I receive \$300 an hour for consulting work and report writing.

12 Q: How much do you receive if you have to testify about your opinions?

13 A: I get \$3,000 a day, and \$2,000 if it is only for half a day, when testifying at deposition or in  
14 court.

15 Q: How much have you billed so far in this case before you came to testify in your deposition  
16 today?

17 A: I have billed \$3,000 for phone calls, meetings, review of material and writing my report.

I, DAVID PINKUS, certify I have read the foregoing testimony as transcribed and it is a true and correct transcript of my testimony given in this deposition on August 15, 2024, in the offices of defendant's counsel.

Signed 3<sup>rd</sup> day of September, 2024.

David Pinkus

David Pinkus

Certified on the 3<sup>rd</sup> day of September, 2024.

Ann E. Hall

Ann E. Hall

Certified Shorthand Reporter (CSR)