

SHIELDS INTERVIEW 02-25-09

OFFICER: Like I said, I already got your story out on the scene, ah your initial what happened, went down, but since you are under arrest we gotta get an official statement ok,

SHIELDS: Ok

OFFICER: so what's your full name?

OFFICER: What is your full name?

SHIELDS: It's Michael Edward Shields the Third

OFFICER: Ok, so you have the right to remain silent any statements being made, any statements you make may be used evidence against you, you have the right to have a presence of an attorney either retained or appointed free of charge, before and during questioning. Do you understand each of these rights I just explained to you?

SHIELDS: Yes I do

OFFICER: Ok, do you want to tell me what happened?

SHIELDS: Ah, Yes

OFFICER: Ok ok go ahead just do just do a start to to finish of of the incident

SHIELDS: Sure, driving back from class, driving home ah there was a guy um in the middle of the lane barely saw him till the last minute, um then I did see him, I hit the brakes um I slowed down and um

OFFICER: Ok what what the when you first spotted him what road were you on

SHIELDS: I was on ah College in the left lane on College, he was in the left lane in front of me um I saw him I slowed down he went over a little bit to get in between both of the lanes, I guess I don't know what you call it and um so I passed him um and um I mean I was close to him definitely cause he was right next to me um so I guess he did not like that he started throwing his hands up and he ah started peddling real fast so ah I was at the light to make a ah I'm sorry I was on Barnyard, is that what that is?

OFFICER: when you first saw him it was Bernard, the one that comes down from there, close to College

SHIELDS: Yeah, Bernard

OFFICER: Bernard

SHIELDS: Ok I was on Bernard when that happened

OFFICER: Ok, then that's where he was peddling in the middle of the street

SHIELDS: Right, yeah, um and then um, I get, I get

OFFICER: Did you pass on his left or right?

SHIELDS: I passed on his right, I'm sorry I passed on his right

OFFICER: Ok

SHIELDS: I am still a little shaky

OFFICER: Ok, that's fine

SHIELDS: so he went over to the left a little bit that's when I passed him on the right so he was on my left hand side

OFFICER: Ok

SHIELDS: and um just kind a like swerving in and out of lanes and not let people pass it was just a weird thing so ah I made a right onto College

OFFICER: Right

SHIELDS: at that point and that's when I saw the hands and everything else I didn't think anything of it so um I was pulling up to make a left onto Vista Way when um I'm kinda stopped in the second to the left lane to make a left hand turn there

OFFICER: So you weren't in the turn lane yet, you were you were in a straight lane but you were gonna make a left turn on to Vista Way

SHIELDS: No, I was in the one turn lane but not the far left lane

OFFICER: Ok

SHIELDS: I was in that turn lane, that's when he came up to me and spit in right in my face

OFFICER: Were you guys still travelling now or were you stopped?

SHIELDS: I was stopped

OFFICER: Ok

SHIELDS: um I'm sorry, No, I was going pretty slow, almost to a slow idle

OFFICER: Was it a red red light were you coming up to a red light or was it a green light

SHIELDS: Um I wasn't really sure it was pretty far in the distance but um that's when he spit on my window and then he went to kick my car while in front of me I slammed on the brakes and that's when I felt I knew I hit one of his tires

OFFICER: Right

SHIELDS: And I ran out and I said look I'm sorry I'm sorry, and that's when the other guy came up and got in my face

OFFICER: Now when you hit one of his tires

SHIELDS: Um huh

OFFICER: did how far did you travel after hitting his tire did you hit it and just immediately stop

SHIELDS: Oh I immediately braked

OFFICER: or did you try to swerve

SHIELDS: Yeah, No, as soon as I saw him come in front of me I tried to swerve and then I um hit the brakes and that's when I knew I definitely hit a tire, I could feel I hit a tire

OFFICER: Um huh

SHIELDS: and that's when he jumped up and ran over to my car and then that's when uh

OFFICER: The the Hispanic guy did or the other guy did

SHIELDS: The Hispanic guy came up and ran up to my car and then a couple moments later ah a biker pulled up right in front of my car got out a young kid and then he ran over and got in my face and said we'll fuck you up we'll fuck you up and then he said Marten are you ok and that's when I thought that was weird

OFFICER: Ok

SHIELDS: and um ah I just said look guys let's wait for the police let's call the police let's do the right thing and that's when

OFFICER: Who called the police did you or did they?

SHIELDS: Um, none of us did because we saw you guys coming

CIV-050

- DO NOT FILE WITH THE COURT -
-UNLESS YOU ARE APPLYING FOR A DEFAULT JUDGMENT UNDER CODE OF CIVIL PROCEDURE § 585 -

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name and Address): John O. Clune (State Bar # 175824) THE PROVAN CLUNE LAW FIRM 600 B Street, Suite 1620 San Diego, CA 92101	TELEPHONE NO.: (619) 234-3908	FOR COURT USE ONLY
ATTORNEY FOR (name): Plaintiff, Martin Rios		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 325 S. Melrose Drive MAILING ADDRESS: same CITY AND ZIP CODE: Vista 92083 BRANCH NAME: North County District		
PLAINTIFF: Martin Rios DEFENDANT: Michael Shields		
STATEMENT OF DAMAGES (Personal Injury or Wrongful Death)		CASE NUMBER: 37-2009-00061917-CU-PA-NC

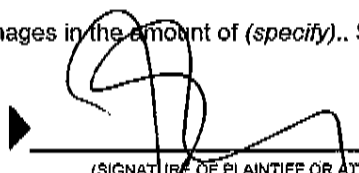
To (name of one defendant only): **MICHAEL SHIELDS**
 Plaintiff (name of one plaintiff only): **MARTIN RIOS**
 seeks damages in the above-entitled action, as follows:

	AMOUNT
1. General damages	
a. <input checked="" type="checkbox"/> Pain, suffering, and inconvenience	\$ <u>500,000.00</u>
b. <input checked="" type="checkbox"/> Emotional distress.	\$ <u>500,000.00</u>
c. <input type="checkbox"/> Loss of consortium	\$ _____
d. <input type="checkbox"/> Loss of society and companionship (wrongful death actions only)	\$ _____
e. <input type="checkbox"/> Other (specify)	\$ _____
f. <input type="checkbox"/> Other (specify)	\$ _____
g. <input type="checkbox"/> Continued on Attachment 1.g.	
2. Special damages	
a. <input checked="" type="checkbox"/> Medical expenses (to date)	\$ <u>50,000.00</u>
b. <input checked="" type="checkbox"/> Future medical expenses (present value)	\$ <u>250,000.00</u>
c. <input checked="" type="checkbox"/> Loss of earnings (to date)	\$ <u>2,000,000.00</u>
d. <input checked="" type="checkbox"/> Loss of future earning capacity (present value)	\$ <u>2,000,000.00</u>
e. <input checked="" type="checkbox"/> Property damage	\$ <u>100,000.00</u>
f. <input type="checkbox"/> Funeral expenses (wrongful death actions only)	\$ _____
g. <input type="checkbox"/> Future contributions (present value) (wrongful death actions only)	\$ _____
h. <input type="checkbox"/> Value of personal service, advice, or training (wrongful death actions only)	\$ _____
i. <input type="checkbox"/> Other (specify)	\$ _____
j. <input type="checkbox"/> Other (specify)	\$ _____
k. <input type="checkbox"/> Continued on Attachment 2.k.	
3. <input checked="" type="checkbox"/> Punitive damages: Plaintiff reserves the right to seek punitive damages in the amount of (specify).. \$ <u>2,000,000.00</u> when pursuing a judgment in the suit filed against you.	

Date: December 4, 2009

John O. Clune

(TYPE OR PRINT NAME)



(SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

(Proof of service on reverse)

Page 1 of 2