

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF CONNECTICUT
CIVIL ACTION NO. 16cv00678 MPS

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ELIYAHU MIRLIS, :
 Plaintiff :
 -v- :
 RABBI DANIEL GREER, YESHIVA OF :
 NEW HAVEN, INC., and THE GAN :
 SCHOOL, INC., :
 Defendants. :

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Deposition of AVIAD HACK, taken pursuant to the Federal Rules of Civil Procedure, held at the Law Offices of Lynch, Traub, Keefe & Errante, 52 Trumbull Street, New Haven, Connecticut, before James A. Martone, LSR #248, and Notary Public, in and for the State of Connecticut, on July 25, 2016, at 10:10 a.m.

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1 ask forgiveness and we have to have a serious
2 conversation after Yom Kippur," which we never did.

3 Q. Okay. And other than the conversation
4 you've told me about earlier between you and Eli,
5 where Eli said something to the effect of "Greer is
6 having a relationship with me like he has with you" or
7 "had with you," have you ever discussed any of the
8 allegations in the Complaint or in this lawsuit or
9 anything about Eli's relationship with Greer with Eli?

10 A. Not that I recall.

11 MR. PONVERT: That's all I have for
12 now. Thank you very much. And the reason I say for
13 now, I may have one or two follow-up questions after
14 Mr. Ward cross-examines you.

15 A. Okay.

16 THE VIDEOGRAPHER: Off the record at
17 11:32.

18 (Recess taken)

19 THE VIDEOGRAPHER: We're back on the
20 record at 11:47.

21 CROSS EXAMINATION BY MR. WARD:

22 Q. Good morning, Rabbi Hack.

23 A. Good morning.

24 Q. I just wanted to ask you a few questions.

25 Are you also -- you're related to Harold Hack?

1 A. I am.

2 Q. Is Harold Hack also a Rabbi?

3 A. Yes.

4 Q. Would it be okay if I called you Avi? Then
5 in case we depose Harold, then we don't have "Rabbi
6 Hack" in the transcript everywhere?

7 A. Absolutely.

8 Q. Thank you very much. I want to talk to you
9 a little bit about Harold Hack. Do you know what his
10 current address is??

11 A. [REDACTED] Street, New Haven, Connecticut.
12 06511.

13 Q. Okay. And is he living there right now?

14 A. Yes.

15 Q. He's in Connecticut?

16 A. He may have gone away for the day, but he
17 lives in Connecticut.

18 Q. Okay. And you said you grew up on [REDACTED]
19 Street?

20 A. [REDACTED]. [REDACTED] Street.

21 Q. So it was [REDACTED]. It wasn't [REDACTED].
22 Okay. I heard [REDACTED].

23 A. Not a problem. My parents bought the house
24 in July of 1977. And continue to live there.

25 Q. And they still live there?

1 A. Continue to live there to this day.

2 Q. You said your dad also went to Yale, right?

3 A. He did. He got a Ph.D. in 1957.

4 Q. What was the Ph.D. in?

5 A. Either Greek History or Classics, I don't
6 remember. Don't tell him I don't remember.

7 Q. You said you were born in 1975 as well,
8 right?

9 A. [REDACTED] 1975. At Yale-New Haven
10 Hospital.

11 MR. ERRANTE: Try to listen to the
12 question and answer the question, okay.

13 Q. And your mother is Adelle Hack I think you
14 said?

15 A. Yes.

16 Q. And where did she go to school? I think
17 you also said she went to Yale, right?

18 A. She went to Cornell undergraduate and Yale
19 graduate school.

20 Q. And what did she study?

21 A. Biochemistry.

22 Q. And you have a sister named Rina?

23 A. I do.

24 Q. What's Rina's last name?

25 A. Greer.

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1 Q. And what's her current address?

2 A. [REDACTED] New Haven,
3 Connecticut.

4 Q. Is she living there right now?

5 A. Yes.

6 Q. And you had another sister named Mindy,
7 right?

8 A. I do.

9 Q. What's Mindy's last name?

10 A. Schachter. S C H A C H T E R.

11 Q. What's her address?

12 A. [REDACTED], Rhode Island.

13 Q. And you have a brother, Elisha?

14 A. I do.

15 Q. Is he an older brother or younger brother?

16 A. Younger.

17 Q. And what is his current address?

18 A. [REDACTED], New Jersey.

19 Q. I'm sorry?

20 A. [REDACTED].

21 Q. [REDACTED]?

22 A. Avenue, [REDACTED], New Jersey.

23 Q. And you said you started school with
24 Greer's son, Dov, in 1977, correct?

25 A. Yes.

1 Q. So two hours a day on Monday through
2 Wednesday, for Talmud, and what about Thursday,
3 Friday, Sunday?

4 A. Talmud would meet for an hour on Thursday
5 and Friday and on Sunday. Approximately.

6 Q. What about Mishnah?

7 A. I don't remember precisely how many hours.

8 Q. Was that taught every day?

9 A. Not necessarily.

10 Q. I think you also said science, right?

11 A. There was I believe one year that I taught,
12 that I taught Eliyahu science.

13 Q. And how often did science class occur?

14 A. I believe twice a week.

15 Q. And Eliyahu resided in the dorms the
16 entire -- well, the entire time you were dorm -- well,
17 no, 2001 to 2004 I take it?

18 A. Yes.

19 Q. Do you know a gentleman by the name of

20  ?

21 A. Yes.

22 Q. How do you know him?

23 A. He was a student in school.

24 Q. Do you know how to spell that name?

25 A. Yes.  Last name is 

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2 Q. What years did he attend?

3 A. September, 2007 until June of 2011.

4 Q. When was the last time you spoke to

5 [REDACTED]?

6 A. September 17th, 2015.

7 Q. What was that conversation about?

8 MR. ERRANTE: Does this have anything
9 to do with this case?

10 MR. WARD: It does.

11 MR. ERRANTE: Make an offer of proof
12 please.

13 Q. There's an allegation that you had a sexual
14 relationship with [REDACTED] I'm trying to ask
15 you why you talked to him in August of 2001, when he
16 graduated in June of 2011.

17 MR. ERRANTE: Whether he did or
18 didn't, what does that have to do with this case?

19 MR. WARD: If it shows that he was
20 sexually molesting children, perhaps he was the one
21 who was sexually molesting Eliyahu, or perhaps he
22 created or fabricated this claim.

23 So I think anything that leads to
24 admissible material is relevant. And I think you can
25 answer the question. Unless you're being instructed

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1 not to.

2 MR. ERRANTE: You got to do something
3 better than that to say that that's somehow related to
4 this case. Whether it's true or not true.

5 MR. WARD: It goes to the credibility
6 of the witness. As to allegations he made against
7 Rabbi Greer, regarding himself, and Eliyahu. If, in
8 fact, he was sexually molesting children in the
9 school, I think that's very relevant as to what his
10 motive and purpose is behind.

11 MR. ERRANTE: You have to have some
12 basis to even ask the question?

13 MR. WARD: I just gave my basis. And
14 we're reserving our objections until trial. It's not
15 a priest/penitent. What was your conversation on
16 December 17th, 2015, you recalled the date exactly.

17 MR. ERRANTE: You don't have to
18 answer the question if you don't want to. I don't
19 think it's relevant or calculated to lead to
20 addressable evidence.

21 He can go to court and we can have a
22 hearing and a judge can decide that you do or you
23 don't have to answer the question.

24 MR. WARD: And I want the record to
25 reflect that he was tapping his attorney prior to

1 asking this question, as soon as I mentioned [REDACTED]

2 [REDACTED]

3 MR. PONVERT: Let's take five
4 minutes. I have to use the bathroom.

5 THE VIDEOGRAPHER: Off the record at
6 12:40.

7 MR. WARD: I'm sorry, there's a
8 question pending. He's been instructed not to answer
9 it.

10 MR. PONVERT: Right.

11 MR. WARD: When a question is
12 pending, I'd like the question answered before we take
13 the break.

14 MR. PONVERT: He's instructed not to
15 answer.

16 MR. WARD: Are we still on the
17 record?

18 THE VIDEOGRAPHER: I am.

19 MR. WARD: So you're instructing him
20 not to answer any questions regarding [REDACTED]?

21 MR. ERRANTE: I am.

22 MR. WARD: Okay. We'll take five
23 minutes.

24 THE VIDEOGRAPHER: Off the record at
25 12:40.

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