

COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT

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| FILED |
| No. 88DA0269 |
| Entered by _____ |
| Date _____ |

THE PEOPLE OF THE STATE OF CALIFORNIA,)
)
) PLAINTIFF-RESPONDENT,)
)
) VS.) SUPERIOR COURT
) NO. A-090435
)
)
) JOE HUNT, AKA JOSEPH HUNT,)
) AKA JOSEPH HENRY GAMSKY,)
)
) DEFENDANT-APPELLANT.)

APPEAL FROM THE SUPERIOR COURT OF LOS ANGELES COUNTY
HONORABLE LAURENCE J. RITTENBAND, JUDGE PRESIDING
REPORTERS' TRANSCRIPT ON APPEAL

APPEARANCES:

FOR PLAINTIFF-RESPONDENT: JOHN K. VAN DE KAMP
STATE ATTORNEY GENERAL
3580 WILSHIRE BOULEVARD
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LOS ANGELES, CALIFORNIA 90010

FOR DEFENDANT-APPELLANT: IN PROPRIA PERSONA

VOLUME 69 OF 101
(PAGES 10964 TO 11129, INCLUSIVE)

COPY

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THURSDAY, MARCH 19, 1987 VOLUME 69 PAGES 10964 TO 11129

A.M. 10964

P.M. 11017

CHRONOLOGICAL INDEX OF WITNESSES

PEOPLE'S WITNESSES: DIRECT CROSS REDIRECT RE CROSS

KARNY, DEAN

(RESUMED) 10964

(RESUMED) 11021 11041

1 SANTA MONICA, CALIFORNIA; THURSDAY, MARCH 19, 1987; 10:45 A.M.
2 DEPARTMENT WEST C HON. LAURENCE J. RITTENBAND, JUDGE
3 (APPEARANCES AS NOTED ON TITLE PAGE.)
4

5 THE COURT: GOOD MORNING, LADIES AND GENTLEMEN.
6 YOU MAY PROCEED.

7 MR. WAPNER: THANK YOU, YOUR HONOR.
8

9 DEAN KARNY,
10 THE WITNESS ON THE STAND AT THE TIME OF ADJOURNMENT, RESUMED
11 THE STAND AND TESTIFIED FURTHER AS FOLLOWS:

12 THE CLERK: YOU HAVE PREVIOUSLY BEEN SWORN. YOU ARE
13 STILL UNDER OATH.

14 SO IF YOU WOULD JUST STATE YOUR NAME FOR THE
15 RECORD.

16 THE WITNESS: IT IS DEAN KARNY.
17

18 DIRECT EXAMINATION (RESUMED)

19 BY MR. WAPNER:

20 Q MR. KARNY, THERE MAY HAVE BEEN SOME CONFUSION
21 YESTERDAY ABOUT MR. HUNT'S STATEMENT REGARDING THE COYOTES.

22 DID MR. HUNT EVER TELL YOU THAT HE HAD GONE BACK
23 UP TO SOLEDAD CANYON TO LOOK FOR MR. -- TO THE PLACE WHERE
24 HE HAD PUT MR. LEVIN'S BODY?

25 A YES.

26 Q WHAT DID HE SAY ABOUT THAT?

27 A HE SAID THAT HE WENT UP THERE TO SEE -- TO SEE
28 WHAT THE PLACE LOOKED LIKE AND HE SAID THAT THE BODY HAD

1 BEEN DUG UP BY COYOTES, OR SOMETHING LIKE THAT, AND THAT
2 THERE WAS NO TRACE OF IT ANYMORE.

3 Q NO TRACE OF WHAT?

4 A THE BODY.

5 Q AND WHEN WAS IT THAT HE MADE THAT STATEMENT TO
6 YOU?

7 A IT WAS SOMETIME JUST BEFORE THE END OF JUNE,
8 I THINK.

9 Q OF 1984?

10 A YEAH, OF 1984.

11 Q AND THIS IS KIND OF A PARENTHETICAL AND OUT OF
12 CONTEXT, BUT DURING THE TIME THAT MR. HUNT WAS IN CHICAGO
13 TRADING COMMODITIES, DID HE EVER LIVE IN A COMMUNITY CALLED
14 LAKE FOREST?

15 A I THINK HE DID, YES.

16 Q DURING WHAT PERIOD OF TIME?

17 A THAT WOULD HAVE BEEN DURING 1981, MAYBE EARLY
18 1982.

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2- 1 Q THANK YOU. ON THE LIST OF SEVEN PAGES OF THINGS TO
2 DO AT LEVIN'S, THERE IS A REFERENCE ON THE PAGE THAT SAYS,
3 "AT LEVINS TO DO". IT IS THE FOURTH LINE DOWN WHERE IT SAYS,
4 "NUMBER 2" AND IT SAYS "HANDCUFF." IS THAT RIGHT?

5 A RIGHT.

6 Q DID YOU EVER HAVE A DISCUSSION WITH MR. HUNT ABOUT
7 THE FACT THAT HE HAD IN FACT, PURCHASED HANDCUFFS FOR USE WITH
8 MR. LEVIN?

9 A YES I DID.

10 Q DID HE TELL YOU WHERE HE PURCHASED THEM?

11 A HE SAID THAT HE PURCHASED THEM AT THE INTERNATIONAL
12 LOVE BOUTIQUE ON HOLLYWOOD BOULEVARD.

13 THE COURT: INTERNATIONAL WHAT?

14 THE WITNESS: LOVE BOUTIQUE.

15 Q BY MR. WAPNER: ON HOLLYWOOD BOULEVARD?

16 A THAT'S RIGHT.

17 Q DURING THE TIME THAT THE BBC WAS IN OPERATION,
18 WHAT PART DID PARADOX PHILOSOPHY PLAY IN THE OPERATION OF THE
19 BBC?

20 A WELL, THE BBC WAS BOTH A BUSINESS ORIENTED GROUP
21 AS WELL AS A SOCIAL. AND THE IDEA THAT WAS TRANSMITTED TO
22 EVERYONE WHO WAS INVOLVED WITH US AND THAT WAS CONSTANTLY
23 MAINTAINED, WAS THAT THE WORKINGS AND THE ORGANIZATION OF THE
24 GROUP WOULD BE GUIDED BY PARADOX PHILOSOPHY.

25 SO, IT WAS CONSIDERED REALLY, THE UNDERLYING POINT
26 OF VIEW.

27 Q ALL RIGHT. AND THAT WAS IN FACT, SET OUT IN THE
28 HANDBOOK THAT WAS PASSED OUT AT THE FIRST MEETING IN I BELIEVE,

2-
1 APPROXIMATELY MARCH OF 1983?

2 A THAT'S RIGHT.

3 Q THAT WOULD BE ON PAGE 3 WHERE IT SAYS TO CREATE
4 A SYSTEM AND THEN IT HAS A COLON AND THEN THE LAST ITEM IS
5 THAT IT REFLECTS PARADOX PHILOSOPHY?

6 A THAT'S RIGHT. ALTHOUGH THIS PAGE REFERS TO THE
7 ORGANIZATIONAL STRUCTURE. I THINK THERE WAS ANOTHER REFERENCE
8 ABOUT THE PURPOSES OF THE BBC WHERE IT SAYS "OBJECTIVES OF
9 THE BBC" ON THE FIRST PAGE. IT SAYS THAT IT IS TO PROVIDE
10 A SOCIAL CONTEXT TO CREATE A NETWORK OF INDIVIDUALS BOUND
11 TOGETHER BY A COMMON GOAL AND UNDERSTANDING OF PARADOX
12 PHILOSOPHY.

13 SO IT WAS THOUGHT OF NOT JUST IN TERMS OF HOW THE
14 ORGANIZATIONAL STRUCTURE WOULD BE SET UP BUT THE WHOLE OBJECTIVE
15 BEHIND HAVING SUCH A GROUP, AS WELL.

16 Q WHEN YOU AND JOE HUNT AND BEN DOSTI RECRUITED
17 PEOPLE TO BECOME PART OF THIS GROUP, WAS PARADOX PHILOSOPHY
18 EXPLAINED TO THEM?

19 A YES. IT WAS. PARADOX PHILOSOPHY WAS THE KIND
20 OF A THING THAT WAS NOT REALLY JUST EXPLAINED AS A LIST OF
21 PREMISES OR THEORIES. IT WAS MORE SOMETHING THAT WAS SAID
22 EXISTED AND IT WAS DEMONSTRATED THROUGH EXAMPLE.

23 SO, WHEN SOMEONE WOULD BE INTRODUCED TO THE GROUP,
24 THEY WOULD BE TOLD BY WAY OF EXAMPLE, THAT THESE PRINCIPLES
25 WERE THINGS THAT OPERATED AND THAT WE USED TO EXAMINE THE
26 WORLD AND TO MAKE DECISIONS. AND AS FAR AS I RECALL, IT WAS
27 MADE PRETTY CLEAR TO EVERYONE THAT WE ENCOUNTERED.

28

1 Q DID MR. HUNT EXPLAIN PARADOX PHILOSOPHY TO YOU
2 BY WAY OF AN EXAMPLE EVEN BEFORE THE BBC GOT STARTED UP IN
3 THE BEGINNING OF 1983?

4 A YES, HE DID.

5 Q AND DID HE CONTINUE TO EXPLAIN IT TO YOU AFTER
6 THE BBC HAD STARTED UP AND WHILE THE BBC WAS GOING ON?

7 A YES.

8 Q AND CAN YOU EXPLAIN TO US WHAT THE PARADOX
9 PHILOSOPHY WAS OR GIVE SOME OF THE EXAMPLES THAT WERE GIVEN
10 TO YOU TO ATTEMPT TO EXPLAIN IT?

11 A WELL, AS I -- AS I SAID BEFORE, THE CATCH PHRASE
12 OF "BLACK IS WHITE AND WHITE IS BLACK," AND THERE WAS
13 ACTUALLY AN ENDING ON THAT "AND ALL OF THE SHADINGS IN BETWEEN,"
14 REFER TO THE IDEA THAT THROUGH CHANGING YOUR PERSPECTIVE
15 ON SOMETHING OR SHIFTING YOUR FOCUS, YOU COULD PERCEIVE
16 REALITY IN A DIFFERENT WAY AND COME TO DIFFERENT CONCLUSIONS
17 ABOUT IT.

18 YOU COULD LITERALLY TRANSPOSE BLACK INTO WHITE
19 AND WHITE INTO BLACK.

20 Q WERE YOU GIVEN SOME EXAMPLES OF THAT BY MR. HUNT?

21 A THERE WERE -- THERE WERE NUMEROUS EXAMPLES.
22 IT IS KIND OF HARD TO REMEMBER THEM RIGHT NOW.

23 Q WERE THERE ANY EXAMPLES THAT HE USED AT ANY TIME
24 DURING THE TIME THE BBC WAS IN OPERATION THAT REFERRED
25 SPECIFICALLY TO CHANGING YOUR FOCUS TO ALLOW YOU TO SEE
26 SOMETHING THAT MAY BE REGARDED AS CRIMINAL AS NOT CRIMINAL,
27 FOR EXAMPLE?

28 A THERE WAS A DISCUSSION LIKE THAT.

1 Q AND TELL US ABOUT THAT.

2 A JOE AND I WERE DISCUSSING EXTORTION, FORCING
3 SOMEBODY TO -- AN INNOCENT PERSON TO GIVE MONEY OVER TO YOU
4 BY FORCE, AS I SAID, AND HE USED THE TERM "PIRACY" TO
5 DESCRIBE THAT.

6 Q DID HE EXPLAIN THAT TO YOU?

7 A YES, HE DID.

8 HE WAS -- HE WAS DISCUSSING HOW, ACCORDING TO
9 PARADOX PHILOSOPHY, HE COULD RECONCILE HIMSELF TO ENGAGING
10 IN PIRACY AND WHAT HE SAID WAS THAT PIRACY, BY ONE WAY OF
11 LOOKING AT IT, INVOLVES EXTORTING OR KILLING AN INNOCENT
12 PERSON AND IT WAS THE ASPECT OF AN INNOCENT PERSON THAT HE
13 WAS QUESTIONING IN THIS DISCUSSION, AND HE GAVE ME A
14 DIFFERENT EXAMPLE IN WHICH AN INNOCENT PERSON WOULD DIE,
15 PERHAPS.

16 Q WHAT DID HE SAY?

17 A THIS WAS AN EXAMPLE OF A GENERAL IN AN ARMY THAT
18 HE USED TO SAY, THAT PERHAPS A GENERAL WOULD HAVE A CHOICE
19 CONFRONTING HIM OF TRYING TO SAVE A VILLAGE AND IF HE WANTS
20 TO SAVE THE PEOPLE IN THE VILLAGE, HE CAN EITHER GO THROUGH
21 THE FOREST AND RISK HIS MEN BEING AMBUSHED OR HE CAN GO
22 AROUND THE FOREST AND RISK THAT THE ENEMY ARMIES WILL GET
23 TO THE VILLAGE BEFORE HE DOES. EITHER WAY, SOME INNOCENT
24 PEOPLE WOULD DIE.

25 Q EITHER HIS SOLDIERS OR THE PEOPLE IN THE VILLAGE?

26 A RIGHT.

27 Q WHAT DID HE SAY ABOUT THAT?

28 A WELL, WHAT HE SAID WAS THAT SIMPLY SOMETIMES

1 IN THE COURSE OF BEING A RESPONSIBLE LEADER AND IN THE COURSE
2 OF HAVING RESPONSIBILITY, MAKING DECISIONS, THAT INNOCENT
3 PEOPLE SOMETIMES ARE INJURED OR DIE AND, YOU KNOW, THE ONE
4 SITUATION OF PIRACY WHEN AN INNOCENT PERSON IS INJURED OR
5 DIES VERSUS THE DECISION THAT A MILITARY LEADER MUST MAKE,
6 WITH THE SAME RESULT, ALLOWED HIM TO RECONCILE SO THAT ONE
7 COULD -- ONE COULD MAKE DECISIONS WITHOUT REALLY BEING --
8 JUST MAKING DECISIONS, WHICH WOULD PERHAPS INVOLVE THE DEATH
9 OR INJURY TO INNOCENT PEOPLE.

10 AND IT WAS JUST THIS WAY OF REORIENTING THE
11 PERSPECTIVE THAT YOU HAD, THE FOCUS, SOMETHING COMPLETELY
12 DIFFERENT THAT, AS HE SAID, FREED HIM UP TO MAKE THESE KINDS
13 OF DECISIONS.

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4- 1 Q WAS THE CONCEPT OF REORIENTING YOUR FOCUS AND
2 PERSPECTIVE, SOMETHING THAT WAS A PART OF PARADOX PHILOSOPHY?

3 A YES. IT WAS. IT WAS PART OF THE APPLICATION OF
4 PARADOX PHILOSOPHY.

5 IF A BASIC PRINCIPLE OF PARADOX PHILOSOPHY WAS
6 THAT REALITY IS SITUATIONAL, CIRCUMSTANTIAL, THAT IT DEPENDS
7 UPON THE SITUATION, THEN TO REORIENT YOUR PERSPECTIVE TO FIT
8 THE SITUATION YOU WERE FACING, IT WAS A PART OF THAT. YES.

9 Q SO, ONE OF THE BASIC PREMISES OF THE PHILOSOPHY
10 WAS THAT REALITY WAS CIRCUMSTANTIAL AND SITUATIONAL?

11 A THAT'S RIGHT.

12 Q AND YOU MENTIONED THE CONCEPT OF RECONCILING
13 YOURSELF TO DO THINGS. WAS THAT ALSO PART OF PARADOX PHILOSOPHY?

14 A IT WAS MORE A PART OF JOE'S JARGON, THE LANGUAGE
15 HE USED. BECAUSE WHEN YOU USE WORDS LIKE "JUSTIFY" OR
16 "RATIONALIZE" THEY IMPLY THAT THERE IS -- IF THERE IS A
17 JUSTIFICATION FOR SOMETHING, IT IS EITHER RIGHT OR WRONG.

18 BUT RECONCILING YOURSELF TO SOMETHING DOESN'T
19 REALLY FIT INTO THE CATEGORY WHERE THINGS ARE RIGHT OR WRONG.
20 YOU JUST RECONCILE YOURSELF TO DO THEM. AND IN THAT WAY, THERE
21 WASN'T REALLY ANY DISCUSSION OF RIGHT OR WRONG.

22 IT WAS JUST A QUESTION OF HOW TO FREE YOURSELF
23 AS AN INDIVIDUAL, SO THAT YOU ARE ABLE TO MAKE DECISIONS AND
24 FOLLOW THEM WITHOUT GUILT OR WITHOUT THE SOCIAL CONSTRAINTS
25 THAT LIMIT PEOPLE.

26 Q SPEAKING OF SOCIAL CONSTRAINTS THAT LIMIT PEOPLE,
27 DID HE EVER TALK IN PARADOX PHILOSOPHY ABOUT GETTING RID OF
28 INTERNAL IMPEDIMENTS?

1 A YES HE DID.

2 Q WHAT WAS THAT ALL ABOUT?

3 A WHAT HE SAID WAS, THAT THE BEST WAY TO FIND
4 HAPPINESS AND FULFILLMENT, PEACE IN LIFE, IS TO STREAMLINE
5 ALL ASPECTS OF YOUR BEING SO THAT THE ONLY IMPEDIMENTS YOU
6 FACE ARE EXTERNAL ONES, RATHER THAN INTERNAL ONES.

7 Q DID HE EVER EXPLAIN TO YOU WHAT "STREAMLINE ALL
8 ASPECTS OF YOUR BEING" MEANT?

9 A WELL, IT FIT IN WITH EVERYTHING ELSE RELATED TO
10 PARADOX PHILOSOPHY. NAMELY, REALIZING AND BECOMING AWARE OF
11 THE SOCIETAL CONSTRAINTS AND GUILTS THAT ARE PLACED UPON YOU
12 AND OF YOUR EMOTIONAL REACTIONS TO THINGS, SO THAT THEY DON'T
13 HAMPER OR HINDER YOU IN THE COURSE OF MAKING WHAT SHOULD BE
14 LOGICAL DECISIONS AS TO HOW TO PROCEED IN LIFE.

15 Q AND DID THAT HAVE ANY EFFECT ON HIS DISCUSSIONS
16 WITH YOU ABOUT YOUR RELATIONSHIP TO YOUR PARENTS, YOUR
17 GIRLFRIENDS, THINGS LIKE THAT?

18 A IT HAD A LOT OF EFFECT ON THEM.

19 Q COULD YOU EXPLAIN THAT?

20 A WELL, THE IDEA THAT YOU SHOULD SHIFT YOUR FOCUS
21 AND YOUR PRESPECTIVE IN ORDER TO COINCIDE OR RECONCILE WITH
22 WHAT YOUR OBJECTIVES WERE, WENT HAND IN HAND WITH SITUATIONS
23 WHERE YOU WOULD PERHAPS, SEEK TO MANIPULATE PEOPLE AND --

24 Q DID HE TALK TO YOU ABOUT SPECIFICALLY IN TERMS
25 OF GETTING RID OF GUILT AND ALL OF THESE THINGS, DEALING WITH
26 PEOPLE WHO DIDN'T BELIEVE IN THE PARADOX PHILOSOPHY, FOR
27 EXAMPLE?

28 A WELL, HE DISTINGUISHED. HE HAD A NAME ACTUALLY,

1 FOR PEOPLE WHO WERE NOT IN TUNE WITH PARADOX PHILOSOPHY.

2 Q WHAT WAS THAT NAME?

3 A THEY WERE CALLED "NORMIES."

4 Q WHAT WAS THAT USED TO DESCRIBE?

5 A IT RELATED TO ANOTHER PRINCIPLE IN PARADOX
6 PHILOSOPHY WHICH JOE SAID THAT ONE SHOULD NEVER SACRIFICE
7 ONE'S SELF FOR ANOTHER BECAUSE ANYONE WHO WOULD SACRIFICE
8 THEMSELVES FOR YOU, WOULD ALSO SACRIFICE YOU FOR THEM.

9 AND PEOPLE WHO BELIEVED THIS WAY, THESE NORMIES,
10 WERE THEREFORE, DANGEROUS AND HE USED TO CONSTANTLY FIND
11 INDIVIDUAL EXAMPLES OF PEOPLE THAT I KNEW, MY PARENTS OR
12 FRIENDS.

13 AND HE WOULD PICK UP PERHAPS, SOME EXAMPLE WHERE
14 THERE WAS SOME HOSTILE REACTION SHOWN OR SOME MISTRUST AND
15 HE WOULD SAY THAT EVERY MOMENT IS A WINDOW ON ALL TIME. AND
16 FROM LITTLE EXAMPLES OF HOSTILITY, HE WOULD THEN PERSUADE ME
17 THAT THIS PERSON WAS ACTUALLY SEEKING TO UNDERMINE ME FOR ALL
18 TIME AND THAT IN A WAY, TO CONTINUE TO BE INVOLVED WITH THEM,
19 WOULD LEAD TO SORT OF A FUNDAMENTAL DESTRUCTION OF ME.

20 Q DID THAT INCLUDE YOUR PARENTS?

21 A THAT INCLUDED MY PARENTS.

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1 Q WITH RESPECT TO PARADOX PHILOSOPHY, DID MR. HUNT
2 EVER TALK TO YOU ABOUT BECOMING A PERSON WHO COULD TEACH
3 THE PARADOX PHILOSOPHY TO OTHER PEOPLE?

4 A YES.

5 Q AND IN THAT REGARD, DID HE TRY AND TEACH THE
6 PRINCIPLES TO YOU?

7 A YES, HE DID.

8 IT WAS MORE SORT OF AN EVOLUTION IN A WAY, THE
9 WAY THE WHOLE THING WAS UNFOLDED TO ME, YOU KNOW, FROM THE
10 FIRST TIME HE MENTIONED IT IN FLORIDA. AS THE MONTHS AND
11 THE YEARS WENT ON, I WAS BECOMING MORE AND MORE WELL VERSED
12 IN THE JARGON, IN THE TYPE OF ANALYSIS AND EVENTUALLY, WHEN
13 THE BBC GROUP WAS FORMALIZED AND THE ORGANIZATIONAL STRUCTURE
14 WAS THOUGHT OF AND SOME OF THE SPECIFIC WORDS WERE MADE UP,
15 LIKE "NORMIE" --

16 THERE WAS ANOTHER WORD CALLED "A SHADING," WHICH
17 AGAIN RELATED BACK TO THAT CATCH PHRASE ABOUT "BLACK IS
18 WHITE AND WHITE IS BLACK AND ALL OF THE SHADINGS IN BETWEEN."
19 A SHADING WAS DESIGNATED AS A PERSON WHO WAS ABLE TO
20 MANIPULATE THESE PRINCIPLES AND TO TRANSPOSE REALITY FROM
21 ONE POINT OF VIEW TO ANOTHER BASED ON ALTERING YOUR
22 PERSPECTIVE OR YOUR FOCUS AND --

23 Q WHAT DO YOU MEAN "A SHADING WAS A PERSON WHO
24 COULD MANIPULATE THE PRINCIPLES"?

25 A WELL, YOU HAVE A PURPOSE OR AN OBJECTIVE AND
26 THEN YOU HAVE WHAT YOU ARE SEEING IN FRONT OF YOU, REALITY,
27 AND WHETHER YOU WANT TO VIEW THAT POSITIVELY OR NEGATIVELY
28 OR WHETHER YOU WANT SOMEONE ELSE TO VIEW IT POSITIVELY OR

1 NEGATIVELY, IS A QUESTION OF WHICH ASPECT OF IT YOU FOCUS
2 ON AND HOW YOU INTERPRET WHAT YOU SEE.

3 SO BEN DOSTI AND MYSELF AND JOE WERE, ACCORDING
4 TO THE ORGANIZATIONAL STRUCTURE, LABELED "THE SHADINGS" IN
5 THE BBC AND WE WERE THE SO-CALLED GUARDIANS OF THE
6 PHILOSOPHY AND IT WAS UP TO US IN THE STRUCTURE OF THE
7 ORGANIZATION TO MAKE SURE THAT THE BBC CONDUCTED ITSELF ALONG
8 THE LINE OF THE PARADOX PHILOSOPHY, TO RESOLVE DISPUTES BASED
9 UPON THE PRINCIPLES OF PARADOX PHILOSOPHY, ET CETERA.

10 Q DID JOE HUNT EVER TALK TO YOU ABOUT THE FACT
11 THAT THE PARADOX PHILOSOPHY WAS USED BY HIM AND TO BE USED
12 BY YOU AS A TOOL TO MANIPULATE PEOPLE?

13 A THERE WAS DISCUSSION ABOUT MANIPULATING PEOPLE
14 AND ABOUT THE VARIOUS TOOLS THAT YOU COULD USE. PARADOX
15 PHILOSOPHY WAS ONE OF THEM, YES.

16 Q AND AS A RESULT OF THIS, DURING THE TIME THAT
17 YOU WERE INVOLVED IN THE BBC, WHAT HAPPENED TO YOUR
18 RELATIONSHIP WITH YOUR PARENTS?

19 A MY RELATIONSHIP WITH MY PARENTS CHANGED FROM --
20 WELL, I FELT THAT I WAS GROWING MUCH LESS
21 DEPENDENT UPON THEM AND I DIDN'T -- I DIDN'T WANT TO SEE
22 THEM HURT. I WAS ALWAYS TRYING TO FIND -- YOU KNOW, WHEN
23 JOE WOULD TALK ABOUT AN INVESTMENT, I WOULD ALWAYS CALL UP
24 MY PARENTS AND SAY, "WELL, THERE IS A GOOD CHANCE TO MAKE
25 SOME OF THE MONEY BACK."

26 BUT AT THE SAME TIME, I WAS DECEIVING THEM ON
27 A FUNDAMENTAL LEVEL AND I WAS MISTRUSTING THEM. I WAS
28 INTERPRETING THE THINGS THAT THEY DID FROM THIS POINT OF

1 VIEW, OF THEM TRYING TO UNDERMINE AND DESTROY ME FOR ALL
2 TIME, SO IT WAS A VERY STRANGE RELATIONSHIP WHERE A GREAT
3 DISTANCE GREW BETWEEN MYSELF AND MY PARENTS.

4 Q NOW I WANT TO COME BACK TO SOMETHING HAVING MORE
5 DIRECTLY TO DO WITH THE BBC.

6 WHEN YOU WERE LIVING AT THE WILSHIRE MANNING,
7 DID YOU EVER MEET THE PERSON DEPICTED IN THIS PHOTOGRAPH
8 THAT IS 175?

9 A YES, I DID.

10 Q AND WHAT NAME DID YOU KNOW HIM BY WHEN YOU FIRST
11 MET HIM?

12 A JIM GRAHAM.

13 Q AND HOW DID YOU FIRST MEET HIM?

14 A HE WAS WORKING SECURITY AT THE BUILDING AND I
15 WAS AT A PARTY DOWNSTAIRS AND HE WAS THE GUARD THAT WAS
16 ASSIGNED TO MAKE SURE THAT THE PARTY DIDN'T GET OUT OF
17 HAND.

18 Q WAS JOE HUNT AT THAT PARTY?

19 A NO, HE WASN'T.

20 Q AND WHEN YOU MET HIM AT THAT PARTY, DID YOU TALK
21 TO HIM AT THAT TIME?

22 A YES, I DID.

23 Q WHAT DID YOU TALK TO HIM ABOUT?

24 A WELL, THE THING THAT I REMEMBER IS THAT I WAS
25 ASKING HIM ABOUT THE TYPE OF SECURITY WORK THAT HE DID AND
26 HE TOLD ME THAT HE HAD A SEVENTH DEGREE BLACK BELT IN
27 TAE KWON DO KARATE OR ELSE A BLACK BELT IN SEVEN DIFFERENT
28 KINDS OF KARATE, I CAN'T REMEMBER EXACTLY, BUT HE

1 SAID HE WAS VERY PROFICIENT IN MARTIAL ARTS AND THAT HE USED
2 TO TEACH MARTIAL ARTS.

3 Q AND WHEN YOU TALKED TO HIM, DID HE SEEM TO BE
4 A PRETTY NICE, AFFABLE FELLOW?

5 A VERY FRIENDLY.

6 Q AND AFTER YOU MET HIM AT THIS PARTY, WHAT DID
7 YOU DO, DID YOU TALK TO JOE HUNT ABOUT HIM?

8 A YES, I DID.

9 Q WHAT DID YOU SAY?

10 A I TOLD HIM THAT I HAD MET THIS REALLY NICE GUY
11 WHO WAS A SECURITY GUARD AND THAT HE TAUGHT KARATE.

12 Q AND WHAT DID JOE SAY?

13 A HE SAID THAT HE WANTED TO MEET HIM.

14 Q WHEN WAS IT THAT YOU MET MR. GRAHAM AT THE PARTY?

15 A IT WAS ABOUT NOVEMBER OF 198 -- MAYBE SEPTEMBER
16 OF 1983 OR OCTOBER, TOWARDS THE END OF 1983. SORRY.

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6. 1 Q AND AFTER YOU TOLD MR. HUNT ABOUT MR. GRAHAM AND
2 MR. HUNT SAID HE WANTED TO MEET HIM, WERE THEY INTRODUCED?

3 A YES.

4 Q BY WHOM?

5 A I THINK IT WAS BY ME. PERHAPS JOE MET HIM ON HIS
6 OWN. JIM WAS ALWAYS DOWN IN THE LOBBY OR IN THE GARAGE.

7 Q OF THE WILSHIRE MANNING CONDOMINIUMS?

8 A OF THE WILSHIRE MANNING, YEAH.

9 Q AND AFTER JOE HUNT MET MR. GRAHAM, DID HE EVER
10 SAY ANYTHING TO YOU ABOUT MR. GRAHAM IN TERMS OF WHETHER HE
11 WAS GOING TO HAVE HIM AS A MEMBER OF THE BBC OR NOT?

12 A WELL, ONCE WE GOT TO KNOW HIM A LITTLE BIT BETTER,
13 JIM WAS GOING TO TEACH US KARATE.

14 AND AT ONE POINT, I WAS PRESENT AT A CONVERSATION
15 WHERE JOE AND I WERE DISCUSSING THAT A GUY LIKE JIM WOULD BE
16 GOOD FOR THE BBC.

17 Q WHAT DID JOE SAY?

18 A WELL, THAT'S WHAT HE SAID. HE SAID THAT A GUY
19 LIKE JIM WOULD BE GOOD FOR THE BBC.

20 Q DID HE SAY -- IN WHAT RESPECT?

21 A NOT AT THAT TIME. I WILL JUST ANSWER YOUR QUESTION.

22 Q OKAY. AND AT SOME POINT, DID JOE HUNT GIVE
23 MR. GRAHAM A CAR?

24 A YES.

25 Q WHEN WAS THAT?

26 A IT WAS DURING DECEMBER, 1983.

27 Q DO YOU KNOW WHY THAT WAS?

28 A JIM LIKED THE CAR. IT WAS A CLASSIC BMW SPORTS

6 1 CAR THAT THE BBC OWNED. AND JIM WAS CONTINUALLY ADMIRING IT
2 IN THE GARAGE OR WHEN ONE OF US WOULD DRIVE IN WITH IT.

3 AND I HAD ACTUALLY GONE AWAY FOR THE MONTH OF
4 DECEMBER AND WHEN I CAME BACK, JOE SAID THAT HE HAD GIVEN JIM
5 THE CAR, SO THAT JIM WOULD FEEL A PART OF OUR GROUP AND THAT
6 HE WAS IN THE BBC AT THAT POINT.

7 Q HOW LONG WERE YOU GONE?

8 A NEARLY A MONTH.

9 Q AND WHERE WAS IT THAT YOU WENT?

10 A I WENT TO EUROPE.

11 Q AND WAS THAT FOR THE PURPOSE OF PROCURING CARS
12 FOR WESTCARS OF NORTH AMERICA?

13 A THAT'S RIGHT.

14 Q WHEN YOU LEFT FOR EUROPE, WAS MR. GRAHAM A MEMBER
15 OF THE BBC?

16 A HE WAS ON THE VERGE OF BECOMING SO. HE AND JOE
17 AND I WERE FRIENDS. HE HAD BEEN TEACHING US KARATE FOR ABOUT
18 A MONTH BUT HE WAS STILL WORKING AT THE WILSHIRE MANNING.

19 Q AS A SECURITY GUARD?

20 A AS A SECURITY GUARD. AND WHEN I CAME BACK, JIM
21 WAS NOT WORKING FOR THE MANNING ANY MORE.

22 HE WAS NOW IN THE BBC. AND HE WAS GOING TO
23 BE COMING INTO THE OFFICE AND HELPING OUT ON THE PROJECTS WE
24 WERE WORKING ON.

25 Q DO YOU KNOW WHAT SALARY IT WAS THAT HE WAS BEING
26 PAID AT THE BBC?

27 A INITIALLY HE WAS GETTING \$1500 A MONTH. AND AFTER
28 THAT, IT WAS RAISED TO \$1800 A MONTH.

6-3

1 Q WHEN YOU CAME BACK, WHAT DID THE RELATIONSHIP
2 BETWEEN MR. GRAHAM AND MR. HUNT APPEAR TO BE?

3 A THEY APPEARED TO BE VERY CLOSE FRIENDS.

4 Q AND DID THAT RELATIONSHIP CONTINUE IN THAT MANNER
5 THROUGH THE TIME THAT YOU WERE ASSOCIATING WITH THE BBC?

6 A YES.

7 Q NOW, I WANT TO GO BACK IN POINT OF TIME TO KIND
8 OF WHERE WE WERE YESTERDAY AFTERNOON.

9 WHEN YOU WERE AT THE OFFICES OF THE BBC AND A
10 COLLECT CALL CAME IN FROM MR. GRAHAM, YOU TOOK THAT CALL, RIGHT?

11 A I THINK SO, YES.

12 Q AND IT WAS AFTER THAT, THAT MR. HUNT SHORTLY AFTER
13 THAT, WENT TO NEW YORK?

14 A THAT'S RIGHT.

15 Q AND AT SOME POINT LATER, DID HE EVER TELL YOU WHAT
16 HE HAD DONE IN NEW YORK?

17 A YES. HE DID.

18 Q WHAT DID HE SAY?

19 A HE SAID THAT HE HAD -- SINCE HE WENT THERE KNOWING
20 JIM HAD BEEN ARRESTED, THE FIRST THING HE DID IS HE WENT TO
21 I GUESS, THE COURTHOUSE OR SOMEHOW FOUND OUT WHERE JIM WAS.
22 AND HE FOUND A LAWYER ON THE COURTHOUSE STEPS.

23 Q WHAT DID HE SAY HE DID WHEN HE FOUND THE LAWYER
24 ON THE COURTHOUSE STEPS?

25 A HE SAID THAT HE TOLD THE LAWYER THAT HE WAS GOING
26 TO GET PAID AND THAT HE SHOULD FIND OUT WHAT THIS FELLOW HAD
27 BEEN ARRESTED FOR AND SEE ABOUT GETTING HIM OUT.

28 Q AND WHAT ELSE DID HE SAY HAPPENED?

6 " 1 A HE SAID THAT HE ARRANGED TO HAVE JIM RELEASED AND
2 TO PAY THE -- WELL, THAT HE HAD BEEN ARRESTED FOR -- AT THE
3 PLAZA HOTEL FOR NOT PAYING THE BILL AND THAT --

4 Q DID HE SAY WHAT NAME HE WAS ARRESTED UNDER?

5 A RON LEVIN.

6 Q WHAT ELSE DID HE SAY AFTER HE TOLD YOU THAT JIM
7 HAD BEEN ARRESTED AS RON LEVIN, FOR NOT PAYING THE BILL?

8 A HE SAID THAT HE HAD ARRANGED TO GET HIM RELEASED
9 AND TO HAVE THE BILL PAID.

10 Q BEFORE MR. HUNT LEFT FOR NEW YORK, DID YOU SEE
11 WHETHER OR NOT HE TOOK ANY MONEY WITH HIM?

12 A I DON'T THINK THAT I SAW IT, NO.

13 Q WERE YOU TOLD ABOUT IT?

14 A NOT THAT I CAN REMEMBER RIGHT NOW.

15 Q AND AT SOME POINT AFTER JOE HUNT WENT TO NEW YORK,
16 DID MR. PITTMAN COME BACK OR THE PERSON YOU KNEW AS MR. GRAHAM,
17 COME BACK?

18 A YES.

19 Q AND DO YOU KNOW WHERE JOE HUNT WENT AFTER THAT?

20 A HE SAID THAT HE HAD GONE TO LONDON.

21 Q HE TOLD YOU THAT HE WENT TO LONDON?

22 A RIGHT.

23 Q AND DID HE SAY WHY HE WENT TO LONDON?

24 A YES.

25 Q WHY?

26 A HE SAID THAT HE HAD SOME KIND OF A QUARTERLY
27 PAYMENT DATE TO MAKE A PAYMENT ON, TO HIS INVESTORS AND THAT
28 HE WAS NOT PREPARED AND SO, IN ORDER TO STALL, HE WAS JUST

1 GOING TO LONDON AND SAYING THAT HE WAS WORKING ON SOME
2 IMPORTANT DEAL, JUST A WAY OF GETTING OUT OF THE SITUATION
3 FOR A WHILE.

4 Q INCIDENTALLY, HAD YOU EVER SEEN HIM PREPARE ANY
5 OF THE QUARTERLY STATEMENTS BEFORE?

6 A I THINK ONCE, I HAD SEEN HIM WORKING ON SOME LARGE
7 ACCOUNTING LEDGER SHEETS.

8 Q LIKE SPREAD SHEETS?

9 A I GUESS THAT'S WHAT YOU CALL THEM.

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1 Q AND DO YOU KNOW HOW IT WAS THAT HE PREPARED THOSE
2 LEDGER SHEETS?

3 A NO, I DON'T.

4 Q AT SOME POINT, DID THE BBC GET NOTIFIED THAT
5 THE CHECK THAT HAD BEEN RECEIVED FROM MR. LEVIN WAS NO
6 GOOD?

7 A YES.

8 Q WHEN WAS THAT AND HOW WAS IT?

9 A I HEARD ABOUT IT THROUGH BEN DOSTI.

10 I THINK HE HAD RECEIVED A PHONE CALL THAT THE
11 CHECK HAD BEEN REFUSED.

12 Q DO YOU REMEMBER WHETHER MR. HUNT WAS STILL IN
13 LONDON OR WAS HE BACK AT THAT POINT?

14 A HE WAS STILL IN LONDON AT THAT TIME.

15 MR. BARENS: YOUR HONOR, NON-RESPONSIVE TO THE QUESTION
16 TO THE EXTENT THE QUESTION WENT TO "WHEN WAS THAT," AND WE
17 WOULD LIKE TO KNOW.

18 THE COURT: ALL RIGHT, LET'S HAVE A DATE.

19 Q BY MR. WAPNER: DO YOU KNOW WHEN MR. DOSTI
20 RECEIVED THE PHONE CALL FROM THE BANK?

21 A NOT SPECIFICALLY.

22 Q AT THE TIME -- WELL, AFTER HE RECEIVED THE PHONE
23 CALL, DID HE TELL YOU ABOUT IT? DID MR. DOSTI TELL YOU
24 ABOUT HAVING GOTTEN THE PHONE CALL FROM THE BANK?

25 A YES.

26 Q AND AT THE TIME THAT MR. DOSTI TOLD YOU ABOUT
27 IT, WAS MR. HUNT STILL IN LONDON?

28 A TO MY KNOWLEDGE, YES.

1 Q WHEN JOE HUNT CAME BACK FROM LONDON, WHAT
2 HAPPENED?

3 A I TOLD HIM THAT THE CHECK HAD NOT BEEN PAID.

4 Q WHERE DID YOU TELL HIM THAT?

5 A I THINK I TOLD HIM IN THE ELEVATOR OF THE
6 WILSHIRE MANNING.

7 Q AND DID YOU TELL HIM WHY THE CHECK HADN'T BEEN
8 PAID?

9 A I DON'T RECALL. I DON'T KNOW IF I EVEN KNEW.

10 Q WAS THAT IN THE ELEVATOR AT THE WILSHIRE
11 MANNING JUST AFTER HE GOT BACK FROM LONDON?

12 A THAT'S RIGHT.

13 Q AND WHEN YOU TOLD HIM THAT THE CHECK HADN'T BEEN
14 PAID, WHAT DID HE SAY?

15 A HE WAS -- I DON'T REMEMBER SPECIFICALLY WHAT
16 HE SAID, BUT HE WAS PRETTY UPSET ABOUT IT AND I THINK HE
17 SAID THAT HE COULD PERHAPS FIND A WAY TO CASH THE CHECK.

18 Q AT THAT TIME, DID YOU SAY TO HIM THAT THE CHECK
19 FROM MR. LEVIN HAD NOT BEEN PAID OR DID YOU USE SOME OTHER
20 WORD?

21 A I DON'T REMEMBER.

22 Q DID THERE COME TO BE USED IN THE BBC A CODE WORD
23 WITH REGARD TO WHAT HAD HAPPENED TO MR. LEVIN?

24 A YES.

25 Q WHAT WAS THAT WORD?

26 A THE WORD WAS "MAC".

27 Q HOW DID YOU FIND OUT ABOUT THAT WORD?

28 A I THINK I WAS IN THE OFFICE WITH JOE ONE TIME,

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1 AND THIS WAS DURING THE PERIOD WHEN WE WERE TRYING TO JUST
2 ACT NATURAL, SHORTLY AFTER RON HAD BEEN KILLED.

3 Q WAS THIS BEFORE JOE HUNT WENT TO NEW YORK?

4 A LET'S SEE, YEAH, I THINK IT WAS. I THINK IT
5 WAS.

6 THE COURT: DO YOU KNOW WHERE THEY GOT THE NAME MAC
7 FROM, WHERE DID THAT COME FROM?

8 THE WITNESS: WE JUST MADE IT UP.

9 THE COURT: WHO IS "WE"?

10 THE WITNESS: JOE AND I.

11 I DON'T REMEMBER WHOSE MOUTH IT CAME OUT OF,
12 BUT THE IDEA WAS TO HAVE SOME NAME, SOME WORD SO THAT WE
13 COULD REFER TO RON LEVIN AND EVERYTHING THAT HAD HAPPENED
14 WITHOUT PEOPLE KNOWING WHAT WE WERE TALKING ABOUT.

15 Q BY MR. WAPNER: AND WHEN THIS DISCUSSION WAS
16 HAD BETWEEN YOU AND MR. HUNT, WAS THAT, DO YOU REMEMBER,
17 BEFORE OR AFTER HE HAD WALKED YOU AROUND WESTWOOD, TELLING
18 YOU ABOUT THE KILLING?

19 A I THINK IT WAS AFTER.
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1 Q WHEN YOU SAY "REFER TO EVERYTHING THAT HAPPENED,"
2 WAS THERE SOME UNDERSTANDING BETWEEN YOU AND MR. HUNT AT
3 THE TIME YOU HAD THIS DISCUSSION WHAT IT WAS TO REFER TO?

4 A YES.

5 Q WHAT WAS THAT?

6 A IT WAS TO REFER TO RON LEVIN SPECIFICALLY, AND
7 LATER ON, WHEN WE USED THE WORD "MAC," IT JUST REFERRED TO
8 THAT WHOLE PLAN AND KILLING.

9 Q SO TO THE PLAN TO KILL HIM AND THE FACT THAT
10 HE HAD BEEN KILLED?

11 A THAT'S RIGHT.

12 Q WHAT WAS THE PURPOSE OF YOUR HAVING A DISCUSSION
13 OF HAVING A CODE WORD FOR IT?

14 A AS I SAY, WE DIDN'T WANT TO ALERT ANYONE AT THE
15 OFFICE, FIRST OF ALL, THAT WE EVEN KNEW ABOUT RON'S
16 DIAPPEARANCE BECAUSE, OF COURSE, AS FAR AS WE WERE GOING
17 TO LET ON, RON PROBABLY WENT TO NEW YORK, AND SO ANY
18 REFERENCE TO HIM WOULD HAVE, WE THOUGHT, BEEN SUSPICIOUS
19 AND SO WE JUST, OUT OF CAUTION, DECIDED TO USE THIS CODE
20 WORD.

21 Q NOW, WHEN YOU TOLD JOE HUNT THAT THE CHECK HAD
22 NOT BEEN PAID, WHAT HAPPENED?

23 A WHAT HAPPENED THAT INSTANT OR WHAT HAPPENED
24 AFTER THAT?

25 Q WELL, YOU SAID THAT HE SAID THAT THERE WERE WAYS,
26 THERE STILL MAY BE WAYS TO GET THE CHECK CASHED?

27 A THAT'S RIGHT.

28 Q AND DID YOU HAVE ANY DISCUSSION WITH HIM AND

1 THE PERSON YOU KNEW AS JIM GRAHAM ABOUT THAT?

2 A YES.

3 Q WHEN?

4 A AFTER -- EXCUSE ME -- AFTER JIM HAD COME BACK
5 FROM NEW YORK AND AFTER JOE HAD COME BACK FROM LONDON.

6 Q AND WHERE DID THAT DISCUSSION TAKE PLACE?

7 A THERE WERE, I THINK, A COUPLE OF DISCUSSIONS,
8 BUT ONE IN PARTICULAR TOOK PLACE ON A BENCH ON THE STRIP
9 OF GRASS THAT IS DIRECTLY ACROSS THE STREET FROM TRADER VIC'S
10 RESTAURANT ON WILSHIRE BOULEVARD.

11 Q IN BEVERLY HILLS?

12 A THAT'S RIGHT.

13 Q AND JUST BEFORE THAT, WHERE HAD YOU AND JOE HUNT
14 AND MR. GRAHAM BEEN?

15 A WE HAD EATEN LUNCH OR BREAKFAST AT THE SHAPIRO'S
16 DELICATESSEN IN THE BUILDING ACROSS THE STREET.

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1 Q AND AFTER THIS MEAL AT THE DELICATESSEN, YOU WENT
2 ACROSS THE STREET IN THE PARK ALONG WILSHIRE BOULEVARD,
3 CORRECT?

4 A THAT'S RIGHT.

5 Q AND WHAT DID YOU TALK ABOUT?

6 A WE TALKED ABOUT FINDING WAYS TO GET THE MONEY
7 BEHIND THE CHECK.

8 Q AND WHO WAS THERE?

9 A JIM AND JOE AND MYSELF.

10 Q AND WHAT WAS SAID?

11 A WELL, THE FIRST THING JOE TOLD JIM WAS THAT DEAN
12 KNOWS ABOUT LEVIN BECAUSE WE HAD HAD THAT MEAL AND JIM DIDN'T
13 KNOW AT THAT POINT, THAT I KNEW ABOUT THIS WHOLE PLAN.

14 Q AND THE PLAN AND THE KILLING?

15 A THE PLAN AND THE KILLING, THAT'S RIGHT.

16 Q AND WHAT DID JOE SAY SPECIFICALLY?

17 A AS I RECALL, I THINK IT WAS, "DEAN KNOWS ABOUT
18 LEVIN."

19 Q WHAT DID MR. GRAHAM DO OR SAY?

20 A HE JUST ACKNOWLEDGED, JUST ACKNOWLEDGED ME. I
21 THINK HE SORT OF SMILED AND NODDED A LITTLE BIT.

22 Q AND AFTER THAT, WHAT HAPPENED NEXT?

23 A AFTER THAT, WE STARTED TALKING ABOUT THE PROBLEMS
24 THAT HAD OCCURRED WITH REGARD TO CASHING THE CHECK, THE FACT
25 THAT IT HAD NOT BEEN PAID. AND WE WERE TRYING TO THINK OF
26 WAYS TO GET THE CHECK PAID.

27 Q WHAT WAS DISCUSSED ABOUT HOW TO GET THE CHECK PAID?

28 A ONE OF THE THINGS WAS THAT JIM SAID HE KNEW

8-
1 SOMEBODY IN WASHINGTON FROM HIS UNDERWORLD CONNECTIONS THAT
2 WAS ABLE TO GET INFORMATION ABOUT SWISS BANK ACCOUNTS AND
3 PERHAPS EVEN SOMEHOW, LIQUIDATE AN ACCOUNT AND HE WAS GOING
4 TO PERHAPS CALL HIM UP AND SEE WHAT HE COULD DO FOR US.

5 Q WHAT DID JOE SAY?

6 A HE SAID TO GO AHEAD WITH HIM AND GIVE HIM A CALL.

7 Q AND WAS THERE ANYTHING ELSE SAID ABOUT HOW TO CASH
8 THE CHECK AT THAT TIME WHEN YOU WERE DISCUSSING THIS ON THE
9 BENCH?

10 A AS I RECALL, WHAT WE REALLY WANTED TO DO WAS TO
11 FIND OUT AS MUCH INFORMATION AS POSSIBLE ABOUT RON'S ACCOUNT
12 AND THE CHECK AND THAT'S WHY JIM WAS GOING TO MAKE THE CALL
13 TO HIS FRIEND.

14 WE WERE GOING TO DECIDE LATER I THINK, WHAT
15 ACTUALLY WAS GOING TO BE DONE, ONCE WE HAD GOTTEN MORE
16 INFORMATION.

17 Q WAS THERE ANY DISCUSSION AT THAT MEETING WHEN THE
18 THREE OF YOU WERE ON THE BENCH, ABOUT CALLING UP RON LEVIN
19 AND SAYING, "RON, THE CHECK DIDN'T CLEAR. GIVE US THE CHECK"?

20 A NO DISCUSSION LIKE THAT.

21 Q WAS THERE EVER ANY DISCUSSION ABOUT THAT WITH JOE
22 HUNT OR MR. PITTMAN AFTER JUNE 7, ABOUT CALLING RON LEVIN AND
23 SAYING, "GIVE US ANOTHER CHECK. YOUR CHECK BOUNCED OR IT
24 DIDN'T CLEAR"?

25 A NO. THERE WASN'T.

26 Q NOW, AFTER YOU HAD THIS MEETING ON THE PARK BENCH,
27 DID MR. PITTMAN COME BACK AND SAY TO YOU OR TO MR. HUNT, WHAT
28 HE HAD FOUND OUT FROM WASHINGTON?

1 A HE SAID THAT HE HAD TALKED TO HIS FRIEND AND THAT
2 FOR A SUM OF MONEY, THAT HIS FRIEND WOULD BE ABLE TO GET ALL
3 KINDS OF INFORMATION.

4 Q DID HE SAY WHAT THE SUM OF MONEY WAS?

5 A THE ONE THAT STICKS OUT IN MY MIND, WAS \$30,000.

6 Q AND WHAT HAPPENED AS A RESULT -- WHAT KIND OF
7 INFORMATION DID HE SAY THAT HE COULD GET, THAT HIS FRIEND COULD
8 GET?

9 A HE SAID THAT HE COULD FIND OUT WHAT KIND OF SECRET
10 INSTRUCTIONS THERE MIGHT HAVE BEEN ON THE SWISS BANK ACCOUNT,
11 FIND OUT HOW MUCH MONEY WAS IN THE ACCOUNT AND AT ONE POINT,
12 ACTUALLY GET ADDITIONAL CHECKS FROM THE ACCOUNT SO THAT NEW
13 ONES COULD BE WRITTEN.

14 Q WAS THIS INFORMATION TOLD TO JOE HUNT BY
15 MR. GRAHAM?

16 A AS FAR AS I KNOW, YEAH.

17 Q AND HOW WAS IT THAT YOU FOUND OUT ABOUT THIS?

18 A I AM NOT SURE IF I WAS PRESENT WHEN JIM AND JOE
19 WERE TALKING ABOUT IT. IF I WASN'T, THEN JOE TOLD ME ABOUT
20 IT.

21 Q AS A RESULT OF THAT DISCUSSION, WHAT HAPPENED?

22 A AS A RESULT OF THAT DISCUSSION, JIM WAS AS FAR
23 AS I KNOW -- HE WAS GIVEN THE \$30,000 AND TOLD TO GO AHEAD
24 AND HAVE HIS FRIEND DO WHAT HE COULD.

25 Q WHEN YOU SAY, "AS FAR AS YOU KNOW, HE WAS GIVEN
26 \$30,000," HOW DO YOU KNOW THAT?

27 A WELL, JOE TOLD ME THAT HE HAD GIVEN HIM THE
28 \$30,000 TO DO THAT.

1 Q AND DID MR. GRAHAM GO SOMEWHERE AFTER HE WAS GIVEN
2 THE \$30,000?

3 A AS FAR AS I KNOW, HE WENT TO WASHINGTON.

4 Q AND WERE MOST OF THE TRAVEL ARRANGEMENTS AT THE
5 BBC MADE WITH AN AGENCY CALLED WINGS TRAVEL?

6 A THAT'S RIGHT.

7 Q AND IT WAS AFTER YOU HAD THIS DISCUSSION THAT
8 MR. GRAHAM WENT TO WASHINGTON, D.C., IS THAT RIGHT?

9 A THAT'S RIGHT.

10 THE COURT: DO YOU KNOW ABOUT WHAT DATE THAT WAS?

11 THE WITNESS: IT WAS SOMETIME IN THE -- I THINK JUST
12 AFTER THE 20TH OF JUNE.

13 THE COURT: ALL RIGHT.

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1 Q BY MR. WAPNER: I AM GOING TO SHOW YOU AN EXHIBIT
2 THAT IS MARKED AS 223 FOR IDENTIFICATION AND ASK YOU, FIRST
3 OF ALL, IF YOU RECOGNIZE THE FORM DEPICTED ON THAT EXHIBIT;
4 HAVE YOU EVER SEEN ANYTHING LIKE THAT BEFORE WHEN YOU WERE
5 WORKING AT THE BBC?

6 A YES.

7 Q AND WHAT IS THAT?

8 A THAT IS ONE OF THE MONTHLY BILLS, I THINK THEY
9 WERE MONTHLY, I AM NOT SURE, BUT IT IS ONE OF THE BILLS
10 WE GOT FROM WINGS TRAVEL FOR TICKETS THAT HAD BEEN PURCHASED
11 THROUGH THEM, AIRLINE TICKETS.

12 Q HAD YOU EVER PURCHASED OR HAD THE BBC PURCHASE
13 FOR YOU AIRLINE TICKETS?

14 A I AM NOT SURE.

15 Q IN ANY EVENT, HAD YOU SEEN THOSE WING TRAVEL
16 RECEIPTS IN THE OFFICE ON OTHER OCCASIONS FOR FLIGHTS FOR
17 OTHER PEOPLE?

18 A YES, I HAD.

19 Q AND THIS ONE IN FACT INDICATES A FLIGHT FOR MR.
20 GRAHAM FROM LOS ANGELES TO SALT LAKE CITY ON JUNE THE 19TH?

21 A YES, THAT'S RIGHT.

22 Q AND HE GETS IN SALT LAKE CITY AT 9:35 IN THE
23 MORNING AND THEN THERE IS APPARENTLY A CONNECTING FLIGHT
24 AT 10:15 IN THE MORNING FROM SALT LAKE CITY TO WASHINGTON,
25 D.C. NATIONAL AIRPORT.

26 A THAT IS WHAT IT SAYS.

27 Q AND THEN IT INDICATES THAT THERE IS A FLIGHT
28 FROM WASHINGTON, D.C., DULLES AIRPORT, ON JUNE THE 21ST,

1 RETURNING TO LOS ANGELES ON THAT DATE?

2 A RIGHT.

3 Q AND IS THAT APPROXIMATELY -- ARE THOSE
4 APPROXIMATELY THE DATES THAT MR. GRAHAM WOULD HAVE GONE TO
5 WASHINGTON?

6 A THAT'S RIGHT.

7 Q AND DID YOU HAVE SOME DISCUSSION WITH MR. HUNT
8 AND MR. GRAHAM WHEN HE CAME BACK FROM WASHINGTON?

9 A YES, I DID.

10 Q WHAT WAS THAT?

11 A HE SAID THAT HE HAD ARRANGED FOR -- OR HIS
12 FRIEND HAD ARRANGED THAT THE SWISS BANK, WHERE RON LEVIN
13 HAD HIS ACCOUNT, WOULD SEND SOME NEW CHECKS TO RON'S POST
14 OFFICE BOX.

15 Q AND WHERE WAS THAT POST OFFICE BOX LOCATED?

16 A IN THE BEVERLY HILLS POST OFFICE.

17 Q AND AS A RESULT OF HIM GIVING THAT --
18 WAS THAT INFORMATION GIVEN TO YOU OR TO JOE HUNT
19 OR BOTH?

20 A I AM NOT POSITIVE.

21 I KNOW THAT JOE WAS THERE BUT WHETHER HE, AS
22 I SAY, WHETHER HE RELATED IT TO ME OR WHETHER JIM WAS THERE
23 ALSO, I AM NOT SURE RIGHT NOW.

24 Q WITH RESPECT TO THE POST OFFICE BOX AT THE BEVERLY
25 HILLS POST OFFICE, DID YOU EVER DO ANYTHING, YOU YOURSELF?

26 A YES, I DID.

27 Q WHAT DID YOU DO?

28 A ON A FEW OCCASIONS, I WENT WITH A KEY AND CHECKED

1 IF ANYTHING HAD ARRIVED IN RON LEVIN'S P.O. BOX.

2 Q AND WHERE DID YOU GET THE KEY FROM?

3 A I GOT IT FROM JOE, MOSTLY, AND I THINK I GOT
4 IT FROM JIM ONCE, TOO.

5 Q AND WHEN YOU TOOK THAT KEY, AND YOU WENT TO THE
6 BEVERLY HILLS POST OFFICE, WHAT DID YOU DO WITH IT?

7 A WHAT DID I DO WITH THE KEY?

8 Q RIGHT.

9 A I PUT IT IN THE POST OFFICE BOX, I OPENED THE
10 DOOR AND THEN WHEN I WAS FINISHED LOOKING, I PULLED IT OUT
11 AND I PUT IT IN MY POCKET.

12 Q SO IT ACTUALLY DID OPEN A POST OFFICE BOX AT
13 THE BEVERLY HILLS POST OFFICE?

14 A YES, IT DID.

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1 Q ON ANY OCCASIONS WHEN YOU LOOKED IN THE BOX,
2 DID YOU SEE ANY MAIL THAT HAD THE NAME MR. LEVIN ON IT?

3 A YES.

4 Q AND THAT WAS RON LEVIN?

5 A YES.

6 Q DID YOU EVER PERSONALLY GET ANY CHECKS OUT OF
7 THAT POST OFFICE BOX?

8 A NO, I DIDN'T.

9 Q DID YOU EVER SEE ANY BLANK CHECKS THAT WERE
10 OBTAINED ON THE SWISS BANK ACCOUNT THAT OSTENSIBLY HAD BEEN
11 OBTAINED FROM THE POST OFFICE BOX?

12 A NO, I DIDN'T.

13 Q WAS THERE ANY DISCUSSION BETWEEN YOU AND MR.
14 HUNT OR MR. GRAHAM ABOUT WHETHER YOU WERE EVER GOING TO BE
15 ABLE TO GET THOSE CHECKS?

16 A YES, THERE WAS.

17 Q WHAT?

18 A WELL, WE WERE -- ONE OF THE THREE OF US, I THINK
19 BEN DOSTI ALSO WAS CHECKING THE BOX, SEVERAL TIMES A DAY
20 BECAUSE JOE SAID HE HAD SEEN SOMEONE ELSE CHECKING THE
21 CONTENTS OF THE BOX FROM TIME TO TIME AND HE WANTED TO MAKE
22 SURE THAT PERHAPS ONE OF RON'S RELATIVES DIDN'T PICK UP THE
23 CHECKS BEFORE WE DID, AND SO WHAT WAS DISCUSSED WAS
24 CONTINUALLY CHECKING THE BOX AND SEE WHAT ELSE.

25 Q DID MR. GRAHAM EVER SAY ANYTHING ABOUT SEEING
26 A RECEIPT FOR OVERSEAS PACKAGE?

27 A YES, HE DID.

28 Q WHAT DID HE SAY?

1 A THE BOX WASN'T A HUGE BOX. IT WAS JUST A BOX,
2 THE SIZE FOR SEVERAL PIECES OF MAIL, AND JIM SAID -- HE
3 CAME BACK ONE TIME AND HE SAID THERE HAD BEEN A LITTLE
4 RECEIPT OF SOME KIND DESIGNATING THAT THERE WAS A PACKAGE
5 WHICH COULD BE PICKED UP AT THE WINDOW THAT WAS TOO BIG
6 TO PUT IN THE BOX.

7 Q WHAT DID HE SAY HE TRIED TO DO?

8 A HE SAID HE HAD TRIED TO CLAIM THAT PACKAGE BUT
9 THAT THE POSTAL WORKER HAD ASKED FOR HIM TO IDENTIFY HIM-
10 SELF AS RON LEVIN AND HE HAD BEEN UNABLE TO DO THAT SO
11 HE WENT AWAY WITHOUT THE PACKAGE.

12 Q TO YOUR KNOWLEDGE, WAS ANYTHING EVER TAKEN OUT
13 OF THAT POST OFFICE BOX?

14 A SOMETIMES, THINGS WERE TAKEN.
15 MOST OF THE TIME, THINGS WERE LEFT.

16 Q WAS THERE EVER ANYTHING DONE IN AN ATTEMPT TO
17 TRY AND SIGN RON LEVIN'S NAME?

18 A YES, THERE WAS.

19 Q WHAT WAS THAT?

20 A WELL, SINCE WE ANTICIPATED THAT SOMEDAY SHORTLY
21 WE WOULD BE GETTING THESE BLANK CHECKS, WE WANTED TO BE
22 ABLE TO FORGE RON LEVIN'S SIGNATURE ON THE CHECK.

23 WE ALREADY HAD A CONTRACT THAT HAD BEEN SIGNED
24 BY RON LEVIN, SO IT WOULD AT LEAST SUPPORT THE IDEA THAT
25 ANOTHER CHECK HAD BEEN WRITTEN AND JOE HAD A RECEIPT OF
26 AMERICAN EXPRESS BILLS FROM RON'S ACCOUNT.

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1 Q WHEN YOU SAY A SET OF BILLS, WAS IT NUMEROUS BILLS
2 OR WERE THEY ACTUALLY RECEIPTS SUCH AS A CUSTOMER WOULD SIGN?

3 A IT WAS ONE MONTHLY STATEMENT I THINK, WHICH HAD
4 IN FACT, A WHOLE PILE OF THE CARDBOARD RECEIPTS FROM THE BACK
5 OF WHAT YOU SIGN WHEN YOU ARE PURCHASING SOMETHING.

6 Q YOU KNOW WHAT MONTH IT WAS?

7 A I DON'T.

8 Q DO YOU KNOW HOW IT WAS OBTAINED?

9 A NO, I DON'T.

10 Q DID YOU EVER TAKE THAT YOURSELF, FROM THE POST
11 OFFICE BOX?

12 A NO. I DIDN'T.

13 Q YOU DON'T KNOW WHETHER ANYBODY ELSE DID OR NOT?

14 A I AM NOT SURE. I MIGHT HAVE BEEN TOLD. I DON'T
15 REMEMBER RIGHT NOW.

16 Q WHERE DID YOU SEE THOSE AMERICAN EXPRESS RECEIPTS?

17 A I SAW THEM ON OUR DINING TABLE IN THE WILSHIRE
18 MANNING APARTMENT WHERE WE LIVED.

19 Q AND WHEN YOU SAW THEM THERE, WHAT WAS GOING ON?

20 A WELL, THEY WERE ALL LAID OUT SO THAT THE SIGNATURE
21 COULD BE SEEN AND JOE AND I AND I THINK, TOM MAY, CAME IN AFTER
22 A WHILE.

23 WE WERE EXAMINING RON'S SIGNATURE, WHICH WAS QUITE
24 A SIMPLE SIGNATURE AND TRYING TO PRACTICE SO THAT ONE OF US
25 WOULD GET GOOD AT IT AND ULTIMATELY, BE ABLE TO SUCCESSFULLY
26 SIGN A CHECK AND GET IT CASHED WHEN WE GOT THE CHECKS.

27 Q AND YOU BELIEVED TOM MAY WAS THERE AT THAT TIME,
28 ALSO?

1 A I AM PRETTY SURE HE WAS.

2 Q AND AT THAT TIME, WAS THERE ANY DISCUSSION OF
3 CALLING UP RON LEVIN AND SAYING, "RON, GIVE US ANOTHER CHECK"?

4 A NO. THERE WASN'T.

5 Q AND AS FAR AS YOU KNOW, NO NEW BLANK CHECKS WERE
6 EVER OBTAINED?

7 A AS FAR AS I KNOW, THAT'S RIGHT.

8 Q AND WAS THERE AT SOME POINT IN JUNE OF 1984, A
9 MEETING HELD AT THE WILSHIRE MANNING CONDOMINIUM?

10 A YES.

11 Q LEADING UP TO THAT MEETING, WAS THERE SOME
12 DISCUSSION ABOUT WHETHER YOU SHOULD HAVE THAT MEETING AT ALL?

13 A YES. THERE WERE.

14 Q CAN YOU TELL ME ABOUT THOSE AND HOW THEY GOT
15 STARTED?

16 A WELL, BY THAT TIME, THERE HAD BEEN -- FIRST OF
17 ALL, THIS CHECK HAD NOT COME THROUGH. AND THE MILLION AND
18 A HALF DOLLARS THAT WE HAD BEEN EXPECTING AND THAT WE HAD BEEN
19 BRAGGING TO THE REST OF THE GUYS AROUND THE OFFICE THAT WAS
20 GOING TO BE COMING IN, HAD NOT SHOWN UP.

21 AND THERE WAS INCREASING PRESSURE FOR MONEY IN
22 THE GROUP. THE GUYS WHO WERE WORKING ON THE CYCLATRON PROJECT
23 WERE SUBMITTING BILLS TO BE PAID.

24 MR. BARENS: OBJECTION, YOUR HONOR. I DON'T BELIEVE
25 THIS QUESTION CALLED FOR A NARRATIVE DISCUSSION. IT IS
26 NONRESPONSIVE.

27 THE COURT: WHAT WAS THE QUESTION? PLEASE READ IT.

28 (THE RECORD WAS READ BY THE REPORTER.)

8- 1 THE COURT: THAT IS RESPONSIVE. OVERRULED.

2 THE WITNESS: ANYWAY --

3 Q BY MR. WAPNER: YOU ARE TALKING ABOUT THE MEETINGS
4 OR THINGS THAT LED UP TO TALKING ABOUT WHETHER YOU SHOULD HAVE
5 A MEETING WITH MEMBERS OF THE GROUP OF THE BBC, IS THAT RIGHT?

6 A THAT'S RIGHT.

7 Q THIS WAS AFTER OBVIOUSLY, THE NIGHT OF JUNE 6TH
8 WHEN MR. LEVIN WAS KILLED, CORRECT?

9 A YES.

10 Q NOW, WHO INITIATED THOSE DISCUSSIONS ABOUT WHETHER
11 THERE SHOULD BE A MEETING TO TELL OTHER PEOPLE IN THE BBC?

12 A I THINK I DID.

13 Q AND WHO DID YOU HAVE THE DISCUSSIONS WITH?

14 A FIRST OF ALL, I BELIEVE JUST JOE, MAYBE JOE AND
15 BEN. I AM NOT POSITIVE IF THEY WERE BOTH THERE. THAT'S THE
16 ANSWER.

17 Q WHY WAS IT THAT YOU WANTED TO HAVE THOSE
18 DISCUSSIONS WITH THEM ABOUT TELLING OTHER PEOPLE?

19 A WELL, AS I SAW THINGS, THE ORGANIZATION AND THE
20 COHESIVENESS OF THE BBC WAS STARTING TO FALL APART BECAUSE
21 THE THREE OF US, JOE AND BEN AND MYSELF WHO WERE SORT OF THE
22 LEADERS, WE WERE IN A SITUATION WHERE WE HAD TO CONTINUALLY
23 MAKE EXCUSES TO THE OTHER MEMBERS OF THE GROUP AS TO WHY THE
24 PROJECTS THAT THEY WERE WORKING ON WEREN'T BEING PAID FOR AND
25 WHY ALL KINDS OF OTHER CUTBACKS WERE BEING MADE.

26 AND THAT REALLY WASN'T CONSISTENT WITH THE IDEA
27 THAT YOU HAVE GOT A MILLION AND A HALF DOLLAR CHECK COMING
28 IN AND THAT EVERYTHING IS GOING SWIMMINGLY.

1 SO, I WAS FEELING ESPECIALLY UNCOMFORTABLE AT THIS
2 REALLY, DECEPTION OF MY FRIENDS AND THE PEOPLE THAT I FELT
3 I HAD BROUGHT INTO THIS GROUP FOR THEIR OWN GOOD.

4 AND IT WAS JUST VERY UNCOMFORTABLE FOR ME TO
5 MAINTAIN THAT. SO WHAT I SAID, IS THAT I THOUGHT THAT SOME
6 OF THEM COULD BE TRUSTED AND IF THEY REALLY UNDERSTOOD WHAT
7 WE WERE TRYING TO ACCOMPLISH AND IF THEY UNDERSTOOD THE
8 PRINCIPLES OF PARADOX PHILOSOPHY, THAT THEY WOULD BE ABLE TO
9 UNDERSTAND ABOUT THE KILLING OF RON LEVIN AND IT WOULD BE A
10 WAY OF BINDING THE GROUP BACK TOGETHER, SO THAT WE COULD
11 PROCEED WITH WHAT I THOUGHT WERE THE NOBLE THINGS THAT WE WERE
12 TRYING TO ACCOMPLISH.

13 Q WHAT MADE YOU THINK THAT BY SITTING DOWN AND
14 TELLING THESE PEOPLE THAT THE LEADER OF THEIR GROUP HAD JUST
15 KILLED SOMEONE, WOULD POSSIBLY KEEP THEM TOGETHER?

16 A WELL, AT THE TIME, IT WAS JUST SOMETHING THAT I
17 WAS RECONCILED TO, TO USE THE TERM. AND IT DIDN'T EVEN OCCUR
18 TO ME THAT ONCE WE CHOSE THE RIGHT PEOPLE WHO WE FELT HAD COME
19 ALONG FAR ENOUGH IN THEIR ORIENTATION OF PARADOX PHILOSOPHY,
20 IT DIDN'T REALLY OCCUR TO ME THAT THEY WOULDN'T GO ALONG WITH
21 IT. I JUST FELT THAT IT WAS THE BEST WAY TO LIVE BY THE
22 PRINCIPLES THAT WE HAD SET FOR OURSELVES.

23 Q AND WHO CHOSE THE PEOPLE THAT WERE TO BE AT THAT
24 MEETING?

25 A IT WAS DISCUSSED PRETTY EXTENSIVELY AMONG BEN AND
26 JOE AND MYSELF.

27 Q YOU SAID THAT THE INITIAL DISCUSSIONS WERE BETWEEN
28 YOU AND JOE HUNT AND BEN DOSTI. AT SOME POINT BEFORE THE

1 MEETING, WERE THERE OTHER PEOPLE THAT PARTICIPATED IN THE
2 DISCUSSIONS?

3 A AT SOME POINT, IT WAS DISCUSSED WITH JIM PITTMAN
4 AND ALSO I THINK, TOM MAY.

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1 Q WAS IT YOUR UNDERSTANDING THAT BEFORE THE
2 MEETING, TOM MAY ALSO KNEW OF THE MURDER?

3 A YES.

4 Q AND IN THOSE DISCUSSIONS WHEN ALL OF THESE PEOPLE
5 WERE PRESENT, WAS IT DISCUSSED WHO IT WAS THAT YOU WOULD
6 ASK TO COME TO THIS MEETING?

7 A YES.

8 Q WHY WERE CERTAIN PEOPLE NOT INVITED TO COME TO
9 THE MEETING?

10 A BECAUSE IT WAS FELT THAT THEY HAD "NORMIE"
11 CHARACTERISTICS AND WE DIDN'T KNOW HOW THEY WOULD REACT.

12 Q DID YOU THINK THAT JEFF RAYMOND, FOR EXAMPLE,
13 HAD SUFFICIENT KNOWLEDGE OR UNDERSTANDING OF THE PARADOX
14 PHILOSOPHY THAT HE WOULD GO ALONG WITH THIS?

15 A YES.

16 Q WHAT ABOUT STEVE TAGLIANETTI?

17 A WELL, STEVE TAGLIANETTI WAS INCLUDED AT THAT
18 MEETING FOR A DIFFERENT REASON.

19 Q WHY?

20 A HE SEEMED TO HAVE A MUCH CLOSER RELATIONSHIP
21 WITH JIM PITTMAN, THAT THEY SHARED A LOT OF TIME TOGETHER
22 BECAUSE THEY WERE WORKING TOGETHER AT THE GARDENA PLANT.

23 AND HE ALSO, IN OUR OPINION, SHOWED WHAT APPEARED
24 TO BE A WILLINGNESS TO PARTICIPATE IN DIRTY DEEDS, FOR LACK
25 OF A BETTER EXPRESSION, AND WE FELT THAT HE WOULD GO ALONG
26 WITH IT.

27 ALTHOUGH I DON'T THINK ANY OF US REALLY BELIEVED
28 THAT HE WAS ESPECIALLY INVOLVED WITH THE PARADOX PHILOSOPHY.

1 IT WAS MORE OF A QUESTION THAT HE SEEMED MORE
2 LOYAL TO THE GROUP AND TO JOE.

3 Q AFTER IT WAS DECIDED WHO WAS TO COME TO THIS
4 MEETING, WAS THE MEETING SET UP?

5 A YES, IT WAS.

6 Q WHEN WAS IT ORIGINALLY CALLED FOR?

7 A I THINK THE FOLLOWING -- THAT FORTHCOMING
8 WEEKEND, A FEW DAYS AFTER WE HAD OUR DISCUSSIONS.

9 Q AND THE DISCUSSIONS THAT YOU HAD ABOUT HAVING
10 THIS MEETING, WERE THOSE AFTER MR. HUNT HAD GOTTEN BACK FROM
11 LONDON?

12 A YES.

13 Q AND BEFORE MR. GRAHAM WENT TO WASHINGTON?

14 A I AM NOT SURE IF THEY WRE BEFORE OR AFTER.

15 BUT I KNOW THAT HE WAS PRESENT AT SOME AND NOT
16 PRESENT AT OTHERS OF THOSE DISCUSSIONS.

17 Q AND THE TRAVEL RECEIPT THAT YOU HAVE IN FRONT
18 OF YOU INDICATES HE WAS SCHEDULED TO RETURN, IF HE TOOK
19 HIS FLIGHTS AND IF THEY WERE ON TIME, SOMETIME ON THE 21ST
20 OF JUNE; IS THAT RIGHT?

21 A THAT'S RIGHT.

22 Q DO YOU KNOW WHETHER HE ACTUALLY GOT BACK ON THAT
23 DAY?

24 A I AM NOT SURE.

25 Q ALL RIGHT. AND WAS THE MEETING ORIGINALLY CALLED
26 FOR ON A FRIDAY?

27 A I DON'T REMEMBER OFFHAND.

28 Q IN ANY EVENT, IT WAS ORIGINALLY SCHEDULED ONE

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1 DAY AND THEN CANCELED OR POSTPONED?

2 A THAT'S RIGHT.

3 IT WAS ORIGINALLY SCHEDULED ONE DAY AND BECAUSE
4 JIM COULDN'T BE THERE, I THINK HE HAD HAD A CHANGE IN HIS
5 TRAVEL PLANS, IT WAS RESCHEDULED, THAT IS RIGHT.

6 Q IN ANY EVENT, THERE WAS SOME REASON THAT MR.
7 GRAHAM COULD NOT BE AT THE MEETING INITIALLY?

8 A THAT'S RIGHT.

9 Q AND THEN WHEN DID YOU ACTUALLY HAVE THE MEETING?

10 A I THINK IT WAS A COUPLE OF DAYS LATER, ON SUNDAY
11 AFTERNOON.

12 Q AND WHEN YOU HAD THE MEETING, IT WAS AT THE
13 WILSHIRE MANNING, NUMBER 1505?

14 A THAT'S RIGHT.

15 Q AFTER EVERYBODY GOT THERE, WHAT HAPPENED?

16 A WELL, THE FIRST THING THAT HAPPENED IS THAT JOE
17 STARTED THE MEETING SAYING THAT THERE WERE SOME SENSITIVE
18 THINGS THAT WERE GOING TO BE DISCUSSED AND THAT IT WAS A
19 MATTER OF HAVING A HIGHER KNOWLEDGE AS FAR AS WHAT WAS GOING
20 ON, AND THAT ANYONE WHO WANTED -- ANYONE WHO WANTED TO LEAVE
21 AT THAT POINT COULD LEAVE AND ANYONE WHO STAYED, WOULD HAVE
22 TO BE RESPONSIBLE AND DISCIPLINED ABOUT WHAT THEY HEARD.

23 Q DID HE USE THE WORD "DISCIPLINED" AT THAT TIME?

24 A I REMEMBER THAT WORD, YES.

25 Q AND AFTER HE TOLD PEOPLE THAT IF THEY STAYED
26 THAT THEY WOULD HAVE TO BE DISCIPLINED, WHAT HAPPENED?

27 A THEN JOE AND I AND JIM PITTMAN AND BEN DOSTI
28 WENT OUT OF THE ROOM INTO JOE'S BEDROOM AND WE HAD A DISCUSSION

1 OF OUR OWN.

2 Q NOW, WHEN YOU WENT INTO THE BEDROOM, WHAT WAS
3 DISCUSSED?

4 A WELL, WHAT WE DISCUSSED IS WHETHER WE SHOULD
5 ACTUALLY TELL THE PEOPLE ASSEMBLED OUTSIDE ABOUT THE RON
6 LEVIN KILLING.

7 Q AND IN THAT REGARD, WHAT WAS DISCUSSED
8 SPECIFICALLY?

9 A WELL, BEN AND I AND JOE WERE ALREADY COMMITTED
10 TO DOING THAT, BUT JIM HAD SOME RESERVATIONS AND IT WAS MORE
11 OF A CHANCE TO LET HIM HAVE A LAST OPPORTUNITY TO REALLY
12 THINK ABOUT IT FOR HIMSELF.

13 Q TO LET JIM GRAHAM HAVE A LAST OPPORTUNITY TO
14 THINK ABOUT IT?

15 A THAT'S RIGHT.

16 Q DID MR. GRAHAM SAY ANYTHING AND JOE HUNT RESPOND
17 TO HIM DURING THAT TIME?

18 A YES. WE ALL RESPONDED TO HIM.

19 HE EXPRESSED HIS BELIEF THAT NO ONE COULD
20 BE TRUSTED WITH INFORMATION --

21 THE COURT: WHO IS "HE"?

22 THE WITNESS: JIM PITTMAN.

23 THAT NO ONE COULD BE TRUSTED WITH INFORMATION
24 LIKE THAT AND THAT THERE IS ALWAYS SOMEONE WHO TALKS.

25 AND I AND JOE AND BEN WERE -- WE ASSURED HIM
26 THAT THE PEOPLE THAT HAD BEEN PICKED COULD BE TRUSTED AND
27 THAT IT WAS A GOOD IDEA TO DO IT.

28 AND HE EVENTUALLY HE SAID "WELL, IF YOU THINK

1 SO, THEN IT IS OKAY WITH ME, GO AHEAD AND TELL THEM."

2 Q WHAT HAPPENED AFTER HE SAID THAT?

3 A I THINK THE -- THEY JUST WANTED TO MAKE SURE
4 SO WE CONTINUED, ARE YOU SURE, JIM, THAT SORT OF THING AND
5 HE AGREED.

6 AND THEN BEN AND I WENT OUT OF THE ROOM AND WENT
7 TO SIT WITH THE REST OF THE PEOPLE AND JIM AND JOE STAYED
8 INSIDE THE BEDROOM FOR ANOTHER COUPLE OF MINUTES.

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12 ' 1 Q AND WHEN JIM AND JOE CAME OUT OF THE BEDROOM, WHAT
2 HAPPENED?

3 A THEY SAT DOWN AND THE DISCLOSURE WAS MADE.

4 Q WHAT DID JOE SAY?

5 A HE SAID THAT JIM AND I KNOCKED OFF RON LEVIN. NOT
6 MEANING ME, DEAN, BUT MEANING HIM, JOE.

7 Q SO ARE YOU GIVING A QUOTE AS TO WHAT HE SAID?

8 A THAT'S RIGHT.

9 Q THE QUOTE AS TO WHAT HE SAID WAS, "JIM AND I KNOCKED
10 OFF RON LEVIN"?

11 A THAT'S RIGHT.

12 Q THAT STATEMENT WAS MADE BY JOE HUNT?

13 A THAT'S RIGHT.

14 Q WHEN HE SAID THAT, WHAT DID MR. PITTMAN DO?

15 A I AM NOT POSITIVE BECAUSE I THINK I WAS SITTING
16 NEXT TO HIM. BUT I MEAN, WHETHER HE MADE SOME GESTURE OR NOT,
17 I AM NOT POSITIVE. BUT I THINK HE JUST SAT THERE.

18 Q YOU DIDN'T HEAR HIM SAY ANYTHING?

19 A NO.

20 Q AFTER JOE SAID, "JIM AND I KNOCKED OFF RON LEVIN,"
21 WHAT HAPPENED AFTER THAT? WHAT DID HE SAY?

22 A WELL, HE TALKED ABOUT THE CHECK FOR A MILLION AND
23 A HALF DOLLARS, THAT THERE WAS STILL SOME POSSIBILITY THAT
24 WE WERE GOING TO BE ABLE TO GET IT CASHED AND HE ALSO SAID
25 THAT THERE WAS ANOTHER DISCLOSURE, THAT THERE HAD BEEN A BIG
26 SETBACK IN THE COMMODITIES MARKET BUT THAT WE STILL HAD SOME
27 MONEY AND SOME RESOURCES AND WE HAD A LOT OF GOOD PROJECTS
28 THAT WE WERE WORKING ON AND THAT WE COULD GET BACK ON OUR

12 ^
1 FEET, IF WE STAYED TOGETHER AND WORKED HARD.

2 Q AND DID HE TRY TO KIND OF TAKE THE NEGATIVE AND
3 TURN IT INTO A POSITIVE?

4 A THAT WAS THE WHOLE TRANSITION THAT I SAW AT THE
5 TIME, STARTING OUT WITH THE BAD NEWS AND THEN SORT OF
6 BLENDING HOPEFULNESS AND OPTIMISM INTO IT. BY THE TIME THE
7 MEETING ENDED, IT SEEMED LIKE EVERYONE WAS IN KIND OF AN
8 UP MOOD.

9 Q DID JOE HUNT MAKE ANY STATEMENTS TO THE PEOPLE
10 AT THE MEETING WITH REGARD TO TELLING ANYBODY ELSE ABOUT WHAT
11 HE HAD TOLD THEM?

12 A I DON'T SPECIFICALLY RECALL THOUGH. BUT I THINK
13 IT WAS PRETTY WELL UNDERSTOOD. I THINK IT WAS EXPLAINED THAT
14 SOME OF THE OTHER PEOPLE HAD NOT BEEN INVITED TO THE MEETING
15 FOR THE REASON THAT IT WAS FELT THAT THEY COULDN'T HANDLE THE
16 INFORMATION.

17 IT WAS MORE OF A WAY OF FLATTERING THE PEOPLE WHO
18 HAD BEEN INVITED, SO THAT THEY WOULD FEEL COMPLIMENTED BY THEIR
19 INCLUSION.

20 Q DID YOU HEAR ANY STATEMENTS ABOUT FISH BAIT OR
21 ANYTHING LIKE THAT?

22 A WHAT I THINK I HEARD, IS THAT ANYONE WHO DIDN'T
23 WANT TO CONTINUE WORKING WITH THE GROUP -- YOU SEE, THESE
24 PEOPLE HAD NOT LEFT THE ROOM WHEN THEY HAD BEEN GIVEN THE
25 OPPORTUNITY TO LEAVE. SO THEY HAD BEEN INCLUDED BY THEIR
26 OWN DECISION IN THIS SECRET.

27 AND JOE EXPRESSED SOME UNDERSTANDING THAT SOME
28 PEOPLE MIGHT NOT WANT TO CONTINUE TO WORK WITH THE GROUP BUT

1 THAT THEY WERE STILL BOUND BY THE SECRECY ASPECT AND THAT IT
2 WAS THEIR CHOICE TO GO I THINK, FISHING IN THE ADIRONDACKS,
3 WHICH WAS THE PHRASE THAT JOE USED FREQUENTLY, TO REFER TO
4 JUST GOING OFF ON YOUR OWN. I DON'T REMEMBER ANYTHING ABOUT
5 FISH BAIT, SPECIFICALLY.

6 Q YOU WERE STILL LIVING AT THE WILSHIRE MANNING AT
7 THAT TIME, CORRECT?

8 A THAT'S RIGHT.

9 Q ALL RIGHT. SO, YOU DIDN'T HAVE TO GO ANYWHERE
10 AFTER THE MEETING WAS OVER? YOU WERE AT HOME?

11 A THAT'S RIGHT.

12 THE COURT: DID YOU SAY ANYTHING AT THAT MEETING?

13 THE WITNESS: I THINK I DID LATER ON. I DON'T REMEMBER
14 SPECIFICALLY.

15 THE COURT: AT THAT MEETING, YOU MEAN?

16 THE WITNESS: YES.

17 Q BY MR. WAPNER: DO YOU KNOW IF MR. DOSTI SAID
18 ANYTHING AT THAT MEETING?

19 A I AM NOT SURE. THE WAY THE MEETINGS WENT AT THE
20 BBC MEETINGS, AS WE CALLED THEM, IS THAT JOE WOULD PRETTY MUCH
21 LEAD THE MEETING AND DO MOST OF THE TALKING AND FROM TIME TO
22 TIME, PEOPLE WOULD PARTICIPATE.

23 AND I DON'T THINK THIS MEETING WAS ANY EXCEPTION.
24 IN OTHER WORDS, I DON'T THINK THAT JOE WAS THE ONLY PERSON
25 WHO SAID ANYTHING.

26 Q AND IN TIME SEQUENCE, THIS MEETING HAPPENED JUST
27 AFTER MR. PITTMAN GOT BACK FROM WASHINGTON? OR SHORTLY
28 THEREAFTER?

1 A PRETTY SHORTLY THEREAFTER.

2 Q OKAY. SO, THE GOING TO THE POST OFFICE BOX AND
3 CHECKING FOR THE CHECKS AND THE ATTEMPT TO SIGN THE NAMES
4 HAPPENED PRETTY MUCH AFTER THE MEETING?

5 A I THINK THAT'S RIGHT. MAYBE THERE WAS SOME CHECKING
6 BEFORE. I AM NOT POSITIVE.

7 Q BUT THE BULK OF THE PICKING UP AT THE POST OFFICE
8 BOX HAPPENED AFTER THE MEETING?

9 A YES. THAT'S RIGHT.

10 Q AND AFTER THAT MEETING TOOK PLACE, WHAT HAPPENED
11 IN TERMS OF THE GROUP? DID IT PRODUCE THE RESULT THAT YOU
12 WERE SEEKING?

13 A NOT REALLY.

14 Q OKAY. IMMEDIATELY AFTER THE MEETING WAS OVER,
15 IN THE NEXT FEW DAYS OR WEEKS, DID THINGS APPEAR TO CHANGE
16 OR REMAIN ABOUT THE SAME AT THE BBC?

17 A I DON'T REALLY RECALL.

18 Q AND DID YOU REMAIN AT THE BBC THROUGHOUT THE SUMMER
19 OF 1984?

20 A YES I DID.

21 Q AND AT SOME POINT IN SEPTEMBER OF 1984,
22 APPROXIMATELY THE 28TH OF SEPTEMBER, WAS MR. HUNT ARRESTED?

23 A I THINK THAT IS WHEN IT WAS.

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1 Q AND THAT WAS WHEN HE WAS ARRESTED FOR THE FIRST
2 TIME; IS THAT CORRECT?

3 A I KNOW HE WAS ARRESTED TWICE.

4 I DON'T REMEMBER EXACTLY WHEN THE FIRST TIME
5 WAS AND WHEN THE SECOND TIME WAS, SOMETIME TOWARD THE END
6 OF THE YEAR.

7 Q AND DID YOU GET A PHONE CALL FROM MR. HUNT FROM
8 THE BEVERLY HILLS POLICE DEPARTMENT?

9 A YES.

10 MR. BARENS: YOUR HONOR, WE WOULD WANT TO APPROACH
11 THE BENCH ON THE ANTICIPATED SERIES OF QUESTIONS.

12 MR. WAPNER: PERHAPS WE COULD EXCUSE THE JURY AND DO
13 THIS THEN.

14 THE COURT: ALL RIGHT. LADIES AND GENTLEMEN OF THE
15 JURY, WE WILL TAKE OUR RECESS NOW UNTIL 1:30 THIS AFTERNOON.

16 THE SAME ADMONITION I GAVE YOU WOULD STILL
17 APPLY.

18 (THE FOLLOWING PROCEEDINGS WERE HELD
19 OUTSIDE THE PRESENCE AND HEARING OF THE
20 JURY:)

21 THE COURT: THE RECORD WILL INDICATE THAT THE JURY
22 HAS LEFT THE COURTROOM.

23 MR. BARENS: I WANT TO APPROACH ON THIS.

24 THE COURT: VERY WELL -- WAIT A MINUTE. THE JURORS
25 HAVE LEFT.

26 MR. BARENS: I DON'T WANT THE WITNESS TO HEAR WHAT
27 THE NATURE OF MY OBJECTION IS.

28 THE COURT: ALL RIGHT, THEN WE WILL HAVE THE WITNESS

1 LEAVE THE COURTROOM AND YOU CAN PROCEED.

2 MR. BARENS: THAT IS FINE.

3 (WITNESS KARNY EXITS COURTROOM.)

4 THE COURT: ALL RIGHT.

5 MR. BARENS: YOUR HONOR, AT THIS JUNCTURE, WE WOULD
6 BE AT A POINT WHERE THE STATEMENTS OF HUNT AFTER HE IS IN
7 CUSTODY THE FIRST TIME, I DON'T SEE HOW THEY COULD POSSIBLY
8 BE IN FURTHERANCE OF ANY CONSPIRACY. I BELIEVE WE HAVE
9 ALL REACHED A POINT NOW WHERE, AT LEAST ACCORDING TO THE
10 STORY MR. KARNY WANTS TO TELL US, THAT WHATEVER IS DONE IS
11 DONE AND WHAT HAPPENS AFTER THAT, IF WE ARE GOING TO GET
12 INTO, FOR INSTANCE, SUBORNATION OF PERJURY, OBSTRUCTION OF
13 JUSTICE OR ANY UNCHARGED CRIMES OR UNCHARGED ACTS OF MISDOING
14 THAT WE ARE NOW GOING TO TRY TO CONJURE UP AGAINST MR. HUNT
15 IN HIS CONTINUING STORY, I DON'T BELIEVE THAT IS RELEVANT
16 OR ADMISSIBLE UNDER ANY THEORY AS FAR AS ANY SORT OF A
17 CONSPIRACY WHICH HASN'T BEEN CHARGED IN THIS CASE IN THE
18 FIRST INSTANCE.

19 BUT CERTAINLY, AS A 187, I DON'T SEE WHERE WE
20 ARE ON THAT AND I DON'T THINK IT IS RELEVANT, YOUR HONOR.

21 SO TO THAT EXTENT, WE WOULD REFERENCE THE SALING
22 CASE, WHICH WAS HIGHLY ARGUED DURING THE PRELIMINARY HEARING
23 ON THIS MATTER IN BEVERLY HILLS AS TO WHEN THE CONSPIRACY
24 CONCLUDED, TO THE EXTENT THAT ONE MIGHT HAVE EXISTED, TO
25 BEGIN WITH.

26 MR. WAPNER: I THOUGHT WE BURIED THAT SALING CASE,
27 AT LEAST AT THE PRELIMINARY HEARING, OR AT THE VERY LEAST
28 AT THE HEARING ON THE 995 MOTION IN THIS CASE PROBABLY TWO

1 YEARS AGO.

2 THE SALING CASE IS A CASE WHERE THE PROSECUTION
3 IS TRYING TO GET IN STATEMENTS OF A SECOND CONSPIRATOR AGAINST
4 THE PERSON WHO IS ON TRIAL AND HAS TO DO WITH WHEN ARE
5 CO-CONSPIRATOR'S STATEMENTS ADMISSIBLE AGAINST THE PERSON
6 ON TRIAL, WHICH WAS ARGUED EXTENSIVELY AT THE PRELIMINARY
7 HEARING AND I THINK EXPLAINED BY JUDGE LIGHT AT THE 995
8 MOTION, THAT IT HAS NOTHING TO DO WITH THE ISSUES IN THIS
9 CASE.

10 AND WHETHER OR NOT THOSE STATEMENTS MEET A CO-
11 CONSPIRATOR EXCEPTION TO THE HEARSAY RULE HAS NOTHING TO
12 DO WITH THE ADMISSIBILITY OF THE STATEMENTS.

13 THE OFFER OF PROOF IS THAT THE DEFENDANT CALLED
14 THIS WITNESS FROM THE JAIL AT THE BEVERLY HILLS POLICE
15 DEPARTMENT AND HE SAID "YOUR RECOLLECTIONS ARE GOING TO BE
16 IMPORTANT TESTIMONY WITH REGARD TO THE EVENTS AT THE OFFICE
17 RELATING TO THE \$1.5 MILLION OPTION AGREEMENT."

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1 "ALSO, WITH REGARD TO THE NIGHT LEVIN SUPPOSEDLY
2 DISAPPEARED."

3 AND THAT THE DEFENDANT SAID, "I THINK YOU WERE
4 AT THE MOVIES THAT NIGHT AND I MIGHT HAVE BEEN AT THE MOVIES
5 THAT NIGHT WITH YOU."

6 AND THE WITNESS SAID, "THAT IS RIGHT," OR SOMETHING
7 LIKE THAT.

8 AND THERE WAS A SECOND CONVERSATION WITH REGARD
9 TO THE WITNESS'S RECOLLECTION ABOUT WHETHER OR NOT THERE IN
10 FACT HAD BEEN A MEETING ON JUNE THE 24TH, THE SECOND
11 CONVERSATION OCCURRING AFTER THE DEFENDANT'S SECOND ARREST
12 AND THE PHONE CALL BEING FROM THE COUNTY JAIL.

13 THE COURT: LET ME HAVE THAT CITATION, PLEASE, THE
14 SALING CASE.

15 MR. BARENS: I WILL HAVE IT FOR YOU IN A BIT. I DON'T
16 HAVE IT ON COUNSEL TABLE AT THE MOMENT.

17 THE COURT: WELL, LOOK IT UP DURING THE LUNCH HOUR.

18 MR. BARENS: YOUR HONOR, I MIGHT WANT TO CONCLUDE,
19 HOWEVER, THAT NOT EVERY STATEMENT ATTRIBUTED TO HUNT IS IN
20 FURTHERANCE OF THE CONSPIRACY OR CRIME FOR WHICH WE ARE HERE
21 TO STAND TRIAL.

22 I DON'T SEE WHERE ANYTHING THAT THE OFFER OF
23 PROOF CONTAINS GOES TO PROVE ANY SALIENT FACT IN THIS CASE,
24 AS FAR AS THE FACTS THAT YOU NEED TO ESTABLISH THE UNDERLYING
25 ACTS LEADING UP TO JUNE 7 THAT ARE ALLEGED.

26 THE COURT: HOW ABOUT COVER-UP?

27 MR. BARENS: COVER UP WHAT, SIR?

28 THE COURT: THE COVER-UP.

1 MR. BARENS: COVER-UP, THAT IS AN UNCHARGED ACT, YOUR
2 HONOR.

3 THE COURT: THE COVER-UP OF THE CRIME, I AM TALKING ABOUT,
4 NOT OF THE ACT.

5 MR. BARENS: THE COVER-UP OF THE CRIME DOES NOT PROVE
6 THE PERCIPIENT FACT AND THE EXISTENCE OF THE CRIME, YOUR HONOR.

7 MR. WAPNER: ASKING THE WITNESS IN THIS CASE, WHO HE
8 PERSONALLY KNOWS, TO BE A WITNESS TO SUBORN PERJURY DOESN'T
9 HAVE ANYTHING TO DO WITH THIS CASE?

10 THE COURT: ALL RIGHT, GIVE ME THE CITATION.

11 MR. BARENS: ALL RIGHT, YOUR HONOR.

12 THE COURT: IN THE MEANTIME, WE WILL TAKE A RECESS.

13 MR. BARENS: IT IS IN THE CORPUS MEMORANDUM THAT IS PART
14 OF YOUR FILE, YOUR HONOR.

15 THE COURT: CORPUS MEMORANDUM?

16 MR. BARENS: IN THE CORPUS, IN THE CASES CITED IN
17 SUPPORT ON THE 995 MOTION AND IN THE CORPUS MOTION SUBSEQUENTLY
18 FILED WITH THIS COURT.

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1 MR. CHIER: YOUR HONOR, THE MOTION THAT WAS MADE TO
2 PRECLUDE THE INTRODUCTION OF THE STATEMENTS OF THE DEFENDANT,
3 HAD A COMPENDIUM OF CASES CONCERNING THAT, DEALING WITH
4 CORPUS DELICTI.

5 THE COURT: ALL RIGHT. WAS THERE A FORMAL 995 MOTION
6 FILED?

7 MR. BARENS: THERE WAS A 995 PRIOR TO THAT. THE MOTION
8 THAT MR. CHIER IS REFERENCING, IS --

9 THE COURT: I WILL TAKE A LOOK. IN THE MEANTIME, GET
10 ME THE CITATION.

11 MR. BARENS: THANK YOU, SIR.

12 (AT 12:04 P.M. AN ADJOURNMENT WAS TAKEN
13 TO RESUME AT 1:30 P.M. OF THE SAME DAY.)

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1 SANTA MONICA, CALIFORNIA; THURSDAY, MARCH 19, 1987; 1:40 P.M.
2 DEPARTMENT WEST C HON. LAURENCE J. RITTENBAND, JUDGE
3 (APPEARANCES AS NOTED ON TITLE PAGE.)

4
5 (THE FOLLOWING PROCEEDINGS WERE HELD
6 IN OPEN COURT OUT OF THE PRESENCE OF
7 THE JURY:)

8 THE COURT: YES, ARE YOU WAITING FOR THE JURY?

9 MR. WAPNER: NO. WE ARE WAITING TO FINISH THIS MOTION
10 THAT WE STARTED BEFORE LUNCH.

11 THE COURT: OH, YES. ALL RIGHT, I STILL DIDN'T GET
12 THE CITATION.

13 MR. BARENS: I DID NOT LOCATE IT IN THE PLEADINGS.
14 I THOUGHT IT WAS IN THE CORPUS PLEADINGS, AS DID MR. CHIER,
15 AND IT IS NOT THERE, SO WE WILL SUBMIT THE MATTER ON THE
16 ARGUMENT.

17 THE COURT: AND THE ARGUMENT IS WHAT, AS YOU MADE IT?

18 MR. BARENS: AS IS ON THE RECORD.

19 THE COURT: THAT MOTION WILL BE DENIED TO SUPPRESS THAT
20 EVIDENCE.

21 MR. WAPNER: YOUR HONOR, BEFORE THE JURY COMES BACK,
22 AS LONG AS WE ARE OUT OF THEIR PRESENCE, I HAVE A MOTION
23 REGARDING THE CROSS-EXAMINATION OF MR. KARNY TO PROHIBIT
24 INQUIRY INTO SPECIFIC ACTS OF HIS CONDUCT TO PROVE CHARACTER
25 FOR HONESTY OR LACK THEREOF, UNLESS THEY AMOUNT TO FELONY
26 CONVICTIONS, AND IT IS BASED ON SECTION 787 OF THE EVIDENCE
27 CODE.

28 THERE HAS BEEN A LOT OF QUESTIONING OF MR. KARNY

1 AT OTHER HEARINGS IN THIS CASE AND IN THE ESLAMINIA CASE ABOUT,
2 "DID YOU COMMIT A BURGLARY OR DID YOU DO THIS OR DID YOU DO
3 THAT?" AND THE EVIDENCE CODE SPECIFICALLY PROHIBITS THAT,
4 AND I WILL CITE TO THE COURT SECTION 787, UNLESS THEY AMOUNT
5 TO FELONY CONVICTIONS.

6 MR. BARENS: YOUR HONOR, I THINK IN THIS INSTANCE, TO
7 THE EXTENT THAT MIGHT OCCUR, YOUR HONOR, IT MIGHT GO SOLELY
8 TO IMPEACHMENT OF PRIOR TESTIMONY.

9 THE MATTERS WHICH MR. WAPNER WANTS TO KEEP OUT
10 NOW WERE MATTERS THAT WERE PREVIOUSLY TESTIFIED TO IN DIFFERENT
11 COURTS.

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1 MR. WAPNER: WELL, WHAT DIFFERENCE DOES IT MAKE? HE
2 SAID THEM BEFORE.

3 THE COURT: WHAT SPECIFICALLY ARE YOU GOING TO ASK
4 HIM WITH RESPECT TO ANY PRIOR ALLEGED CRIMES THAT HE MIGHT
5 HAVE COMMITTED? HAS HE EVER BEEN CONVICTED OF ANY OF THEM?

6 MR. BARENS: YOUR HONOR, I AM NOT SAYING RIGHT NOW
7 WHAT THE QUESTIONS ARE GOING TO BE UNTIL MR. WAPNER CONCLUDES
8 ANY QUESTIONING.

9 THE COURT: ALL RIGHT. THEN I WILL CROSS THAT BRIDGE
10 WHEN I COME TO IT.

11 MR. WAPNER: WELL, THE REASON THAT I AM MAKING THE
12 MOTION NOW IS THAT WHEN HE SAYS, "DID YOU COMMIT A BURGLARY,"
13 I OBJECT AND WE GO TO THE BENCH, IT IS A LITTLE LATE.
14 BASICALLY --

15 THE COURT: BEFORE YOU ASK ANY QUESTIONS OF THAT KIND,
16 YOU COME TO THE BENCH. I WILL RULE ON THEM. ALL RIGHT?

17 MR. BARENS: YES. SO I WILL MAKE SURE AT WHICH TIME
18 WE ARE GOING TO DO THAT, THAT -- WELL, MR. WAPNER IS TALKING
19 ABOUT ANY CRIMES FOR WHICH HE WOULD NOT HAVE ENTERED A GUILTY
20 PLEA OR BEEN CONVICTED, AS I UNDERSTAND IT?

21 THE COURT: I DON'T UNDERSTAND THAT. THE SECTION CITED
22 BY COUNSEL HAS TO DO WITH IMPEACHING THE TESTIMONY OF A
23 WITNESS THAT YOU MAY DO BY SHOWING HE HAS BEEN CONVICTED
24 OF A FELONY.

25 IF YOU ARE PREPARED TO SHOW THAT HE HAS BEEN
26 CONVICTED OF A FELONY, THEN YOU HAVE A RIGHT TO SHOW THAT.

27 MR. BARENS: YES.

28 THE COURT: BUT NOTHING ELSE.

16-2

1 MR. BARENS: WHEN WE COME TO THAT, WE'LL APPROACH.

2 THE COURT: ALL RIGHT.

3 MR. CHIER: MR. WAPNER, WHAT --

4 MR. WAPNER: 787 OF THE EVIDENCE CODE, MR. CHIER.

5 MR. CHIER: WHAT ABOUT 780 OF THE EVIDENCE CODE,

6 SUBSECTION K?

7 (THE JURY ENTERS THE COURTROOM.)

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1 DEAN KARNY,
2 THE WITNESS ON THE STAND AT THE TIME OF ADJOURNMENT, RESUMED
3 THE STAND AND TESTIFIED FURTHER AS FOLLOWS:

4 THE CLERK: YOU HAVE BEEN PREVIOUSLY SWORN, SO YOU
5 ARE STILL UNDER OATH.

6 IF YOU WOULD JUST STATE YOUR NAME AGAIN FOR THE
7 RECORD.

8 THE WITNESS: DEAN KARNY.

9

10 DIRECT EXAMINATION (RESUMED)

11 BY MR. WAPNER:

12 Q MR. KARNY, AFTER THE MEETING OF JUNE THE 24TH,
13 DID YOU CONTINUE TO LIVE AT THE WILSHIRE MANNING?

14 A YES, I DID.

15 Q AND WAS THERE SOME PERIOD OF TIME WHEN MR. HUNT
16 APPEARED TO BECOME SUSPICIOUS OF PEOPLE WHO HAD BEEN AT THE
17 MEETING, TALKING TO THE POLICE?

18 A YES.

19 Q WHEN WAS THAT?

20 A SOMETIME IN, I WOULD SAY, JUST AFTER THE END
21 OF THE SUMMER, I THINK IT WAS IN AUGUST.

22 Q AND DID YOU AND MR. HUNT DO ANYTHING TO TRY AND
23 CONFIRM WHETHER OR NOT PEOPLE HAD GONE TO THE POLICE?

24 A WE BOTH DID, DID THINGS, YES.

25 Q AND SPECIFICALLY WITH RESPECT TO MR. TOM MAY
26 AND MR. DAVID MAY, WHAT WAS DONE, IF ANYTHING?

27 A WELL, ON TWO OCCASIONS, ONCE -- I THINK ONCE
28 JOE WENT AND ONCE I WENT INTO THEIR APARTMENT WHEN THEY

1 WEREN'T THERE, TO SEE IF THERE WAS ANY EVIDENCE THAT THEY
2 HAD GONE TO THE POLICE.

3 Q AND DID YOU FIND ANY?

4 A YES.

5 Q WHAT DID YOU FIND?

6 A THERE WAS A PHONE MACHINE THERE AND THE MESSAGE
7 WAS PLAYED BACK ON THE MACHINE.

8 Q WHO WAS THE MESSAGE FROM?

9 A THERE WAS A MESSAGE FROM DETECTIVE ZOELLER ON
10 THE MACHINE.

11 Q DID YOU HAVE SOME DISCUSSION WITH JOE HUNT ABOUT
12 THAT AT THAT TIME?

13 A YES.

14 Q WHAT WAS THE DISCUSSION?

15 A WELL, THE DISCUSSION WAS BASICALLY REGARDING
16 OUR CONFIRMATION THAT AT LEAST THE MAY BROTHERS HAD GONE
17 TO THE POLICE ABOUT WHAT THEY KNEW.

18 Q ALL RIGHT. WHAT WAS DECIDED AT THAT TIME AS
19 FAR AS WHAT WAS GOING TO BE DONE ABOUT THAT?

20 A AT THE TIME, WHAT WE THOUGHT WAS EVEN IF SOME
21 OF THE BOYS HAD GONE TO THE POLICE, THAT THERE WERE ENOUGH
22 OF THE REMAINING PEOPLE IN THE GROUP WHO WOULD STAY LOYAL,
23 THAT THERE WOULD BE ENOUGH CONFLICTING STORIES THAT PERHAPS
24 THE MAY BROTHERS WOULDN'T BE BELIEVED.

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1 Q WHAT HAPPENED AFTER THAT? DID SOMETHING HAPPEN
2 TO CHANGE THAT?

3 A WELL, AS FAR AS I RECALL, THERE WAS JUST MORE AND
4 MORE TENSION JUST SORT OF MOUNTING. WE WERE STARTING TO WORRY
5 THAT THE PLACE THAT WE LIVED AND WHERE WE WORKED WAS BEING
6 BUGGED WITH LISTENING DEVICES AND IT BECAME CLEAR THAT THERE
7 WAS AN INVESTIGATION GOING ON, NOT ONLY BY THE BEVERLY HILLS
8 POLICE BUT ALSO BY THE SECURITIES AND EXCHANGE COMMISSION ABOUT
9 JOE'S COMMODITY TRADING.

10 Q DID IT APPEAR TO BECOME CLEAR TO MR. HUNT?

11 A YES. IT DID.

12 Q HOW DO YOU KNOW? WHAT WAS IT THAT YOU KNEW THAT
13 MADE IT APPEAR TO YOU THAT HE THOUGHT THERE WAS AN
14 INVESTIGATION GOING ON?

15 A WE TALKED ABOUT IT DIRECTLY.

16 Q AND AS A RESULT OF THIS INCREASING TENSION, WAS
17 THERE ANYTHING DISCUSSED IN TERMS OF HOW TO HANDLE IT?

18 A YES.

19 Q WHAT?

20 A JOE HAD A LOT OF PLANS THAT HE THOUGHT OF. AND
21 HE DESCRIBED THEM, RELATED TO PERHAPS DISCREDITING THE STORY
22 OF THE PEOPLE WHO HAD GONE TO THE POLICE AND EVEN TO GO SO
23 FAR AS TO PINNING RON LEVIN'S MURDER ON THEM. AND LATER WE
24 DISCUSSED A PLAN TO KILL SOME OF THEM.

25 Q ALL RIGHT. FIRST OF ALL, IN TERMS OF PINNING THE
26 MURDER ON ANY OF THEM, WHAT WAS DISCUSSED IN THAT REGARD?

27 A WELL, ONE OF THE THINGS THAT WAS DISCUSSED, WAS
28 TO MAKE IT LOOK LIKE DAVID MAY HAD KILLED RON LEVIN.

18-2

1 Q HOW WAS THAT GOING TO BE DONE?

2 A ONE TIME I WAS WITH JOE AND EVAN DICKER AND I AM
3 NOT SURE IF JON ALLEN WAS THERE. HE MIGHT HAVE BEEN.

4 HE WAS SAYING THAT WE SHOULD STICK TO THE STORY
5 THAT DAVE MAY HAD BORROWED THE GRAY BMW ONE NIGHT AND THAT
6 HE HAD COME BACK LATE AND THAT THE NEXT MORNING, WE WERE
7 SUPPOSED TO SAY THAT SOME OF US WERE STANDING AROUND, JUST
8 COINCIDENTALLY, THE TRUNK OF THIS CAR AND THAT WE SAW SOME
9 DAMAGE ON THE TRUNK AND THAT WE SMELLED SOMETHING THAT SMELLED
10 LIKE VOMIT IN THE BACK OF THE CAR.

11 AND THEN WE WERE SUPPOSED TO SAY THAT DAVE MAY
12 GAVE SOME LAME EXCUSE ABOUT HAVING BEEN DRUNK LATE THAT NIGHT
13 AND WHEN THE TRUNK WAS OPENED, THERE WAS SUPPOSED TO HAVE
14 BEEN ACCORDING TO THE STORY, A TV REMOTE CONTROL IN THE BACK.

15 AND WE WERE SUPPOSED TO HAVE THIS STORY IN MIND
16 AND BE READY TO TELL IT, IF THE OCCASION SHOULD EVER ARISE.

17 Q WHO SAID THAT TO YOU?

18 A JOE.

19 Q YOU SAID THERE WAS SOMETHING DISCUSSED ABOUT THE
20 POSSIBILITY OF KILLING OTHER PEOPLE?

21 A THAT WAS A LITTLE LATER ON.

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19 1 Q WAS THAT ALSO FOR THE PURPOSE OF PINNING THE MURDER
2 OF RON LEVIN ON SOMEONE?

3 A IT WAS A COMBINATION OF PINNING THE MURDER OF RON
4 LEVIN ON THEM, AND ALSO ELIMINATING WITNESSES WHO WERE COMING
5 FORWARD AGAINST JOE ABOUT THAT.

6 Q AND WHAT WAS THAT DISCUSSION?

7 A THERE WAS SOME DISCUSSION ABOUT KILLING JEFF
8 RAYMOND'S GIRLFRIEND AND DOING IT IN KIND OF WHAT LOOKED LIKE
9 A SEXUALLY GRUESOME WAY AND THEN LATER, WE WERE SUPPOSED TO
10 TELL STORIES ABOUT HOW JEFF HAD SOME SEXUAL HABITS THAT WERE
11 KIND OF DISGUSTING THAT WE KNEW ABOUT, AND BROOKE ROBERTS WAS
12 SUPPOSED TO SAY THAT JEFF RAYMOND HAD ATTACKED HER FROM TIME
13 TO TIME, THAT HE MADE ADVANCES TOWARD HER, WHICH SHE SPURNED,
14 AND IT WAS SUPPOSED TO MAKE JEFF LOOK REAL BAD.

15 AND OF COURSE, WITH HIS GIRLFRIEND DYING LIKE THAT
16 OR BEING KILLED, SUSPICION WAS SUPPOSED TO FALL ON HIM.

17 Q SUSPICION FOR WHAT?

18 A WELL, FOR HAVING KILLED HIS GIRLFRIEND, IN
19 PARTICULAR.

20 THE PLAN WASN'T REALLY DISCUSSED MUCH BEYOND THAT,
21 BECAUSE BESIDES JOE'S DISCUSSION OF IT, NO ONE REALLY WANTED
22 TO HAVE ANYTHING TO DO WITH A PLAN LIKE THAT.

23 Q DID HE DISCUSS IT WITH YOU?

24 A YES.

25 Q WAS THAT ALSO DISCUSSED WITH EVAN DICKER, SO FAR
26 AS YOU KNOW?

27 A YES.

28 Q DO YOU REMEMBER WHEN THAT DISCUSSION TOOK PLACE?

1 A SOMETIME -- SOMETIME JUST AFTER WE -- WITHIN A
2 COUPLE OF WEEKS AFTER WE LEARNED THAT THE MAYS HAD GONE TO
3 THE POLICE.

4 LET ME SEE IF I CAN REMEMBER MORE THE MONTH.

5 Q WERE YOU STILL LIVING AT THE MANNING AT THAT TIME?

6 A YES, I WAS.

7 Q AND THIS WAS SOMETIME TOWARDS THE END OF THE
8 SUMMER OF 1984?

9 A YEAH, IT WAS.

10 IT MIGHT HAVE BEEN -- YES, I THINK TOWARDS THE
11 END OF THE SUMMER, SOMETIME IN LATE AUGUST, I THINK.

12 Q AT SOME POINT, DID YOU MOVE OUT OF THE WILSHIRE
13 MANNING?

14 A YES, I DID.

15 Q WHEN?

16 A I MOVED OUT ABOUT A WEEK AFTER JIM PITTMAN HAD
17 BEEN ARRESTED FOR THE FIRST TIME.

18 I DON'T REMEMBER REALLY THE EXACT TIME.

19 Q IF HE WAS ARRESTED ON SEPTEMBER THE 19TH, WOULD
20 IT BE ABOUT A WEEK AFTER THAT?

21 A YES, SOMETHING LIKE THAT.

22 Q WHY DID YOU MOVE OUT?

23 A WELL, THERE WAS A NUMBER OF REASONS.

24 FIRST OF ALL, I WANTED TO DISTANCE MYSELF FROM
25 JOE. I WAS STARTING TO GET PRETTY SCARED ABOUT EVERYTHING
26 THAT HAD HAPPENED AND I DIDN'T WANT TO TAKE PART IN ANYTHING
27 ELSE.

28 IT WAS MY FEELING THAT, ALTHOUGH I WAS GOING ALONG

1 AND I WASN'T -- I WASN'T PLANNING TO GO TO THE POLICE OR
2 ANYTHING LIKE THAT, I DIDN'T WANT TO BE ANY MORE INVOLVED.
3 I JUST WANTED TO KIND OF WALK AWAY AND SOMEHOW START -- START
4 MY LIFE AGAIN.

5 AND SO I TOLD JOE THAT I WAS PLANNING TO MOVE OUT
6 AND I ULTIMATELY DID.

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1 Q AND WHERE DID YOU MOVE TO?

2 A I MOVED BACK TO MY PARENTS.

3 Q AND AT SOME POINT SHORTLY AFTER THAT, WAS MR.
4 HUNT ARRESTED FOR THE FIRST TIME?

5 A YES.

6 Q AND THAT WOULD HAVE BEEN SEPTEMBER THE 28TH,
7 1984? DO YOU AGREE WITH THAT, IF THAT IS WHAT IT SAYS ON
8 THE FACE SHEET OF AN ARREST REPORT?

9 A IT WAS ABOUT THEN. I DON'T REMEMBER THE SPECIFIC
10 DATE.

11 Q AND WHEN HE WAS ARRESTED, DID JOE HUNT CALL YOU
12 FROM JAIL AT THE BEVERLY HILLS POLICE DEPARTMENT?

13 A YES. HE DID.

14 Q AND WHAT DID HE SAY?

15 A HE TOLD ME THAT HE DIDN'T HAVE MUCH TIME TO
16 TALK AND THAT SOME OF MY RECOLLECTIONS WERE GOING TO BE VERY
17 IMPORTANT WITH REGARD TO THE CHECK AND THE CONTRACT THAT
18 RON LEVIN HAD SIGNED.

19 AND HE ALSO TOLD ME THAT MY RECOLLECTIONS WITH
20 REGARD TO THE NIGHT OF JUNE 6TH WERE ALSO GOING TO BE VERY
21 SIGNIFICANT AND THAT I SHOULD TRY TO RECONSTRUCT THEM AND
22 THAT HE THOUGHT PERHAPS WE HAD GONE TO A MOVIE THAT NIGHT.

23 Q WHEN HE SAID THAT, WHAT DID YOU SAY?

24 A I SAID THAT I THINK WE DID.

25 Q AND WAS THAT TRUE?

26 A NO. IT WASN'T TRUE.

27 Q WHY DID YOU SAY THAT?

28 A I SAID IT BECAUSE I THOUGHT THAT CALLS COMING

1 OUT OF THE POLICE STATION WHERE JOE WAS BEING HELD WERE BEING
2 TAPED AND I DIDN'T WANT TO SAY ANYTHING THAT WOULD SHOW SOME
3 UNDERSTANDING THAT A CRIME HAD ACTUALLY TAKEN PLACE.

4 SO JOE AND I WERE TALKING IN THIS KIND OF OBLIQUE
5 AND VERY CONFUSING FASHION.

6 Q AT THAT TIME, SEPTEMBER THE 28TH OR WITHIN A
7 DAY OR TWO, WHILE HE WAS STILL AT THE BEVERLY HILLS POLICE
8 STATION, WERE YOU STILL GOING ALONG WITH THE PROGRAM, SO
9 TO SPEAK, OR IN JOE HUNT'S CORNER?

10 A YES, I WAS.

11 Q AND AFTER YOU HAD THAT CONVERSATION, DID HE GET
12 OUT OF JAIL AT SOME POINT?

13 A YEAH, A FEW DAYS LATER.

14 Q DID YOU TALK TO HIM AFTER HE GOT OUT OF JAIL?

15 A YES.

16 Q WHAT DID HE SAY TO YOU?

17 A I ASKED HIM HOW IT WAS IN JAIL AND HE SAID THAT
18 IT WASN'T THAT BAD, THAT HE HAD WASHED HIS SOCKS IN THE SINK.
19 HE TOLD ME THAT --

20 Q DID HE TELL YOU THAT HE HAD TALKED TO DETECTIVE
21 ZOELLER?

22 A YES, HE DID.

23 Q WHAT DID HE SAY ABOUT THAT?

24 A HE SAID THAT DETECTIVE ZOELLER WASN'T VERY SMART
25 AND THAT HE HAD REALLY MADE HIM LOOK LIKE HE WAS KIND OF
26 STUPID BECAUSE HE SAID THAT DETECTIVE ZOELLER, THAT HE
27 WAS --

28 MR. BARENS: YOUR HONOR, WE OBJECT TO THAT ON THE BASIS

1 OF RELEVANCY.

2 THE COURT: OVERRULED. GO AHEAD.

3 THE WITNESS: HE SAID THAT HE HAD GOTTEN PARTICULAR
4 ENJOYMENT OUT OF TELLING DETECTIVE ZOELLER THAT HE HAD NOT
5 DONE VERY GOOD POLICE WORK.

6 Q BY MR. WAPNER: AND DID HE COMMENT AT ALL ON
7 THE FACT THAT HE HAD BEEN SHOWN THIS LIST OF SEVEN PAGES?

8 A YES. HE MENTIONED THAT ALSO.

9 Q WHAT DID HE SAY?

10 A HE SAID THAT HE WAS VERY SURPRISED AND SHOCKED
11 TO SEE THEM BUT THAT HE HAD MANAGED TO MASK HIS REACTION
12 AND HE FELT THAT THE FACT THAT HE HAD BEEN RELEASED WITHOUT
13 BEING CHARGED, MEANT THAT EVEN THOSE LISTS DID NOT CONSTITUTE
14 ENOUGH EVIDENCE TO PROVE THE CASE ON HIM.

15 Q AND DID HE SAY ANYTHING ABOUT WHETHER OR NOT --
16 WELL, DID HE SAY ANYTHING ABOUT BURDEN OF PROOF AT THAT
17 TIME?

18 A THE TERM "BURDEN OF PROOF" WAS NOT SPECIFICALLY
19 USED AT THAT TIME.

20 Q DID HE SAY SOMETHING LIKE, "EVEN WITH THE LIST,
21 THEY ARE STILL GOING TO HAVE A REASONABLE DOUBT"?

22 MR. BARENS: LEADING AND SUGGESTIVE. HE IS PUTTING
23 THE WORDS IN HIS MOUTH, FOR A CHANGE.

24 THE COURT: OVERRULED.

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1 THE WITNESS: WE DISCUSSED BASICALLY THAT, YES.

2 Q BY MR. WAPNER: WAS THAT DISCUSSED, WAS IT AT THAT
3 TIME OR SOME OTHER TIME?

4 A IT WAS ON A NUMBER OF OCCASIONS.

5 JOE AND I TALKED VERY OFTEN ABOUT ALL OF THE PLANS
6 THAT HAD BEEN LAID TO CREATE A FAKE TRAIL WITH REGARD TO THIS
7 CRIME. IT WAS SO BRILLIANTLY CONCEIVED AND SO DETAILED, THAT
8 THE DISCUSSION WAS BASICALLY THAT IF EVEN A FEW OF US STUCK
9 TO THE STORY, THAT WE WOULD BE ABLE TO CREATE A REASONABLE
10 DOUBT IN THE MIND OF THE JURY, THEY JUST WOULDN'T BE ABLE TO
11 CONCLUDE THAT BEYOND THAT DOUBT THEY WERE SURE.

12 Q DID HE SAY THAT TO YOU ALSO AFTER HE GOT OUT OF
13 CUSTODY FROM THE BEVERLY HILLS POLICE DEPARTMENT?

14 A AS I SAID, THE ONLY THING I RECALL SPECIFICALLY
15 IS HE FELT THERE WASN'T ENOUGH EVIDENCE, SINCE HE HAD BEEN
16 RELEASED.

17 Q AND AFTER THAT, DID YOU HAVE ANY DISCUSSIONS WITH
18 HIM ABOUT SEVERING YOUR TIES ALTOGETHER WITH THE BBC?

19 A WELL, WE MET FOR DINNER ONE TIME DURING THE PERIOD
20 BETWEEN HIS TWO ARRESTS AND --

21 Q THE SECOND ARREST WOULD HAVE BEEN OCTOBER THE 22ND
22 OF 1984?

23 A AROUND THEN.

24 IT WAS A FEW WEEKS AFTER THE FIRST ONE.

25 Q SO IT WAS BETWEEN THE 28TH OF SEPTEMBER AND THE
26 22ND OF OCTOBER OF 1984?

27 A THAT SOUNDS RIGHT.

28 Q AND YOU MET FOR DINNER WHERE?

1 A AT THE OLD WORLD CAFE IN WESTWOOD.

2 Q AND WHAT HAPPENED?

3 A WELL, FIRST OF ALL, HE TOLD ME THAT HE HAD BEEN
4 HEARING SOME THINGS THAT I HAD BEEN SAYING ABOUT HIM THAT
5 SHOWED THAT I WASN'T -- THAT I WASN'T COMPLETELY ON THE SAME
6 WAVE LENGTH -- I AM PARAPHRASING NOW -- THAT HE HAD HEARD THAT
7 I HAD BEEN CRITICIZING HIM BEHIND HIS BACK, AND HE JUST WANTED
8 TO MAKE SURE THAT I UNDERSTOOD THAT ON THAT, HE WASN'T --

9 I REALLY FORGET EXACTLY HOW IT WAS PUT. BUT THE
10 SUBSTANCE OF THE CONVERSATION WAS THAT BY THE TIME IT WAS OVER,
11 WE HAD SORT OF AN AGREEMENT THAT I COULD GO MY OWN WAY AND
12 THAT WE WOULD GET TOGETHER AGAIN SOMETIME IN THE FUTURE AND
13 PERHAPS PURSUE SOME OF THE THINGS THAT WE HAD STARTED. THAT
14 MAYBE WE WOULDN'T SEE EACH OTHER FOR A WHILE BUT THAT WE
15 WOULD STICK TOGETHER, BASICALLY, ON SOME OF THE SECRETS THAT
16 WE WERE HIDING.

17 Q AT SOME POINT AFTER THAT MEETING WITH HIM, DID
18 HE GET ARRESTED AGAIN?

19 A YES.

20 Q DID HE CALL YOU AT THAT TIME?

21 A YES.

22 Q WHAT DID HE SAY AT THAT TIME?

23 A HE --

24 Q WAS THIS CALL FROM WHERE HE WAS IN CUSTODY?

25 A YES, IT WAS.

26 Q AND WHAT DID HE SAY?

27 A ONE OF THE THINGS HE SAID WAS THAT WHETHER I WANTED
28 TO BE INVOLVED OR NOT, I WAS GOING TO BE INVOLVED WITH THE

1 TESTIMONY, BECAUSE I HAD TOLD HIM THAT I DIDN'T REALLY WANT
2 TO HAVE TO ACTUALLY GO UP AND LIE ABOUT THESE THINGS AND I
3 WAS SORT OF BELIEVING AT THE TIME THAT I COULD JUST WALK AWAY
4 AND THAT --

5 WELL, ANYWAY, WHAT HE TOLD ME -- I AM SORRY TO
6 DIGRESS.

7 Q DID HE ASK YOU SPECIFICALLY ABOUT THE MEETING THAT
8 HAD HAPPENED ON JUNE THE 24TH AT THE WILSHIRE MANNING?

9 A YES, HE DID.

10 Q WHAT DID HE SAY?

11 A WHAT HE -- WHAT HE TALKED ABOUT WAS, AGAIN, THIS
12 SORT OF WAY OF TALKING SO PEOPLE WON'T KNOW EXACTLY WHAT WE
13 WERE TALKING ABOUT IN CASE IT WAS BEING TAPED.

14 I WAS EVEN CONCERNED THAT THE PHONE AT MY PARENTS'
15 HOUSE WHERE I WAS TALKING FROM WAS BEING TAPED ALSO, IT WAS
16 SORT OF A PARANOIA.

17 AND WE SPOKE ABOUT THIS MEETING AT THE WILSHIRE
18 MANNING AND HE TOLD ME SOMETHING ABOUT REMEMBERING THAT THERE
19 WASN'T ANY SUCH MEETING AND THAT WHETHER I LIKED IT OR NOT,
20 I WAS GOING TO BE INVOLVED AND THAT I SHOULD --

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1 Q WHAT DID HE SAY ABOUT REMEMBERING THERE WASN'T ANY
2 SUCH MEETING? DO YOU REMEMBER?

3 A RIGHT NOW, I DON'T REMEMBER. SORRY.

4 Q BUT IT WAS A STATEMENT TO THE EFFECT THAT YOU
5 SHOULD REMEMBER THERE WAS NO SUCH MEETING?

6 MR. BARENS: OBJECTION. THE MAN SAYS THAT HE DOESN'T
7 REMEMBER WHAT HE SAID.

8 THE COURT: GO AHEAD.

9 Q BY MR. WAPNER: WHAT IS THE EXTENT OF YOUR
10 RECOLLECTION ABOUT WHAT HE SAID IF ANYTHING, ABOUT THAT,
11 ABOUT WHETHER THERE WAS OR WASN'T A MEETING?

12 A WHAT I RECALL IS THAT ON A COUPLE OF OCCASIONS,
13 IT WAS INDICATED TO ME BY JOE THAT I SHOULD DENY THAT THERE
14 WAS SUCH A MEETING. WHETHER IT WAS THAT SPECIFIC CONVERSATION
15 OR NOT, I DON'T REMEMBER.

16 Q AND DID HE CONTINUE TO CALL YOU FROM THE JAIL?

17 A YES. HE DID.

18 Q AND DID YOU ACCEPT THOSE PHONE CALLS?

19 A NO. I STOPPED ACCEPTING THEM AFTER THAT.

20 Q WHY?

21 A BECAUSE I WAS SCARED. I DIDN'T WANT TO BE
22 INVOLVED. AND I WAS IN A CONFUSED STATE.

23 I JUST FELT INSTINCTUALLY THAT I SHOULDN'T TALK
24 TO HIM.

25 Q AND DID YOU GET SOME CALLS FROM SOME OTHER PEOPLE
26 ON HIS BEHALF, SPECIFICALLY, BROOKE ROBERTS?

27 A YES. I TALKED TO BROOKE ROBERTS.

28 MR. BARENS: OBJECTION, YOUR HONOR. HEARSAY.

1 THE COURT: WAS ANYTHING MENTIONED, WITHOUT TELLING
2 US THE SUBSTANCE OF IT, THAT SHE WAS CALLING ON HIS BEHALF?

3 THE WITNESS: YES.

4 THE COURT: OVERRULED.

5 MR. BARENS: YOUR HONOR, MAY WE APPROACH?

6 MR. WAPNER: I WILL BE HAPPY TO APPROACH.

7 THE COURT: YES.

8 (THE FOLLOWING PROCEEDINGS WERE HELD AT
9 THE BENCH OUTSIDE THE HEARING OF THE
10 JURY:)

11 MR. WAPNER: YOUR HONOR, FIRST OF ALL, I AM NOT AS
12 CONCERNED ABOUT THE SUBSTANCE OF THE CONVERSATIONS THAT HE
13 HAD WITH HER, AS I AM WITH THE EXPLANATION OF FUTURE CONDUCT.
14 BECAUSE I ASSUME THAT THE DEFENSE IN THIS CASE IS GOING TO
15 GET INTO THE FACT THAT MR. KARNY HAD ACCESS TO POLICE
16 REPORTS IN THIS CASE, BEFORE HE WENT TO THE POLICE.

17 AND IT WAS PARTLY AS A RESULT OF THIS CONVERSATION
18 WITH MISS ROBERTS, THAT HE OBTAINED THE POLICE REPORTS.

19 THE COURT: I DON'T KNOW WHAT YOU ARE TALKING ABOUT.
20 WHAT PRECISELY IS IT, THEN?

21 MR. CHIER: HE IS PUTTING ON HIS REBUTTAL AS A PART
22 OF HIS CASE IN CHIEF. THAT IS WHAT IS HAPPENING.

23 THE COURT: WELL AT THIS STAGE, WHAT IS THE SIGNIFICANCE
24 OF THE CALLS FROM BROOKE ROBERTS?

25 MR. WAPNER: THE ONLY SIGNIFICANCE IS -- WELL, WITHOUT
26 BEATING AROUND THE BUSH, LET ME TELL YOU WHAT SHE SAID. I
27 WILL TELL YOU THE SIGNIFICANCE. THE ESSENCE OF WHAT SHE
28 SAID IS THAT I WANT YOU TO MAKE AN AFFIDAVIT SAYING THERE

1 WAS NO SUCH MEETING. AND BECAUSE OF CONCERNS THAT THE WITNESS
2 HAD ABOUT HIS OWN EXPOSURE, HE ASKED TO GET COPIES OF THE
3 POLICE REPORTS. THAT IS THE ONLY THING THAT IS REALLY
4 IMPORTANT, IF I CAN GET THAT.

5 THE COURT: I DON'T THINK THAT -- LET'S STAY AWAY FROM
6 THAT AT THIS POINT. IF THEY EVER BRING IT OUT, THEN YOU
7 CAN.

8 MR. WAPNER: ABOUT THE SUBSTANCE OF THE CONVERSATIONS?

9 THE COURT: WITH BROOKE ROBERTS.

10 MR. WAPNER: OKAY. FINE.

11 MR. CHIER: THERE IS NO SHOWING OF AGENCY AND --

12 THE COURT: I SUSTAINED THE OBJECTION.

13 MR. BARENS: WE WILL QUIT WHILE WE ARE AHEAD.

14 THE COURT: DO YOU WANT ME TO CHANGE MY MIND? I SAID
15 IT IS ALL RIGHT.

16 MR. BARENS: NO.

17 THE COURT: OKAY.

18 (THE FOLLOWING PROCEEDINGS WERE HELD IN
19 OPEN COURT IN THE PRESENCE AND HEARING
20 OF THE JURY:)

21 Q BY MR. WAPNER: AFTER YOU HAD TALKED TO JOE HUNT
22 FOR THE LAST TIME ON THE PHONE FROM THE JAIL AND DURING THE
23 TIME THAT YOU WERE LIVING AT HOME, DID YOU COME TO HAVE SOME
24 CONCERN ABOUT ANY POSSIBLE OR POTENTIAL CRIMINAL LIABILITY
25 THAT YOU MIGHT HAVE?

26 A YES, I DID.

27 Q AND WERE YOU DURING THE TIME YOU WERE LIVING
28 AT HOME, BEGINNING TO HAVE OR HAVING ANY KIND OF AN EMOTIONAL

1 REACTION TO ANY OF THE THINGS THAT HAD BEEN GOING ON?

2 A I WAS FEELING TERRIBLE. I WAS STARTING TO LOSE
3 WEIGHT. I WAS STARTING TO THROW UP AGAIN. I WAS VERY
4 NERVOUS.

5 Q YOU SAID YOU WERE STARTING TO THROW UP AGAIN?
6 WHAT IS THAT "AGAIN" IN REFERENCE TO?

7 THE COURT: HE ALREADY TOLD US ABOUT THE GIRLFRIEND.
8 I THINK THE JURY REMEMBERS THAT. LET'S GET ON.

9 Q BY MR. WAPNER: HAD THERE BEEN ANY KIND OF
10 EMOTIONAL REACTION LIKE THAT DURING THE TIME THAT YOU WERE
11 INVOLVED IN THE BBC AND YOU WERE WITH JOE HUNT?

12 A NO, NOT THAT I CAN REMEMBER.

13 Q AND WHAT DID YOU DO IN REGARD TO -- WELL, AFTER
14 HAVING THESE REACTIONS, WHAT DID YOU DO, IF ANYTHING?

15 A WELL, I SORT OF COWERED IN MY BED FOR DAYS.

16 Q DID YOU TAKE ANY ACTION WITH REGARD TO GOING
17 TO THE POLICE?

18 A YEAH. I DID.

19 Q WHAT DID YOU DO?

20 A THE FIRST THING I DID, I WENT TO AN ATTORNEY.

21 Q AND WHY?

22 A I WENT TO AN ATTORNEY BECAUSE I KNEW THAT THE
23 THINGS I HAD BEEN A PART OF HAD BEEN VERY SERIOUS AND I WANTED
24 TO KNOW WHAT MY EXPOSURE WAS.

25 Q DID YOU DO ANYTHING ELSE WITH REGARD TO TRYING
26 TO FIND OUT WHAT YOUR EXPOSURE WAS, AS FAR AS THE POLICE
27 DEPARTMENT OR THE AUTHORITIES WERE CONCERNED?

28 A WHAT I DID WAS -- WELL, I DID A FEW THINGS. I

1 ACTUALLY CALLED -- I GOT A PHONE NUMBER FROM BROOKE ROBERTS
2 OF THE GUY WHO WAS REPRESENTING JOE AT THE TIME, EVEN BEFORE
3 I GOT AN ATTORNEY OF MY OWN.

4 I CALLED HIM UP BECAUSE I SORT OF WANTED TO BE
5 TOLD WHAT TO SAY. I WAS STILL GOING TO -- I WAS STILL GOING
6 TO STICK WITH JOE AT THAT POINT. AND WHEN HE WOULDN'T TALK
7 TO ME, THEN I GOT MY OWN ATTORNEY.

8 AND AT ONE POINT, I ASKED TO GET COPIES OF THE
9 POLICE REPORT FROM JOE'S ARREST, SO THAT I WOULD KNOW IF
10 THERE WAS ANYTHING SAID ABOUT ME AND WHAT THE EXTENT OF WHAT
11 THE POLICE KNEW, WAS.

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1 Q AND WHAT WAS IT -- WHY WAS IT THAT YOU MADE A
2 DECISION TO GO TO THE POLICE IN THE FIRST PLACE?

3 A WELL, WHEN I -- WHEN I READ THE REPORT, I REALIZED
4 THAT THE POLICE KNEW A LOT ABOUT WHAT HAD HAPPENED AND I ALSO,
5 I GOT -- I GOT PRETTY -- PRETTY UPSET AND SCARED FOR MY OWN
6 SAKE AND I HAD A KIND OF AN ATTACK OF CONSCIENCE AS WELL AND
7 I DECIDED THAT I COULDN'T LIVE WITH IT, THAT I JUST HAD TO.

8 Q WHAT DO YOU MEAN "UPSET AND SCARED FOR MY OWN
9 SAKE?"

10 A WELL, I KNEW THAT FOR WHAT I HAD DONE, I COULD
11 GO TO JAIL.

12 Q AND AS A RESULT OF THAT, WHAT DID YOU DO?

13 A I ULTIMATELY ASKED MY ATTORNEY TO SEE ABOUT GETTING
14 IMMUNITY FOR ME SO THAT I COULD COME FORWARD AND SAY WHAT I
15 KNEW AND NOT BE PROSECUTED.

16 Q AND WAS THAT DONE?

17 A YES, IT WAS.

18 Q AND HAVE YOU BEEN GRANTED IMMUNITY IN EXCHANGE
19 FOR YOUR TESTIMONY IN THIS CASE?

20 A YES, I HAVE.

21 Q AND AFTER GETTING THE GRANT OF IMMUNITY, DID YOU,
22 AMONG OTHER THINGS, SPEAK TO DETECTIVE ZOELLER?

23 A YES.

24 Q AND DID YOU TELL DETECTIVE ZOELLER --
25 WAS THAT ON NOVEMBER THE 29TH OF 1984?

26 A IT WAS RIGHT AT THE END OF NOVEMBER. I AM NOT
27 POSITIVE OF THE DATE.

28 BUT I MADE A STATEMENT THAT DAY AND IT IS THE SAME

1 DATE AS I MADE THE STATEMENT.

2 Q IF THAT IS THE DATE IN FACT ON THE STATEMENT, WOULD
3 YOU AGREE THAT THAT IS THE CORRECT DATE?

4 A YES, I WOULD AGREE.

5 Q DID YOU PROVIDE DETECTIVE ZOELLER WITH ANY
6 DOCUMENTATION OF ANY OF THE THINGS THAT YOU HAD TALKED TO HIM
7 ABOUT?

8 A YES.

9 Q AND DID YOU GIVE HIM A RECEIPT FROM THE WORLD TRADE
10 BANK FOR THE MILLION AND A HALF DOLLAR CHECK?

11 A YES, I DID.

12 Q SHOWING YOU AN EXHIBIT THAT HAS BEEN MARKED AS
13 109 FOR IDENTIFICATION, DO YOU RECOGNIZE THAT?

14 A YES, I RECOGNIZE THAT. THAT IS WHAT I GAVE HIM.

15 Q THAT IS THE RECEIPT THAT YOU GAVE TO DETECTIVE
16 ZOELLER?

17 A RIGHT.

18 Q AND AT SOME POINT SHORTLY AFTER THAT, DID YOU
19 ALSO TAKE DETECTIVE ZOELLER UP TO SOLEDAD CANYON?

20 A YES, I DID.

21 MR. WAPNER: THANK YOU. I HAVE NOTHING FURTHER ON DIRECT
22 AT THIS TIME.

23 I JUST RESERVE THE RIGHT TO REOPEN, DEPENDING UPON
24 CERTAIN OF THE CROSS-EXAMINATION.

25 THE COURT: ALL RIGHT, YOU MAY CROSS-EXAMINE.

26 MR. BARENS: THANK YOU, YOUR HONOR.
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28

CROSS-EXAMINATION

23-3

1
2 BY MR. BARENS:

3 Q MR. KARNY, JOE HUNT WAS YOUR BEST FRIEND, RIGHT?

4 A THAT'S RIGHT.

5 Q AND ESPECIALLY AFTER THAT TRIP TO MIAMI, YOU TALKED
6 ALMOST EVERY DAY?

7 A WE TALKED A LOT, SPENT A LOT OF TIME TOGETHER.

8 Q I THINK YOU TOLD US YOU TALKED ALMOST SEVEN DAYS
9 A WEEK FOR A LOT OF THAT TIME?

10 A DURING ONE PERIOD, THAT'S RIGHT.

11 Q AND YOU LOOKED UP TO HIM?

12 A YES.

13 Q YOU HAD A RELATIONSHIP OF TRUST AND CONFIDENCE?

14 A THAT'S RIGHT.

15 Q HE WAS THE BEST FRIEND YOU EVER HAD?

16 A THAT IS WHAT I BELIEVED.

17 Q YOU LOOKED AT HIM AS A BROTHER?

18 A NOT AS A BROTHER.

19 AS A FRIEND.

20 Q YOU HAD A BED FOR HIM IN YOUR HOUSE THAT YOUR
21 FOLKS CALLED "JOE'S BED"?

22 A THAT'S RIGHT.

23 Q AND ALL THROUGH YOUR RELATIONSHIP WITH HIM UNTIL
24 MAYBE SEPTEMBER OR AUGUST OF 1984, YOU REMAINED HIS CONFIDANT?

25 A THAT'S RIGHT.

26 Q AND HE REMAINED A PERSON YOU RESPECTED AND TRUSTED?

27 A THAT'S RIGHT.

28 Q WHOM YOU LOOKED TO FOR ADVICE?

27
1 A UH-HUH.

2 Q WHO YOU LOOKED TO FOR A FEELING OF WHOLENESS AND
3 SELF-ESTEEM?

4 A THAT'S RIGHT.

5 Q I IMAGINE SOMETHING PRETTY TERRIBLE MUST HAVE
6 HAPPENED SO THAT WE END UP HERE TODAY WITH YOU TESTIFYING
7 AGAINST HIM ON A FIRST DEGREE MURDER CASE; IS THAT TRUE?

8 A IT WASN'T JUST ONE THING THAT HAPPENED.

9 Q IT JUST WASN'T ONE THING AT ALL, WAS IT?

10 A NO.

11 Q YOU WERE TALKING A FEW MINUTES AGO THAT YOU GOT
12 SCARED; IS THAT TRUE?

13 A TRUE.

14 Q YOU TALKED ABOUT YOU GOT IMMUNITY TO GET YOU HERE?

15 A THAT'S RIGHT.

16 Q ISN'T IT A FACT THAT WHAT REALLY HAPPENED WAS YOU
17 WENT AND GOT AN IMMUNITY FOR A MURDER YOU CONFESSED TO IN
18 SAN MATEO THAT YOU GOT IMMUNIZED ON, BEFORE YOU EVER TALKED
19 ABOUT THIS LEVIN CASE?

20 A NO, THAT IS NOT.

21 Q IT IS NOT TRUE THAT YOU WENT AND SAW OSCAR
22 BREILING AND MADE YOUR IMMUNITY DEAL WITH YOUR LAWYER THAT
23 YOU WOULDN'T BE PROSECUTED FOR THE MURDER YOU CONFESSED TO
24 AND THEN, AS PART OF THAT DEAL, AS AN ADD-ON, SECONDARY TO
25 THAT DEAL, YOU GOT AN AGREEMENT THAT YOU TESTIFY IN THIS CASE,
26 TOO, AGAINST JOE HUNT?

27 A I DON'T THINK THAT IT WAS SECONDARY.

28 IT WAS ANOTHER THING THAT I FELT THAT I HAD GREAT

23-5
1 EXPOSURE FOR.

2 Q YOU DIDN'T FIRST GO SEE LES ZOELLER, DID YOU?

3 A NO, I DIDN'T.

4 Q YOU FIRST WENT AND SAW A POLICE OFFICER BY THE
5 NAME OF OSCAR BREILING IN SAN MATEO?

6 A I FIRST WENT TO SEE MY LAWYER AND HE MADE THE
7 DECISION ABOUT WHO TO GO TO FIRST.

8 Q DID YOUR LAWYER TELL YOU THAT YOU HAD EXPOSURE
9 THAT COULD SEND YOU TO THE GAS CHAMBER?

10 A NO.

11 Q DID HE TELL YOU THAT YOU HAD EXPOSURE THAT, THAT
12 COULD GIVE YOU LIFE IN PRISON WITHOUT THE POSSIBILITY OF
13 PAROLE?

14 A WE DIDN'T DISCUSS THE PENALTY.

15 I KNEW THAT BEING INVOLVED IN MURDER CARRIES A
16 STIFF PENALTY.

17 Q AND YOU WERE A LAW STUDENT, WEREN'T YOU?

18 A THAT'S RIGHT.

19 Q SO YOU MADE A DECISION, ISN'T IT TRUE, THAT YOU
20 WOULD SEND SOMEBODY ELSE INSTEAD OF YOURSELF?

21 A THAT WASN'T MY DECISION.

22 I WANTED TO SAVE MYSELF AND IT WASN'T THAT IT HAD
23 TO BE AT THE EXPENSE OF SOMEONE ELSE.

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1 Q AS A PART OF SAVING YOURSELF, THE IMMUNITY DEAL
2 YOU COULD GET WAS THAT YOU WOULD HAVE TO TESTIFY AND GIVE
3 THEM SOMEBODY ELSE IN ORDER TO SAVE YOURSELF, ISN'T THAT
4 TRUE?

5 A I GUESS IT IS.

6 Q DIDN'T YOU REFUSE TO TESTIFY UNLESS THEY GAVE
7 YOU A DEAL WHEREBY YOU WOULD TESTIFY AGAINST JOE HUNT?

8 A I WASN'T ASKED TO TESTIFY BEFORE THAT. SO I
9 DIDN'T EVER REFUSE.

10 Q WASN'T THE IMPORTANT PART OF YOUR IMMUNITY
11 TRANSACTION, YOUR TESTIMONY? ISN'T THAT WHY YOU GOT IMMUNITY?

12 A THAT'S RIGHT.

13 Q OKAY. AND THAT CONTINUES TODAY, DOESN'T IT?

14 A THAT'S RIGHT.

15 Q NOW, YOU DIDN'T GO -- YOU TOLD US THAT YOU GOT
16 SCARED AND YOU WENT IN AND GOT YOUR IMMUNITY DEAL.

17 YOU READ A POLICE REPORT THAT SHOWED YOU HAD
18 SOME EXPOSURE. YOU READ SOME OTHER THINGS TOO, DIDN'T YOU?

19 MR. WAPNER: OBJECTION TO THE FORM OF THE QUESTION.
20 WE HAVE GOT TO HAVE A FIVE-MINUTE SPEECH AND THEN THE QUESTION
21 HAS NOTHING TO DO WITH THE SPEECH. I ASK THE COURT TO CAUTION
22 COUNSEL NOT TO DO THOSE THINGS.

23 THE COURT: WELL, THAT HAS BEEN HIS HABIT INGRAINED
24 FOR MANY YEARS. I CAN'T BREAK HIM OF IT AT THIS TIME.

25 JUST ASK THE QUESTION, IF YOU WOULD. DO NOT
26 PRECEDE IT BY ANY SPEECHES.

27 Q BY MR. BARENS: YOU WENT TO THE POLICE AND YOU
28 WENT TO YOUR LAWYER AND YOU GOT YOUR IMMUNITY BECAUSE YOU

1 WERE SCARED OF GOING TO JAIL, DID YOU NOT, SIR?

2 A THAT WAS ONE OF THE REASONS.

3 Q OKAY. NOW, THE FIRST TIME I NOTICE YOU HAVE
4 EVER MENTIONED HAVING A CONSCIENCE PANG, MR. KARNY, WAS AFTER
5 YOU READ THE POLICE REPORT IN BEVERLY HILLS? IS THAT TRUE?

6 MR. WAPNER: OBJECTION, ARGUMENTATIVE.

7 Q BY MR. BARENS: WELL, ISN'T THAT WHAT WE JUST
8 HEARD, MR. KARNY?

9 THE COURT: IS THAT TRUE OR NOT?

10 THE WITNESS: THAT'S TRUE.

11 Q BY MR. BARENS: ALL RIGHT. NOW, CONSCIENCE APPEARS
12 THEN SIR, IN YOUR INSTANCE, TO BE STIMULATED BY A SENSE OF
13 SELF-CONCERN?

14 A IT WASN'T, REALLY. IT WAS SOMETHING IN THE REPORT
15 THAT I READ THAT REALLY BROUGHT HOME TO ME THE REALITY OF
16 WHAT I HAD DONE.

17 Q WHAT HAD YOU DONE?

18 THE COURT: WHAT YOU READ, YOU MEAN?

19 Q BY MR. BARENS: BROUGHT HOME THE REALITY OF WHAT
20 YOU HAD DONE? WHAT HAD YOU DONE, MR. KARNY?

21 A I HAD PARTICIPATED IN KILLING A MAN IN SAN MATEO.
22 THERE WAS A PICTURE OF HIM IN THAT REPORT. AND WHEN I SAW
23 IT, I REMEMBERED WHAT HIS BODY LOOKED LIKE AND IT WAS A
24 PRETTY CONSCIENCE RAISING EXPERIENCE.

25 Q YOU NEVER SAW A BODY OF RON LEVIN, DID YOU?

26 A NO, I DIDN'T.

27 Q NOW, THE ONLY THING WE HAVE GOT TO GO ON RON
28 LEVIN BEING DEAD, FROM WHAT YOU TOLD US SO FAR, IS ALL OF

1 THIS STUFF THAT JOE HAD TOLD YOU, ISN'T THAT CORRECT?

2 A THINGS HE TOLD ME AND THINGS THAT I SAW.

3 Q WELL, DID YOU SEE RON LEVIN DEAD?

4 A NO, I DIDN'T.

5 Q YOU SAW A CHECK THAT HE SIGNED ALLEGEDLY?

6 A THAT IS RIGHT.

7 Q YOU SAW A CONTRACT HE SIGNED ALLEGEDLY?

8 A RIGHT.

9 Q DID YOU EVER SEE ANYTHING ABOUT HIM DEAD? DID
10 YOU SEE ANY PARTS OF HIM DEAD?

11 A NO.

12 Q OKAY. YOU DIDN'T SEE ANY BODY OF HIM DEAD?

13 A NO, I DIDN'T.

14 Q YOU WENT UP THERE WITH DETECTIVE ZOELLER YOU
15 TOOK HIM RIGHT TO WHERE YOU KNEW I GUESS, HE WAS BURIED
16 IN THE PIT?

17 THE COURT: HOW WOULD HE KNOW WHERE HE WAS BURIED IN
18 THE PIT? THAT IS AN IMPROPER QUESTION.

19 MR. BARENS: WELL, LET'S FIND OUT.

20 THE COURT: ON THE COURT'S OWN MOTION, I WILL STRIKE
21 THAT.

22 MR. WAPNER: ALSO MISSTATES THE EVIDENCE, YOUR HONOR.

23 THE COURT: OF COURSE IT MISSTATES IT.

24 MR. BARENS: ALL RIGHT. WE HAVE HEARD BOTH OF THEM
25 NOW. I WILL ASK HIM ANOTHER QUESTION.

26 Q MR. KARNY, ASIDE FROM WHAT HUNT TELLS YOU ALL
27 OF THE TIME WHEN JUST THE TWO OF YOU ARE TALKING --

28 MR. WAPNER: OBJECTION TO THE FORM OF THE QUESTION.

1 I KNOW MR. BARENS HAS A WAY OF USING THE ENGLISH LANGUAGE
2 AND I DON'T MEAN TO BE ARGUMENTATIVE. BUT HE SAYS, "TELLS
3 YOU ALL OF THE TIME," AND THAT IT IS IMPLICIT THAT IT IS
4 GOING ON TO THIS DATE. THERE IS AN OBJECTION TO THE FORM
5 OF THAT QUESTION.

6 MR. BARENS: NOT TO THIS DAY, MY LORD --

7 THE COURT: I WILL SUSTAIN THE OBJECTION. ASK HIM
8 A DIRECT QUESTION. YOU DON'T HAVE TO --

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1 MR. BARENS: WELL, I KEEP FORGETTING THAT. ALL RIGHT.

2 Q MR. KARNY, YOU SAID TO ME JUST NOW, YOU SAW
3 SOMETHING ABOUT RON LEVIN THAT MADE YOU THINK HE WAS DEAD.

4 A WHAT I THINK I SAID WAS, THAT MY BELIEF THAT
5 HE WAS DEAD STEMMED FROM THINGS OTHER THAN MERELY WHAT JOE
6 HUNT HAD TOLD ME. THERE WERE THINGS THAT I HAD SEEN THAT
7 SUPPORTED THAT BELIEF, AS WELL.

8 Q OKAY. WE'LL GET BACK TO THAT. I WILL GO ON
9 TO SOMETHING ELSE. I WILL GIVE YOU A CHANCE TO TELL US
10 WHAT THAT IS ABOUT. NOW --

11 THE COURT: UNLESS YOU WANT TO EXPLAIN WHAT THINGS
12 YOU SAW, OTHER THAN WHAT HE TOLD YOU. IF YOU WANT TO COMPELTE
13 YOUR ANSWER, YOU MAY DO SO.

14 THE WITNESS: IT IS THINGS THAT I HAVE ALREADY TESTIFIED
15 ABOUT TODAY.

16 THE COURT: ALL RIGHT.

17 THE WITNESS: OR YESTERDAY.

18 Q BY MR. BARENS: ALL RIGHT. NOW, AS FAR AS YOUR
19 IMMUNITY DEAL, WAS NOT PART OF THAT DEAL A PROMISE BY THE
20 ATTORNEY GENERAL'S OFFICE THAT THEY WOULD INTERVENE ON YOUR
21 BEHALF IN TERMS OF ADMISSION TO THE STATE BAR?

22 A YES.

23 Q THAT WAS TOLD TO YOU BY A COUPLE OF LAWYERS FROM
24 THE ATTORNEY GENERAL'S OFFICE, THAT NOT ONLY WOULDN'T YOU NOT
25 BE PROSECUTED FOR ANY MURDERS BUT THAT THEY ALSO WOULD HELP
26 YOU GET ADMITTED TO THE BAR?

27 THE COURT: HE ALREADY ANSWERED YES. WHY GO INTO IT
28 AGAIN? HE SAID YES. IT IS PART OF IT.

1 LET'S GET ON, WILL YOU PLEASE?

2 REPEATING IT WON'T MAKE IT ANY STRONGER.

3 Q BY MR. BARENS: DID HE ALSO MAKE YOU A DEAL THAT
4 YOU WOULDN'T BE PROSECUTED FOR ANYTHING INVOLVING THE SEC?

5 A THAT WASN'T A PART OF THE DEAL.

6 Q THAT WASN'T A PART OF THE DEAL?

7 A THEY SAID THAT THEY WOULD INTERCEDE ON MY BEHALF
8 IF ANYTHING SHOULD ARISE WITH REGARD TO THE SEC.

9 Q DIDN'T INTERCEDE MEAN THAT THEY WOULD HELP YOU
10 SO THAT YOU WOULDN'T GET PROSECUTED BY THE SEC?

11 A YES. THEY SAID THAT THEY WOULD HELP ME BUT THEY
12 DIDN'T PROMISE THAT I WOULDN'T BE PROSECUTED.

13 Q I SEE. SO THE NET RESULT OF THIS TO YOU, MR.
14 KARNY, GETS TO BE THAT YOU ARE NOT LEGALLY ACCOUNTABLE FOR
15 ANY OF YOUR ACTS?

16 MR. WAPNER: OBJECTION, ARGUMENTATIVE.

17 MR. BARENS: I AM ASKING FOR STATE OF MIND.

18 THE COURT: SUSTAINED.

19 MR. BARENS: ALL RIGHT.

20 Q NOW MR. KARNY, WOULD IT BE YOUR STATEMENT THAT
21 ALL OF THESE THINGS YOU DID, WERE THEY BY-PRODUCTS OF THE
22 PARADOX PHILOSOPHY?

23 MR. WAPNER: OBJECTION, VAGUE. WHAT IS "ALL OF THESE
24 THINGS YOU DID"? WHAT DOES THAT MEAN?

25 Q BY MR. BARENS: ALL OF THE THINGS THAT YOU FEEL
26 WERE BAD OR CRIMINAL?

27 MR. WAPNER: SAME OBJECTION.

28 THE COURT: SUSTAINED.

1 MR. BARENS: ALL RIGHT.

2 Q ARE YOU SAYING THAT YOU WENT ALONG WITH MR. HUNT
3 ON THIS SUPPOSED MURDER OF RON LEVIN BECAUSE OF THE PARADOX
4 PHILOSOPHY?

5 A I WOULDN'T SAY IT QUITE THAT WAY.

6 Q ALL RIGHT, BEFORE YOU EVER HEARD ABOUT PARADOX
7 PHILOSOPHY, WHAT WAS YOUR BELIEF SYSTEM AND YOUR MORAL CODE?

8 A I SUPPOSE IT WAS SOMETHING LIKE, "DO UNTO OTHERS
9 AS YOU WOULD HAVE THEM DO UNTO YOU."

10 Q SOMEWHAT OF THE GOLDEN RULE, SIR?

11 A SOMETHING LIKE THAT.

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25 1 Q AND HAD YOU BEEN BROUGHT UP IN A CONVENTIONAL
2 FAMILY SETTING?

3 A I THINK SO.

4 Q AND YOU HAD SOME RELIGIOUS EDUCATION, I PRESUME?

5 A NOT REALLY.

6 Q DID YOU HAVE ANY EDUCATION ABOUT "THOU SHALT NOT
7 KILL"?

8 A SURE.

9 Q HAD YOU HAD ANY EDUCATION ABOUT IT WAS NOT A GOOD
10 THING TO LIE, CHEAT AND STEAL?

11 A THAT'S RIGHT.

12 Q ALL RIGHT. AND YOU BELIEVED THAT, I SUPPOSE?

13 A THAT'S RIGHT.

14 Q AND YOU ACTED THAT WAY, SIR?

15 A THAT'S RIGHT.

16 Q AND YOU WENT TO A NICE PRIVATE SCHOOL, YOU WENT
17 TO HARVARD SCHOOL?

18 A THAT'S RIGHT.

19 Q AND YOU WENT TO UCLA?

20 A THAT'S RIGHT.

21 Q WHAT DID YOU MAJOR IN AT UCLA?

22 A ENGLISH.

23 Q AND DID YOU TAKE ANY COURSES IN PHILOSOPHY?

24 A A COUPLE.

25 Q DID YOU TAKE ANY COURSES IN CREATIVE WRITING?

26 A I DON'T THINK I TOOK A CREATIVE WRITING COURSE,
27 NO.

28 Q AND YOU TOOK COURSES IN ALL OF THE GREAT LITERATURE

1 OF WESTERN EUROPE AND NORTH AMERICA?

2 A I DON'T KNOW IF I TOOK GREAT LITERATURE.

3 I TOOK SOME LITERATURE COURSES.

4 Q WHAT OTHER LITERATURE COURSES DID YOU TAKE?

5 MR. WAPNER: OBJECTION. IRRELEVANT.

6 MR. BARENS: WE WILL GET TO IT, JUDGE. WHY DON'T WE
7 FIND OUT ABOUT HOW MUCH HE KNEW?

8 THE COURT: HOW MUCH HE KNEW ABOUT LITERATURE?

9 MR. BARENS: THE TYPE OF EDUCATION HE HAD.

10 THE COURT: WE ARE NOT GOING TO GO INTO THE NUMBER OF
11 BOOKS HE READ OR THE KINDS OF BOOKS.

12 MR. BARENS: NO. I WOULD LIKE TO KNOW THE TYPE OF
13 EDUCATION HE HAD.

14 THE COURT: TELL US A LITTLE MORE ABOUT WHAT COURSES
15 YOU TOOK IN COLLEGE.

16 THE WITNESS: I TOOK GENERAL EDUCATION COURSES. I TOOK
17 SOME HISTORY, SOME MUSIC, I THINK I TOOK AN ASTRONOMY COURSE.
18 ALL KINDS OF COURSES. POLITICAL SCIENCE.

19 Q BY MR. BARENS: AND IN THOSE COURSES, WHEN YOU
20 READ ENGLISH LITERATURE, WHEN YOU READ ABOUT POLITICAL SCIENCE,
21 THERE WERE VALUE SYSTEMS EXPRESSED, WERE THERE NOT?

22 A I DON'T REALLY RECALL.

23 I MEAN IF YOU ARE TALKING ABOUT BOOKS AND
24 COURSE MATERIALS REFLECTING SOCIETY'S VALUES, I SUPPOSE SO.

25 BUT I DON'T RECALL ANY BEING WRITTEN OUT ONE, TWO,
26 THREE, IF YOU KNOW WHAT I AM SAYING.

27 Q WHEN YOU TOOK PHILOSOPHY, YOU DID NOT SEE VALUE
28 SYSTEMS DISCUSSED, SIR?

27 7
1 A I REALLY DON'T REMEMBER.

2 MR. WAPNER: OBJECTION.

3 Q BY MR. BARENS: YOU DON'T REMEMBER?

4 A NO.

5 Q LET ME ASK YOU THIS: AFTER THAT WEALTH OF
6 EDUCATION THAT THE STATE OF CALIFORNIA PROVIDED DURING THAT
7 CURRICULUM, IS IT YOUR TESTIMONY THAT AFTER HAVING --

8 THE COURT: DO WE NEED THAT INTRODUCTION?

9 MR. BARENS: WELL, YOU GOT IT.

10 THE COURT: DID WE NEED THAT INTRODUCTION?

11 MR. BARENS: I THOUGHT SO.

12 THE COURT: I WILL SUSTAIN THE OBJECTION ON THE COURT'S
13 OWN MOTION. WE DON'T NEED ALL OF THOSE INTRODUCTIONS ALL OF
14 THE TIME. ASK THE QUESTION, IF YOU WILL, THAT IS PERTINENT.

15 I DON'T WANT TO CUT YOU SHORT BECAUSE YOU ARE
16 ENTITLED TO GREAT SCOPE IN CROSS-EXAMINATION, BUT AT LEAST
17 GET TO THE POINT OF IT.

18 MR. BARENS: WELL, I KNOW WE WILL COME TO THAT GREAT
19 SCOPE AS WE GO ALONG, JUDGE.

20 Q IN ANY EVENT, MR. KARNY, AFTER THAT EDUCATIONAL
21 EXPERIENCE, IS IT YOUR TESTIMONY THAT AFTER SOME DISCUSSIONS
22 WITH HUNT ABOUT SITUATIONAL ETHICS, ALL OF THAT IS GONE AND
23 YOU NO LONGER BELIEVE IN THE GOLDEN RULE?

24 A IT WASN'T REALLY LIKE THAT. IT WASN'T A MATTER
25 OF A COUPLE OR TWO OR THREE DISCUSSIONS.

26 IT WASN'T A MATTER SPECIFICALLY OF PHILOSOPHY
27 EITHER.

28 IT WAS A MATTER OF HOW CONNECTED I WAS TO JOE

27 " 1 PERSONALLY, HOW COMPELLING HIS PERSONALITY WAS AND I -- I WOULD
2 SAY MORE THAT I WAS BLOCKING OUT REACTIONS THAT I SHOULD HAVE
3 BEEN HAVING, RATHER THAN ACTUALLY CONVINCING MYSELF THAT THOSE
4 REACTIONS WERE WRONG.

5 Q WELL, WERE YOU UNDER A SPELL FROM JOE HUNT?

6 A WHAT DO YOU MEAN BY A SPELL?

7 Q WERE YOU IN SOME SORT OF A TRANCE? WERE YOU
8 MESMERIZED? WERE YOU HYPNOTIZED? DID YOU GET A LOT OF
9 TWINGES? WHAT HAPPENED?

10 MR. WAPNER: OBJECTION. VAGUE, YOUR HONOR.

11 MR. BARENS: JUDGE, THE OFFER IS --

12 MR. WAPNER: AND BEING CUTE.
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23-5
1 MR. BARENS: THE OFFER IS THE MAN IS TELLING US --

2 MR. WAPNER: COULD WE NOT HAVE ARGUMENTS IN FRONT OF
3 THE JURY?

4 THE COURT: WERE YOU UNDER A SPELL? WERE YOU HYPNOTIZED?
5 WERE YOU ENTRANCED BY HIS PERSONALITY SO YOU FORGOT EVERYTHING
6 ELSE?

7 THE WITNESS: BY HIS PERSONALITY, I WAS ENTRANCED,
8 I SUPPOSE IS A WORD THAT YOU COULD USE.

9 BUT I WASN'T IN A HYPNOTIC STATE, I DON'T THINK.
10 AND I FELT THAT I KNEW WHAT I WAS DOING. I FELT THAT I WAS
11 THINKING THE ENTIRE TIME.

12 Q BY MR. BARENS: WELL, HUNT DIDN'T MAKE YOU SWEAR
13 ALLEGIANCE TO THE PARADOX PHILOSOPHY, DID HE?

14 A NO, HE DIDN'T MAKE ME SWEAR ALLEGIANCE TO IT.

15 Q YOU TOLD US ABOUT YOU HAD TO HAVE SOME UNDERSTANDING
16 ABOUT THE PARADOX PHILOSOPHY. WAS THERE ANY PLACE THAT THE
17 PRINCIPLES OF THE PARADOX PHILOSOPHY WERE EVER CODIFIED OR
18 SPELLED OUT WHERE ANYBODY COULD READ THEM?

19 A NO.

20 Q WAS THERE ANY PLACE WHERE THERE WERE A SET OF
21 PARADOX RULES, LIKE THE 12 STEPS OF PARADOX PHILOSOPHY OR
22 ANYTHING LIKE THAT?

23 A NO.

24 Q WHAT WAS THE PARADOX PHILOSOPHY?

25 A WELL, AS I EXPLAINED BEFORE, IT WAS IN MY UNDER-
26 STANDING NOT JUST A SET OF PRINCIPLES BUT IT WAS MORE A
27 DESCRIPTION OF HOW THE WORLD WORKS, THAT THERE ARE THESE
28 RELATIONSHIPS WHICH CAN BE TRANSFORMED, DEPENDING UPON THE

23-6

1 PERSPECTIVE THAT YOU USE TO VIEW THINGS, DEPENDING UPON THE
2 SITUATION, THE CIRCUMSTANCE, THE POINT FROM WHICH YOU WANT
3 TO FOCUS ON SOMETHING, AND THE PARADOX PHILOSOPHY -- MAYBE
4 PHILOSOPHY IS AN INCORRECT WORD TO USE -- IT WAS JUST MORE
5 OF A WAY OF LIFE, A WAY OF DESCRIBING REALITY IN LIFE AND HOW
6 TO WORK WITH LIFE, HOW TO UNDERSTAND IT.

7 Q IS THERE SOMETHING YOU WERE TOLD AFTER FLORIDA
8 WHERE YOU ARE TALKING SEVEN DAYS ON THE PHONE, ARE YOU EVER
9 TOLD PARADOX PHILOSOPHY JUSTIFIES OR RATIONALIZES CRIMINAL
10 BEHAVIOR?

11 A IT WAS DISCUSSED ALMOST SPECIFICALLY AT ONE POINT.

12 Q AND ONE OF THE TENETS OF A SUBSCRIBER TO PARADOX
13 PHILOSOPHY, IS IT, THAT IT WILL PERMIT YOU AS MUCH CRIMINAL
14 BEHAVIOR AS YOU WOULD LIKE TO ENGAGE IN?

15 A IT WASN'T STATED THAT WAY.

16 Q I SEE.

17 WHEN PARADOX PHILOSOPHY WAS DISCUSSED WITH ALL
18 OF THE GENTLEMEN OF THE BBC, WERE THEY ALL TOLD WHEN YOU AND
19 HUNT WERE RECRUITING THEM, THAT YOU COULD COME INTO THE GROUP
20 AND WE HAVE THE PARADOX PHILOSOPHY AND YOU GET TO DO CRIMINAL
21 ACTS AS A RESULT OF SAYING YOU AGREE WITH PARADOX PHILOSOPHY?

22 A NO, THAT WASN'T SAID.

23 Q ALL RIGHT. AS A MATTER OF FACT, YOU NEVER TALKED
24 ABOUT PARADOX PHILOSOPHY WHEN YOU WERE OUT THERE RECRUITING
25 YOUNG MEN, AS BEING SOME VEHICLE TO ENTREE CRIMINAL ACTIVITY,
26 DID YOU?

27 A NO.

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24F

1 Q ALL RIGHT. WASN'T THE ACTUALITY OF PARADOX
2 PHILOSOPHY AS IT WAS BEING DISCUSSED WITH YOU AND THESE YOUNG
3 MEN, THAT IT WAS A WAY TO ENABLE YOU TO EFFECTIVELY ASSOCIATE
4 FOR BUSINESS SUCCESS AND SOCIAL TOGETHERNESS?

5 A TO AMPLIFY ON THAT --

6 Q COULD YOU ANSWER MY QUESTION?

7 THE COURT: WELL, THAT IS NOT COMPLETE. IF HE CAN'T
8 SAY YES OR NO, UNLESS HE TELLS US WHAT THE AMPLIFICATION
9 IS --

10 MR. BARENS: DID I ASK HIM TO AMPLIFY?

11 THE COURT: YOU ASKED YES OR NO. HE CAN'T ANSWER IT
12 YES OR NO.

13 MR. BARENS: WELL, WHY DOESN'T HE SAY THAT?

14 THE COURT: HE SAID SO.

15 MR. BARENS: THE FIRST THING HE SAID WAS THAT HE WANTED
16 TO AMPLIFY.

17 MR. WAPNER: MAY THE WITNESS BE ALLOWED TO ANSWER THE
18 QUESTION?

19 THE COURT: LET'S NOT ARGUE IT. LET HIM ANSWER IT.

20 MR. BARENS: ALL RIGHT.

21 Q WHY DON'T YOU AMPLIFY IT?

22 A WELL, BESIDES BUSINESS AND SOCIAL ACCOMPLISHMENTS,
23 THAT PARADOX PHILOSOPHY WOULD HELP YOU TO UNDERTAKE, THE
24 POINT WAS MORE BROAD THAN THAT.

25 PARADOX PHILOSOPHY WAS DESCRIBED AS BEING A
26 UNIFIED WAY OF LOOKING AT LIFE AS I SAID AND A WAY WHICH
27 WOULD FREE THE INDIVIDUAL AND TO QUOTE JOE, TO "BE MORE SO
28 HIMSELF," SO THAT HE WOULDN'T HAVE THE INTERNAL IMPEDIMENTS

1 THAT WOULD OTHERWISE MAKE SOMEONE BE LESS THAN THEY COULD
2 BE.

3 Q DOES FREEING HIMSELF HAVE SOME CONNOTATION TO
4 YOU, MR. KARNY, THAT HIMSELF WANTS TO COMMIT CRIMES?

5 MR. WAPNER: OBJECTION, VAGUE. COULD HE MAKE SPECIFIC
6 REFERENCE TO WHO HE IS TALKING ABOUT?

7 THE COURT: DO YOU UNDERSTAND THE QUESTION?

8 THE WITNESS: I DON'T UNDERSTAND THE QUESTION.

9 THE COURT: REPHRASE IT.

10 Q BY MR. BARENS: WELL, YOU JUST SAID THAT WHETHER
11 THIS WHOLE PARADOX PHILOSOPHY ENABLES ONE TO FREE HIMSELF
12 AND DOES FREE HIMSELF, WHATEVER THAT PERSON IS, YOU ARE
13 ENABLING THE SELF OF THAT PERSON TO GO OUT AND JUST COMMIT
14 CRIMES?

15 A THAT IS WHAT IT ULTIMATELY MEANT, YES.

16 Q HOW ABOUT WHEN YOU WERE DISCUSSING IT IN MIAMI
17 AND WHEN YOU WERE DISCUSSING IT AFTERWARDS AND YOU WERE
18 RECRUITING THE BOYS IN THE FALL OF 1983? WAS THAT YOUR
19 UNDERSTANDING?

20 A NO.

21 Q DID ANYBODY HAVE AN UNDERSTANDING THAT THAT IS
22 WHAT YOU WERE TALKING ABOUT?

23 A PERHAPS JOE DID. BUT --

24 Q PERHAPS, SIR? DID HE SAY THAT TO YOU?

25 THE COURT: LET HIM FINISH UP THE ANSWER.

26 THE WITNESS: NOT THAT I KNOW OF.

27 Q BY MR. BARENS: I SEE. PARADOX PHILOSOPHY MEANS
28 ONE THING AT ONE TIME AND LATER ON, MEANS SOMETHING ELSE?

1 A PARADOX PHILOSOPHY IS EXACTLY THAT, IN A WAY,
2 BECAUSE IT ENABLES YOU TO TURN BLACK INTO WHITE AND ALL OF
3 THE SHADINGS IN BETWEEN. THAT IS THE IDEA. IT IS A
4 LIBERATING THING. IT IS A PHILOSOPHY THAT JOE SAID WOULD
5 EMBRACE ANY NEW IDEAS THAT SOUNDED GOOD.

6 IT WAS NOT SOMETHING THAT WAS HARD AND FAST,
7 LIMITED. WELL, I GUESS THAT IS ENOUGH OF AN ANSWER. I AM
8 SORRY IF I DIDN'T CLARIFY IT FOR YOU.

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1 Q WELL, THUS FAR, PARADOX PHILOSOPHY MEANS EVERY-
2 THING AND ANYTHING?

3 A I REALIZE -- I GUESS I NEVER REALLY UNDERSTOOD
4 WHAT THE END LIMITS OF PARADOX PHILOSOPHY WERE. AND I HAVE
5 A HARD TIME ANSWERING THAT QUESTION FOR YOU.

6 Q ALL RIGHT. WHAT DOES PARADOX PHILOSOPHY TELL
7 US, MR. KARNY, ABOUT LYING?

8 A WELL, I WILL PREFACE IT. I HAVE TO PREFACE IT
9 IN ORDER TO EXPLAIN TO YOU MY PERCEPTIONS AND HOW THEY WERE
10 SHAPED.

11 JOE HUNT WAS PARADOX PHILOSOPHY FOR ME, THE WAY
12 HE CONDUCTED HIMSELF, THE WAY HE RECONCILED HIMSELF, THE
13 STRENGTH THAT I SAW IN HIM AND SHOWING THE UNDERSTANDING.

14 AND THEN WHEN HE CLAIMED AND PERSUASIVELY
15 CLAIMED THAT THERE WAS A UNIFIED PHILOSOPHY, IF LYING WAS
16 A PART OF THAT, THEN SO BE IT.

17 BUT IT IS VERY HARD FOR ME TO EXPLAIN WHAT THE
18 PHILOSOPHY WOULD DICTATE ABOUT THIS OR THAT OR THE OTHER
19 BECASUE THINGS -- BECAUSE MY UNDERSTANDING OF THE PHILOSOPHY
20 WAS THROUGH JOE'S THINKING AND THUS, HIS SPEAKING.

21 AND JOE CONDONED LYING AND HE LIED A LOT AND
22 ULTIMATELY, FOR CERTAIN PURPOSES, I RECONCILED MYSELF TO
23 DOING THAT, AS WELL, MOSTLY TO BACK JOE UP.

24 Q WELL, DID YOU LIE, MR. KARNY?

25 A YES.

26 Q DID YOU THINK PARADOX PHILOSOPHY ENABLED YOU
27 TO LIE?

28 A I GUESS I DID.

1 Q AND PARADOX PHILOSOPHY ALLOWS YOU TO LIE IN SELF-
2 INTEREST?

3 A I GUESS IT DID.

4 Q I SEE. AND PARADOX PHILOSOPHY IS SOMEWHAT OF
5 A SURVIVALIST TYPE SITUATION? PARADOX PHILOSOPHY IS
6 DEDICATED TO THE SURVIVING OF THE BELIEVER?

7 A I DON'T KNOW IF I UNDERSTAND IT EXACTLY THAT
8 WAY. WHAT YOU ARE DOING IS, YOU ARE GIVING ME EXAMPLES THAT
9 WEREN'T -- AREN'T REALLY IN THE WORDS THAT JOE USED TO USE.

10 I HAVE A HARD TIME THINKING ABOUT THE PHILOSOPHY
11 EXCEPT AS IT WAS EXPLAINED TO ME BY JOE.

12 I DIDN'T REALLY PROFESS IT. WHAT YOU ARE ASKING
13 ME TO DO IS TO PROFESS IT THROUGH PARAPHRASING THROUGH
14 DIFFERENT EXAMPLES. AND I AM AT A LOSS, SOMEWHAT.

15 WELL, WE WILL TRY TO HELP. MR. KARNY,
16 DID YOU TELL LIES DURING THE TIME THAT YOU BELIEVED IN
17 PARADOX PHILOSOPHY?

18 A YES.

19 Q WERE THOSE LIES CONSISTENT WITH A PERCEIVED SELF-
20 INTEREST THAT YOU HAD?

21 A YES.

22 Q IS A BELIEF IN PARADOX PHILOSOPHY THAT ONE ACTS
23 IN ONE'S SELF-INTEREST?

24 A YES.

25 Q AND IS A BELIEF IN PARADOX PHILOSOPHY THAT ONE
26 CAN TELL A LIE AND JUSTIFY OR RATIONALIZE THE LIES BASED
27 ON SELF-INTEREST?

28 A NO.

1 Q WHY NOT?

2 A BECAUSE WORDS LIKE "JUSTIFY" AND "RATIONALIZE"
3 CONNOTE THAT THERE IS SOMETHING TO BE JUSTIFIED OR NOT
4 JUSTIFIED.

5 THE WORD WAS "RECONCILE," AND THAT SORT OF TOOK
6 MY MIND COMPLETELY OUT OF THE THOUGHT PROCESS OF WHETHER
7 SOMETHING WAS RIGHT OR WRONG. IT WAS JUST SOMETHING THAT
8 UNDER THE CIRCUMSTANCES, YOU DID.

9 AND THE WORDS THAT JOE USED WERE OUT OF "ENLIGHTENED
10 SELF-INTEREST."

11 HE DESCRIBED THAT AS A TYPE OF SELF-INTEREST
12 WHICH WOULD AT FIRST, NOT NECESSARILY APPEAR TO BE IN YOUR
13 SELF-INTEREST BUT OUT OF SOME HIGHER UNDERSTANDING OR SOME
14 DIFFERENT FOCUS, YOU WOULD FEEL WAS STILL IN YOUR INTEREST.

15 Q DOES BELIEF IN PARADOX PHILOSOPHY ENABLE ONE
16 TO RECONCILE LYING IN SELF-INTEREST?

17 A YES.

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1 Q IF ALL OF THIS PARADOX PHILOSOPHY RELEVANT TO LYING
2 IS RELEVANT TO SELF-INTEREST, HOW DOES ONE KNOW WHEN SOMEONE
3 IS TELLING THE TRUTH?

4 A HOW DO YOU TELL WHEN SOMEONE ELSE IS TELLING YOU
5 THE TRUTH, IS THAT WHAT YOU ARE ASKING ME?

6 Q YES, MR. KARNY.

7 A OR HOW DO YOU KNOW WHEN YOU YOURSELF ARE TELLING
8 THE TRUTH?

9 Q HOW DO I KNOW WHEN SOMEONE ELSE IS TELLING ME THE
10 TRUTH, MR. KARNY?

11 A I DON'T KNOW HOW YOU KNOW WHEN SOMEONE ELSE IS
12 TELLING YOU THE TRUTH.

13 Q YOU SEE, WHEN I AM LISTENING TO SOMEONE WHO IS
14 SPEAKING FROM A POSITION OF SELF-INTEREST, ESPECIALLY PERHAPS
15 A PERSON SPEAKING TO ME FROM A POSITION OF EXTREME OR LIFE
16 OR DEATH SELF-INTEREST, HOW DO I KNOW WHEN THEY ARE TELLING
17 THE TRUTH?

18 A YOU MAKE THE BEST JUDGMENT YOU CAN BASED ON WHAT
19 YOU KNOW AND BASED ON THE CIRCUMSTANCES.

20 Q BUT UNDER THOSE CIRCUMSTANCES, MR. KARNY, WOULDN'T
21 THOSE BE THE ULTIMATE OCCASIONS WHEN A BELIEVER IN PARADOX
22 PHILOSOPHY COULD COMFORTABLY RECONCILE, AS YOU HAVE DESCRIBED
23 IT TO ME, SIR, WITH LYING?

24 A I'M AFRAID YOUR PHRASING WAS MUCH TOO COMPLICATED.
25 I DON'T UNDERSTAND YOUR QUESTION.

26 Q WELL, SIR, IF PARADOX PHILOSOPHY HAS ALL OF THESE
27 TENETS DEDICATED TO SELF-INTEREST AND SELF-PRESERVATION AND
28 IT RECONCILES WITH LYING, IF A PERSON IS IN THAT POSITION OF

25 ?
1 EXTREME SELF-INTEREST, HOW DO I, LISTENING TO THAT PERSON,
2 OR YOU, SIR, KNOW WHEN THEY ARE TELLING THE TRUTH?

3 A I DON'T KNOW HOW YOU KNOW.

4 Q HOW DOES ANYBODY KNOW?

5 A PEOPLE HAVE TO BELIEVE, BASED ON HOW THEY
6 EVALUATE A SPEAKER, THAT IS ALL.

7 Q IS THE TRUTH FOR PARADOX PHILOSOPHY PEOPLE DIFFERENT
8 THAN THE TRUTH FOR NORMIES, SIR?

9 MR. WAPNER: OBJECTION, VAGUE.

10 MR. BARENS: I THINK THAT IS QUITE CLEAR.

11 THE COURT: DO YOU UNDERSTAND THE QUESTION?

12 THE WITNESS: I'M AFRAID I DON'T.

13 THE COURT: HE DOESN'T UNDERSTAND THE QUESTION.

14 Q BY MR. BARENS: WELL, WE HAVE GOT PEOPLE WHO
15 SUBSCRIBE TO, LET'S SAY AS YOU UNDERSTAND IT, TO THE PARADOX
16 PHILOSOPHY, I THINK YOU TOLD THIS COURT, IF YOU ARE NOT ONE
17 OF THESE PEOPLE YOU ARE IN THE NORMIE SEA, YOU ARE A NORMIE.
18 IS TRUTH DIFFERENT FOR A PERSON WHO SUBSCRIBES TO PARADOX
19 PHILOSOPHY THAN IT IS FOR A NORMIE?

20 MR. WAPNER: SAME OBJECTION. IT IS EXACTLY THE SAME
21 QUESTION.

22 THE COURT: AGAIN, I WILL ASK HIM WHETHER HE UNDERSTANDS
23 IT. I DON'T.

24 DO YOU?

25 THE WITNESS: I'M AFRAID I STILL AM MISSING YOUR POINT.

26 Q BY MR. BARENS: ALL RIGHT, SIR. YOU TOLD US THE
27 REALITY IS MANIPULATABLE OR CAN BE MANIPULATED FOR A PERSON
28 WHO BELIEVES IN PARADOX PHILOSOPHY; IS THAT TRUE?

2 5 7
1 A I THINK WHAT I SAID WAS THAT YOUR PERSPECTIVE CAN
2 BE MANIPULATED, YOUR FOCUS CAN BE SHIFTED AND, THEREFORE, HOW
3 YOU LOOK AT REALITY CHANGES.

4 Q WELL, IS BLACK AND WHITE CHANGED OR DOES BLACK
5 STAY BLACK AND WHITE STAYS WHITE?

6 A I DON'T UNDERSTAND YOUR QUESTION AGAIN.

7 Q SIR, MY PERSPECTIVE IS CHANGED, YOU TOLD ME ONE
8 OF THE CATCH PHRASES OF THIS PARADOX PHILOSOPHY BUSINESS IS
9 THAT BLACK IS WHITE AND WHITE IS BLACK, SIR. IF I BELIEVE
10 IN THE PARADOX PHILOSOPHY AND I LOOK AT THIS, SIR, AND JOE
11 HUNT TELLS ME THAT IS WHITE, EXCLUDING THE LABEL, OF COURSE, WHAT
12 DO DO I SEE THROUGH MY EYES? DO I SEE BLACK OR DO I SEE WHITE?

13 (COUNSEL INDICATING.)

14 A YOU SEE BLACK.

15 Q I DO SEE BLACK.

16 BUT WHAT DO I SAY IT IS? IS IT WHITE?

17 A THE TERM BLACK IS WHITE AND WHITE IS BLACK WAS
18 A METAPHOR. IT WAS A WAY OF DESCRIBING A PROCESS AND A WAY
19 OF CHANGING YOUR PERSPECTIVE SO THAT YOU ARE MORE FREE TO DO
20 WHAT IT IS THAT YOU WANT IN LIFE.

21 NO ONE WOULD SUGGEST THAT BLACK IS ACTUALLY NOT
22 BLACK FROM A PERCEPTIVE POINT OF VIEW OR THAT TWO AND TWO ISN'T
23 FOUR.

24 IT WAS A METAPHOR. IT WAS A WAY OF MAKING A POINT
25 FOR JOE.

26 Q BUT HUNT IS NOT SAYING TO YOU THAT WHAT YOU SEE
27 IN REALITY IS DIFFERENT THAN WHAT YOU SEE IN REALITY, IS IT?

28 MR. WAPNER: OBJECTION AS VAGUE, YOUR HONOR.

25 " 1 Q BY MR. BARENS: BLACK IS STILL BLACK, IS IT NOT,
2 MR. KARNY, AND IN REALITY WHITE IS STILL WHITE?

3 A THERE ARE CERTAIN THINGS THAT ARE OBJECTIVE, YES.

4 Q ALL RIGHT. IS TRUTH OBJECTIVE, MR. KARNY?

5 A I THINK IT IS.

6 Q TRUTH IS NOT SITUATIONAL?

7 A YOU ARE ASKING ME NOW WHAT MY OPINION IS OR WHAT
8 I WAS THINKING UNDER PARADOX PHILOSOPHY, UNDER JOE'S INFLUENCE?

9 Q WELL, I WOULDN'T KNOW WHICH ANSWER YOU ARE GIVING
10 ME BUT GIVE ME EITHER, HOW CAN I TELL, MR. KARNY?

11 MR. WAPNER: OBJECTION AS ARGUMENTATIVE, YOUR HONOR.

12 THE COURT: SUSTAINED.

13 TELL US WHAT YOU MEANT BY THAT. TELL US WHAT YOU
14 MEAN BY YOUR LAST ANSWER.

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25 - 1 THE WITNESS: WELL, IT WAS ACTUALLY A QUESTION ASKING
2 MR. BARENS TO CLARIFY WHAT HE WAS ASKING ME.

3 THE COURT: HE WANTS TO KNOW WHETHER OR NOT -- I ASSUME
4 HE WANTS TO KNOW WHETHER OR NOT HIS CONCEPT OF TRUTH IS ONE
5 THAT HE IS NOW EXPRESSING, HAS BEEN EXPRESSING, OR ONE THAT
6 HE LEARNED UNDER THIS PHILOSOPHY.

7 MR. BARENS: WHY DOESN'T HE GIVE US BOTH AND WE CAN
8 EVALUATE?

9 Q WHY DON'T YOU GIVE US BOTH, MR. KARNY.

10 A TODAY, TRUTH IS OBJECTIVE. WHAT IS TRUE IS TRUE,
11 PERIOD.

12 ACCORDING TO PARADOX PHILOSOPHY, WHAT IS TRUE --

13 I MEAN I AM JUST NOT IN TOUCH WITH THE MENTAL
14 MANIPULATIONS OF PARADOX PHILOSOPHY NOW.

15 IT SEEMS TO ME TRUTH IS JUST TRUTH AND THAT IS
16 ALL THERE IS TO IT.

17 Q I SEE.

18 BUT IF THE TRUTH IS JUST TRUTH TODAY, WHAT DID
19 TRUTH USED TO BE?

20 A THAT IS WHAT I SAID, TRUTH IS ALWAYS TRUTH.

21 Q TRUTH IS ALWAYS TRUTH?

22 A UH-HUH.

B 23 Q AND I SUPPOSE THEN A LIE IS ALWAYS A LIE, SIR?

24 A RIGHT.

25 Q AND DOESN'T -- NOW GETTING BACK TO WHEN WE TELL
26 A LIE IN PARADOX PHILOSOPHY, WHEN DO WE TELL A LIE UNDER
27 PARADOX PHILOSOPHY?

28 A WHEN WE ARE RECONCILED TO DOING SO BASED UPON

25
1 ENLIGHTENED SELF-INTEREST.

2 Q ENLIGHTENED SELF-INTEREST?

3 YOU GOT REAL ENLIGHTENED, DID YOU NOT, SIR, WHEN
4 YOU READ THAT POLICE REPORT IN BEVERLY HILLS, YOU GOT
5 ENLIGHTENED ABOUT WHAT THE POLICE KNEW?

6 A YES.

7 Q AND THE FIRST TIME YOU EVER MADE A STATEMENT AND
8 GOT YOUR IMMUNITY DEAL WAS AFTER YOU HAD THAT THUNDERING
9 MOMENT OF ENLIGHTENMENT, ISN'T IT, SIR?

10 A THE FIRST TIME I EVER MADE A STATEMENT, RIGHT.

11 Q WAS AFTER THAT ENLIGHTENMENT, IS THAT NOT TRUE,
12 CORRECT, SIR?

13 MR. WAPNER: OBJECTION. THAT MISSTATES THE EVIDENCE.

14 MR. BARENS: WELL, I THINK THAT IS THE EVIDENCE.

15 THE COURT: CAN YOU ANSWER THE QUESTION?

16 THE WITNESS: IT WAS AFTER I READ THE POLICE REPORT THAT
17 I FIRST MADE A STATEMENT.

18 THE POLICE REPORT DIDN'T TELL ME TOO MUCH THAT
19 I DIDN'T ALREADY KNOW, ALTHOUGH IT TOLD ME THAT THE POLICE
20 KNEW THOSE THINGS.

21 Q BY MR. BARENS: WOULD YOU CALL THAT A MOMENT OF
22 SIGNIFICANT ENLIGHTENMENT, SIR?

23 A I DON'T KNOW WHAT YOU MEAN BY THAT.

24 Q WELL, I THINK YOUR ACTIONS AFTER THAT CHANGED IN
25 A SIGNIFICANT MANNER, DID THEY NOT?

26 A WELL, SINCE I HADN'T GONE TO THE POLICE BEFORE
27 AND I DID GO TO THE POLICE AFTER, THAT IS PRETTY SIGNIFICANT.

28 BUT I WAS GOING THROUGH A PERSONAL TRANSITION,

25 7
1 PERSONAL CHANGE THAT SPANNED THE LAST FEW MONTHS SO FROM THAT
2 POINT OF VIEW, THE CHANGE I WAS GOING THROUGH, IT WASN'T A
3 VERY SIGNIFICANT ENLIGHTENMENT.

4 Q WELL, ALL I KNOW OBJECTIVELY, MR. KARNY,
5 OBJECTIVELY, IS THAT AFTER YOU READ THE POLICE REPORT, YOU FIND
6 OUT WHAT THE POLICE KNOW AND THAT IS THE FIRST TIME YOU EVER
7 GO SEE YOUR LAWYER TO MAKE A DEAL; ISN'T THAT TRUE?

8 A I WENT TO A LAWYER BEFORE THEN.
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1 Q TO GET THE REPORTS?

2 A I WENT TO A LAWYER BEFORE IT EVEN OCCURRED TO
3 ME TO GET A REPORT.

4 Q WHY DID YOU GO TO A LAWYER BEFORE IT OCCURRED
5 TO YOU TO GET A REPORT?

6 A I TOLD YOU THAT I WAS SCARED. I KNEW I HAD SOME
7 EXPOSURE AND I THOUGHT I NEEDED A LAWYER.

8 Q I SEE. WHO SUGGESTED THAT YOU GET A LAWYER?

9 A I THINK MY PARENTS.

10 Q NOW, WHO SUGGESTED YOU GET A COPY OF THE POLICE
11 REPORT?

12 A I THINK I THOUGHT OF IT MYSELF. I AM REALLY
13 NOT POSITIVE, THOUGH. BUT I KNOW THAT I ASKED MY LAWYER
14 TO TRY TO GET ONE.

15 Q AND YOU CAME UP WITH THAT ON YOUR OWN? YOU MIGHT
16 AS WELL? YOUR THINKING WAS THAT YOU WANTED TO SEE WHAT THE
17 POLICE KNEW ABOUT THIS BUSINESS?

18 A THAT'S RIGHT.

19 Q WERE THE SEVEN PAGES ATTACHED TO THE POLICE
20 REPORT?

21 A A PHOTOCOPY OF THEM WAS, YES.

22 Q RIGHT. AND WAS THERE SOME REFERENCE IN THE POLICE
23 REPORT ABOUT A CHANNEL CHANGER FOR THE TV?

24 A YES.

25 Q AND ABOUT THE COMFORTER THAT WAS SUPPOSEDLY
26 MISSING?

27 A YES.

28 Q AND MOST OF WHAT YOU HAVE TESTIFIED ABOUT HERE

1 TODAY OR A GOOD PORTION OF WHAT YOU HAVE TESTIFIED HERE
2 TODAY, WAS IN THAT POLICE REPORT, WASN'T IT?

3 A SOME OF IT WAS.

4 Q I THINK YOU SAID A MOMENT AGO TO ME, SIR, THAT
5 A LOT OF WHAT YOU HAVE SAID HERE WAS IN THAT POLICE REPORT.
6 ISN'T THAT TRUE?

7 A SOME OF IT WAS. IF I MADE 15,000 STATEMENTS,
8 I CAN'T TELL YOU HOW MANY OF THEM WERE IN THE POLICE REPORT.

9 THE COURT: WELL, THE IMPLICATION OF THE QUESTION IS
10 THAT YOUR TESTIMONY IS TESTIMONY WHICH YOU READ FROM THE
11 POLICE REPORT.

12 THE WITNESS: I KNOW THAT THAT IS THE IMPLICATION.

13 THE COURT: IS IT TRUE?

14 THE WITNESS: NO. IT IS NOT TRUE.

15 MR. BARENS: DOES YOUR HONOR WISH TO MAKE A POINT?

16 THE COURT: GO AHEAD. PROCEED.

17 MR. BARENS: ALL RIGHT.

18 Q WELL, AFTER THAT, YOU READ THE POLICE REPORT
19 AND HOW SOON AFTER READING THE POLICE REPORT, DID YOU MAKE
20 YOUR FIRST STATEMENT?

21 A ABOUT A WEEK AND A HALF.

22 Q AND WHO DID YOU MAKE THAT TO?

23 A TO THE POLICE ACTUALLY OR JUST ABOUT ALL OF THIS?

24 Q TO ANY LAW ENFORCEMENT PARTY?

25 A LAW ENFORCEMENT? I MADE IT TO OSCAR BREILING.

26 Q AND WHERE WAS HE?

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1 A IN SAN FRANCISCO, THE OFFICE OF THE ATTORNEY
2 GENERAL.

3 Q APPROXIMATELY WHEN WAS IT?

4 A THE END OF NOVEMBER, 1984.

5 Q AND THEN AFTER THAT, WAS WHEN YOU MET WITH LES
6 ZOELLER?

7 A THE NEXT DAY.

8 Q ALL RIGHT. NOW, I PRESUME THAT THIS STATEMENT
9 THAT YOU MADE AT THAT TIME SIR, WAS IN ALL ELEMENTS CONSISTENT
10 WITH THE STATEMENT THAT YOU HAVE MADE IN COURT TODAY?

11 A TO THE BEST OF MY RECOLLECTION. I WAS TELLING
12 THE TRUTH BOTH TIMES.

13 Q I SEE. AND WHEN YOU MADE THAT STATEMENT UP THERE
14 WITH BREILING, YOU ONLY MADE THAT STATEMENT AFTER YOU HAD
15 IRONED OUT THE IMMUNITY DEAL?

16 THE COURT: WELL, WE HAVE GONE THROUGH THAT NOW. YOU
17 HAVE GONE THROUGH IT FOR THE FOURTH TIME.

18 HE HAS ALREADY TESTIFIED TO IT. LET'S GET ON
19 TO ANOTHER SUBJECT.

20 MR. BARENS: ALL RIGHT, YOUR HONOR.

21 Q NOW, LET'S GO BACK FOR A MOMENT TO PARADOX
22 PHILOSOPHY AND WE'LL FINISH THAT SO WE CAN GO ON TO ANOTHR
23 MATTER. ALL RIGHT.

24 NOW, DID YOU HAVE TO UNDERSTAND PARADOX PHILOSOPHY
25 TO BE IN THE BBC?

26 A NO.

27 Q OKAY. COULD YOU ONLY TRUST PEOPLE WHO BELIEVED
28 IN PARADOX PHILOSOPHY?

1 A I DIDN'T HEAR YOU WELL.

2 Q COULD YOU ONLY TRUST PEOPLE OR HAVE THEM IN YOUR
3 CONFIDENCE IF THEY BELIEVED IN PARADOX PHILOSOPHY?

4 A THAT WASN'T THE RULE THAT I REMEMBER.

5 Q OKAY. WERE MEMBERS THROWN OUT OF THE BBC IF
6 THEY DIDN'T BELIEVE IN PARADOX PHILOSOPHY?

7 A NO.

8 Q WERE THERE QUITE A FEW MEMBERS OF THE BBC THAT
9 HUNT NEVER EVEN DISCUSSED PARADOX PHILOSOPHY WITH?

10 A THERE MIGHT HAVE BEEN.

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1 Q CAN YOU THINK OF ANYBODY?

2 A WELL, NO. I REALLY CAN'T.

3 AS I TOLD YOU, WHEN SOMEONE WAS INTRODUCED TO
4 PEOPLE IN THE BBC AND TO THE NOTION OF IT, THERE WAS I
5 BELIEVE, VIRTUALLY ALWAYS SOME DISCUSSION THAT WE HAD ABOUT
6 THE PHILOSOPHY.

7 WE WERE MORE THAN JUST A BUSINESS GROUP. WE
8 WERE MORE THAN JUST A FRATERNITY OF SORTS. WE HAD SOMETHING
9 SPECIAL.

10 AND WHETHER IT WAS CALLED PARADOX PHILOSOPHY
11 OR WHETHER IT WAS CALLED JUST A WAY OF LOOKING AT THINGS
12 THAT IS MORE CONDUCIVE TOWARD REALIZING YOUR POTENTIAL, THAT
13 WAS ALWAYS DISCUSSED.

14 Q LET ME ASK YOU, MR. KARNY, WOULD IT BE YOUR
15 TESTIMONY THAT UP AT THE BBC, WE GOT A BUNCH OF YOUNG PEOPLE
16 WALKING AROUND WHO ARE ALL PARADOX PHILOSOPHY ZOMBIES?

17 A NO.

18 Q ALL RIGHT. NOTHING LIKE THAT AT ALL?

19 A NO.

20 Q ALL RIGHT. NOBODY IS UP WALKING AROUND UP THERE,
21 HANGING FOR THEIR VERY EXISTENCE ON EVERY WORD THAT JOE HUNT
22 SAYS, ARE THEY?

23 A FOR THEIR VERY EXISTENCE?

24 Q YEAH.

25 A I DON'T REALLY UNDERSTAND YOUR QUESTION.

26 Q IS EVERYBODY WALKING AROUND SAYING "I DON'T KNOW
27 WHEN TO GO TO THE BATHROOM, EXCEPT WHEN JOE HUNT TELLS ME?"

28 MR. WAPNER: OBJECTION, ARGUMENTATIVE. IRRELEVANT.

1 THE COURT: SUSTAINED.

2 Q BY MR. BARENS: WELL, IS EVERYBODY LOOKING TO
3 HUNT FOR GUIDANCE BEHIND EVERY, SINGLE ELEMENT OF THEIR
4 LIVES?

5 MR. WAPNER: SAME OBJECTION. EVERYBODY ON EVERY SINGLE
6 ELEMENT?

7 THE COURT: SUSTAINED.

8 MR. BARENS: ALL RIGHT.

9 Q MR. KARNY, WITH REFERENCE TO TOM MAY, DAVID MAY,
10 JEFF RAYMOND, EVAN DICKER, WERE THEY ABLE TO MAKE ANY
11 DECISIONS THAT YOU KNOW OF ABOUT THEIR LIVES WITHOUT HAVING
12 TO FIRST ASK JOE HUNT?

13 MR. WAPNER: OBJECTION, COMPOUND.

14 MR. BARENS: WELL, I WILL TAKE THEM ONE AT A TIME.

15 THE COURT: DO WE HAVE TO GO THROUGH THEM ALL NOW?

16 MR. BARENS: WELL, I --

17 THE COURT: LET'S TAKE ONE, FOR AN EXAMPLE.

18 MR. BARENS: ALL RIGHT.

19 Q LET'S TAKE ONE, FOR AN EXAMPLE. HOW ABOUT JEFF
20 RAYMOND? COULD HE DO ANYTHING WITH HIS LIFE WITHOUT ASKING
21 JOE HUNT?

22 A I THINK SO.

23 Q HE COULD?

24 A YES.

25 Q HE MADE DECISIONS ABOUT THINGS HE DID IN HIS
26 LIFE WITHOUT CONSULTING HUNT ON EVERY OCCASION?

27 A I THINK SO.

28 Q DID HE HAVE SOME AUTONOMOUS ACTIVITY IN THE CONDUCT

1 OF HIS BUSINESS AFFAIRS WHILE HE WAS WITH THE BBC?

2 A I DON'T KNOW ANYTHING ABOUT THE CONDUCT OF HIS
3 BUSINESS AFFAIRS.

4 Q WELL, I AM TALKING ABOUT HIS BBC RELATED BUSINESS
5 AFFAIRS. DID HE WORK FOR YOU GUYS?

6 A HE WORKED WITH US.

7 Q OKAY. USING THAT REFERENCE, DID PEOPLE ALL
8 WORK -- WASN'T THE SPIRIT THAT THEY ALL WORKED FOR HUNT OR
9 DID YOU ALL WORK TOGETHER?

10 A WELL, IF YOU ARE TALKING ABOUT THE WAY IT REALLY
11 WAS OR WHAT THE RHETORIC WAS, YOU WOULD GET TWO DIFFERENT
12 ANSWERS.

13 Q WHAT WAS THE RHETORIC?

14 A THE RHETORIC, THE PARTY LINE WAS THAT WE WERE
15 ALL WORKING TOGETHER.

16 Q WHICH PARTY LINE IS THAT, SIR?

17 A THE NOTION THAT AT LEAST I FELT THAT WE WERE
18 TRYING TO GET ACROSS TO THE REST OF THE GUYS AND THE REST
19 OF THE WORLD.

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1 Q IS THERE SOMETHING ABOUT "WE ALL WORK TOGETHER,"
2 IS THAT PARADOX PHILOSOPHY AGAIN?

3 A WE ALL WORK TOGETHER?

4 Q UH-HUH.

5 A I DON'T KNOW THAT THAT HAS ANYTHING TO DO WITH
6 PARADOX PHILOSOPHY.

7 Q THAT IS JUST -- WHAT DO WE CALL THAT, PUBLIC
8 RELATIONS FOR STAFF?

9 A PUBLIC RELATIONS, FEELING OF CAMARADERIE, A FEELING
10 THAT EVEN THE PEOPLE WHO WEREN'T IN THEIR OWN MIND MAKING A
11 SIGNIFICANT FINANCIAL CONTRIBUTION, THEY WOULD FEEL THEY WERE
12 STILL A PART OF A LARGER ACCOMPLISHMENT.

13 Q WASN'T THERE IN TRUTH AND IN FACT A SPIRIT OF
14 CAMARADERIE AMONG YOU PEOPLE?

15 A YES, THERE WAS.

16 Q WASN'T HUNT A PART OF THAT?

17 A YES.

18 THE COURT: I THINK WE OUGHT TO GIVE THE JURY A LITTLE
19 BREAK.

20 MR. BARENS: YES, SIR.

21 THE COURT: LADIES AND GENTLEMEN OF THE JURY, WE WILL
22 TAKE A 15-MINUTE RECESS AT THIS TIME.

23 THE SAME ADMONITION I GAVE YOU WOULD STILL APPLY.

24 (RECESS.)

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200 1
1 (UNREPORTED COLLOQUY AT THE BENCH.)

2 THE COURT: YOU MAY PROCEED.

3 MR. BARENS: THANK YOU, YOUR HONOR.

4 Q MR. KARNY, THERE IS SOMETHING I WOULD LIKE TO CLEAR
5 UP NOW.

6 IS IT NOT TRUE THAT YOU WOULD NOT HAVE ANSWERED
7 ANY QUESTIONS ABOUT ANY MURDERS WERE YOU NOT GIVEN YOUR
8 IMMUNITY DEAL?

9 A PROBABLY I WOULD HAVE BEEN ADVISED NOT TO BY MY
10 ATTORNEY, BUT I WASN'T ASKED ANY QUESTIONS BEFORE I GOT
11 IMMUNITY SO I REALLY DON'T KNOW EXACTLY WHAT I WOULD HAVE SAID.

12 Q WELL, WHAT IS YOUR ANSWER TO MY QUESTION, SIR?

13 A I DON'T KNOW.

14 Q YOU DON'T KNOW IS YOUR ANSWER?

15 A RIGHT.

16 Q DO YOU RECALL AT THE PREVIOUS PROCEEDING BEING
17 ASKED BY DEPUTY ATTORNEY GENERAL JOHN VANCE:

18 "IF THAT GRANT OF IMMUNITY HAD NOT BEEN
19 GIVEN TO YOU, WOULD YOU ANSWER ANY QUESTIONS
20 REGARDING ANY KNOWLEDGE THAT YOU MIGHT HAVE
21 REGARDING THE MURDER IN SAN MATEO?"

22 DO YOU REMEMBER THAT QUESTION BEING ASKED OF YOU?

23 A YES, I DO.

24 Q DO YOU REMEMBER WHAT YOUR ANSWER WAS?

25 A I THINK --

26 THE COURT: TELL HIM WHAT IT WAS.

27 Q BY MR. BARENS: DIDN'T YOU ANSWER:

28 "NO, I WOULDN'T."

29A-2
1 A YES, I THINK I DID.

2 Q ALL RIGHT, MR. KARNY --

3 MR. WAPNER: DO YOU HAVE THE PAGE AND LINE ON THAT,
4 COUNSEL?

5 MR. BARENS: PAGE 355, I COMMENCED WITH LINE 4 THROUGH
6 LINE, IT IS EITHER 8 OR 9, THE WAY THE TYPING IS. IT IS THE
7 PRELIMINARY HEARING IN SAN MATEO COUNTY.

8 Q NOW TO FINISH UP THIS PARADOX BUSINESS, MR. KARNY,
9 WERE THERE EVER ANY MEETINGS OF THE ENTIRE MEMBERSHIP HELD
10 TO DISCUSS THE PARADOX PHILOSOPHY AND TO INDOCTRINATE THEM?

11 A THERE WERE MEETINGS THAT PARADOX PHILOSOPHY WAS
12 DISCUSSED. WHETHER THE PURPOSE WAS TO INDOCTRINATE PEOPLE,
13 I COULDN'T REALLY SAY.

14 BUT AS I HAVE MENTIONED BEFORE, WE HAD A LOT OF
15 MEETINGS, PARADOX PHILOSOPHY WAS SOMETIMES DISCUSSED --
16 USUALLY DISCUSSED, BUT IT WASN'T THE SOLE THING DISCUSSED.

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30-1
1 Q WERE THE MEETINGS CALLED AS YOU UNDERSTAND IT,
2 FOR THE PURPOSE OF DISCUSSING PARADOX PHILOSOPHY OR CALLED
3 FOR THE PURPOSE OF DISCUSSING BUSINESS?

4 A BOTH.

5 Q AND WHAT WOULD HAPPEN IN A TYPICAL MEETING? WOULD
6 YOU FIRST DISCUSS BUSINESS AT HAND OR WHAT WAS THE PRIORITY?

7 A THE PRIORITY WAS BLENDED TOGETHER. THE PRIORITY
8 WAS THE GROUP, THE BBC.

9 THE BUSINESSES WERE PART OF IT. THE PARADOX
10 PHILOSOPHY WAS PART OF IT BUT IT WAS ALL BLENDED TOGETHER.

11 Q CAN YOU GIVE ME AN EXAMPLE OF WHERE PARADOX
12 PHILOSOPHY WAS UTILIZED TO EXPLAIN OR ANALYZE THE BUSINESS
13 DEAL?

14 A NO, I CAN'T.

15 Q YOU CAN'T REMEMBER ANY OF JOE HUNT'S WORDS OR
16 A DESCRIPTION OF HIS WORDS AT ONE OF THOSE MANY MEETINGS WHERE
17 A BUSINESS DEAL WAS REFERENCED IN TERMS OF PARADOX PHILOSOPHY?

18 A THEY USUALLY WEREN'T DISCUSSED IN THE SAME SENTENCE.
19 THE IDEA WAS THAT THE BASIC STRUCTURE AND THE BASIC FEELING
20 UNDERLYING THE GROUP, REFLECTED PARADOX PHILOSOPHY. BUT THAT
21 DIDN'T NECESSARILY HAVE TO BE DISCUSSED WITH PARTICULARITY
22 EVERY TIME A BUSINESS WAS DISCUSSED OR AT ANY TIME, FOR THAT
23 MATTER.

24 Q WAS IT EVER DONE?

25 A I RECALL ONE DISCUSSION THAT I HAD WITH JOE
26 PERSONALLY WHERE --

27 Q NO, SIR. PLEASE TRY TO ANSWER THE QUESTION.
28 I AM NOT TRYING TO CUT YOU OFF.

30-2
1 MR. WAPNER: OBJECTION. HE IS CUTTING HIM OFF. LET
2 HIM ANSWER THE QUESTION THAT WAS ASKED.

3 THE COURT: WAIT A MINUTE. WAIT A MINUTE.

4 THE WITNESS: I WAS NOT REALLY --

5 THE COURT: ALL RIGHT. WE WILL HAVE THE QUESTION
6 REPEATED. YOU WILL ANSWER IT.

7 WILL YOU PLEASE REPEAT THE QUESTION?

8 (THE RECORD WAS READ BY THE REPORTER.)

9 Q BY MR. BARENS: MY QUESTION AGAIN, TO MAKE IT CLEAR
10 FOR THE RECORD, WHAT I AM TALKING ABOUT, I ASKED THE WITNESS
11 ABOUT THE SETTING OF THE BUSINESS MEETINGS. I ASKED HIM TO
12 TELL ME AN EXAMPLE OF WHEN, DURING THE BUSINESS MEETING, HUNT
13 DESCRIBED A BUSINESS SITUATION AND RECONCILED IT OR WHATEVER,
14 IN TERMS OF PARADOX PHILOSOPHY.

15 THE COURT: DO YOU UNDERSTAND THE QUESTION?

16 THE WITNESS: I UNDERSTAND WHAT HE IS SAYING. BUT I
17 THOUGHT THAT YOU ASKED ME ABOUT BBC MEETINGS WHERE BUSINESS
18 AND OTHER THINGS WERE DISCUSSED.

19 Q BY MR. BARENS: I AM ASKING YOU ABOUT MEETINGS
20 WHERE BBC AND BUSINESS -- I AM NOT ASKING YOU FOR A ONE-ON-ONE
21 WITH HUNT --

22 A I UNDERSTAND.

23 THE COURT: WELL, HE UNDERSTANDS THE QUESTION.

24 MR. BARENS: ALL RIGHT.

25 Q SIR?

26 A YES, PARADOX PHILOSOPHY WAS DISCUSSED WITH REGARD
27 TO BUSINESSES.

28 Q AND GIVE ME AN EXAMPLE, SIR.

1 A AN EXAMPLE IS -- ACTUALLY, IT IS A PERVASIVE
2 EXAMPLE. THE IDEA BEHIND WORKING ON THESE BUSINESS WAS THAT
3 IT WASN'T A QUESTION OF WHO NECESSARILY WAS THE PRESIDENT OF
4 A COMPANY OR WHO HAD A PARTICULAR JOB OR WHAT THEIR SALARY
5 WAS BECAUSE ACCORDING TO THE BASIC PRECEPTS OF THE BBC, THE
6 NOTION OF BEING ABLE TO SUCCEED BASED ON YOUR CONTRIBUTION,
7 BASED ON YOUR MERIT IN A PARTICULAR PROJECT, IT WAS DISCUSSED
8 THAT THE DETERMINATION OF HOW MUCH PEOPLE WOULD BE PAID WOULD
9 BE DETERMINED ACCORDING TO PRINCIPLES WHICH WERE THE PARADOX
10 PHILOSOPHY.

11 IT WAS SORT OF A FLEXIBLE PAYMENT PLAN, WHICH IS
12 LEFT OPEN. AND IT WAS THE UNDERSTANDING AND MY UNDERSTANDING
13 AND I THINK THE UNDERSTANDING OF THE PEOPLE IN THE GROUP, THAT
14 THE PAYMENT FROM THESE BUSINESSES WOULD SOMEHOW, REFLECT A
15 PARADOX ANALYSIS OF PEOPLE'S CONTRIBUTIONS TO THE
16 ACCOMPLISHMENTS.

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1 Q WHAT MAKES REWARD ON A MERIT SYSTEM PECULIAR
2 TO THE PARADOX PHILOSOPHY?

3 A NOTHING.

4 Q ISN'T IT A FACT THAT REWARD ON A MERIT SYSTEM
5 HAS A MUCH MORE UNIVERAL APPLICATION, TO YOUR KNOWLEDGE,
6 THAN JUST IN TERMS OF PARADOX PHILOSOPHY?

7 A COULD YOU REPEAT THE QUESTION?

8 I AM SORRY. I WASN'T CONCENTRATING.

9 Q SIR, TO YOUR KNOWLEDGE, DON'T YOU SEE MANY
10 EXAMPLES THROUGHOUT CORPORATE STRUCTURES AND OTHER BUSINESS
11 STRUCTURES WHERE REWARD IS ON A MERIT SYSTEM?

12 A I GUESS SO.

13 Q THERE IS NOTHING CONTRADICTORY TO THE AMERICAN
14 CORPORATE CONVENTIONAL SETTING TO REWARD ON THE MERIT SYSTEM,
15 IS THERE?

16 A WELL, WHAT I WAS TRYING TO EXPLAIN WHEN I GAVE
17 THAT ANSWER IS THAT THE NOTION OF WHAT SOMEONE MERITED
18 IN TERMS OF WHAT THEY HAD PRODUCED, SOME PEOPLE WERE A LITTLE
19 BIT CONCERNED THAT PERHAPS THEIR CONTRIBUTION WOULD NOT
20 BE PROPERLY EVALUATED, THAT WHAT THEY CONTRIBUTED TO A
21 PARTICULAR BUSINESS OR AN ACCOMPLISHMENT WOULDN'T BE SEEN.

22 AND SO IT WAS THE UNDERLYING NOTION THAT THE
23 SHADINGS, WHO WERE SUPPOSED TO BE WISE AND SOMEWHAT DIS-
24 PASSIONATE ABOUT THOSE TYPES OF THINGS, WOULD BE ABLE TO
25 DECIDE WHAT FAIR JUDGMENT WAS WITH REGARD TO THOSE THINGS.

26 Q AND IN TERMS, HOWEVER, OF LOOKING OUT AT THE
27 ACTUAL BUSINESS ACTIVITIES BEING UNDERTAKEN, THAT IS DONE
28 ON PRINCIPLES OF CAPITALISM?

1 A RIGHT.

2 Q SO WHAT I AM UNDERSTANDING FROM YOU IS THAT OUT
3 IN THE BUSINESS COMMUNITY, BUYING AND SELLING CARS, MAKING
4 CYCLATRONS OR WHATEVER, THAT IS DONE IN THE PRINCIPLES OF
5 CAPITALISM?

6 A THAT'S RIGHT.

7 Q AND THEN WHEN WE GO TO DIVIDE UP THE PROFITS,
8 THAT IS DONE ON A MERIT SYSTEM BASIS?

9 A IT WAS -- IT WAS LEFT AS A FLEXIBLE DISCUSSION.
10 THERE WAS TALK OF INTANGIBLE CONTRIBUTIONS.
11 CONTRIBUTIONS TO MORALE, FOR EXAMPLE, COULD BE CONSIDERED,
12 RATHER THAN JUST WHO INVENTED SOMETHING OR WHO BUILT SOMETHING.
13 SO MERIT WAS A FLEXIBLE TERM TO BE THOUGHT THROUGH
14 CAREFULLY.

15 Q NOW, WASN'T THE BBC OVER TIME DE-EMPHASIZING
16 THE PARADOX PHILOSOPHY IN TERMS OF THE BBC BUSINESS APPROACH?

17 A I DON'T REALLY HAVE A RECOLLECTION THAT THAT
18 HAPPENED.

19 Q ISN'T IT A FACT THAT THE BBC DID NOT EFFECTUATE
20 THE STRUCTURES IN THE MANUAL THAT YOU MADE REFERENCE TO
21 EARLIER IN TERMS OF CARRYING OUT THE CELLS AND THE NEXUS
22 AND THE THORAX BUSINESS?

23 A YES, THAT WAS STARTED AND IT REALLY NEVER GOT
24 OFF THE GROUND, THAT IS TRUE.

25 Q SO DURING THIS WHOLE TIME THAT YOU HAD THE BBC,
26 WE DON'T REALLY ACT THAT OUT, DO WE?

27 A WELL, ONCE IN A WHILE, SOME ASPECTS OF THE
28 ORIGINAL ORGANIZATIONAL IDEAS WERE ACTED OUT. THERE WAS

1 REFERENCE TO IT.

2 BUT, YES, I WOULD SAY THAT IS A FAIR CHARACTER-
3 IZATION, THAT IT DIDN'T REALLY BLOSSOM INTO QUITE WHAT THEY
4 THOUGHT THAT IT WOULD.

5 Q NO.

6 SO AS A MATTER OF A PERVASIVE SYSTEM, MR. KARNY,
7 YOU DIDN'T HAVE THAT, DID YOU?

8 A WHICH PERVASIVE SYSTEM?

9 Q THIS MANUAL NEVER BECAME A PERVASIVE SYSTEM.

10 MR. WAPNER: OBJECTION AS TO THE "MANUAL BECOMING A
11 PERVASIVE SYSTEM" OR ARE WE TALKING ABOUT WHAT IS IN THE
12 MANUAL? WHAT IS HE TALKING ABOUT?

13 MR. BARENS: TWO DAYS I SIT HERE QUIET, AND I CAN'T
14 GET TWO QUESTIONS OUT.

15 THE COURT: WELL, IF YOU WOULD GET THE PROPER QUESTIONS
16 OUT, HE WOULDN'T OBJECT TO THEM.

17 MR. BARENS: WE GAVE HIM A LOT OF LATITUDE.

18 THE COURT: WELL, I WILL GIVE YOU A LOT OF LATITUDE,
19 TOO. BUT IF THERE IS AN OBJECTION, I HAVE TO RULE ON IT.

20 MR. BARENS: WELL, YOUR HONOR, IT IS JUST --

21 THE COURT: LET'S NOT ARGUE. REPHRASE YOUR QUESTION,
22 WILL YOU?

23 Q BY MR. BARENS: OKAY. IN TRUTH AND IN FACT,
24 MR. KARNY, YOU GUYS WEREN'T UP THERE FOLLOWING THAT MANUAL
25 ON A DAILY BASIS ON HOW YOU STRUCTURED AND OPERATED YOUR BUSINESS
26 ACTIVITIES; IS THAT TRUE?

27 A RIGHT.

28 Q LET'S GO BACK NOW, FOR SAKE OF CONTEXT AND

1 REFERENCE, STARTING WITH YOUR TESTIMONY NOW FROM YESTERDAY
2 OR FROM THE DAY BEFORE. YOU WERE TALKING ABOUT YOUR RELATION-
3 SHIP WITH HUNT.

4 BY THE WAY, JUST TO GIVE ME SOME SETTING HERE,
5 THE GENERAL STORY YOU HAVE TOLD US YESTERDAY AND THE DAY
6 BEFORE AND TODAY, HOW MANY TIMES HAVE YOU TOLD THAT STORY?

7 A WELL, I MADE A STATEMENT TO LES ZOELLER AND I
8 TESTIFIED AT JIM PITTMAN'S PRELIMINARY HEARING AND AT HIS
9 TRIAL, SO THREE TIMES.

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32A-1
1 Q WELL, YOU TOLD PART OF YOUR STORY AT LEAST IN
2 SAN MATEO?

3 A ARE YOU TALKING ABOUT WITH REGARD TO THE LEVIN
4 CASE?

5 Q WELL, YOU HAD TALKED PARADOX PHILOSOPHY HOW MANY
6 TIMES? HOW MANY TIMES HAVE YOU TOLD THE PARADOX PHILOSOPHY
7 STORY TO ANYBODY, NOT JUST IN COURTROOMS, I AM ASKING YOU.
8 HOW MANY TIMES TO ANYBODY? DO YOU HAVE ANY IDEA IN YOUR MIND
9 HOW MANY TIMES YOU HAVE BEEN OVER THIS STUFF?

10 A SEVERAL TIMES, DIFFERENT PARTS OF IT. THERE IS
11 A LOT OF I HAVE SPOKEN ABOUT, A LOT I HAVE BEEN THROUGH.
12 I HAVE TALKED ABOUT DIFFERENT PARTS OF IT AT DIFFERENT TIMES.

13 Q DOZENS OF OCCASIONS? HAVE YOU NOT TALKED TO YOUR
14 LAWYER, WAPNER, POLICE OFFICERS AND COURT PEOPLE? YOU HAVE
15 TALKED AND TALKED, HAVE YOU NOT, SIR?

16 A A LOT OF TIMES. NOT AS MANY AS YOU MIGHT IMAGINE,
17 THOUGH.

18 Q WELL, YOU HAVE READ ALL OF YOUR STATEMENTS YOU
19 MADE PREVIOUSLY, HAVE YOU NOT?

20 A I READ THROUGH THEM.

21 Q YOU BET. AND YOU ARE PREPARED FOR YOUR TESTIMONY
22 HERE, AREN'T YOU?

23 A I TRIED TO REFRESH MY MEMORY AS BEST I COULD.

24 Q YOU HAD MEETINGS IN THAT REGARD, SIR?

25 A YES.

26 Q YOU GOT IT ALL KIND OF BROUGHT BACK IN YOUR MIND
27 SO YOU CAN REMEMBER EVERYTHING SO WE CAN TALK ABOUT IT NOW?

28 A FOR THE MOST PART, YES.

32-A-2
1 Q NOW, WAS THERE A PARTICULAR REASON YOU WEREN'T
2 CLOSE WITH HUNT IN HIGH SCHOOL?

3 A NO PARTICULAR REASON.

4 Q JUST WHAT? YOU NEVER RAN INTO EACH OTHER?

5 A I SAID THERE WAS NO PARTICULAR REASON.

6 Q OKAY. AND AFTER YOU LEFT THERE, YOU WENT TO UCLA
7 DIRECTLY FROM HARVARD?

8 A AFTER A THREE-MONTH SUMMER VACATION, YES.

9 Q YOU DIDN'T GO TO ANY OTHER SCHOOLS?

10 A NO.

11 Q AFTER YOU GOT OUT OF UCLA, YOU WENT DIRECTLY TO
12 LAW SCHOOL?

13 A I GOT OF UCLA IN DECEMBER AND I STARTED LAW
14 SCHOOL THE FOLLOWING AUGUST.

15 Q OKAY. AND YOU MENTIONED THAT YOU SAW HUNT AGAIN
16 IN 1980 IN WESTWOOD. AND THEN YOU TOLD US THAT HUNT SAID THAT
17 HE WAS WITH AN ACCOUNTING FIRM AND TRADING COMMODITIES?
18 IS THAT YOUR TESTIMONY?

19 A RIGHT.

20 Q AND I THINK YOU TOLD US THAT HE APPEARED TO BE
21 WELL ESTABLISHED FOR A PERSON OF THEIR AGE -- YES, PEOPLE OF
22 YOUR AGE? IS THAT TRUE?

23 A RIGHT.

24 Q OKAY. WHERE WERE YOU IN TERMS OF YOUR COLLEGE
25 EDUCATION AT THAT PARTICULAR TIME, 1980?

26 A IN MY LAST YEAR.

27 Q ALL RIGHT. YOU WERE A SENIOR IN COLLEGE?

28 A RIGHT.

32-Δ-3
1 Q HUNT HAD NOT GRADUATED FROM COLLEGE, HAD HE?

2 A HE SAID THAT HE HAD.

3 Q FROM WHERE?

4 A FROM USC.

5 Q FROM A FOUR-YEAR CURRICULUM?

6 A WELL, YES. HE SAID THAT HE HAD GOTTEN A FOUR-YEAR
7 DEGREE.

8 Q AND YOU BELIEVED THAT?

9 A YES.

10 Q AND THAT ALSO MADE HIM SEEM WELL ESTABLISHED TO
11 YOU, THAT HE HAD ALREADY GRADUATED AND YOU HAD NOT?

12 A IT WASN'T NECESSARILY THAT. IT WAS MORE THAT HE
13 WAS ALREADY INVOLVED IN BUSINESS AND I WAS JUST GOING TO NIGHT
14 CLUBS AND GOING TO PARTIES. I WAS NOT EVEN THINKING ABOUT
15 BUSINESS.

16 Q DID HUNT HAVE ANY MONEY AT THAT PARTICULAR TIME?

17 A HE APPEARED TO.

18 Q DID HE OWN ANY PROPERTY, TO YOUR KNOWLEDGE?

19 A NOT TO MY KNOWLEDGE.

20 Q DID HE HAVE A FANCY CAR?

21 A HE HAD JUST GOTTEN A NEW LA BARON, I THINK.

22 Q IS THAT A CRYSLER CAR?

23 A YES.

24 Q DID HE LIVE IN A FANCY PLACE?

25 A I WAS ONLY OUT THERE ONE TIME. HE LIVED WITH HIS
26 FATHER IN A HOUSE IN GRANADA HILLS.

27 IT SEEMED KIND OF MODEST.

28 Q DID HE HAVE ANY TRAPPINGS OF WEALTH AND SUCCESS,

32A-4

1 SIR?

2 A WHAT DO YOU MEAN BY "TRAPPINGS"?

3 Q YOU KNOW, A ROLEX WATCH, A MERCEDES BENZ,
4 MEMBERSHIP IN THE HILLCREST, ANY OF THE TRAPPINGS OF
5 SUCCESS?

6 (LAUGHTER IN THE COURTROOM.)

7 THE COURT: THE HILLCREST?

8 MR. BARENS: IT IS STIPULATED TO AS A TRAPPING OF
9 SUCCESS, SIR.10 THE WITNESS: HE DIDN'T HAVE ANY OF THOSE THINGS.
11 I MEAN THE BEST WAY TO EXPLAIN IT IS THAT IT WAS MY IMPRESSION
12 THAT HE HAD ACCOMPLISHED A GREAT MANY THINGS AND WAS ON HIS
13 WAY UP.

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1 Q BY MR. BARENS: NOW --

2 A WHEREAS, I FELT THAT I HAD NOT EVEN STARTED YET.

3 Q OKAY. BY THE WAY, WE HAD A BIT YESTERDAY ABOUT --
4 I SUPPOSE YOU WERE CONFUSED AS TO WHO WE WERE TALKING ABOUT
5 BETWEEN GAMSKY AND HUNT.

6 DID YOU REALIZE THAT JOE HUNT NEVER CHANGED HIS
7 NAME? DID YOU UNDERSTAND HIS FATHER CHANGED HIS NAME?

8 A DID I UNDERSTAND THAT? HE TOLD ME THAT HIS FATHER
9 HAD DONE IT FIRST AND THEN HE CHANGED HIS NAME IN ORDER TO
10 GO ALONG WITH HIS FATHER.

11 Q I SEE. ALL RIGHT. WHEN HE TALKED TO YOU ABOUT
12 FORMING A GROUP OF INTELLIGENT, MOTIVATED PEOPLE NOT BOUND
13 BY AN EXTERNAL STRUCTURE, COULD YOU RELATE TO WHAT HE WAS
14 TALKING ABOUT?

15 A I FELT THAT I COULD, YES.

16 Q DID YOU THINK THERE WAS ANYTHING BAD ABOUT ANY
17 OF THAT?

18 A NOPE.

19 Q OKAY. AND WHAT WAS YOUR SELF IMAGE AT THAT TIME?
20 YOU FELT COMPLIMENTED TO BE INCLUDED IN SOMETHING LIKE THAT?
21 DIDN'T YOU FEEL YOURSELF TO BE A BRIGHT FELLOW, GETTING OUT
22 OF UCLA AND ALL?

23 A YEAH. I DID. BUT AT THE TIME THAT I ENCOUNTERED
24 JOE, I REALLY FELT MY INTELLIGENCE WAS DWARFED BY HIS AND THE
25 FACT THAT HE WOULD CONSIDER ME FOR SUCH A GROUP OR EVEN TALK
26 ABOUT IT WITH ME, WAS FLATTERING.

27 Q HOW DID YOU FEEL WHEN HE BROUGHT IN THE MAY
28 BROTHERS? DID YOU FEEL THEY WERE INTELLECTUALLY CONSISTENT

32A-6

1 WITH HUNT?

2 A INTELLECTUALLY CONSISTENT? I DON'T UNDERSTAND
3 THAT.

4 Q YOU FELT FLATTERED THAT HUNT WOULD CONSIDER YOU
5 AS A MEMBER OF THIS TYPE OF GROUP BECAUSE HE WAS A SUPERIOR,
6 INTELLECTUAL TYPE FELLOW.

7 WHEN YOU SAW THE MAY BROTHERS ROLL IN, WHAT DID
8 YOU THINK ABOUT THE INTELLECTUAL QUALIFICATIONS REQUIRED FOR
9 BBC MEMBERSHIP?

B 10 MR. WAPNER: OBJECTION, ASSUMING FACTS NOT IN EVIDENCE,
11 THAT THERE WERE ANY.

12 MR. BARENS: WELL, HE JUST TESTIFIED THAT HE THOUGHT
13 HE WAS COMPLIMENTED BY THIS INVITATION.

14 THE WITNESS: I THINK I CAN EXPLAIN.

15 THE COURT: GO AHEAD.

16 THE WITNESS: HOW I FELT, ACTUALLY. JOE DIDN'T JUST
17 SAY THAT THIS WAS A GROUP OF INTELLECTUAL PEOPLE.

18 IT WAS A GROUP OF PEOPLE WHO DID ALL DIFFERENT
19 KINDS OF THINGS AND WHO HAD ALL DIFFERENT KINDS OF CAPABILITIES
20 AND ABILITIES.

21 THE IDEA IS THAT IT WOULD BE FOUNDED UPON THE
22 PRINCIPLES OF FREEING PEOPLE, LIKE PARADOX PHILOSOPHY
23 PRINCIPLES. IT WAS THE TYPE OF THING THAT WOULD ENABLE US
24 TO CREATE SITUATIONS WHERE IF HE HAD SOMEONE WHO WANTED TO
25 BE AN ARCHITECT, THEY COULD BE AN ARCHITECT. IF THERE WAS
26 SOMEONE WHO WANTED TO BE AN ARTIST, THEY COULD DO ART WORK
27 AND ET CETERA.

28 AND WE WERE ACTUALLY PROUD THAT WE HAD ALL DIFFERENT

1 KINDS OF PEOPLE THAT WERE INVOLVED. THE IDEA WASN'T JUST TO
2 GET A BRAIN TRUST TOGETHER. THE IDEA WAS TO GET ALL KINDS
3 OF PEOPLE TOGETHER.

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1 Q BY MR. BARENS: AND THEN ONCE YOU ARE TOGETHER,
2 YOU ARE FREE TO DO ALL OF THE CREATIVE TYPE THINGS YOU WANT
3 TO DO?

4 A WELL, YOU DO THE BEST YOU CAN. YOU CREATE AN
5 ENVIRONMENT WHERE MORE THINGS CAN HAPPEN.

6 Q RIGHT.

7 THERE IS NOTHING BAD ABOUT THAT, IS THERE?

8 A I DON'T THINK SO AT ALL.

9 Q IN GENESIS THERE, WE DON'T SEE ANYTHING BAD AS
10 THE WORLD IS BEING CREATED, DO WE, THE BBC WORLD IN GENESIS --
11 THE COURT REPORTER: I AM SORRY. WOULD YOU REPEAT?
12 I COULD NOT HEAR.

13 Q BY MR. BARENS: IN GENESIS, BECAUSE WE STARTED
14 THERE, MR. KARNY, AS THE BBC IS BEING CREATED, TO COMPLETE
15 THE ANALOGY, IS THE GARDEN INFECTED WITH EVIL AT THIS POINT
16 OR ARE WE TALKING ABOUT THIS APPARENTLY HARMLESS THING WITH
17 CREATIVE PEOPLE WITH MULTI-FACETED TALENTS, COMING TOGETHER
18 AND ACTING THAT OUT; IS THERE ANYTHING EVIL GOING ON AT THAT
19 POINT?

20 THE COURT: SINISTER?

21 A JUROR: SINISTER.

22 (LAUGHTER IN COURTROOM.)

23 MR. BARENS: THANK YOU, YOUR HONOR, FOR PERMITTING
24 THE WORD AGAIN.

25 Q IS THERE ANYTHING SINISTER HAPPENING HERE, AS
26 IT HAPPENS CONTEMPORANEOUSLY, IS THERE ANYTHING SINISTER
27 GOING ON IN THE GARDEN?

28 A I DIDN'T PERCEIVE ANYTHING SINISTER.

1 Q OKAY. THEN YOU TALKED TO US ABOUT HUNT RAISING
2 THE MONEY, HE IS GOING TO GO TO CHICAGO FOR THE PURPOSES
3 OF RAISING MONEY TO FINANCE SETTING UP THE BBC AT THIS POINT;
4 IS THAT RIGHT?

5 A THAT'S CORRECT.

6 Q AND MR. HUNT, AT THAT TIME, AS YOU PERCEIVED
7 HIM, WAS HE SOME SORT OF PROVIDER OR CARETAKER AT THIS POINT?
8 HOW DID YOU PERCEIVE HIM?

9 A WELL, AT THE TIME, HE WAS NOT PROVIDING REALLY.
10 HE WAS TAKING US OUT TO DINNER ONCE IN A WHILE
11 BUT TO MY RECOLLECTION, WE WERE SUPPORTING OURSELVES. WE
12 WERE LIVING AT OUR PARENTS' HOUSES AND WE HAD OTHER SOURCES
13 OF INCOME.

14 BUT HE WAS -- HE WAS A FRIEND, THAT IS WHAT HE
15 WAS.

16 Q BUT WHEN YOU HEAR HIM TALK ABOUT THAT HE IS GOING
17 TO RAISE THIS MONEY TO GIVE YOU THIS SITUATION TO OPEN THE
18 BBC AND FREE EVERYBODY UP FROM THEIR JOBS AND ALL OF THAT,
19 IS HE THEN THE PROVIDER FOR THE SETTING TO ENABLE THE START
20 OF THIS BBC?

21 A THAT IS WHAT HE SAID HE WAS GOING TO DO.

22 THE IDEA WAS THAT BEN AND I WOULD CONTINUE ON
23 IN SCHOOL AND THAT WE WOULD CULTIVATE OTHER CAPABILITIES,
24 OTHER TALENTS AND SINCE HE HAD ALREADY FINISHED SCHOOL, HE
25 SAID, AND SINCE HE HAD THESE TALENTS, HE WAS GOING TO DEVOTE
26 THEM TO THE BENEFIT OF WHAT WE HAD PLANNED.

27 Q HE BECOMES THE FOUNDER; IS THAT CORRECT?

28 A I WOULD SAY SO.

1 Q AFTER THAT, YOU TALKED ABOUT HUNT HAVING A
2 SYSTEM FOR INVESTMENT IN THE COMMODITIES MARKET; IS THAT
3 CORRECT?

4 A THAT IS ONE OF THE THINGS I TALKED ABOUT, YES.

5 Q ALL RIGHT, NOW DID YOU UNDERSTAND THAT COMMODITIES
6 WERE A SPECULATIVE TYPE OF INVESTMENT?

7 A YES.

8 Q DID YOUR FOLKS UNDERSTAND THAT, TO YOUR KNOWLEDGE,
9 THAT COMMODITIES WERE A SPECULATIVE TYPE OF INVESTMENT?

10 A YES.

11 Q NOW, WHEN HUNT GOT A HUNDRED FIFTY THOUSAND DOLLARS
12 FROM YOUR PARENTS TO INVEST IN THE COMMODITIES MARKET, HAD
13 YOU EVER SEEN AT THAT POINT IN TIME ANY EVIDENCE THAT HUNT
14 HAD MADE A LOT OF MONEY TRADING COMMODITIES?

15 A SEEN WITH MY OWN EYES?

16 Q WITH YOUR OWN EYES, SIR.

17 A ALL I SAW WAS THE MONEY THAT HE SPENT ON US WHEN
18 WE WENT TO NEW YORK THE FEW WEEKS BEFORE THAT, IT WAS ABOUT
19 \$4,000 IN A FEW DAYS, AND THAT WAS A LOT AT THE TIME.

20 Q AND YOU ENCOURAGED YOUR FOLKS TO PUT THE \$150,000
21 UP WITH MR. HUNT?

22 A YES.

23 Q OKAY. DID HUNT APPEAR TO BELIEVE IN THIS SYSTEM
24 OF COMMODITIES TRADING THAT HE HAD?

25 A YES, HE DID.

26 Q HE SEEMED TO THINK IT WORKED, DIDN'T HE?

27 A YES.

28 Q HE DIDN'T SEEM TO BE JUST TELLING YOU A STORY

33-4

1 SO HE COULD PUT THE \$150,000 IN HIS POCKET, DID HE?

2 A HE DID NOT SEEM TO BE.

3 Q NOW HE GOES BACK THERE TO CHICAGO AND AT FIRST
4 HE TELLS YOU THAT THINGS ARE GOING OKAY?

5 A RIGHT.

6 Q DID YOU EVER ASK FOR ANY STATEMENT ABOUT HOW
7 THE TRADING WAS GOING ALONG?

8 A WELL, MY PARENTS ASKED FOR A -- AND I ASKED ON
9 THEIR BEHALF FOR AN AGREEMENT MEMORIALIZING WHAT THEY FELT
10 THE ARRANGEMENT WAS BETWEEN THE TWO OF THEM, JOE AND MY
11 PARENTS.

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1 Q AND IT NEVER MATERIALIZED, DID IT?

2 A NEVER DID.

3 Q OKAY. WHEN LONG AFTER THAT, HE CONTINUES FOR
4 THE FIRST PERIOD OF TIME TO TELL YOU EVERYBODY IS MAKING
5 MONEY?

6 A RIGHT.

7 Q AND THEN HE CAME HOME OCCASIONALLY AND TOLD YOU
8 EVERYBODY IS MAKING MONEY?

9 A TO THE BEST OF MY RECOLLECTION, YEAH, HE CAME
10 BACK A FEW TIMES AND "GOOD NEWS".

11 Q OKAY, AND WHEN YOU WENT OUT TO THE MOVIES, I
12 THINK YOU SAID HE PAID FOR GOING TO THE MOVIES?

13 A I REMEMBER THAT SPECIFICALLY BECAUSE AT THAT
14 AGE, IT WASN'T COMMON FOR PEOPLE IN THEIR LATE TEENS OR EARLY
15 TWENTIES TO BE PARTICULARLY GRANDIOSE WITH PAYING FOR THEIR
16 FRIENDS' MOVIES. EVERYONE WENT DUTCH. AND SO IT WAS KIND
17 OF A TREAT THAT JOE WOULD BE WILLING TO PAY FOR TWO OR THREE
18 OR FOUR MOVIE TICKETS AND DINNER SOMETIMES, TOO.

19 Q PARTICULARLY SINCE HUNT IS THE ONLY ONE WITH
20 A JOB?

21 A I DIDN'T SAY THAT HUNT WAS THE ONLY ONE WITH
22 A JOB.

23 WE ALL HAD JOBS.

24 Q YOU ALL HAD JOBS?

25 WHAT DID YOU DO, MR. KARNY?

26 A I TAUGHT TENNIS.

27 Q YOU TAUGHT TENNIS?

28 AND EVERYBODY ELSE IN THE BBC -- AND WE WILL

1 GET TO THEM ALL -- HAD SOME SORT OF A JOB?

2 A I THINK SO. I CAN'T SPEAK FOR EVERYONE, I SUPPOSE.

3 BUT BEN HAD SOME SORT OF A JOB, AS I RECALL,
4 HE WAS INVESTING IN OPTIONS.

5 Q YOU COULD HAVE PAID TO GO TO THE MOVIES YOUR-
6 SELF, COULDN'T YOU?

7 A YES.

8 Q BUT HUNT PROVIDED THE MONEY TO GO TO THE
9 MOVIES ON THOSE OCCASIONS?

10 A SOMETIMES, YES.

11 Q NOW LATER --

12 BY THE WAY, MR. KARNY, AT THE TIME YOUR PARENTS
13 PUT UP THE MONEY, THE \$150,000, HAD HUNT HAD A BIG MEETING
14 WITH YOUR FOLKS AND TALKED TO THEM ABOUT PARADOX PHILOSOPHY?

15 A NO.

16 Q HAD HE TALKED TO YOU ABOUT PARADOX PHILOSOPHY?

17 A NO, HE HADN'T.

18 Q OKAY, SO THE FIRST TIME, AS I UNDERSTAND IT NOW,
19 THAT WE SEE HUNT WITH A LOT OF MONEY AND TRADING COMMODITIES
20 IN CHICAGO, TO YOUR KNOWLEDGE, THERE IS NO TALK AT ALL ABOUT
21 PARADOX PHILOSOPHY, IS THERE?

22 A NOPE.

23 Q NOW LATER ON, YOU SAY IT IS GETTING HARD TO REACH
24 HUNT, AFTER A WHILE, YOU CAN'T GET HIM ON THE PHONE WHEN
25 YOU CALL HIM; IS THAT TRUE?

26 A YES.

27 Q THAT CREATES AN ANXIETY ON YOUR PART?

28 A YES.

1 Q YOU START TO THINK "MAYBE HE LOST THE MONEY"?

2 A NO, I DIDN'T REALLY THINK ABOUT THAT.

3 Q WHAT WAS YOUR ANXIETY, SIR?

4 A I WONDERED HOW JOE WAS.

5 Q JUST AS TO HIM PERSONALLY?

6 A RIGHT.

7 Q ALL RIGHT. AND THEN HOW DID YOU FINALLY GET
8 BACK TOGETHER? DID HE CALL YOU OR DID YOU CALL HIM? HOW

9 DID YOU MATCH UP AFTER THAT HIATUS?

10 A I DON'T RECALL. I THINK HE CALLED AT ONE POINT
11 FINALLY.

12 Q ALL RIGHT. NOW, THEN YOU WERE TOLD THE MONEY
13 IS LOST, RIGHT?

14 A RIGHT.

15 Q LOST IT ALL?

16 A HE -- HE SAID THAT MY PARENTS INVESTMENT HAD
17 BEEN ALL LOST, BUT HE STILL HAD SOME MONEY LEFT OVER TO
18 START OVER AGAIN.

3 1 1 Q WELL, HOW DID YOU FEEL ABOUT THAT?

2 A I WAS PRETTY UPSET.

3 Q WERE YOU UPSET. TELL ME HOW YOU FELT. YOU WERE
4 UPSET. WHAT DO YOU MEAN BY SAYING THAT YOU WERE UPSET?

5 A WELL, BASED ON WHAT HE HAD SAID EARLIER I BELIEVED
6 THAT WE HAD MADE A GREAT DEAL OF MONEY. AND SO I WAS REALLY
7 MORE DISAPPOINTED, TO TELL YOU THE TRUTH.

8 Q DISAPPOINTED? YOU DIDN'T FEEL YOU HAD BEEN
9 DECEIVED?

10 A LATER ON, I DID, AS A MATTER OF FACT.

11 Q NOPE, NOPE. LET'S -- WE'LL GET TO THAT LATER
12 BECAUSE LATER ON INCLUDES TODAY.

13 BUT RIGHT THEN AND THERE, HE TELLS YOU THE MONEY
14 IS GONE. LOST. DID YOU FEEL THAT YOU HAD BEEN DECEIVED?

15 A NOT AT THAT MOMENT.

16 Q DID YOU FEEL HE STOLE THE MONEY?

17 A NO.

18 Q DID YOU THINK HE PUT THE \$150,000 IN HIS POCKET?

19 A NO. I DIDN'T THINK THAT.

20 Q NOW, DID YOUR PARENTS -- HOW DID THEY FEEL ABOUT
21 IT?

22 A THEY WERE DISAPPOINTED, ALSO.

23 Q WERE THEY ANGRY?

24 A YEAH. THEY WERE ANGRY BECAUSE JOE HAD
25 REPRESENTED TO THEM THAT HE WAS ABLE TO LIMIT THE RISK IN THE
26 TRADING APPROACH AND HE PROMISED THAT HE WOULDN'T LOSE MORE
27 THAN 20 PERCENT. IF THERE WERE LOSSES, THAT HE WOULD
28 LIQUIDATE THE ACCOUNT AND --

34^ 2
1 Q OR -- SORRY.

2 A WELL, SO THAT IS WHY THEY WERE UPSET.

3 Q DID YOUR PARENTS GET UPSET WITH YOU BECAUSE YOU
4 HAD ENTREED THEM TO THIS INVESTMENT?

5 A NO.

6 Q DID YOUR PARENTS FEEL THAT HE HAD STOLEN THE MONEY?

7 A NO.

8 Q DID YOU THINK HIS SYSTEM DIDN'T WORK?

9 A I DIDN'T THINK THAT AT ALL. I THOUGHT IT DID WORK,
10 ACTUALLY.

11 Q YOU THOUGHT IT COULD STILL WORK AND --

12 A (WITNESS NODS HEAD UP AND DOWN.)

13 MR. WAPNER: IS THAT YES?

14 THE WITNESS: YES.

15 Q BY MR. BARENS: I BELIEVE YOU TESTIFIED THAT HE
16 HAD TOLD YOU THE STORY THAT HE HAD BEEN VICTIMIZED BY SOME
17 JEALOUS PEOPLE ON THE COMMODITIES EXCHANGE AND THAT IS HOW
18 THE MONEY WAS LOST?

19 A THAT'S RIGHT.

20 Q AND THEN HE TOLD YOU THAT THAT DIDN'T SHOW ANY
21 FLAW IN HIS SYSTEM, JUST THAT HE HAD BEEN VICTIMIZED?

22 A THAT'S RIGHT. THAT IS WHAT I BASED MY BELIEF ON.

23 Q DID IT EVER OCCUR TO YOU THAT THE OBVIOUS FACT
24 WAS, THAT IF HIS SYSTEM WAS VULNERABLE TO ATTACK BY THIS TYPE
25 OF CONSPIRACY, IT WAS IN FACT, FLAWED?

26 A IT DIDN'T OCCUR TO ME AT THE TIME.

27 Q OKAY. IT DIDN'T OCCUR TO YOUR FOLKS, EITHER?

28 A WELL, I DON'T KNOW WHAT OCCURRED TO MY FOLKS.

34^ 7
1 I CAN'T REALLY SPEAK FOR THAT.

2 Q WHEN HE LOST ALL THAT MONEY AND TOLD YOU THIS
3 STORY, DID HE TALK TO YOU ABOUT PARADOX PHILOSOPHY?

4 A NO.

5 Q DID HE TALK TO YOUR PARENTS ABOUT IT?

6 A NOT THAT I KNOW OF.

7 Q OKAY. AND THEN YOU GO ALONG AND YOU GIVE HIM MORE
8 MONEY, AT THAT POINT. YOUR FOLKS DO?

9 A SOMETIME AFTER THAT THEY DID, YES.

10 Q HOW LONG WAS THERE BETWEEN THE TIME THAT HE TELLS
11 THEM HE LOSES 150 GRAND AND THEY GIVE HIM MORE MONEY?

12 A I THINK IT WAS ABOUT A YEAR.

13 Q OKAY. AT THE END OF THAT YEAR WHEN THEY GIVE HIM
14 MORE MONEY, DID ANY OF YOU FOLKS THINK THAT HE STOLE ALL OF
15 THE MONEY YOU GAVE HIM IN THE FIRST INSTANCÉ? A YEAR LATER?

16 A NO.

17 Q DID YOU THINK THAT HE UTILIZED IT TO LIVE ON?

18 A NO.

19 Q YOU THOUGHT HE LOST IT IN THE COMMODITIES MARKET?

20 A WE BELIEVED HIM.

21 Q LATER ON, DID YOU LEARN THAT HUNT HAD A FAIRLY
22 SIGNIFICANT CAPACITY FOR LOSING MONEY IN THE COMMODITIES
23 MARKET? ISN'T THAT TRUE?

24 A HE LOST A FEW TIMES. THAT'S RIGHT.

25 Q HE LOST SOME BIG MONEY IN COMMODITIES YOU LATER
26 FOUND OUT, DIDN'T YOU?

27 A RIGHT.

28 Q WHETHER YOU BELIEVED IN PARADOX PHILOSOPHY OR NOT,

34A-4

1 YOU COULD LOSE MONEY IN COMMODITIES, COULDN'T YOU?

2 A YES, YOU COULD. YES, HE COULD.

3 Q NOW, YOU MENTIONED THAT YOU WENT SKIING AND YOU
4 HAD THIS PROBLEM ABOUT THROWING UP AS A RESULT OF YOUR
5 GIRLFRIEND. AND THAT YOU TALKED TO HUNT AND HUNT FIXED THAT
6 FOR YOU. THAT IS, WHERE YOU DIDN'T THROW UP ANY MORE, IS THAT
7 CORRECT?

8 A THAT IS ONE WAY OF DESCRIBING IT.

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1 Q WELL, ISN'T THAT CORRECT OR IS IT?

2 A YES. I SUPPOSE IT IS.

3 HE MADE ME FEEL A LOT BETTER AND CHANGED MY
4 PERSPECTIVE SO THAT I WASN'T AS DISTURBED BY THE EMOTIONS THAT
5 I WAS FEELING.

6 Q ALL RIGHT. WAS THERE ANYTHING BAD ABOUT THAT?

7 A I DIDN'T THINK SO.

8 Q ANYTHING SINISTER?

9 A I DID NOT THINK SO AT THE TIME.

10 Q OKAY. NOW MR. KARNY, YOU SAY TO ME, "I DIDN'T
11 THINK SO AT THE TIME."

12 NOW, IS IT YOUR TESTIMONY THAT AS YOU LOOK BACK
13 ON IT, THAT IT WOULD HAVE BEEN BETTER IF HE WOULDN'T HAVE MADE
14 IT SO YOU DIDN'T THROW UP ABOUT YOUR GIRLFRIEND?

15 A NO. THAT IS NOT MY TESTIMONY.

16 Q OKAY. NOW, WHEN YOU TALKED ABOUT THAT, YOU SAY
17 THAT JOE GAVE YOU ACCEPTANCE AND ADMIRATION, IS THAT CORRECT?

18 A YES.

19 Q YOU DIDN'T GET ACCEPTANCE AND ADMIRATION FROM YOUR
20 MOM AND DAD?

21 A YES. I DID.

22 Q YOU HAD A GOOD RELATIONSHIP WITH YOUR PARENTS,
23 DIDN'T YOU?

24 A YES.

25 Q OKAY. AS A MATTER OF FACT, IN YOUR TIME OF NEED,
26 YOU MOVED RIGHT BACK FROM THE WILSHIRE MANNING TO YOUR FOLKS'
27 HOUSE, IS THAT CORRECT?

28 A RIGHT.

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1 Q WHEN YOU MOVED BACK TO YOUR FOLKS' HOUSE, THERE
2 WAS NO INTERVENING HIATUS? YOU HAD NOT GONE TO THE POLICE
3 YET WHEN YOU MOVED BACK INTO YOUR FOLKS' HOUSE, HAD YOU?

4 A NO I HAD NOT.

5 Q YOU HAD NOT GONE TO SOME PSYCHIATRIC DEPROGRAMMER,
6 HAD YOU?

7 A NO, I HAD NOT.

8 Q SO, YOU JUST MOVED FROM THE WILSHIRE MANNING?
9 YOU HAD THE NEED ARRIVE AND YOU WENT BACK TO YOUR FOLKS' HOUSE,
10 RIGHT?

11 A I WENT BACK TO MY PARENTS.

12 Q OKAY. NOW, WHEN YOU WERE BACK THERE AND YOU SAID
13 YOU GOT ACCEPTANCE AND ADMIRATION FROM MR. HUNT, DID HUNT TELL
14 YOU IN TERMS OF YOUR GIRLFRIEND, THAT WHAT YOU REALLY NEEDED
15 TO LEARN TO DO WAS TO ACCEPT YOURSELF?

16 A THAT WAS ONE OF THE THINGS HE SAID, YES.

17 Q THAT YOU HAD TO ACCEPT YOURSELF THE WAY YOU WERE
18 AS A PERSON AND WHAT YOUR CAPABILITIES WERE AND WHAT YOUR
19 AMBITIONS WERE?

20 A I DON'T RECALL THAT. BUT THE WORDS, "ACCEPT
21 YOURSELF," DO RING A BELL.

22 Q OKAY. AND THEN CONSISTENT WITH THAT, YOU STARTED
23 TALKING ABOUT PARADOX PHILOSOPHY AROUND THAT TIME?

24 A TO THE BEST OF MY RECOLLECTION, YES.

25 Q AND I BELIEVE YOUR TESTIMONY WAS THAT AT THAT
26 PARTICULAR TIME AT LEAST, YOU SAID THAT YOU WOULD SHIFT THE
27 FOCUS FROM A SPECIFIC SITUATION TO SEEING IT IN A GREATER
28 CONTEXT?

34 P 7
1 A THAT WAS ONE OF THE THINGS THAT WE DID, YES.

2 Q IS THAT SOMETHING AKIN TO SEEING THE FOREST
3 INSTEAD OF THE TREES?

4 A I SUPPOSE.

5 Q IS THAT WHAT A PARADOX PHILOSOPHY ANALYSIS IS ALL
6 ABOUT?

7 A NOT REALLY. IT WAS SOMETHING THAT COULD HAPPEN
8 COINCIDENT WITH THE PARADOX ANALYSIS.

9 BUT THE IDEA THAT PARADOX PHILOSOPHY COULD TURN
10 BLACK INTO WHITE WAS A SORT OF EXTENSION OF SEEING THE FOREST
11 THROUGH THE TREES. IT WAS THE IDEA THAT YOU COULD ACTUALLY CHANGE
12 THINGS MUCH MORE SIGNIFICANTLY THAN THAT.

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1 Q WELL, DOES IT MEAN THAT THINGS ARE WHAT WE
2 PERECEIVE THEM TO BE?

3 A I DON'T FOLLOW THE LINK.

4 Q WELL, IF IT IS NOT SEEING THE FOREST FOR THE
5 TREES OR SEEING THE TREES FOR THE FOREST, WHICHEVER YOU
6 PREFER, I AM TRYING TO UNDERSTAND WHERE WE ARE AT THIS
7 POINT IN THE EVOLUTION OF PARADOX PHILOSOPHY IN YOUR LIFE,
8 MR. KARNY.

9 YOU TOLD US YESTERDAY THAT PARADOX PHILOSOPHY
10 TAKES US FROM SEEING THE SPECIFIC TO A MORE COSMIC OR
11 UNIVERSAL VIEW OF THINGS; IS THAT ABOUT WHAT YOU WERE TELLING
12 ME?

13 A I SAID THAT WAS AN EXAMPLE OF HOW PARADOX
14 PHILOSOPHY COULD BE USED.

15 Q OKAY --

16 A OR THE PARADOX APPROACH, THAT BY CHANGING YOUR
17 PERSPECTIVE, SHIFTING YOUR FOCUS, YOU COULD SEE SOMETHING
18 DIFFERENT IN A SITUATION. TO AN EXTENT, YOU CAN SAY THAT
19 IS LIKE THE FOREST THROUGH THE TREES, I UNDERSTAND WHAT YOU
20 ARE SAYING AND I AGREE WITH IT, BUT THERE WAS A DIFFERENCE
21 AND AN ADDITIONAL ASPECT TO IT.

22 PERHAPS IT WAS JUST THE FORCE OF JOE'S PERSONALITY
23 AND THE FACT THAT HE REPRESENTED THAT THIS WAS A UNIFIED
24 SYSTEM, THAT THAT WAS ACTUALLY DIFFERENT THAN ANY OTHER
25 PHILOSOPHY.

26 HE TALKED ABOUT HAVING POINTS OF DEPARTURE WITH
27 THE NORMAL JUDEO-CHRISTIAN BELIEF SYSTEM AND HE BELIEVED
28 THAT HE REALLY HAD SOMETHING SPECIAL, OR AT LEAST HE EXPRESSED

1 IT TO ME, AND MAYBE I WAS SEEING TOO MUCH.

2 BUT IT WAS MY BELIEF AT THE TIME THAT THERE WAS
3 MUCH MORE TO IT THAN JUST "SEE THE FOREST THROUGH THE TREES
4 AND ACCEPT YOURSELF."

5 Q YOU FIGURED ALL THAT OUT YOURSELF?

6 A NO.

7 HE REPRESENTED IT TO ME.

8 Q I SEE.

9 IF ALL HE DID --

10 DID HE TELL YOU HE MADE ALL OF THIS UP?

11 A HE SAID THAT HE HAD DONE EXTENSIVE READING AND
12 THAT HE UNDERSTOOD A LOT OF PHILOSOPHIES, EASTERN PHILOSOPHY,
13 PSYCHOLOGY AND, YEAH, HE BASICALLY SAID THAT IT WAS SOMETHING
14 HE WORKED OUT THROUGH THE COURSE OF HIS LIFE.

15 Q AND NONE OF IT HAD A FAMILIAR RING TO YOU FROM
16 ANYTHING YOU HAD READ OR SEEN IN SCHOOL?

17 A REALLY DIDN'T.

18 Q HAD YOU EVER READ ANYTHING BY ANY TRANSCENDENTAL
19 WRITERS IN SCHOOL?

20 A TRANSCENDENTAL?

21 Q HAD YOU EVER READ ANYTHING BY CAMUS, SARTRE?

22 A YES, I HAD.

23 Q NONE OF THAT STUFF THAT YOU READ OR IN THE
24 DISCUSSIONS YOU HAD IN CLASS AT UCLA SOUNDED AT ALL LIKE
25 WHAT YOU READ IN THOSE BOOKS?

26 A THERE ACTUALLY WERE SOME SIMILARITIES AND I WAS,
27 AS A MATTER OF FACT, PLEASED AT THE TIME THAT I COULD RAISE
28 SOME OF THE SIMILARITIES AND I FELT, CONVERSE INTELLIGENTLY,

1 ON SOME OF THE SUBJECTS WE WERE DISCUSSING.

2 Q DIDN'T SOME OF THOSE WRITERS TALK ABOUT
3 SITUATIONAL ETHICS?

4 A NOT THAT I RECALL, OR CERTAINLY NOT THAT I MADE
5 A CONNECTION OF.

6 Q DID YOU, FROM THE START, HAVE A BELIEF THAT THE
7 SITUATIONAL ETHIC SYSTEM THAT HUNT WAS DESCRIBING TO YOU
8 WAS DIVORCED FROM ANY MORAL CONSIDERATIONS?

9 A NO, THAT WAS NOT MY BELIEF AT THE TIME.

10 THE SITUATIONAL ETHICS WASN'T REALLY EXPRESSED
11 AS ONE OF THE EARLIER CONCEPTS TO ME. IT WAS SOMETHING THAT
12 WAS SPOKEN OF LATER ON IN A DIFFERENT APPLICATION.

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35A-1

1 Q ALL RIGHT, SO IN THE BEGINNING AT LEAST, WHEN
2 WE START TALKING ABOUT PARADOX PHILOSOPHY, IT DOESN'T HAVE
3 A PARTICULAR MORAL CONNOTATION OR CO-EFFICIENT.

4 A IT DIDN'T APPEAR TO.

5 Q IT IS MORE WHAT? IF IT IS NOT A SYSTEM OF
6 MORALITY, IT IS A SYSTEM OF WHAT, SIR?

7 A IT IS A WAY OF -- A WAY OF THINKING, A PROCESS.
8 A -- THE TYPE OF THING THAT IF YOU -- IF YOU JUST STOP, YOU
9 DON'T GET CONTROLLED BY YOUR EMOTIONS AND YOU SHIFT YOUR
10 FOCUS, ET CETERA; AS I HAVE SAID BEFORE, THAT YOU COULD BE
11 FREE TO BE MORE YOURSELF, IS WHAT JOE SAID.

12 Q NOW, WHEN HUNT CAME BACK FROM CHICAGO AND MOVED
13 INTO THE ENCINO CONDOMINIUM WITH YOU, DOES HE APPEAR BROKE?

14 A YES.

15 Q HE DOESN'T APPEAR TO YOU LIKE HE PUT YOUR FOLKS'
16 MONEY IN HIS POCKET, DOES HE?

17 A NO.

18 Q HE DOESN'T HAVE A CAR?

19 A HE DIDN'T HAVE A CAR.

20 Q DIDN'T HAVE ANY PROPERTIES?

21 A HE HAD A BUNCH OF STUFF THAT HE LEFT IN STORAGE
22 BUT HE DIDN'T HAVE TOO MUCH.

23 Q IT DIDN'T APPEAR TO YOU THAT HE PUT THE CANADIAN
24 PEOPLES' MONEY IN HIS POCKET, DID HE?

25 A NO, IT DIDN'T.

26 Q NOW, YOU STILL WANTED HUNT TO GET INVOLVED WITH
27 YOU IN A BUSINESS WHERE HE WOULD TRADE COMMODITIES, EVEN
28 THOUGH ALL HE DID WAS LOSE MONEY AS FAR AS YOU COULD TELL?

1 A YES, I DID.

2 Q WHY?

3 A BECAUSE HE HAD CONVINCED ME THAT HIS APPROACH
4 WAS STILL A MASTER STROKE OF THE DECADE AND THAT IT WASN'T
5 FLAWED AND THAT IT WAS JUST A COMBINATION OF DIFFICULT
6 CIRCUMSTANCES THAT CAUSED HIM TO LOSE THE MONEY.

7 Q BUT ALTHOUGH ALL OF THE PROOF YOU HAVE IS TO
8 THE CONTRARY, EVERYBODYS' MONEY YOU KNOW THAT HE HAS EVER
9 HAD, HE HAS LOST, AND YOU ARE HOW OLD AT THAT TIME?

10 A I WAS 22 YEARS OLD.

11 Q AND YOU ARE NOW IN LAW SCHOOL?

12 A I WAS IN LAW SCHOOL AT THE TIME.

13 Q AND FROM EVERYTHING YOU HAD SEEN, THIS GUY LOOSES
14 EVERYBODY'S MONEY, BUT YOU STILL BELIEVE THAT HE IS GOING
15 TO MAKE A LOT OF MONEY IN COMMODITIES?

16 A HE IS AN EXTREMELY DYNAMIC PERSON AND I BELIEVED
17 IT.

18 Q ALL RIGHT. AND IN ANY EVENT, AS I UNDERSTAND
19 IT THEN, YOU --

20 BY THE WAY, DID YOU DROP OUT OF LAW SCHOOL AT
21 THAT POINT WHEN HE CAME BACK FROM CHICAGO?

22 A NO.

23 Q YOU CONTINUED IN LAW SCHOOL?

24 A YES.

25 Q HE NEVER TOLD YOU, "QUIT LAW SCHOOL AND FOLLOW
26 ME"?

27 A NO.

28 TO THE CONTRARY: HE ENCOURAGED ME TO CONTINUE

1 IN LAW SCHOOL.

2 Q OKAY. WHERE DID YOU GO TO LAW SCHOOL?

3 A WHITTIER LAW SCHOOL.

4 Q DID YOU TAKE ANY CLASSES, BY THE WAY, IN YOUR
5 FIRST YEAR ON ETHICS?

6 A NO.

7 Q YOU DIDN'T HAVE ANYTHING AT ALL ON ETHICS OR
8 CONTRACTS? HOW ABOUT CONTRACTS?

9 A CONTRACTS, IN THE FIRST YEAR.

10 Q AND CONSTITUTIONAL LAW?

11 A YES -- NO, CONSTITUTIONAL LAW WAS IN THE
12 SECOND YEAR.

13 Q YOU TOOK THAT, DIDN'T YOU?

14 A YES.

15 Q DID YOU TAKE CRIMINAL LAW?

16 A YES.

17 Q YOU TOOK TORTS?

18 A YES.

19 Q DID YOU TAKE EVIDENCE?

20 A YES.

21 Q DID YOU GUYS TALK ABOUT BURDEN OF PROOF IN LAW
22 SCHOOL THERE?

23 A YES.

24 Q JOE DIDN'T GO TO LAW SCHOOL, DID HE?

25 A NO, HE DIDN'T.

26 Q YOU TALKED IN CRIMINAL LAW, DID YOU NOT, ABOUT
27 ELEMENTS NEEDED TO PROVE A CASE, DID YOU, MR. KARNY?

28 A I AM SURE WE DID.

1 Q AND YOU TALKED IN THE TORTS CLASS ABOUT ALL OF
2 THE ELEMENTS YOU NEEDED TO ESTABLISH A TORT?

3 A YES.

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36A-1

1 Q OKAY. AND DID YOU DO OKAY IN LAW SCHOOL?

2 A I DID OKAY.

3 Q DID YOU DO OKAY IN CONTRACTS?

4 A YES.

5 Q PASSED?

6 A YES.

7 Q NOW THEN, AS I UNDERSTAND IT, WHILE YOU ARE STILL
8 IN LAW SCHOOL, YOU ARE GETTING THIS MEMBERSHIP TOGETHER? YOU
9 ARE RECRUITING IN EARLY '83?

10 A THAT'S RIGHT.

11 Q OKAY. SO YOU WOULD GO TO LAW SCHOOL DURING THE
12 DAY AND THEN YOU GENTLEMEN WOULD HAVE MEETINGS AT NIGHT, WHERE
13 YOU TRIED TO BRING THESE PEOPLE TOGETHER?

14 A ON WEEKENDS. WE JUST MADE THE ROUNDS. WE
15 SOCIALIZED. WE SPENT A LOT OF TIME OUT SEEING PEOPLE.

16 Q YOU HAD A FRIEND OF YOURS IN LAW SCHOOL,
17 MICKEY FINE, DIDN'T YOU?

18 A YES. EXCEPT HE WAS A YEAR BEHIND ME.

19 Q DID YOU ASK HIM TO BECOME A PART OF THE BBC?

20 A YES. HE WAS A FRIEND OF JOE'S, AS WELL.

21 Q DID HE COME INTO THE BBC?

22 A FOR A WHILE.

23 Q AND HE WAS AT LAW SCHOOL WITH YOU?

24 A YES.

25 Q I SEE. WAS HE IN ANY OF YOUR CLASSES WITH YOU?

26 A NO.

27 Q ALL RIGHT. WAS HE IN LAW SCHOOL THE WHOLE TIME
28 YOU WERE OVER AT WHITTIER THERE?

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1 A NO. AS I SAY, HE STARTED A YEAR LATER. I SPENT
2 A YEAR IN LAW SCHOOL AND HE WAS NOT THERE.

3 Q AND DID YOU SPEND TIME IN LAW SCHOOL WHEN HE WAS
4 THERE AT THE SAME TIME YOU WERE?

5 A YES.

6 Q BUT YOU NEVER HAD ANY CLASSES TOGETHER?

7 A NO.

8 Q NOW, YOU MENTIONED THE BOOKLET THAT BECOMES THE
9 MANUAL OF THE BBC. WHEN WAS THAT PREPARED?

10 A I THINK SHORTLY BEFORE THE FIRST BBC MEETING.
11 I BELIEVE WE EVEN HAD SOME DATES PRINTED ON THE PAGES.

12 Q WHEN DID YOU DO YOUR WORK ON IT?

13 A I THINK IN EARLY '83.

14 Q AND DID YOU CONTRIBUTE ANYTHING IN TERMS OF THIS
15 BUSINESS ABOUT CELLS AND NEXUS OR THORAXES AND ET CETERA?

16 A WELL, JOE AND I WERE DISCUSSING IT AS IT WAS BEING
17 WRITTEN. AND I BELIEVE THAT I CONTRIBUTED SOME OF THE THINGS.

18 Q DID YOU CONTRIBUTE ANY OF THOSE WORDS?

19 A I AM NOT SURE, REALLY. I MIGHT HAVE.

20 Q WHERE WOULD YOU GET THOSE WORDS FROM, MR. KARNY,
21 THE WORDS "NEXUS" AND "THORAX" AND "CELLS"? WHERE DID YOU
22 GET THOSE WORDS?

23 A I REALLY DON'T KNOW WHERE THEY CAME FROM.

24 Q YOU JUST PULLED THEM OUT OF THE AIR AND SAID THAT
25 YOU WOULD JUST USE THEM FOR A STRUCTURE?

26 A WELL, WE WERE HAVING AS A MATTER OF FACT, A LOT
27 OF FUN WRITING THE BOOK. IT WAS SORT OF A CREATIVE THING THAT
28 I FELT ESPECIALLY A PART OF THE FORMATION OF THIS GROUP.

1 AND WE USED OUR IMAGINATION. WE DISCUSSED SOME
2 OF THE PLANS. AND THE WORDS SEEMED TO HAVE TWO MEANINGS AT
3 THE SAME TIME. AND I DON'T KNOW EXACTLY WHERE THEY CAME FROM,
4 JUST THE COURSE OF OUR DISCUSSIONS.

5 Q AND IT WAS KIND OF FUN YOU SAID, PUTTING THAT
6 MANUAL TOGETHER?

7 A YES IT WAS.

8 Q YOU HAD NO EVIL OR SINISTER DESIGNS WHERE YOU WERE
9 GOING TO PUT THIS BOOKLET TOGETHER AS SOME RECIPE OR FORMULA
10 THAT WOULD MESMERIZE PEOPLE?

11 A NO FEELING LIKE THAT AT ALL.

12 Q OKAY. IT WAS JUST SOMETHING THAT YOU AND HUNT
13 SAT DOWN TOGETHER AND DID, SOME INTELLECTUAL GYMNASTICS AND
14 YOU PRODUCED THIS PRODUCT?

15 A RIGHT.

16 Q DID YOU REFER TO ANY REFERENCE SOURCES?

17 A I AM NOT SURE. I DON'T REMEMBER.

18 Q HOW LONG DID IT TAKE YOU GUYS TO PUT IT TOGETHER?

19 A I THINK WE WORKED ON IT OVER A COUPLE OF DAYS.

20 Q OKAY. AND THEN WE HAVE -- AND WHO TYPED IT FOR
21 YOU?

22 A JOE AND I BOTH TYPED IT.

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3-1 1 Q YOU BOTH HIT THE MACHINE TOGETHER?

2 A I THINK WE HAD TWO MACHINES. BUT I RECALL BOTH
3 OF US TYPING ON IT.

4 Q YESTERDAY, YOU USED THE EXPRESSION THAT SOMEHOW
5 THIS MANUAL REPRESENTED SOME "FLUID" THAT BOUND YOU TOGETHER
6 IN THE BBC?

7 A I DON'T THINK I SAID THE MANUAL REPRESENTED THE
8 FLUID. I FELT THAT PARADOX PHILOSOPHY REPRESENTED THE FLUID
9 THAT BOUND US TOGETHER OR THE GLUE.

10 Q AND YOU MEAN THE MANUAL WITHOUT THE PARADOX
11 PHILOSOPHY AS A PART OF IT, WAS NOTHING?

12 A NO. IT HAD ITS VALUE BESIDES THAT.

13 Q IS THE PARADOX PHILOSOPHY SPELLED OUT IN THE
14 MANUAL?

15 A NO.

16 Q WELL, WHY DID YOU GUYS LEAVE THAT OUT?

17 A WELL, AS A MATTER OF FACT, JOE -- WE TALKED ABOUT
18 ACTUALLY, WRITING OUT THE PARADOX PHILOSOPHY. I WAS VERY
19 ANXIOUS FOR JOE TO DO SO BECAUSE I WANTED TO LEARN MORE ABOUT
20 IT.

21 AND I REMEMBER HIM STARTING A COUPLE OF TIMES AND
22 DECIDING THAT IT WAS TOO DIFFICULT TO REALLY JUST LAY IT OUT
23 AND THAT THE WHOLE PHILOSOPHY IN ITS OWN NATURE, DIDN'T LEND
24 ITSELF TO THAT.

25 SO IT WAS SOMETHING THAT HAD TO BE JUST LEARNED
26 OVER TIME, THROUGH APPLICATION.

27 Q WELL, SO WHEN YOU GIVE THE MANUAL TO THESE PEOPLE
28 THAT YOU RECRUIT IN HERE, YOU ARE NOT ABLE TO GIVE THEM ANY

B-2

1 PARADOX PHILOSOPHY THEY CAN TAKE HOME WITH THEM AND STUDY AT
2 NIGHT?

3 A WELL, WHAT WE HAD IN TERMS OF THE CONVERSATIONS
4 THAT THEY HAD WITH JOE, WAS QUITE MEANINGFUL I THINK, TO ALL
5 OF THEM.

6 Q I UNDERSTAND THAT. BUT YOU DIDN'T HAVE ANYTHING
7 IN TERMS OF A DOCUMENT OR A MANUAL OR A BRIEF OR A BOOK OR
8 ANYTHING YOU COULD TAKE HOME WITH YOU?

9 A MERELY THAT.

10 Q MERELY THIS?

11 A RIGHT.

12 Q BUT AS I LOOK THROUGH THIS, I CAN'T FIND
13 ANYTHING HERE THAT SAYS THAT PARADOX PHILOSOPHY IS SO AND SO.
14 YOU CAN'T FIND IT, CAN YOU?

15 A NO. I KNOW IT IS SPECIFICALLY NOT IN THERE.

16 Q I DON'T SEE ANYTHING IN HERE THAT SAYS THAT WHEN
17 YOU ARE HAVING TROUBLE WITH YOUR GIRLFRIEND, HERE IS WHAT TO
18 DO IN TERMS OF PARADOX PHILOSOPHY. THAT IS NOT IN HERE?

19 A NO.

20 MR. WAPNER: "HERE" REFERS TO -- JUST REFER TO THE
21 EXHIBIT NUMBER.

22 MR. BARENS: PEOPLE'S 182.

23 MR. WAPNER: THANK YOU.

24 Q BY MR. BARENS: THERE IS NOTHING IN HERE THAT SAYS
25 THAT UNDER THE FOLLOWING CIRCUMSTANCES WE TELL LIES IN
26 SELF-INTEREST? THAT ISN'T IN HERE?

27 A NO.

28 Q THERE CERTAINLY IS NOTHING IN HERE THAT SAYS THAT

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1 UNDER THE CIRCUMSTANCES WE GO OUT AND DO A BUNCH OF CRIME?

2 A NO. THERE IS NOT.

3 Q WELL, WHAT WAS THAT FOR? WHAT WAS THIS?

4 A THAT WAS A BRAINSTORM THAT JOE AND I HAD AS WE
5 WERE THINKING ABOUT STARTING THIS GROUP. WE FIRST STARTED
6 JUST DISCUSSING SOME OF THE IDEAS. AND THEN THERE GOT TO BE
7 SO MANY IDEAS THAT WE JUST DECIDED TO MAKE SUCH A BOOK AND
8 WE TALKED ABOUT --

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1 THE COURT: HE IS GIVING HIS ASSISTANT AN OPPORTUNITY
2 OF TALKING TO HIM. YOU CAN HESITATE WHENEVER YOU SEE THEM
3 TALKING. WAIT UNTIL THEY FINISH TALKING.

4 MR. BARENS: I ASSUME MR. KARNY KNOWS ABOUT APPROPRIATE
5 PAUSES, YOUR HONOR.

6 THE COURT: HE DOES.

7 MR. WAPNER: EXCUSE ME. WAS HE FINISHED WITH HIS ANSWER?
8 I THINK NOW HE HAS BEEN INTERRUPTED.

9 THE COURT: HE WAS INTERRUPTED BY HIS CO-COUNSEL. I
10 WANT TO BE SURE HE IS HEARD BY COUNSEL, INSTEAD OF BEING
11 TALKED TO BY THE OTHER SIDE.

12 MR. WAPNER: COULD WE HAVE THE FIRST PART OF HIS ANSWER
13 READ BACK SO HE WILL HAVE AN OPPORTUNITY TO FINISH?

14 THE COURT: YES. WILL YOU READ IT?

15 THE COURT REPORTER: (READING:)

16 "A THAT WAS A BRAINSTORM THAT JOE AND
17 I HAD, AS WE WERE THINKING ABOUT STARTING THIS
18 GROUP. WE FIRST STARTED JUST DISCUSSING SOME OF
19 THE IDEAS AND THEN, THERE GOT TO BE SO MANY IDEAS
20 THAT WE JUST DECIDED TO MAKE SUCH A BOOK AND WHEN
21 WE TALKED ABOUT --"

22 THE COURT: FINISH UP.

23 THE WITNESS: AND WHEN WE TALKED ABOUT ACTUALLY FORMING
24 AND ENLARGING THE GROUP OF PEOPLE AROUND US, WE FOUND THAT
25 THAT WOULD BE A GOOD IDEA, SO THEY COULD ALL HAVE SOME --
26 SOME BACKGROUND, SOME BACKDROP, SOMETHING TO TAKE HOME WITH
27 THEM.

28 Q BY MR. BARENS: DID THEY TAKE SOMETHING HOME

1 WITH THEM THAT HAS A LOT OF MYSTERIOUS WORDS?

2 A WELL, THERE WAS AN EXTENDED EXPLANATION, PAGE
3 BY PAGE IN THAT MEETING.

4 JOE WAS VERY PROUD OF IT, AS WAS I, AND THE BOOKLET
5 WAS DISCUSSED IN QUITE GREAT DETAIL AT THE FIRST MEETING.

6 Q ISN'T THIS THE ONLY REAL WRITTEN EXPRESSION
7 EVER OF PARADOX PHILOSOPHY?

8 A I SAID THAT THAT IS NOT AN EXPRESSION OF PARADOX
9 PHILOSOPHY.

10 Q EVEN THIS ISN'T?

11 A AS I TOLD YOU, PARADOX PHILOSOPHY WAS NEVER
12 WRITTEN OUT. IT WAS NEVER LAID OUT IN A SET OF PRECEPTS.

13 IT WAS SOMETHING THAT WAS ASSERTED, EXISTED AND
14 THAT COULD BE USED.

15 Q IS IT AN EXAMPLE OF THE PRINCIPLES BEING EXPRESSED
16 IN SOME OPERATIONAL FORMAT?

17 MR. WAPNER: IS "IT" REFERRING TO 182?

18 MR. BARENS: I'VE STILL GOT IT IN MY HAND HERE.

19 MR. WAPNER: IS THAT 182, COUNSEL?

20 MR. BARENS: YES, WAS AND STILL IS, YES.

21 THE WITNESS: I HAVE ALREADY EXPLAINED -- EXPLAINED
22 WHAT THAT IS.

23 I WOULDN'T SAY THAT IT IS A MANIFESTATION OF
24 A PARADOX PHILOSOPHY MIND.

25 IT IS JUST A BOOKLET ABOUT THE BBC AS JOE AND
26 I ENVISIONED IT AT THE TIME.

27 Q YES, MR. KARNY. BUT DOES THIS HAVE ANYTHING
28 AT ALL TO DO WITH PARADOX PHILOSOPHY?

1 A IT REFERS TO IT.

2 Q YES, BUT DOES IT HAVE ANYTHING TO DO WITH IT?

3 IT MAKES A REFERENCE TO IT BUT DOES IT HAVE

4 ANYTHING TO DO WITH PARADOX PHILOSOPHY?

5 A I DON'T UNDERSTAND REALLY WHAT YOU ARE ASKING
6 ME.

7 Q SIR, DOES IT IN ANY WAY EXPRESS PARADOX PHILOSOPHY?

8 MR. WAPNER: OBJECTION. ASKED AND ANSWERED TWICE NOW.

9 THE COURT: SUSTAINED.

10 MR. BARENS: WELL --

11 THE COURT: I THINK WE HAVE HEARD ENOUGH ABOUT THAT.

12 LET'S GET ON TO SOME OTHER SUBJECT, WILL YOU?

13 Q BY MR. BARENS: ALL RIGHT. WHAT DID YOU
14 CONTRIBUTE TO THIS?

15 A I DON'T REMEMBER.

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1 Q YOU DON'T REMEMBER A WORD?

2 A I WOULD HAVE TO LOOK.

3 THE COURT: I THOUGHT I SAID THAT WE HAD HAD ENOUGH OF
4 THAT BOOKLET. HE EXPLAINED IT TO THE BEST OF HIS ABILITY.
5 LET'S GO ON.

6 MR. BARENS: I KNOW HE EXPLAINED IT. I JUST WANT TO
7 KNOW WHAT HE CONTRIBUTED TO IT.

8 THE COURT: IT IS COMPLETELY IMMATERIAL ANYWAY.

9 MR. BARENS: WELL, MR. WAPNER INTRODUCED IT.

10 THE COURT: HE INTRODUCED IT FOR A SPECIFIC PURPOSE BUT
11 NOT TO THE EXTENT YOU ARE GOING THROUGH IT.

12 MR. BARENS: I DON'T KNOW WHAT HIS PURPOSE WAS BUT I
13 WOULD LIKE AN OPPORTUNITY TO ESTABLISH SOMETHING ABOUT IT.

14 THE COURT: LET'S GET ON TO SOMETHING MATERIAL, WILL
15 YOU?

16 MR. BARENS: I WOULD LIKE TO, BECAUSE IT IS GOING TO
17 BE CONNECTED UP, IF YOU WOULD PERMIT ME TO ASK THE QUESTION:
18 WHAT DID YOU CONTRIBUTE?

19 THE COURT: ALL RIGHT, YOU CAN ASK THAT ONE QUESTION.

20 THE WITNESS: AS I SAID, I DON'T REMEMBER WHAT I
21 CONTRIBUTED SPECIFICALLY.

22 Q BY MR. BARENS: COULD YOU LOOK AT THIS, PLEASE,
23 AND TELL ME A WORD AT ALL THAT YOU CONTRIBUTED, A SENTENCE,
24 ANYTHING THAT YOU CONTRIBUTED.

25 A THE WAY IT WAS WRITTEN, WE TALKED ABOUT THINGS
26 AS A SORT OF, AS I SAY, I WAS A SOUNDING BOARD, A CONSULTANT,
27 A COLLABORATOR AND I THINK THAT THE RESULT WAS MORE OF A
28 COMBINED THING.

1 I THINK ACTUALLY --

2 THE COURT: PARDON ME. WHEN YOU SAID THAT YOU TYPED
3 PART OF IT AND HE TYPED PART; WHAT DID YOU TYPE IT FROM, YOUR
4 MEMORY OR FROM SOMETHING THAT WAS WRITTEN OUT?

5 THE WITNESS: OH, IT WAS HANDWRITTEN PAGES.

6 THE COURT: IN WHOSE HANDWRITING WAS IT?

7 THE WITNESS: SOME IN JOE'S. PERHAPS SOME IN MINE.

8 ALTHOUGH NOW THAT I AM THINKING ABOUT IT, THERE
9 WAS A DESCRIPTION OF THE ARBITRAGE BUSINESS THAT BEN WAS
10 WORKING ON AND I BELIEVE I WROTE MOST OF THAT.

11 Q BY MR. BARENS: YOU MADE IT UP OR WHAT?

12 A THAT I WROTE MOST OF THAT DESCRIPTION.

13 Q DID YOU CONTRIBUTE ANYTHING AT ALL TO ALL OF THOSE
14 WORDS AND LANGUAGE THAT WE TALKED ABOUT?

15 THE COURT: HE JUST TOLD YOU THAT HE WROTE OUT AND
16 THOUGHT OUT THE WHOLE BUSINESS ABOUT THE ARBITRAGE.

17 Q BY MR. BARENS: ANYTHING ELSE?

18 YOU MEAN YOUR ONLY CONTRIBUTION WAS THE ARBITRAGE
19 PART?

20 A I TOLD YOU THAT I WAS A SOUNDING BOARD, THAT JOE
21 AND I HAD AN ENJOYABLE TIME DISCUSSING SOME OF THESE THINGS
22 BEFORE THEY WERE FINALIZED. TO THAT EXTENT, I MADE A
23 CONTRIBUTION.

24 Q NOTHING SINISTER HERE, RIGHT?

25 A NO.

26 Q OKAY. WHEN YOU WERE OUT THERE RECRUITING PEOPLE
27 FOR MEMBERSHIP IN THE BBC, DID YOU TELL THEM THAT HUNT HAD
28 LOST ALL OF YOUR PARENTS' MONEY?

1 A NO.

2 Q DID YOU TELL THEM HE HAD LOST ALL THESE CANADIANS'
3 MONEY?

4 A WELL, I AM SORRY. I TOOK YOUR QUESTION LITERALLY.
5 HE DIDN'T LOSE ALL MY PARENTS' MONEY.
6 HE LOST ALL OF THE MONEY THEY HAD INVESTED.

7 Q WELL, EXCUSE ME.
8 (LAUGHTER IN COURTROOM.)

9 Q BY MR. BARENS: DID YOU TELL THESE PEOPLE THAT
10 HE HAD LOST ALL THE MONEY YOUR PARENTS GAVE HIM TO INVEST,
11 MR. KARNY?

12 A I AM NOT SURE.
13 WE -- I DON'T RECALL ACTUALLY HIDING THE FACT THAT
14 HE HAD LOST MONEY BEFORE.

15 Q TELL ME WHO YOU TOLD IT TO, MR. KARNY.

16 A I DON'T REMEMBER WHO.

17 Q DO YOU REMEMBER ONE PERSON YOU EVER SAID, "LISTEN,
18 COME ON INTO THE BBC, JOE LOST A HUNDRED FIFTY GRAND OF MY
19 FOLKS' MONEY"?

20 A I DID NOT SAY THAT SPECIFICALLY, NO.

21 Q DID YOU SAY IT TO ANYBODY?

22 A I TOLD YOU THAT I DID NOT SAY THAT SPECIFICALLY.

23 Q TELL ME ONE PERSON YOU TOLD IT TO.

24 MR. WAPNER: OBJECTION. ASKED AND ANSWERED.

25 THE COURT: SUSTAINED.

26 MR. BARENS: HE TOLD ME THAT HE TOLD SOMEBODY, HE TOLD
27 IT TO SOMEBODY.

28 THE COURT: SUSTAINED. LET'S GET ON TO THE NEXT QUESTION,

1 PLEASE.

2 Q BY MR. BARENS: DID YOU TELL EVERYBODY THAT YOU
3 WERE RECRUITING THAT HUNT MADE MONEY IN THE COMMODITIES MARKET?

4 A THAT, YES, YES.

5 Q BUT YOU HAD NEVER SEEN HIM MAKE ANY MONEY?

6 A BUT HE HAD SAID THAT HE HAD. HE SAID THAT HE HAD
7 WORKED HIS ACCOUNT UP TO \$14 MILLION BEFORE THIS CONSPIRATORIAL
8 LOSS THAT YOU WERE TALKING ABOUT AND --

9 Q DID YOU EVER --

10 MR. WAPNER: EXCUSE ME. HE HAS NOT FINISHED THE ANSWER.

11 MAY HE BE PERMITTED TO FINISH THE ANSWER?

12 THE WITNESS: AND THAT I BELIEVED AND THAT I TALKED ABOUT.

13 Q BY MR. BARENS: DID YOU EVER PROTECT ANY OF THESE
14 FRIENDS OF YOURS AND TELL THEM "DON'T GO NEAR HUNT, HE LOSES
15 MONEY"?

16 A NO.

17 Q OKAY, NOW YOU HAD SOME CONCERN LATER ON IN TELLING
18 YOUR FRIENDS ABOUT THESE ALLEGED THINGS THAT HAPPENED ON
19 6-6, 6-7-84; YOU WANTED THEM ALL TO KNOW THAT AT THIS 6-24
20 MEETING, RIGHT, YOU HAD SOME FEELING THAT ALL OF THIS
21 PARADOX·PHILOSOPHY STUFF COMPELLED YOU TO WANT TO TELL THEM
22 ABOUT THIS?

23 A WELL, IT WAS A COMBINATION OF PARADOX PHILOSOPHY
24 PLUS THE SIMPLE STRESS THAT I WAS FEELING.

25 EXACTLY WHAT THAT STRESS WAS ATTRIBUTABLE TO, I
26 CAN'T TELL YOU. BUT ALL I KNOW IS THOSE WERE MY FRIENDS IN
27 THAT GROUP AND I FELT I WAS BEING SEPARATED BECAUSE OF THEM,
28 BECAUSE OF THIS SECRET.

1 Q WHY DIDN'T YOU WANT TO COME CLEAN WITH YOUR
2 FRIENDS UP FRONT, ABOUT ALL OF THE MONEY THAT HE LOST IN
3 THE BEGINNING?

4 A I TOLD YOU THAT I WASN'T ASKED. IF I HAD BEEN
5 ASKED AND PERHAPS IT WAS -- I DON'T REMEMBER. IT WAS STATED
6 THAT JOE HAD LOST A LOT OF MONEY.

7 BUT THE FACT WAS, THAT HE SAID HE HAD MADE A
8 LOT OF MONEY AND THAT THE LOSS WASN'T ATTRIBUTABLE TO HIS
9 TRADING SYSTEM.

10 SO, THIS IS A GOOD EXAMPLE OF PARADOX PHILOSOPHY
11 FOR YOU. YOU SHIFT THE EMPHASIS FROM THE LOSS AND CHANGE
12 YOUR PERSPECTIVE TO LOOK MORE AT THE POTENTIAL FOR GAIN.

13 AND YOU DIFUSE ANY NEGATIVE EMOTION WHICH IS
14 CREATED BY TELLING PEOPLE BAD NEWS ABOUT A LOSS. THAT IS
15 HOW IT WAS DONE.

16 Q AND YOU LIE, DON'T YOU?

17 A ULTIMATELY, THAT IS WHAT IT MEANT.

18 Q ULTIMATELY, YOU LIE. AND YOU LIED ABOUT THAT,
19 NOT DISCLOSING THE TRUTH TO PEOPLE, THESE PEOPLE?

20 YOU KNOW HE HAS LOST ALL THIS MONEY, DON'T YOU
21 AS AN OBJECTIVE MATTER, MR. KARNY?

22 A I TOLD YOU THAT IF IT WAS ASKED, I DID NOT LIE
23 ABOUT MONEY THAT HAD BEEN LOST.

24 IT WAS FAIRLY WELL KNOWN THAT JOE HAD AT ONE
25 TIME, LOST A GREAT DEAL OF MONEY.

26 Q DID YOU TELL FRIENDS THAT HE HAD BEEN KICKED
27 OFF THE COMMODITIES EXCHANGE?

28 A HE BRAGGED ABOUT IT. HE TALKED ABOUT HAVING

1 SO INTIMIDATED AND SO IRRITATED WHAT HE CALLED THE KANGAROO
2 COURT WHICH WAS INVESTIGATING HIM, THAT HE HAD GOTTEN THE
3 LONGEST SUSPENSION IN A TEN-YEAR HISTORY -- RATHER, A TEN-
4 YEAR SUSPENSION, WHICH WAS THE LONGEST IN THE HISTORY OF
5 THE EXCHANGE, AS HE PUT IT.

6 AND AGAIN, SHIFTING THE FOCUS, THIS WAS A
7 TESTAMENT TO THE POWER OF HIS PERSONALITY, HOW A 24-YEAR-OLD
8 KID COULD JUST DRIVE A BUNCH OF LAWYERS CRAZY ON THE FLOOR
9 OF THE CHICAGO MERCANTILE EXCHANGE.

10 Q HE DRIVES THEM CRAZY BUT HE GETS HIS BUNS KICKED
11 OUT OF THERE? THEY SENT HIM OUT WITHOUT YOUR FOLKS' MONEY
12 AND WITH NOTHING TO SHOW FOR ALL OF THAT TIME --

13 THE COURT: DO YOU OBJECT TO THIS AS ARGUMENTATIVE?

14 MR. WAPNER: YES, YOUR HONOR.

15 THE COURT: I WILL SUSTAIN IT.

16 MR. BARENS: THANK YOU BOTH.

17 THE COURT: LADIES AND GENTLEMEN OF THE JURY, WE'LL
18 TAKE OUR ADJOURNMENT AT THIS TIME UNTIL MONDAY MORNING.
19 PLEASE REST UP.

20 HAVE ANICE WEEKEND AND GOOD NIGHT.

21 (AT 4:28 P.M. AN ADJOURNMENT WAS TAKEN
22 TO RESUME MONDAY, MARCH 23, 1987, AT
23 10:30 A.M.)

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