HEARING CONVENED: 9:55 A.M.

COMMISSIONERS PRESENT:

DAVID YASSKY, Chairman
MEERA JOSHI
IRIS WEINSHALL
EDWARD GONZALES
LAUVIENSKA POLANCO
ELIAS AROUT

ALSO PRESENT:
THE STAFF
THE PUBLIC
THE PRESS

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CHAIRMAN YASSKY: Good morning.

I call this meeting to order at 9:55 a.m. Present are Commissioners Gonzalez, Weinshall, Polanco, Joshi and Arout.

We will just vote now to go into executive session for purposes of considering an appeal from a discretionary revocation in litigation matters. Then we will return after that.

All in favor of breaking for an executive session, say aye.

COMMISSIONER GONZALES: Aye.
COMMISSIONER WEINSHALL: Aye.
COMMISSIONER JOSHI: Aye.
COMMISSIONER AROUT: Aye.
COMMISSIONER POLANCO: Aye.
CHAIRMAN YASSKY: We will now move into executive session.
(Whereupon, from 9:55 a.m. to 10:25 a.m. a recess was taken.)

CHAIRMAN YASSKY: Good morning.

We are reconvening at 10:25.
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Present are Commissioners Polanco, Gonzales, Weinshall, Joshi and Arout.

First, there is a report that the TLC's revocation of the license of Tasheen Awan, hack license number 5057251, is affirmed.

Just a couple of updates before we get to our business today. First, I am pleased to report to the folks in the industry that all 6,000 street-hail livery permits made available for the first year of the program have now been issued by the TLC. That includes 1200 permits for use on wheelchair-accessible vehicles. I think we are running now over about 1500 or so on the road, averaging about 7 trips per day per vehicle, which is just about what was projected. Since they all have GPS-enabled trip recorders, we have actually quite a bit of data on where they are, and they are now providing service in The Bronx, Brooklyn,
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Queens, Northern Manhattan, a very tiny bit on Staten Island. But, you know, a little bit as one might expect. So I think it is fair to say it is going very well, and I am certainly very pleased.

Last week we conducted an auction of 200 Medallions. Commissioners, you know this, the sale prices were quite strong. The 200 Medallions, the aggregate bid amount -- I am not going to call it sale, because the bidders have a couple of months in which to close on these and none have come in to close yet. The aggregate bid amount was about a little under $227 million for 200 Medallions. So an average of in excess of $1,100,000 per Medallion. Those, of course, are Medallions all restricted for use with wheelchair-accessible, restricted to use only with wheelchair accessible vehicles.

The last time Medallions with
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that restriction were auctioned by the City was in 2008, when they sold for about $600,000. So in 2008, $600,000; 2113, $1,100,000 on average.

I think that tells us many things, among them that the industry is strong and healthy. That investors believe that Medallion ownership and operation will continue to be highly profitable, as it should be, because it is offering the public an excellent service. I think, more broadly, it is a real vote of confidence in the City's economy, since that fundamentally is what drives the taxi industry. That there will be a continued stream of business people, visitors, and New York residents seeking to use the taxis for, not just the foreseeable future, but whatever future goes into an investigator's calculation of the present value. So that is I think an excellent result for the City and for the industry.
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Last, I want to note that the Commission is denying a petition brought by Christina Wong. A rule making petition seeking to require each TLC for hire base station to provide canine transportation service upon request. That is the petition we received, and in accordance with our rules for petitions, I report to you, Commissioners, that the staff has determined that that rule is unnecessary and, therefore, we are denying it.

Before moving to our business for the day, I just want to call up -- we have a bunch of -- well, some are not so new. Some are longstanding and a couple are new -- directors in the Licensing Standards Division who have never been formally sworn in and received their badges. So Stacy, Nicole, Alison, Paula, and Anna. Stacy Lorenzo, Nicole Vacas, Alison Hardwell, Paula Wright, and Anna.
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Mastratta, please come forward and we will swear you in and give you your badges.

Commissioners, as folks are coming here, I just want to say probably how extraordinarily proud I am of the work that all three really of our operating divisions have done, not just over the last couple of months, but over the last three or four years.

But the last couple of ones, in particular, the street and livery license initiative proved to be really an extraordinary amount of work for our staff. For months traffic in Long Island City practically doubled, and we added a few staff people, but not all that many, and they handled it just, you know, almost without missing a beat. In some ways more impressively, we started to get some backlogs and Gary and the team responded. We reallocated the staff.
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We actually had some people from 33 Beaver. A lot of people worked a lot of overtime and a lot of Saturdays and got the backlogs back down. So to me actually I think that is even more impressive. At the same time over at Woodside our S and E, our safety emissions inspection staff, has also had a large increase in workload, and it has also handled marvelously.

So I just want to thank Gary Weiss, Ray Scanlon, Martin Grindley and all of their teams for all of that hard work.

Now directors, raise your right hand, if you will. Repeat after me, I, state your name, do solemnly swear or affirm that I will uphold the Constitution of the United States and the State of New York and the Charter of the City of New York. I will faithfully execute all of the laws of the City of New York and the rules of the Taxi & Limousine Commission to the
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the best of my ability.

You are sworn in as directors in

the Licensing and Standards Division.

Your badges.

Thank you very much.

COMMISSIONER GONZALES: Let me ask the Chair a quick question. On the 200 Medallions that were just bid, what is the date to have these vehicles on the road?

CHAIRMAN YASSKY: The short answer is we will see. There are two main -- so each of these must be used with a wheelchair-accessible vehicle. There are two main companies. There are other companies as well. There are two companies that seem to have the bulk of the business, virtually all of it really, and are upfitting vehicles for wheelchair accessibility for taxi cab use. They are each running at very lengthy backlogs now primarily due to the street hail livery effort. There are 1200
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licenses that have been issued for street or livery permits and have been issued for wheelchair-accessible vehicles. There are now about 40 of those 1200 actually on the road. Every day we see another one, two, or three of them come to Woodside. That is how we know that they are hitting the streets. It is running about a two-month backlog from when you want it to when you are getting it now. I think that backlog in all honesty is probably likely to increase, because many of the 1200 permit holders have not started or have not placed their orders yet. So I can't say with any certainty, but I think it will be at the minimum two months, but it easily could be four months until you see some of those vehicles actually on the road.

COMMISSIONER GONZALEZ: Thank you.

CHAIRMAN YASSKY: We are in
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contact with them. There is some interest in the upfitters about increasing their staff and, therefore, increasing their ability for their output. But it is not something they can do super easily. And, you know, they are not going to hire a bunch of people for a one time thing and then have it go away.

Commissioners, we have here for you the minutes of the October 17, 2013, Commission meeting. I move that the minutes be adopted as they are before you. All in favor, say aye.

COMMISSIONER GONZALES: Aye.
COMMISSIONER WEINSHALL: Aye.
COMMISSIONER JOSHI: Aye.
COMMISSIONER AROUT: Aye.
COMMISSIONER POLANCO: Aye.
CHAIRMAN YASSKY: Opposed, no.
(Whereupon, no response was heard.)
CHAIRMAN YASSKY: We also have the minutes from the September 12,
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2013, meeting before you, and I move that those be adopted. All in favor say aye.

COMMISSIONER GONZALES: Aye.
COMMISSIONER WEINSHALL: Aye.
COMMISSIONER JOSHI: Aye.
COMMISSIONER AROUT: Aye.
COMMISSIONER POLANCO: Aye.
CHAIRMAN YASSKY: Base applications. Assistant Commissioner Siegel is here to present those.

MS. SIEGEL: There are 14 bases that licensing is putting up for approval by the Commission.

CHAIRMAN YASSKY: I recommend that we adopt the recommendation of the Licensing Division and approve all the bases that they have put before us. All in favor, say aye.

COMMISSIONER GONZALES: Aye.
COMMISSIONER WEINSHALL: Aye.
COMMISSIONER JOSHI: Aye.
COMMISSIONER AROUT: Aye.
COMMISSIONER POLANCO: Aye.
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CHAIRMAN YASSKY: Opposed, no.

(Whereupon, there was no response.)

CHAIRMAN YASSKY: A vote of 5 to zero. Those base applications are approved. Thank you for keeping everything running smoothly.

The next item of business are rules called in your package LPEP cleanup rules. We had a public hearing on those last week, or rather last month. So no public hearing is necessary today. I move that we vote on those right away.

All in favor of adopting the LPEP cleanup rules package, say aye.

COMMISSIONER GONZALES: Aye.
COMMISSIONER WEINSHALL: Aye.
COMMISSIONER JOSHI: Aye.
COMMISSIONER AROUT: Aye.
COMMISSIONER POLANCO: Aye.
CHAIRMAN YASSKY: Opposed, no.

(Whereupon, there was no response.)
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CHAIRMAN YASSKY: By unanimous vote, those are adopted.

Next we have rules that are in your package with the title "Summary Suspension Rules, Summary Suspension Update." Meera will explain. This really is a -- well, she'll explain it is kind of a technical change to conform our rules to our current practice that was made necessary by some changes in OATH's rules. So we have to conform to them.

But, please, go ahead.

COMMISSIONER JOSHI: Today we are taking public testimony on proposed amendments to clarify when summary suspension of a TLC license can occur prior to a hearing and to amend and to clarify the penalties for certain violations, including when suspension can be imposed by an ALJ after a hearing. The amendments are not intended to change and don't change any of the existing TLC
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practices or procedures. They just clarify and distinguish the instances in which TLC may impose a summary suspension versus instances when an OATH TLT ALJ upon a finding that a licensee has violated a rule imposes a suspension.

The rules are necessary as a result of the transfer of the tribunal function for the TLC to OATH. The rules were published in the City record on October 22, 2013. The comment deadline is today, and we have received no written comments.

We will now hold the public hearing on these rules.

CHAIRMAN YASSKY: Apparently no one has signed up to speak. If there is anyone here intending to speak. Mr. Lindauer?

MR. LINDAUER: Yes. I did sign up to speak.

CHAIRMAN YASSKY: I apologize. You are absolutely correct. You did
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sign up to speak. Please go ahead.

Next is Warmann DiPoumbi.

Mr. Lindauer, if you would, the rules before us today are on summary suspension. I assume your testimony deals with that topic?

MR. LINDAUER: Yes. But I do want to comment on revocations. I think the revocations policy should be reviewed. It is too easy to take a livelihood away from a driver and his family. I think the Supreme Court would call it cruel and unusual punishment in many cases.

CHAIRMAN YASSKY: Please just proceed with your comments, and please keep them on topic.

MR. LINDAUER: Don't I always?

On page 2, it was 1(a): A driver must have a valid taxi driver's license. The driver must not operate a taxi cab or street-hail livery, that should not knowingly operate a taxi cab or street-hail livery in the City
Proceedings of New York while it is revoked or suspended.

But I do want to commend the Commission for easing the rules up on under suspension, but these need to be adjusted like that, and certainly that word knowingly. They tell me that we should hold the TPEP vendors responsible for updating when the suspension -- when there is no suspension, and the TLC's website must be updated daily, if not more than that, you know. Because people's likelihoods are at stake.

CHAIRMAN YASSKY: Indeed. And it is updated daily.

MR. LINDAUER: That is all I have to say.

CHAIRMAN YASSKY: Thank you, Mr. Lindauer.

I see Bhairavi Desai is also here, but I assume you are speaking on her behalf?

MR. LINDAUER: Right.
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CHAIRMAN YASSKY: Her name is here.

Warmann DiPoumbi and the next is a speaker just with a single name Cisse.

MR. DiPOUMBI: Good morning, sir. My name is Warmann DiPoumbi, license 506979. I would like first to thank you for your time and effort in bringing about change. This industry needs it. It has been a privilege for me to be here today, informing you that in 2008 I was suspended for assaulting a police officer. And the hearing remand was published as of today.

I would like just for this body to be more considerate and to determine about those suspensions in the future and be more considerate.

I will stop for now and I think it is a very great effort this morning.

CHAIRMAN YASSKY: Thank you for
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your comments. We will look into the
facts of your instance. I appreciate
your comments. Thank you.

Next is Mr. or Ms. Cisse?

MR. CISSE: Yes.

COMMISSIONER YASSKY: Sir.

Then there is one additional
speaker Samson Zerai, and that is all
on the list.

MR. CISSE: (Inaudible).

CHAIRMAN YASSKY: That is really
off the topic, sir. Thank you, sir.

MR. ZERAI: (Inaudible).

CHAIRMAN YASSKY: Thank you,
sir.

With that I move that we vote on
this again. There is no substantive
change here in our practice. We are
changing rules, our rules to make them
what they were before OATH took the
tribunal judges and amended their
rules and when it wasn't consistent
with practice. So we are now
restoring the rules so that they will
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be consistent with the practice that
we have had for years.

All in favor, say aye.

COMMISSIONER GONZALES: Aye.
COMMISSIONER WEINSHALL: Aye.
COMMISSIONER JOSHI: Aye.
COMMISSIONER AROUT: Aye.
COMMISSIONER POLANCO: Aye.
CHAIRMAN YASSKY: Opposed, no.
(Whereupon, no response was
heard.)

CHAIRMAN YASSKY: Those are
adopted.

We now have a resolution
authorizing temporary markings on taxi
cab vehicles related to the Super
Bowl. I believe someone from the
Super Bowl committee is here to
present that. Is that right?

MR. WOLSEY: I am a contractor
for the NFL for the decor for the
Super Bowl.

CHAIRMAN YASSKY: Could you
start over, please, sir.
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MR. WOLSKE: Sure.

CHAIRMAN YASSKY: Thank you.

MR. WOLSKE: My name is Adam Wolske. I am with Sport Graphics. I am a contractor for the NFL for the decor program for the Super Bowl.

What we are proposing is actually a temporary decor program that incorporates the taxi cabs of New York City as a highlight for the event, posting of the event.

I brought a presentation, if I could show that?

CHAIRMAN YASSKY: Go right ahead.

MR. WOLSKE: So what we are showing here is the proposed theme, which is very much in line with posting of the event itself. The idea here is to promote the posting of the game in the New York/New Jersey Super Bowl.

CHAIRMAN YASSKY: Is the idea that half of the taxis would have the
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Jets logo and half the Giants,
assuming that those are the two teams?

MR. WOLSKE: I can't speculate
on that actually.

COMMISSIONER WEINSHALL: Can I
just ask you one question?

MR. WOLSKE: Absolutely.

COMMISSIONER WEINSHALL: Could
you explain the purpose of this? Who
is going to see this? People in
apartment buildings or office
buildings that are going to look down
and see this?

MR. WOLSKE: Yes. They would
actually see that. The idea is, of
course, to have exposure from as many
angles as we can. The goal, of
course, is to have the taxi cabs
participate and have riders and
passengers as well as streets, the
theme on the street as well.

COMMISSIONER WEINSHALL: Who
pays for this?

MR. WOLSKE: This is actually
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paid for directly by the NFL.

COMMISSIONER WEINSHALL: There is a time limit as to when it goes on and when it goes off the cab?

MR. WOLSKE: Sure.

COMMISSIONER WEINSHALL: So five months from now after the Super Bowl, we are not going to see cabs still carrying these logos?

MR. WOLSKE: No. Not at all.

CHAIRMAN YASSKY: It is February 12, 2014.

COMMISSIONER WEINSHALL: I am sorry. I don't know when the Super Bowl is. Can you tell me?

MR. WOLSKE: Yes. No problem. February 2nd is the game day. I will proceed through slides and go through the timeline, if that is okay.

So this is actually proposed as a voluntary program. Hopefully this will help answer any questions and I, of course, will open up the questions afterwards.
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It is proposed as a voluntary program that we would be reaching out directly to fleet owners and allow them to participate. Any fleet owners who choose not to participate, as a voluntary program, we would hopefully be able to reach out to another owner and allow them to participate.

The proposed installation dates, as mentioned, are December 15th of this year. We would be wrapping a minimum of fifty cabs a day to meet our timeline to ultimately have the presence for January 11th, is when we would ultimately like to be complete with the program.

Removal would begin February 3rd, which is the day after the game. We would be removing 100 cabs per day to meet our deadline of having all removal by February 12th. This is an easily removable decor item. It is pressure-sensitive adhesive backed vinyl. Standard for what you might
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see on graphic wraps on cars.

The proposed number of taxis is
no less than 500. We feel like this
is a good amount of presence for the
proportionate Crown Victorias that are
currently on the road. Our current
budgetary number allows for 650. Our
goal is to have 1,000.

Going over just the material and
the installation. The instillation
process is actually just installed
with a squeegee. Much like any
vehicle wrap, it is a standard
operating procedure for graphic
vehicle wraps. In this case the hood,
roof, and trucks would be utilized.

So one very important factor
here that we have been discussing is
the assumption of liability. Sport
Graphics would assume all liability
for any damage to paint or the cabs
themselves during the installation
process. This is a very safe process,
and we are very comfortable with
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assuming liability.

The public service and safety stickers, we are open to a proposed quantity, but as we are contacting fleet owners our preference is to allow them to participate with the public safety and fleet -- I am sorry. The public service and safety stickers, excuse me, whether or not they participate in the overall graphic wrap. And I will show an example of the proposed public safety service sticker.

So these are a couple of views from both the football and the turf theme. You will notice there are no promotional logos for anything other than the Super Bowl itself. The idea is not to have a sponsored text or sponsored logo or anything. Everything that we have done to make the program happen from a sponsorship standpoint is behind the scenes and won't be promoted in any way on the
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cabs.

This is an example of the public service detail. Our standard, of course, would be to have the taxi at the curbside and watch for cyclist messaging in accordance with all of the existing stickers. We would provide these, again, at no charge to the cab owners, the cab fleet owners. And we would give them an instruction sheet on installation and removal. Then, of course, anything that they wanted to put back on in place of these with their public service and safety stickers would be compatible.

CHAIRMAN YASSKY: I will just say, Commissioners, from my perspective in the four or three and a half years I have been here, we have had 10 or 15 proposals for wrapping taxi cabs like this. People who approached TLC and sought my support to bring something like this before the Commission, and I have routinely
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rejected those as essentially visual clutter, which is Commissioner Weinshall's phrase, as advertised products of one sort or another.

My view is each of you has to form your own opinion. My view is that the Super Bowl is a unique event. It's a commercial enterprise in some sense, the NFL is. But having a Super Bowl in New York City is a big deal for the City.

First, as you know, cold weather since who knows when, and the economic benefits to the City are quite substantial. It seems to me that it was appropriate for the taxi industry to be able to participate in supporting that. It is not my intention for this to be a precedent. I really do see the NFL and the Super Bowl as different in character from ordinary commercial advertisement, because of the importance of the City. That is for me to say and, perhaps,
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other people see it differently. But I just wanted to set out my view of it.

Commissioner Weinshall wants to ask questions.

COMMISSIONER WEINSHALL: Let me just say, I agree with Commissioner Yassky. I think this is a great thing for the City of New York. I know for years we have tried to get the Super Bowl here, and it is going to be great for the economy of the City. Have other cities done this? Have they wrapped taxi cabs or buses, do you know?

MR. WOLSKE: It is actually routine for us to look for what is kind of the quintessential model. So in the case of New York City, the cabs are very much indicative of the City itself. You can speak to anyone about New York, and you have highrises, subways, taxis, and the Statue of Liberty. I can't wrap the Statue of
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Liberty.

COMMISSIONER WEINSHALL: Are you going to wrap subway cars?

MR. WOLSKE: The subway cars are probably not going to be wrapped. It is simply they are cost prohibitive for us. My decor program, much like I am sure you get many, many proposals for these. My decor program is limited by budget, because I do not do corporate work. It is simply as a promotional item for the game itself.

COMMISSIONER WEINSHALL: How much is this going to cost?

MR. WOLSKE: The actual cost associated with all of the materials and the installation is upwards of $175,000. This is the cost that is associated with just the decor program itself, the decor budget.

COMMISSIONER WEINSHALL: So if you can just go back to that slide. Did you think about maybe putting a decal on the side of the cab or on the
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window where you put the safety? Wouldn't more people see that, as opposed to this view from up above?

MR. WOLSKE: Sure. Many of the various proposals that we went through were actually vetted out through the NFL creative as well. So one of the things that we were concerned about as far as the proposal on side graphics is we don't want to fundamentally change the look of the cab itself.

COMMISSIONER WEINSHALL: You don't think you are changing it with this look?

MR. WOLSKE: Well, I think they are very identifiable from the side view as a New York City yellow cab. That is definitely the point. It is more association with the cab itself that is important to us, rather than to change fundamentally the look.

COMMISSIONER WEINSHALL: My concern is that I just want to make sure that, whatever the date is, this
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stuff has to be removed, as I said, that in August we are not seeing cabs still advertising the Super Bowl, which had happened five months previously?

MR. WOLSKE: Absolutely. The removal especially. Both the installation and removal are highly coordinated efforts and it is required, simply because we need the cabs to come in fairly clean. We will obviously do the installation, and then we document the cab itself and the removal and account for removal throughout the entirety of the program.

So the idea is to focus, again, on specific cabs and fleet owners, so that we can coordinate that removal effort to make sure that there are no additional cabs on the road.

COMMISSIONER WEINSHALL: I just have one more quick question, Chairman.
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Is it just for fleets or do individual owner/operators put this on their cabs as well?

MR. WOLSKE: We would actually welcome any voluntary operation to do so. The idea for us to approach fleets is simply for the efficiency of installation, because the more cabs, obviously, that we have access to at one time the better. But we are more than welcoming them.

CHAIRMAN YASSKY: If I understand it, you don't have a garage. You are going to do the installation and removal at the fleets' garages; right?

MR. WOLSKE: That is right.

CHAIRMAN YASSKY: I suppose an owner/operator could take advantage of that?

MR. WOLSKE: Yes. That would be our preference. But again, it is a voluntary program and we would not be excluding any owner/operator.
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COMMISSIONER WEINSHALL: I just want to say one last thing, and then I will give you the mike.

As you know, Mr. Chairman, I have spoken to you about this before. We have tampered with these cabs so much in the last five or six years. It is like we are decorating the cabs over and over again.

Having said that, if I want to go home tonight, my husband is a big football fan. And if I vote no, I may have to go live somewhere else. So, you know, I just hope this is like one of the last times we stop redecorating our cabs here in New York.

This gentleman is right. They are iconic, they are yellow, now there is just a big T. We should just leave it alone for now.

COMMISSIONER YASSKY: Understood and agreed. I will just reaffirm what I said. My only hesitation with this was if it was going to open the door
Proceedings to additional things like this. But I at least was comfortable with feeling, not just me, but that future TLC bodies would recognize the Super Bowl is sui generis. It is not an argument for doing it for a movie rollout.

COMMISSIONER WEINSHALL: It is a convention year. Will we let the DNC and the RNC put their stuff on the cab?

CHAIRMAN YASSKY: I am not going to go near that. But it certainly, that is why it bears repeating.

COMMISSIONER WEINSHALL: I think I know what you are saying. It is a one time event and it is a sports event.

CHAIRMAN YASSKY: I hope that everyone in the industry will hear that and understand that. Thank you.

MS. POLANCO: It will be extended to the street-hail livery. Especially in the outer borough. I feel upper Manhattan is close to New
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Jersey and the George Washington Bridge. I think that would be a great opportunity as well. So I will call on that as well as send the invitation to them, to that industry, street-hail livery as well.

MR. WOLSKE: Again, any voluntary participation is certainly welcome. My only limitation again is budget.

COMMISSIONER POLANCO: I understand.

CHAIRMAN YASSKY: We have one presentation. Why don't we defer voting on this to hear the e-hail presentation, and Meera can figure out what is the appropriate wording for the resolution to permit, if it turns out that it is feasible for the street hail liveries to participate.

Thank you, Commissioner. Thank you for that. Thank you, Mr. Wolske.

Thank you again for the NFL for considering New York and its
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neighbors.

We have a staff present, and the final item on our agenda today. There was, I know, we certainly had an additional pilot resolution that was brought to us by a couple of City council members that turned out really not to be ready for presentation today, so we will not be handling that.

But for today, we do have a staff presentation on the e-hail pilot program, and Taryn is doing that for us.

MS. YAEGER: Good morning. My name is Taryn Yaeger, and I am an analyst with TLC's Policy and Planning Department. I am here to present to you the findings of our evaluation of the e-hail pilot program.

As a reminder, on December 12, 2012, the Commission adopted rules to permit a year-long e-hail pilot program, which began in earnest in
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June with Halo and Taxi Magic participating.

Throughout the pilot, TLC's staff had monitored the effects of e-hailing on passenger and driver behavior, on the services at e-levels, and on the financial health of the FHV and the Medallion industries. In this presentation we will share those findings.

One of the things we looked at in the evaluation was the adoption of e-hail by passengers and drivers. We found that e-hail apps are popular in New York, and users have steadily increased their membership since the launch of the pilot program.

During the 85-day period, from June 6th to August 29th, nearly 55,000 unique users requested a taxi using e-hail apps for a total of over 233,000 requests, and over 4,000 drivers participated in the program. On average a quarter of requested
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e-hails resulted in successful trips.

As you can see in the chart, after spiking during the early days of the pilot, the total number of e-hail requests per day has been slowly declining, while the e-hail's success rate has increased. It is now four times as high as at the beginning of the study period. This is probably due to the passengers' gaining experience and learning the times of day and the locations in which they are likely to be successful at e-hailing.

Other areas of focus we looked at were when and where passengers were e-hailing trips. Although e-hail has been well received, it does not make up a large portion of taxi trips. Just one out of every 700 trips are e-hails. We generally followed similar geographic patterns on street hail trips. That is the farther away from the central business district one
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travels, the fewer e-hail pickups occur.

We can look at this map. Do you see the success rates, and the success rates by zone? That is the proportionate requests that successfully yielded trips, not to the absolute values. Zones marked in yellow had the highest success rates, while green is the middle third, and blue is the lowest third of success rates. The grayed-out areas had too few requests to factor in.

Looking again at where passengers are e-hailing. This chart breaks down the distribution of trips by e-hail and by all taxi pickups.

In the first column on the left, you can see where all taxi pickups take place. In the second column, you can see where all e-hail pickups take place. All in all, the non-airport outer-borough locations made up about 36 percent of all e-hail taxi trips.
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That is compared to just about 8 percent of all taxi trips. What stands out is most of the success rates are in Astoria, Harlem, and Brooklyn north of Prospect Park.

When you look at when passengers are using e-hail, we found that like with street hail, e-hail requests follow a cyclical pattern. As you can see in this chart, that from Sunday through Wednesday requests generally peaked at 8:00 p.m. and quickly dropped off after midnight. Thursday through Saturday requests peaked at midnight and tapered off at 6:00 a.m. This aligns with usual taxi trip patterns, but it differs in that the weekend overnight peak is more pronounced than in the usual trip patterns. This suggests that at times when there are few cars on the road and fewer people seeking a taxi who may have otherwise had trouble finding one another, e-hail apps are being
used to pair up these passengers and
drivers more efficiently.

As part of our evaluation of the
yellow cab industry, we surveyed
drivers who used apps, and we found
that two-thirds reported that they
were making more money with the
program and TPEP data corroborates
this. Drivers who participated in
e-hailing averaged 10.6 trips per day
compared with only 8.8 trips per day
for drivers who did not.

We also looked at the impacts on
the FHV industry. As you recall,
there were concerns by many that
permitting e-hail would result in the
loss of revenue for the FHV sector.
To the contrary, we found that the FHV
sector is growing across the board.
That is bases, vehicles, and drivers.

We also surveyed FHV bases to
find out the impact on trip volumes.
As with taxis, in 2013 FHV saw a small
decline in the number of trips from
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the previous year, but not necessarily
a decrease in revenue. We believe
this resulted from the fare increase
last year.

It is interesting to note that
the decline was smaller in the months
that e-hail was in effect. And also
when comparing bases that use apps to
bases that do not use apps, we
actually saw the bases who used apps
saw an increase of one percent in trip
volumes versus a 13 percent decrease
in ones that did not use apps.

Last year when the Commission
considered the pilot --

MR. CHHABRA: Actually can we
just go back to that last line. This
was, and like a lot of our survey
data, we don't have the capacity to do
survey research the way that
professional survey firms do it
through a random sample.

In this one we asked the bases
to reply, and this is the sample that
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chose to reply. So we can't assume it is representative. In fact, I know -- we know, because we looked at the responses -- now the two biggest bases in the City, meaning the two bases with the largest number of affiliated vehicles are bases that operate exclusively by e-hail.

So I think what you are seeing here is a slight but noticeable shift within the FHV world from bases that operate by telephone to bases that operate either by e-hail or by e-hail and by telephone. That is how I would interpret this data. The drops in trips that you are seeing. Since there are more cars on the road, we have every reason to assume, in fact, there are more FHV trips all tolled, even though this is what the bases that responded reporting a decrease.

The Chairman is right. You saw on the earlier slide there are more bases, there are more drivers, there
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are more vehicles. Prices went up.
So when we raised the yellow taxi
fares, the FHV bases raised their
prices as well. The number of trips
is not an indication of total revenue.
If there are fewer trips, you are
going to charge them more for that.

CHAIRMAN YASSKY: Possibly. I
just wanted to give my take on even
this trip data, which I think is one
where our sample must not be
representative.

I am sorry. Please go ahead.

MS. YAEGER: Thank you.

Last year when the Commission
considered the pilot, there was some
debate about whether e-hail would
shift demand from one sector to the
other. But actually what we found is
that it is increasing the size of the
pie as evidenced by the survey data
that shows 37 percent of people who
e-hailed would have found means of
travel other than taxi or FHV, such as
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walking or public transportation, if
they hadn't e-hailed.

We also found that only 13
percent of respondents stated that
they would have called a car service
if e-hail had not been available to
them. To put this in context, given a
daily average of 643 e-hail trips,
this 13 percent of e-hail passengers
would have resulted in an average of
84 additional trips per day
industry-wide. And that means that
that is .0019 additional FHV trips per
day.

Here are some additional
findings from the passenger survey
that you might find interesting. One
that I will call out is the age of
users. There was a question last year
about older passengers and whether
they might somehow be left out by
Smartphone apps. However, we found
that one quarter of passengers who
reported having e-hailed their ride
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were over 65 years old.

In summary, apps are increasing
the efficiency by which passengers and
drivers are connected. There has been
no noticeable financial impact on the
FHV industry, and drivers who use
e-hail are making more money.

In essence e-hail apps provide
New Yorkers and visitors to the City
with an additional option for
accessing our world class taxi system.
And we will continue to monitor how
e-hailing affects New Yorkers over the
duration of the pilot.

COMMISSIONER POLANCO: Can I
point something out, which I think for
me was something major before going
ahead with this pilot program? I see
that the refusals have been unaffected
as complaints have been down. Because
I think one of the major things for me
was that someone was standing in the
corner trying to hail a cab or someone
used the program and just came out of
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a restaurant and got into the taxi cab. So they would consider that a refusal by the cab driver. So actually the complaints have been downsized and there haven't been any complaints about that?

MR. CHHABRA: It is worth noting and Taryn make the point that the number of e-hail trips out of the total number of trips would lead you to suggest that it shouldn't have an impact on your or my ability to street hail. So e-hail is one out of every 700 trips is through e-hail. That means everyone else is still going out using their hand in the air, and that still works. The fear is that if you don't have a Smartphone, you won't be able to get a cab again, obviously we are seeing that that is not the case. And the stats are that people of all age ranges have Smartphones and are using it for e-hail. So we haven't seen that come to pass.
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COMMISSIONER POLANCO: Or the fear that the cab driver basically refused to pick me up?

MR. CHHABRA: There has been no increase in complaints about refusals, so we have no reason to believe that either.

Thank you, Chairman.

One thing I wanted to also point out is a little lower on that slide where we saw what people would have done, if they had not been able to e-hail the trip. It was telling for me that 37 percent wouldn't have taken a FHV or a taxi. They would have done something else. So also a big question that came up last year was that you are shifting the pie from this segment to that segment. You are actually increasing the size of the pie. So those 37 percent of the people who used e-hail to get their taxi would have walked or would have taken a subway. So that is more money
coming into the industry as a whole, which was one of the primary concerns when we were looking at this last year.

COMMISSIONER POLANCO: How do we get the input from the passengers?

MR. CHHABRA: Surveys from the taxi service. I don't know the exact number of how many responses, but 37 percent would have taken another mode and some portion would have been FHVs, and some people would have just stuck their hand in the air.

Commissioner, your question on the trip volume. That was only 29 percent of the bases that we had surveyed.

CHAIRMAN YASSKY: Well, it could be representative. But I am saying there is powerful data to suggest that it is not. Thank you.

Were there other further questions for Taryn or for Ashwini?

Good job, Commissioner Polanco.
Further, I will just say that the one thing we have done, and Commissioners, I am sure you have noticed, is try and make sure you see the work of some of our younger and newer staff, like Taryn and like Jo Rausen, who is the head of our team that deals with e-hail, and TPEP, and all the electric equipment in taxis.

It is really a credit to Deputy Commissioner Chhabra that he has assembled a really extraordinary group of motivated and talented people pushing our policy and innovation agenda forward. And I am glad you have had exposure to some of the team, because one of the pleasures I have is being able to work with them every day.

My take on this, just so you know, that is the report that was called for in the pilot resolution. There is no action before us today. However, I personally am satisfied
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that the results are urging enough or
more than enough for us to declare
that this is worth doing on an ongoing
basis. We have published rules that
would make the pilot program
permanent. They will be ripe for
consideration by us at our December
meeting, Commissioners, and I intend
to put them before you at that time.

Please go right ahead.

COMMISSIONER WEINSHALL: The
young lady who gave the presentation,
so I assume you mean success rate
being somebody does a Smartphone
request, and then the cab comes and
the customer gets in and that is
successful; is that correct?

MS. YAEGGER: Correct.

COMMISSIONER WEINSHALL: Thank
you. I also just want to say, it is
just what we thought. In terms of the
age group, and the area, and the time
of day -- I think I remember the time.

That when my daughters come to New
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York, they are out, let's say, having a good time.

CHAIRMAN YASSKY: Until even 10:00 p.m.?

COMMISSIONER WEINSHALL: Well, I am not going to say what time. But they use their Smartphones if they cannot find a cab to use. That is what they do.

MR. CHHABRA: The data that has come in is really exactly what we thought would happen. The key points are is it replacing stick -- it is not remotely replacing stick your hand up in the air and it won't, period.

COMMISSIONER WEINSHALL: Can I ask you one more question?

MR. CHHABRA: Yes.

COMMISSIONER WEINSHALL: Maybe it is for the young lady again. I am surprised that the number of requests at the airports were so low. Is it because the cars can't wait anywhere to pick the people up? Why is it so
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low?

MS. YAEGER: I should have pointed out that it is illegal to e-hail a cab at an airport.

COMMISSIONER WEINSHALL: That is why it is so low.

CHAIRMAN YASSKY: So people can use Smartphones to get FHV at the airport, but for yellows there is the yellow line there. So we do not want to tamper with that. As you say, Commissioner, it has worked out really exactly as you expected. I remember in our discussions both in public and offline the expectation was that it would be a supplement. It would not really replace. It wouldn't remotely come anywhere close to replacing stick your hand up in the air. But at off hours and in border area locations it would supplement the existing service. That is kind of exactly what we have seen. And we are also, I think, encouraging the trend of passengers
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and drivers both figuring out how to
use it. To me one of the key numbers
is the increase in success rate, which
tells us that passengers are figuring
out when it is useful and drivers are
figuring out when it is useful. That
will take time, and we will continue
to go on as the service is available.
I am enthused and, again, next month
we will bring forward the rules to
adopt it.

Any further stuff?
(Whereupon, no response was
heard.)

CHAIRMAN YASSKY: To return to
the Super Bowl markings, Meera has put
before you an amended resolution that
would allow markings on both yellow
taxiS, and FHVs, and street-hail
liveries.

Is there anything further needed
to be said about that? If you want to
just draw people's attention to what
the changes are?
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COMMISSIONER JOSHI: If you look at the second line in the resolution, it says pursuant to section 5832(c)1 and 5832(f), those are authorized marking sections for taxis. What we added was as well as sections 8233(d)1 and 8233(f). Those are the corollary authorized marking sections for street-hailed liveries in chapter 82.

CHAIRMAN YASSKY: So for that, I will call a vote on the resolution for Super Bowl markings. All in favor, say aye?

COMMISSIONER GONZALES: Aye.
COMMISSIONER WEINSHALL: Aye.
COMMISSIONER JOSHI: Aye.
COMMISSIONER AROUT: Aye.
COMMISSIONER POLANCO: Aye.
CHAIRMAN YASSKY: Opposed, no.
(Whereupon, there was no response.)

CHAIRMAN YASSKY: The resolution is adopted.

Before we break, Commissioners,
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could you just put up on the screens
when I was talking earlier about our
results to date in the street-hail
liveries?

Commissioners, when we voted on
the street-hail livery idea, we showed
you this map. In an average day where
yellow taxi pickups are, and as we all
understand, they are highly
concentrated, as they should be
really, in Manhattan, midtown,
downtown, and the central business
district. We now have all the pickups
of the borough taxis since they have
hit the streets. That is this slide,
and I think that what that shows you
is that we are now providing five
boroughs taxi service in a genuine
way. I think it is something that you
can all be proud of.

That is it for today. Today's
meeting is adjourned, and I will see
you in December. Thank you.

(Time noted: 11:20 a.m.)
CERTIFICATE

STATE OF NEW YORK

COUNTY OF KINGS

I, DEBORAH HUNTSMAN, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify:

That the within is a true and accurate transcript of the proceedings taken on the 21st day of November, 2013.

I further certify that I am not related by blood or marriage to any of the parties and that I am not interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of November, 2013.

____________________________
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