

shouldn't have. I made a couple of negative statements and he made a couple more back to me, and then we started arguing.

Q. Was he using profanities?

A. Yes.

Q. And were there other customers in the bar at the time besides Mr. King and Mr. Elbery?

A. There were ten to twelve other people, I would say.

Q. And what happened at that point?

A. At that point Michael was very loud, and Tommy King was on the other side of the bar, and he walked over to Michael and started telling him to calm down and layoff of me, wherein I said to Tom, I said - I didn't want anything to happen. I said, "Tom, this is an argument between he and I, " which it was, and I thought that between v.ill we could solve our argument and things would get better, okay?

As it was, Tom went back to his seat. Michael got up, and they - a beer bottle was shattered. Michael shattered a Rolling Rock bottle that went all over the place. I had glass bouncing off of me. I was behind the bar probably 15 feet