

COURT OF APPEAL OF THE STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT

DOCKET
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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.)

OCT 0 1988

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
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FOR DEFENDANT-APPELLANT: IN PROPRIA PERSONA

VOLUME 74 OF 101
(PAGES 11642 TO 11861, INCLUSIVE)

COPY

ROSEMARIE GOODBODY, CSR NO. 932
SALLY YERGER, CSR NO. 2008
OFFICIAL REPORTERS

SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

DEPARTMENT WEST C

HON. LAURENCE J. RITTENBAND, JUDGE

THE PEOPLE OF THE STATE OF CALIFORNIA,)
)
) PLAINTIFF,)
)
) VS.)
)
) JOSEPH HUNT,)
)
) DEFENDANT.)

NO. A-090435

REPORTERS' DAILY TRANSCRIPT

TUESDAY, MARCH 31, 1987

VOLUME 74

PAGES 11642 TO 11861, INCL.

APPEARANCES:

FOR THE PLAINTIFF: IRA REINER, DISTRICT ATTORNEY
BY: FREDERICK N. WAPNER, DEPUTY
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SANTA MONICA, CALIFORNIA 90401

FOR THE DEFENDANT: ARTHUR H. BARENS, ESQ.
10209 SANTA MONICA BOULEVARD
LOS ANGELES, CALIFORNIA 90067

AND

RICHARD C. CHIER, ESQ.
10920 WILSHIRE BOULEVARD
LOS ANGELES, CALIFORNIA 90024

ROSEMARIE GOODBODY, CSR NO. 932
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COPY

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1 SANTA MONICA, CALIFORNIA; TUESDAY, MARCH 31, 1987; 10:40 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 HOW ARE YOU FEELING, MRS. BECKING?

7 JUROR BECKING: FINE. THANK YOU.

8 THE COURT: YOU MAY PROCEED.

9 MR. WAPNER: THANK YOU, YOUR HONOR.
10

11 BROOKE ROBERTS,
12 CALLED AS A WITNESS BY THE DEFENDANT, HAVING BEEN PREVIOUSLY
13 SWORN, TESTIFIED FURTHER AS FOLLOWS:
14

15 CROSS-EXAMINATION (RESUMED)

16 BY MR. WAPNER:

17 Q MS. ROBERTS, WHERE IN ARIZONA DID YOU GO TO
18 BOARDING SCHOOL?

19 A IN SEDONA.

20 Q WHERE IS SEDONA?

21 A IT IS ABOUT TWO HOURS AWAY FROM PHOENIX.

22 Q HOW LONG WERE YOU THERE?

23 A JUST ONE YEAR.

24 Q AND WHAT YEAR WAS THAT, CALENDAR YEAR?

25 A I WAS 15 SO I AM 22 NOW, SEVEN YEARS AGO.

26 Q YOU DON'T REMEMBER?

27 A 1980.

28 Q INCIDENTALLY, WHEN WAS IT, YOU TOLD US YESTERDAY,

1 THAT YOU MET MR. HUNT?

2 A WHEN I WAS 18.

3 Q AND WHAT MONTH OF WHAT YEAR WAS IT THAT YOU MET
4 HIM?

5 A I MET HIM EARLY NOVEMBER -- NO -- IT WAS AFTER
6 MY BIRTHDAY. IT WAS LIKE THE MIDDLE OF NOVEMBER.

7 Q OF WHAT YEAR?

8 A WHEN I WAS 18.

9 I DON'T KNOW. YOU WILL HAVE TO CALCULATE THAT.

10 Q WHEN DID YOU MOVE IN WITH HIM?

11 A I MOVED IN WITH HIM APRIL.

12 Q OF THE FOLLOWING YEAR?

13 A YES.

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2-)
1 Q THE WOMEN WHO WERE MEMBERS OF THE BBC, WERE THEY
2 ALL GIRLFRIENDS OF --

3 A NO.

4 Q WHO WERE THE ONES WHO WERE MEMBERS OF THE BBC THAT
5 WEREN'T GIRLFRIENDS OF GUYS?

6 A LAUREN RABB. SHE WAS AN ATTORNEY.

7 Q WASN'T HER BOYFRIEND JON ALLEN?

8 A NO. THEY WERE JUST FRIENDS.

9 Q WHO ELSE?

10 A A GIRL NAMED CYNTHIA HINE, JUST A FRIEND.

11 Q A FRIEND OF WHO?

12 A OF WHO? I THINK SHE WAS FRIENDS WITH BEN.

13 Q SHE DIDN'T DATE BEN?

14 A NO.

15 Q AND WHO ELSE?

16 A THAT IS ALL I CAN REMEMBER RIGHT NOW.

17 Q WHEN JOE HUNT TALKED WITH DEAN KARNY ABOUT HIS
18 PROBLEMS, DID HE TALK ABOUT PROBLEMS DEAN HAD WITH HIS
19 GIRLFRIEND?

20 A YES.

21 Q WHEN YOU MET JOE HUNT AND THEN YOU MOVED WITH HIM,
22 YOU FIRST MOVED TO THE VALLEY, RIGHT?

23 A YES.

24 Q THEN TO A MOTEL ON --

25 A SUNSET.

26 Q JUST OFF OF SUNSET, LIKE ON CHURCH LANE?

27 A NEAR THE HOLIDAY INN. IF THAT IS CHURCH LANE --

28 Q BY THE SAN DIEGO FREEWAY?

2-
(
1 A YEAH.

2 Q THEN IT WAS FROM THERE YOU WENT TO THE WILSHIRE
3 MANNING, RIGHT?

4 A YES.

5 Q YOU STAYED IN THE WILSHIRE MANNING UNTIL AFTER
6 MR. HUNT WAS ARRESTED AND THEN YOU MOVED BACK HOME TO YOUR
7 PARENTS?

8 A YES.

9 Q YOU DIDN'T LIVE IN ANY OTHER PLACES?

10 A NO. I DID.

11 Q DURING THAT TIME, WHERE ELSE DID YOU LIVE?

12 A I LIVED WITH A FRIEND OF MINE THAT I WENT TO
13 HIGH SCHOOL WITH. AND --

14 Q OKAY. MAYBE THE QUESTION IS NOT CLEAR.

15 FROM THE TIME THAT YOU MOVED IN WITH JOE HUNT IN
16 THE VALLEY UNTIL YOU MOVED OUT OF THE WILSHIRE MANNING AND
17 MOVED BACK TO YOUR PARENTS, DID YOU LIVE WITH ANYBODY BESIDES
18 JOE?

19 A AFTER JOE WAS ARRESTED?

20 Q NO. I AM JUST TALKING ABOUT --

21 A NO. JOE WAS THE FIRST PERSON I LIVED WITH.

22 Q OKAY. BETWEEN THE TIME THAT YOU MOVED IN WITH
23 HIM IN THE VALLEY AND THE TIME YOU MOVED OUT OF THE WILSHIRE
24 MANNING TO GO BACK TO YOUR PARENTS -- ARE YOU CLEAR ON THAT
25 TIME SPAN, NOW?

26 A RIGHT.

27 Q IN THAT TIME SPAN, THE ONLY PERSON THAT YOU LIVED
28 WITH OTHER THAN ROOMMATES SUCH AS DEAN KARNY, WAS JOE HUNT,

1 RIGHT?

2 A YES.

3 Q AND THE PLACES THAT YOU LIVED WERE THE CONDO IN
4 THE VALLEY, THE MOTEL --

5 A AND THERE WAS ALSO A PLACE WE STAYED ON WILSHIRE.
6 I CAN'T REMEMBER THE NAME. IT WAS A LITTLE APARTMENT BUILDING.
7 WE STAYED THERE FOR A COUPLE OF MONTHS ALSO.

8 Q THAT WAS BEFORE THE WILSHIRE MANNING?

9 A YES.

10 Q WHEN DID YOU HAPPEN TO REMEMBER THAT YOU STAYED
11 THERE?

12 A IT WAS SUMMER, LIKE A MONTH IN THE SUMMER BECAUSE
13 I REMEMBER IT WAS ABOUT 100 DEGREES. IT WAS VERY HOT IN THIS
14 LITTLE APARTMENT.

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1 Q AND WHO PAID THE RENT ON THESE PLACES?

2 A I ASSUME, JOE.

3 I DON'T KNOW OF ALL OF THE PLACES, WHO PAID.

4 BUT I DIDN'T PAY.

5 Q WHY WAS IT THAT YOU ASSUME THAT JOE PAID THE
6 RENT?

7 A BECAUSE IT SEEMED THAT JOE PAID FOR EVERYTHING.

8 Q WHAT DO YOU MEAN WHEN YOU SAY "IT SEEMED LIKE
9 JOE PAID FOR EVERYTHING"?

10 A JUST WHAT I MEAN. IT SEEMED THAT JOE PAID FOR
11 EVERYTHING.

12 Q INCLUDING EVERYTHING FOR DEAN AND BEN?

13 A I DON'T KNOW. I COULDN'T ANSWER THAT.

14 Q WELL, THESE PLACES WHERE YOU LIVED AT VARIOUS
15 TIMES, DEAN KARNY AND MR. DOSTI WERE LIVING THERE ALSO?

16 A YES.

17 Q AND DO YOU ASSUME THAT JOE HUNT PAID THEIR RENT
18 ALSO?

19 A OR IT ALL WENT TOGETHER, YOU KNOW.

20 I DON'T RECALL DEAN SAYING, "HERE IS THE MONEY
21 FOR MY RENT" OR BEN SAYING, "HERE IS SOME MONEY FOR MY RENT,"
22 I DON'T RECALL THAT, NO.

23 Q YOU DON'T REALLY KNOW HOW THE RENT WAS PAID?

24 A NO.

25 I SAID IT SEEMED THAT JOE PAID FOR IT, I COULDN'T
26 TELL YOU EXACTLY.

27 Q OVER WHAT PERIOD OF TIME WAS IT THAT RON LEVIN
28 WAS MAKING THESE PHONE CALLS TO MR. HUNT ON A DAILY BASIS

1 IN THE MORNING?

2 A WHEN DID HE START CALLING? I DON'T UNDERSTAND
3 THE QUESTION.

4 Q HOW LONG OF A PERIOD OF TIME DID THE CALLS LAST,
5 A DAY, A WEEK, A MONTH?

6 A HE CALLED SOMETIMES VERY OFTEN. SOMETIMES NOT
7 VERY OFTEN.

8 Q WELL, WAS THERE A PERIOD WHERE YOU SAY HE WAS
9 CALLING EVERY MORNING?

10 A YES.

11 Q AND WHEN WAS THAT?

12 A WHEN I WAS LIVING IN ENCINO, WHEN JOE WAS TRADING
13 COMMODITIES.

14 Q DID RON LEVIN CALL OFTEN DURING THE TIME -- ANY
15 OF THE TIME HE LIVED AT THE WILSHIRE MANNING?

16 A YES.

17 Q IN THE MORNINGS?

18 A SOMETIMES. NOT AS MUCH AS WHEN WE WERE IN THE
19 VALLEY, THOUGH.

20 Q WAS JOE TRADING COMMODITIES WHEN YOU WERE AT
21 THE WILSHIRE MANNING ALSO?

22 A YES.

23 Q AND DID YOU KNOW WHETHER JOE HUNT WAS TRADING
24 COMMODITIES FOR RON LEVIN WHILE YOU WERE LIVING IN THE CONDO
25 IN ENCINO?

26 A YES, I DO.

27 Q WAS HE OR WASN'T HE?

28 A HE WAS TRADING.

3-3

1 Q HOW DID YOU KNOW THAT?

2 A BECAUSE I WOULD HEAR HIM. HE WOULD WAKE UP NEXT
3 TO ME AND DIAL THE BROKERAGE HOUSE.

4 Q WAS HE TRADING COMMODITIES FOR RON LEVIN AT THAT
5 TIME?

6 A YES.

7 Q HOW DID YOU KNOW HE WAS TRADING THEM FOR RON
8 LEVIN?

9 A BECAUSE HE WOULD CALL RON, USUALLY TELL HIM WHAT
10 HE HAD DONE AND HE WOULD LIKE NEGOTIATE WHAT THEY WERE GOING
11 TO DO AND HE WOULD CALL BACK AND THIS WOULD BE GOING ON AT
12 6:00 O'CLOCK IN THE MORNING.

13 Q AND YOU MOVED IN THERE IN APRIL OF 1983?

14 A YES.

15 Q AND WERE THESE CALLS GOING ON WHEN YOU FIRST
16 MOVED IN?

17 A WHEN I FIRST MOVED, I DON'T REMEMBER EXACTLY
18 WHEN THEY STARTED BUT I HADN'T BEEN LIVING THERE FOR A LONG
19 TIME.

20 Q AND THEY CONTINUED UNTIL YOU MOVED OUT OF THERE
21 INTO THE WILSHIRE MANNING?

22 A I DON'T KNOW. I DON'T REMEMBER THAT ONE.

23 Q WHEN DID YOU MOVE INTO THE WILSHIRE MANNING,
24 BY THE WAY?

25 A THAT WAS IN -- I DON'T REMEMBER EXACTLY --
26 SEPTEMBER, OCTOBER MAYBE.

27 Q OF 1983?

28 A YES.

3-4

1 I AM NOT SPECIFIC ON THE DATE SO I COULDN'T REALLY
2 TELL YOU CORRECTLY.

3 Q THE MEETING THAT JOE HUNT HAD TO DIVY UP THE
4 SHARES OF THE SHOPPING CENTER, WAS THAT BEFORE OR AFTER YOU
5 MOVED INTO THE WILSHIRE MANNING?

6 A THAT WAS BEFORE WE WERE IN THE WILSHIRE MANNING.

7 Q DID JOE HUNT TELL YOU IF THAT WAS AS A RESULT
8 OF HIS TRADING OF COMMODITIES FOR RON LEVIN?

9 A NO, I DON'T RECALL WHAT HE SAID.

10 Q WHEN WAS IT THAT YOU WORKED AT THE OFFICE?

11 A OH, WHEN?

12 I DON'T REMEMBER SPECIFICALLY WHAT MONTH IT WAS.
13 MAYBE NOVEMBER, DECEMBER. BUT I AM NOT --

14 I DON'T REMEMBER. I KNOW I WORKED THERE FOR
15 ABOUT A MONTH AND THAT WAS IT.

16 Q DIDN'T YOU TELL US YESTERDAY IT WAS IN MARCH
17 OF 1983?

18 A MAYBE SO.

19 I DON'T REMEMBER. I COULDN'T TELL YOU WHEN
20 EXACTLY.

21 I JUST KNOW THEY WERE PUTTING THE OFFICES TOGETHER
22 AND IT WAS LIKE THAT.

23 Q WHAT WAS YOUR JOB AT THE OFFICE AT THAT TIME?

24 A I ANSWERED THE TELEPHONES AND I WAS -- I WAS
25 HELPING. THEY WERE DOING A LOT OF PAINTING AND CONSTRUCTION
26 AND STUFF LIKE THAT, SO I WAS ASSISTING WITH THAT.

27 I WASN'T PAINTING.

28 Q YOU DON'T LOOK LIKE THE TYPE WHO WAS OUT THERE

1 WITH A BRUSH IN YOUR HAND.

2 A I DON'T?

3 Q WERE YOU ASSISTING?

4 MR. BARENS: I KIND OF OBJECT.

5 THE WITNESS: WITH THE PAINTING --

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1 Q WERE YOU ASSISTING WITH THE --
2 MR. BARENS: WELL, I KIND OF OBJECT TO --
3 THE WITNESS: WITH THE PAINTING.

4 Q BY MR. WAPNER: LET ME ASK THE QUESTIONS. YOU
5 WERE ASSISTING WITH THE FASHION COORDINATING AT THE OFFICE.
6 WHAT COLOR WALLPAPER AND STUFF LIKE THAT?

7 A YES.

8 Q OKAY. AND AT THE TIME THAT YOU WERE THERE, WERE
9 YOU ABLE TO OBSERVE ANY OF THE BUSINESS ACTIVITIES AT THE
10 OFFICE?

11 A A LITTLE BIT. I SAW HOW THINGS WERE RUN, A LITTLE
12 BIT.

13 Q WHO WAS IN CHARGE OF THE OFFICE?

14 A BEN, JOE AND DEAN.

15 Q IN THAT ORDER?

16 A NO, ANY ORDER YOU WANT.

17 Q WELL, ISN'T THE IDEA OF THE SHADINGS -- WHO WOULD
18 DECIDE WHO THE SHADINGS WERE?

19 A BEN, JOE AND DEAN.

20 THE COURT: WHAT? WHO?

21 THE WITNESS: BEN, JOE AND DEAN, I SUPPOSE.

22 Q BY MR. WAPNER: THEY WERE THE SHADINGS INITIALLY,
23 RIGHT?

24 A YES.

25 Q BUT WHO MADE THE DECISION THAT THEY WOULD BECOME
26 THE SHADINGS?

27 A I GUESS ALL THREE OF THEM DECIDED.

28 Q YOU DON'T KNOW, IN FACT?

4-2
1 A NO, I DON'T.

2 Q YOU SAID EVERYONE AT THE OFFICE TALKED ABOUT THE
3 PARADOX PHILOSOPHY. DO YOU KNOW WHERE THE WORDS "PARADOX
4 PHILOSOPHY" CAME FROM?

5 A NO.

6 Q DO YOU KNOW WHO WAS THE FIRST ONE IN THAT WHOLE
7 GROUP TO TALK ABOUT THE WORDS "PARADOX PHILOSOPHY"?

8 A NO.

9 Q DID MR. HUNT EVER TALK TO YOU ABOUT HOW THAT
10 ORIGINATED?

11 A NO. I REMEMBER WHEN I WAS MOVING TO THE VALLEY,
12 DEAN AND JOE WERE WRITING SOME IDEAS DOWN. BUT THAT IS ALL
13 I REMEMBER.

14 THE COURT: DO YOU KNOW WHAT THE WORD "PARADOX" MEANS?

15 THE WITNESS: SORT OF.

16 THE COURT: WHAT IS IT?

17 THE WITNESS: IT MEANS THAT THINGS CAN BE DIFFERENT IF
18 YOU LOOK AT THINGS IN DIFFERENT PERSPECTIVES.

19 THE COURT: ALL RIGHT.

20 MR. BARENS: AS OPPOSED TO TWO DOCTORS.

21 THE COURT: I DON'T KNOW THAT THAT CALLS FOR ANY REMARKS
22 FROM YOU.

23 MR. BARENS: SORRY, YOUR HONOR.

24 Q BY MR. WAPNER: DID YOU EVER GO WITH MR. HUNT TO
25 THE OFFICES AND SEE HIM LOOKING AT THESE COMPUTERS WITH THE
26 STOCK PRICES ON THEM?

27 A I DON'T RECALL THE STOCK PRICES. I REMEMBER THAT
28 HE WOULD GO IN THERE IN THE MORNING AND DO HIS COMPUTER.

4-2
1 Q DID YOU EVER GO WITH HIM OR DID HE JUST TELL YOU
2 THAT?

3 A NO. I WOULD GO SOMETIMES.

4 Q AND THAT IS WHEN HE GOT UP VERY EARLY IN THE
5 MORNING?

6 A HE WOULD GO DURING THE AFTERNOONS OR LATE AT NIGHT.
7 BUT SOMETIMES HE WOULD WAKE UP LIKE AT 6 O'CLOCK
8 IN THE MORNING AND GO TO THE OFFICE AND I WOULD MEET HIM THERE.

9 Q IS THAT WHEN HE WAS DOING COMMODITY TRADING?

10 A I DON'T KNOW.

11 Q DID HE HAVE A MACHINE THAT HE LOOKED AT THAT HAD
12 ALL OF THE STOCK PRICES AND EVERYTHING?

13 A IT WAS A COMPUTER. HE HAD WHATEVER HE HAD THERE.
14 I COULDN'T TELL YOU.

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1 Q DURING THIS ENTIRE TIME THAT YOU WERE LIVING AT
2 THE WILSHIRE MANNING, LIVING WITH MR. HUNT AND ALSO IN THE
3 VALLEY, DID YOU HAVE ANOTHER JOB?

4 A NO.

5 Q YOU WORKED AT THE BBC OFFICES FOR ABOUT A MONTH,
6 RIGHT?

7 A YES.

8 Q AND AFTER THAT MONTH, WHAT DID YOU DO TO OCCUPY
9 YOUR TIME DURING THE DAY?

10 A I TOOK CLASSES AT UCLA, PART-TIME, ART CLASSES.

11 Q OKAY. DID YOU TAKE ANY ACTING CLASSES THEN?

12 A NO.

13 Q OTHER THAN TAKING PART-TIME CLASSES AT UCLA, WHAT
14 DID YOU DO?

15 A I HELPED AROUND THE HOUSE. I PUT TOGETHER OUR
16 APARTMENT. I DID A LOT OF ART, MOSTLY.

17 Q AND YOU WERE BEING SUPPORTED ENTIRELY BY MR. HUNT
18 AT THAT TIME?

19 A YES.

20 Q YOU SAID THAT YOU WERE A MEMBER OF THE BBC. WHAT
21 DID THAT MEMBERSHIP ENTAIL? WHAT DID YOU DO TO BE PART OF
22 THE BBC?

23 A NOTHING.

24 Q SO WHO DECIDED THAT YOU WERE A MEMBER?

25 A THE BOYS AT THE OFFICE. THEY JUST SAID, "LET'S
26 LET BROOKE BE IN THE BBC." SO I SAID OKAY. I WAS IN THE BBC.

27 Q DID YOU EVER HEAR ANY JOKING AROUND AT THE OFFICE
28 ABOUT ANY NICKNAMES FOR THESE INITIALS OF THE BBC AND WHAT

1 THEY JOKED AROUND THAT THEY MIGHT STAND FOR?

2 A NO. IT WAS THE BOMBAY BOYS CLUB. EVERYBODY KNEW
3 THAT.

4 THE COURT: THE BOMBAY BOYS CLUB?

5 THE WITNESS: BICYCLE CLUB. THERE WAS A RESTAURANT
6 NAMED THE BOMBAY BICYCLE CLUB. BECAUSE I CAN REMEMBER --

7 Q BY MR. WAPNER: IT WAS A BAR IN CHICAGO?

8 A YEAH. IT WAS IN CHICAGO.

9 Q BUT I WANT TO KNOW, DID YOU HEAR ANYBODY JOKING
10 AROUND THAT THEY WOULD CALL THEMSELVES LIKE THE BRASS BALLS
11 CLUB OR THE BILLIONAIRE BOYS CLUB?

12 A NEVER. I NEVER HEARD THAT. THE BRASS BALLS CLUB?
13 THAT'S CLEVER.

14 Q DID YOU MEET MR. PITTMAN AT THE WILSHIRE MANNING?

15 A YES.

16 Q THAT WAS BEFORE MR. HUNT MET HIM OR AFTER?

17 A HE VALETED OUR CARS. SO I AM SURE JOE MET HIM
18 ALSO AROUND THE SAME TIME, BEFORE JIM STARTED WORKING THERE.

19 Q OKAY. DO YOU KNOW WHAT KIND OF A CAR MR. PITTMAN
20 DROVE AT THAT TIME?

21 A HE DIDN'T HAVE A CAR.

22 Q DID YOU EVER SEE HIM WITH A FIAT STATION WAGON?

23 A YES I DID.

24 Q OKAY. THAT REFRESHES YOUR RECOLLECTION AS TO
25 WHAT --

26 A HIS WIFE DROVE THAT CAR. AT THE TIME HE WAS
27 WORKING AT THE MANNING, HE SAID HE DIDN'T HAVE A CAR.

28 Q SO THE FIAT STATION WAGON WAS LIKE, THE FAMILY

1 CAR? I MEAN HIS WIFE HAD IT?

2 A YEAH.

3 Q DID YOU EVER SEE HIM DRIVING IT?

4 A NO.

5 Q WAS IT A NEW OR AN OLDER CAR?

6 A IT WAS OLD. I SAW IT. IT WAS OLD.

7 Q KIND OF BEAT UP LOOKING?

8 A YEAH.

9 Q HOW WOULD YOU COMPARE THAT CAR TO THE BMW THAT
10 MR. HUNT GAVE MR. PITTMAN TO USE?

11 A WELL, HOW WOULD I COMPARE THE BLACK CAR? IT WAS
12 BEAUTIFUL. THE ONE THAT HE LET HIM DRIVE --

13 Q HAD YOU EVER SEEN THAT BLACK CAR BEFORE MR. HUNT
14 LET MR. PITTMAN DRIVE IT?

15 A YES.

16 Q DID YOU HEAR MR. PITTMAN SAY ANYTHING ABOUT THAT
17 CAR?

18 A HE LIKED IT.

19 Q HOW DO YOU KNOW?

20 A IT WAS BEAUTIFUL. IT WAS A BEAUTIFUL CAR.

21 Q BUT I MEAN, HOW DO YOU KNOW HE LIKED IT? DID HE
22 SAY SOMETHING IN YOUR PRESENCE LIKE, "THAT'S A GREAT CAR"?

23 A I THINK HE WAS ENTHUSIASTIC. I MEAN I WOULD HAVE
24 LOVED TO DRIVE THE CAR, BUT I DON'T DRIVE STICK. SO I DIDN'T
25 GET TO DRIVE IT.

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1 Q OKAY. SO BUT FOR THE FACT THAT YOU DIDN'T DRIVE
2 A STICK, I GUESS MR. PITTMAN ENDED UP WITH THAT CAR?

3 A YEAH, I GUESS SO.

4 Q AND HOW LONG HAD MR. PITTMAN BEEN ADMIRING THAT
5 BLACK BMW BEFORE MR. HUNT ALLOWED HIM TO DRIVE IT?

6 A I DON'T KNOW. I COULDN'T ANSWER THAT.

7 Q A DAY, A WEEK?

8 A OH, MAN, I DON'T REMEMBER. I'M SORRY, I DON'T
9 REMEMBER.

10 Q AND WHEN WAS IT THAT MR. HUNT PROVIDED THAT CAR
11 TO MR. PITTMAN IN RELATION TO WHEN MR. PITTMAN BECAME A
12 MEMBER OF THE BBC?

13 A I THINK JIM STARTED WORKING AT THE OFFICE OR
14 SOMETHING AND HE STARTED DRIVING THAT CAR, BUT I COULDN'T
15 TELL YOU EXACTLY WHEN HE DROVE THAT CAR.

16 Q AND DID YOU KNOW THAT MR. PITTMAN WAS MAKING
17 SUBSTANTIALLY MORE WORKING AT THE BBC THAN HE WAS AT THE
18 MANNING?

19 MR. BARENS: I WILL OBJECT AS ASSUMING A FACT NOT IN
20 EVIDENCE. I ALSO OBJECT ON RELEVANCY GROUNDS.

21 THE COURT: REPHRASE YOUR QUESTION, WILL YOU?

22 Q BY MR. WARNER: WERE YOU AWARE OF HOW MUCH MR.
23 PITTMAN WAS MAKING AT THE BBC?

24 A NO.

25 Q DID YOU KNOW HOW MUCH HE WAS MAKING AS A DOORMAN?

26 A NO.

27 Q DURING THE TIME THAT MR. PITTMAN WAS WORKING
28 AS A DOORMAN AT THE WILSHIRE MANNING, DID JOE HUNT EVER SAY

5-2

1 ANYTHING TO YOU ABOUT MR. PITTMAN?

2 A HE WANTED JIM TO TEACH HIM KARATE.

3 Q BESIDES THAT, DID HE SAY ANYTHING TO YOU ABOUT
4 HIM?

5 A THAT HE WAS THINKING ABOUT GIVING HIM A JOB.

6 Q AND AFTER MR. PITTMAN STARTED TEACHING JOE HUNT
7 KARATE, DID JOE HUNT EVER SAY ANYTHING TO YOU ABOUT MR.
8 PITTMAN?

9 A HE SEEMED LIKE A NICE FELLOW, I SUPPOSE.

10 Q AND WAS IT AFTER HE STARTED TEACHING THE PEOPLE
11 AT THE BBC KARATE, THAT JOE HUNT GAVE HIM A JOB AT THE BBC?

12 A YES.

13 Q AND WHEN MR. PITTMAN WENT TO WORK FOR THE BBC,
14 HOW OFTEN WOULD YOU SEE HIM AT THE WILSHIRE MANNING
15 CONDOMINIUM?

16 A OH, NOT -- NOT THAT OFTEN.

17 I DON'T REMEMBER. I DIDN'T -- YOU KNOW, IT WAS
18 A LITTLE -- I DON'T REMEMBER.

19 Q WHAT DOES NOT THAT OFTEN MEAN, IS THAT ONCE A
20 MONTH --

21 A NO.

22 Q OR ONCE EVERY SIX MONTHS?

23 A HE WOULD COME OVER ONCE A WEEK ABOUT.

24 Q WHAT DID HE DO WHEN HE WOULD COME OVER?

25 A EVERYBODY CAME OVER TO OUR HOUSE. IT WAS LIKE
26 SOCIAL TIME TO COME OVER TO OUR HOUSE.

27 Q AND WHEN YOU SAY --

28 A EVERYONE. THE MAYS CAME OVER. EVERYBODY.

3

1 Q WAIT A SECOND. I JUST HAVE TO WAIT FOR THE
2 REPORTER TO FINISH.

3 A I AM SORRY.

4 Q WHEN YOU SAY HE CAME OVER ABOUT ONCE A WEEK,
5 DOES THAT MEAN TWICE A WEEK, WHAT DOES IT MEAN?

6 A I DON'T KNOW.

7 Q YOU DON'T REALLY KNOW?

8 A NO.

9 Q WHAT DID YOU OBSERVE ABOUT MR. HUNT'S RELATION-
10 SHIP WITH MR. PITTMAN?

11 A OBSERVE ABOUT THE RELATIONSHIP?
12 THEY -- JIM WORKED FOR JOE, LIKE EVERYBODY ELSE.
13 THEY WERE FRIENDS.

14 Q DID THEY EVER DO ANYTHING SOCIALLY TOGETHER?

15 A YEAH.

16 Q DID THEY GO TO MOVIES TOGETHER?

17 A YEAH.

18 Q THEY HADN'T DONE THAT TOGETHER WHEN JIM WAS FIRST
19 AT THE WILSHIRE MANNING, HAD THEY?

20 A I DON'T KNOW. MAYBE THEY DID. I DON'T KNOW.

21 Q WELL, YOU WERE THERE EVERY DAY, WEREN'T YOU?

22 A BUT WE LIVED ON THE 15TH FLOOR. JIM WAS DOWNSTAIRS
23 PARKING CARS, SO I DON'T KNOW IF HE WENT TO THE MOVIES WITH
24 JOE AT THAT TIME.

25 Q WELL, DIDN'T YOU EVER TALK TO JOE HUNT ABOUT
26 THAT?

27 A SURE.

28 Q WHAT DID HE SAY?

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1 A HE SAID HE LIKED JIM.

2 Q OKAY. DID YOU EVER GO TO THE MOVIES WITH JOE
3 HUNT AND JIM GRAHAM OR PITTMAN?

4 A YES, I DID.

5 Q HOW OFTEN?

6 A THE ONLY MOVIE I CAN REMEMBER I SAW "POLICE ACADEMY"
7 WITH JIM AND JOE.

8 Q AND DID YOU EVER GO OUT TO DINNER WITH JIM AND
9 JOE?

10 A YEAH.

11 AS A MATTER OF FACT, WE HAD DINNER AT THE OLD
12 WORLD BEFORE WE WENT TO THE MOVIES.

13 Q JUST THIS ONE TIME IS THE ONLY TIME YOU CAN
14 REMEMBER?

15 A OH, NO, I -- YEAH, I WENT TO DINNER WITH JIM.

16 HE CAME, IN FACT, BEFORE HE STARTED WORK AT THE
17 OFFICES, I MADE DINNER FOR HIM AND HIS WIFE AND HE HAD A
18 BABY AND HIS WIFE WAS PREGNANT AND THEY CAME OVER TO THE
19 MANNING AND DEAN AND LISA MARIE WERE OVER THERE.

20 Q AND DID YOU EVER KNOW MR. HUNT WENT OUT TO DINNER
21 WITH MR. PITTMAN?

22 A YES.

23 Q JUST THE TWO OF THEM?

24 A SURE.

25 Q THAT HAPPENED FAIRLY OFTEN?

26 A NO. THEY WENT OUT TO DINNER, IT WASN'T ANYTHING
27 ABNORMAL IF THEY WENT OUT TO DINNER.

28 Q WERE THEY PRETTY GOOD FRIENDS, JOE HUNT AND

1 JIM PITTMAN?

2 A THEY WERE GOOD FRIENDS.

3 Q WOULD YOU SAY THEY WERE FAIRLY CLOSE FRIENDS?

4 A NO, I COULDN'T SAY THAT.

5 Q WHY?

6 A BECAUSE I DON'T KNOW.

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1 Q AND YOU SAID THAT AFTER JOE WAS ARRESTED, YOU
2 ASKED TO HAVE MR. PITTMAN'S THINGS TAKEN OUT OF THE WILSHIRE
3 MANNING?

4 A YES.

5 Q WHY?

6 A BECAUSE JOE WAS ARRESTED AND THEY HAD PULLED
7 ME OVER THAT DAY, THEY SAID -- THEY WANTED TO KNOW IF I HAD
8 GUNS IN MY CAR, IF I HAD DRUGS AND THEY SEARCHED ME. THEY
9 SAID I WAS GOING TO BE ARRESTED IF I DIDN'T COOPERATE. I
10 DIDN'T KNOW WHAT WAS GOING ON.

11 JIM HAD JUST GOTTEN OUT OF JAIL OUT ON BAIL AND
12 HE WAS STAYING WITH US AND I SAID, "I WANT ALL OF HIS STUFF
13 OUT OF HERE. I DON'T WANT TO BE INVOLVED WITH THIS. WHATEVER
14 IS GOING ON OR WHATEVER CAN BE GOING ON, JUST GET IT OUT."
15 SO JIM WASN'T --

16 HE DIDN'T LIVE WITH ME AT THAT TIME.

17 Q THIS WAS A PERSON YOU HAD TAKEN INTO YOUR HOME
18 GRACIOUSLY BECAUSE HE HAD BEEN KICKED OUT BY HIS WIFE,
19 RIGHT?

20 A NO.

21 THEY WERE HAVING AN ARGUMENT. HE WASN'T GETTING
22 ALONG, SO HE SAID, "COULD I STAY AT YOUR HOUSE FOR A COUPLE
23 OF DAYS?"

24 Q WAS THERE ANYTHING PARTICULAR THAT HE HAD THERE,
25 ANY BELONGINGS HE HAD THAT YOU THOUGHT MIGHT BE PARTICULARLY
26 INCRIMINATING THAT YOU WANTED TO GET RID OF?

27 A I DIDN'T KNOW FOR SURE. I JUST DIDN'T WANT TO
28 BE INVOLVED IN IT.

1 THE COURT: YOU DIDN'T KNOW FOR SURE, YOU SAID?

2 THE WITNESS: YES.

3 THE COURT: YOU HAD SOME DOUBT ABOUT IT?

4 THE WITNESS: I WAS SO SCARED, I WAS SO PANICKED
5 BECAUSE JIM HAD JUST GOTTEN OUT OF JAIL. I JUST PANICKED,
6 YOU KNOW.

7 THE COURT: ALL RIGHT.

8 Q BY MR. WAPNER: NOW, THIS IS AFTER MR. HUNT WAS
9 ARRESTED FOR THE FIRST TIME?

10 A YES.

11 Q AND IN FACT, MR. HUNT HAD ARRANGED FOR THE BAIL
12 FOR MR. PITTMAN, HADN'T HE?

13 A YES.

14 Q AND THAT IS HERE IN LOS ANGELES?

15 A YES, DOWNTOWN.

16 Q WERE YOU AWARE THAT HE HAD ARRANGED FOR THE BAIL
17 FOR MR. PITTMAN--

18 A -YES, I WAS.

19 Q --IN NEW YORK?

20 A YES.

21 Q WHAT WAS IT THAT YOU DIDN'T WANT TO BE INVOLVED
22 IN?

23 A I DIDN'T KNOW, BUT I DIDN'T WANT TO GO TO JAIL
24 FOR --

25 I DIDN'T KNOW WHAT WAS HAPPENING. THE POLICE
26 SAID, "DID YOU HAVE A GUN IN YOUR PURSE," THEY PULLED MY
27 CAR OVER AND I SAID, "WHAT IS GOING ON?" THEY TOOK PART
28 OF MY WALLET, AND SO EVERYTHING, I DIDN'T KNOW WHAT WAS

1 HAPPENING.

2 SO I JUST SAID, "JIM, I'M SORRY, I DON'T WANT
3 YOU TO STAY HERE," BECAUSE I KNEW HE HAD JUST GOTTEN OUT
4 OF JAIL SO I JUST PANICKED.

5 Q AND IT WAS SOMETIME AFTER THAT THAT DETECTIVE
6 ZOELLER CAME TO YOUR HOUSE TO DO THE SEARCH; IS THAT RIGHT?

7 A MY HOUSE IN BEL AIR OR MY HOUSE IN THE MANNING?

8 Q NO. YOUR HOUSE ON --

9 A WILSHIRE.

10 Q -- THE WILSHIRE MANNING.

11 A IT WAS SHORTLY AFTER. JOE HAD BEEN IN JAIL,
12 SO HE WAS ONLY IN JAIL FOR A COUPLE OF DAYS SO IT WASN'T
13 THAT LONG.

14 Q AND DEAN KARNY HAD ALREADY MOVED OUT BY THEN,
15 HADN'T HE?

16 A HE WAS MOVING OUT, IN THE PROCESS OF MOVING OUT.

17 Q OKAY. AND DIDN'T YOU TELL US YESTERDAY THAT
18 WHEN YOU WERE MOVING OUT, AFTER JOE WAS ARRESTED THE SECOND
19 TIME, THAT DEAN KARNY WAS IN THE PROCESS OF MOVING OUT?

20 A YES, HE WAS.

21 Q WELL, WHEN JOE WAS ARRESTED FOR THE SECOND TIME,
22 THAT WAS THE END OF OCTOBER, WASN'T IT?

23 A CORRECT.

24 Q IN FACT, DEAN KARNY HAD MOVED OUT QUITE SOMETIME
25 BEFORE THAT, HADN'T HE?

26 A HE MOVED HIS PERSONAL BELONGINGS. HE CAME IN
27 AND GOT HIS REFRIGERATOR, TABLES, BOOKS, STUFF LIKE THAT,
28 HIS ANSWERING MACHINE.

1 Q WHEN DID HE GET THOSE THINGS?

2 A THE DAY I LEFT, THE DAY I LEFT THE MANNING.

3 Q WHAT ABOUT HIS FURNITURE?

4 A HE TOOK HIS COUCH BEFORE HE LEFT THE FIRST TIME
5 AND HE TOOK -- HE TOOK -- HE CAME IN, BECAUSE HE WANTED TO
6 GET HIS REFRIGERATOR, I REMEMBER.

7 Q AND AT THE VERY END, HE WANTED HIS REFRIGERATOR?

8 A YES, AND HE WENT AND GOT HIS ANSWERING MACHINE
9 AND TELEPHONES AND THINGS LIKE THAT.

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1 Q BUT HE HAD NOT BEEN LIVING THERE FOR SEVERAL WEEKS
2 BEFORE THAT, RIGHT?

3 A RIGHT. SLEEPING THERE? I WAS NOT SLEEPING THERE,
4 EITHER. SO I COULDN'T TELL YOU.

5 Q OKAY. IN FACT, WHEN DETECTIVE ZOELLER CAME TO
6 SEARCH THE WILSHIRE MANNING ON OCTOBER THE 3RD, DEAN KARNY
7 HAD ALREADY MOVED HIS FURNITURE OUT, RIGHT?

8 A NOT ALL OF HIS FURNITURE, NO.

9 Q HE MOVED THE COUCH OUT, DID HE NOT?

10 A YES.

11 Q BECAUSE WHEN DETECTIVE ZOELLER WENT TO DO THE
12 SEARCH AND ASKED YOU TO STAY IN THE LIVING ROOM, THERE WASN'T
13 ANY COUCH, WAS THERE?

14 A CORRECT.

15 Q WHAT OTHER FURNITURE WAS THERE THAT HAD YET TO
16 BE MOVED?

17 A WHEN THE SEARCH WAS MADE?

18 Q YES.

19 A ALL MY FURNITURE.

20 Q BUT WHAT OF DEAN KARNY'S FURNITURE? WHAT HAD HE
21 NOT TAKEN AT THAT PARTICULAR TIME?

22 A I COULDN'T TELL YOU. IT WAS ALL MIXED TOGETHER.
23 ALL OF OUR FURNITURE WAS ALL MIXED TOGETHER. I COULDN'T TELL
24 YOU EXACTLY.

25 Q DID HE HAVE SOME MOVING COMPANY COME AND MOVE IT
26 ALL?

27 A NO. I THINK ALL OF THE BOYS HELPED HIM MOVE.

28 Q ON ONE DAY?

6A- ?
1 A I REMEMBER HE HAD A BIG TRUCK DOWNSTAIRS. HE
2 RENTED A U-HAUL.

3 Q SO, ALL OF THE BIG STUFF LIKE THE COUCH WOULD HAVE
4 BEEN MOVED ON THE SAME DAY?

5 A IT TOOK DEAN A WHILE. HE WAS A LITTLE SLOW ABOUT
6 IT. HE LEFT THINGS ALL OVER.

7 Q THE BIG THINGS WERE MOVED ON THE SAME DAY WITH
8 THE SAME TRUCK?

9 A TOOK A COUPLE OF DAYS.

10 Q CONSECUTIVE DAYS?

11 A YES.

12 Q AND THAT WAS DONE BEFORE OCTOBER THE 3RD, RIGHT?

13 A I DON'T KNOW.

14 Q THE COUCH WAS GONE BY THE TIME THE SEARCH WAS DONE,
15 RIGHT?

16 A YES. THE COUCH WAS GONE.

17 Q SO IF IT WASN'T THE 1ST, 2ND AND 3RD, MAYBE IT
18 WAS THE 2ND, 3RD AND 4TH OR THE 3RD, 4TH AND 5TH?

19 A WHEN WAS THE SEARCH DONE?

20 MR. BARENS: OBJECTION, COMPOUND.

21 Q BY MR. WAPNER: ON THE 3RD.

22 A AROUND THEN, YES.

23 THE COURT: WELL, SHE IS ANSWERING IT. APPARENTLY SHE
24 UNDERSTANDS IT.

25 Q BY MR. WAPNER: WHEN YOU MET RON LEVIN AT THE
26 WILSHIRE MANNING, THAT WAS DURING CHRISTMAS, 1983?

27 A YES.

28 Q HOW LONG WAS HE THERE AT THE MANNING ALTOGETHER?

1 A APPROXIMATELY AN HOUR.

2 Q AND HOW MANY OTHER PEOPLE WERE THERE AT THAT TIME?

3 A DEAN WAS THERE. I WAS THERE, JOE AND ABOUT FIVE
4 OR SIX PEOPLE.

5 Q WHAT WAS GOING ON AT THAT TIME?

6 A WE WERE WATCHING TV OR SOMETHING. WE FOUND OUT
7 RON WAS THERE.

8 Q AND DID YOU CONTINUE TO WATCH TV AFTER HE GOT THERE?

9 A NO.

10 Q HOW LONG DID THIS ARGUMENT BETWEEN MR. HUNT AND
11 MR. LEVIN LAST?

12 A NOT VERY LONG. A COUPLE OF MINUTES.

13 Q HOW LONG AFTER THE ARGUMENT WAS IT THAT MR. LEVIN
14 LEFT?

15 A TWENTY MINUTES. HE KIND OF DODDLED AROUND.

16 Q DID MR. LEVIN APPEAR TO YOU TO BE A HYPERACTIVE
17 PERSON?

18 A A LITTLE OBNOXIOUS. I DON'T KNOW ABOUT
19 HYPERACTIVE. BUT HE WAS A LITTLE OBNOXIOUS.

20 Q DID HE WALK AROUND FAST AND GESTURE A LOT WITH
21 HIS HANDS?

22 A WELL, HE SAT AT THE TABLE FOR A WHILE. HE WAS
23 TALKING TO JOE. HE WALKED AROUND AND LOOKED IN ALL OF THE
24 ROOMS AND HELPED HIMSELF.

25 I REMEMBER HIM SAYING, "LET ME SEE THIS HOUSE."
26 HE WALKED ALL OVER.

27 Q WAS MR. LEVIN THE KIND OF PERSON THAT WAS KIND
28 OF GOING ALL OF THE TIME, ON ALL OF THE TIME?

SA-
1 A YEAH. I GUESS SO.

2 Q WOULD IT BE FAIR TO SAY THAT THE THINGS THAT STOOD
3 OUT FROM THAT MEETING OF MR. LEVIN -- THE THING THAT STOOD OUT
4 ABOVE ALL WAS THE ARGUMENT THAT HE HAD WITH MR. HUNT?

5 A I DON'T UNDERSTAND WHAT YOU ARE SAYING.

6 Q OF THIS HOUR OR SO THAT HE WAS THERE, WAS THE
7 OUTSTANDING EVENT, THE ARGUMENT THAT MR. HUNT AND MR. LEVIN
8 HAD?

9 A IT WASN'T REALLY AN EVENT. I WOULDN'T SAY THAT.
10 HE WAS THERE AND HE WAS JOKING AROUND. THEN HE
11 GOT A LITTLE CARRIED AWAY AND STARTED INSULTING THE BBC BOYS.

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5B-
1 Q BUT THAT INSULT OF THE BBC PEOPLE IS WHAT YOU
2 REMEMBERED FROM THAT EVENING?

3 A YES, MOSTLY. YES.

4 Q YOU ONLY MET MR. LEVIN ONE TIME, IS THAT RIGHT?

5 A YES.

6 Q AND IT WAS YOU, JOE, DEAN AND WHO ELSE?

7 A I THINK A GUY NAMED PHILIPPE, MAYBE AND RON LEVIN'S
8 BOYFRIEND AND MAYBE LISA MARIE. BUT I COULDN'T TELL YOU.

9 Q LISA MARIE WAS DEAN KARNY'S GIRLFRIEND?

10 A YES.

11 Q HAVE YOU BEEN SHOWN ANY PICTURES OF MR. LEVIN
12 BETWEEN THAT MEETING AND THE TIME YOU CAME TO TESTIFY?

13 A I SAW A PICTURE OF HIM ON THE NEWS.

5B
14 Q OTHER THAN SEEING A PICTURE OF HIM ON THE NEWS,
15 HAVE YOU SEEN ANY PICTURES OF HIM?

16 A NO.

17 Q HAVE YOU READ ANY DESCRIPTIONS OF MR. LEVIN SINCE
18 YOU MET HIM IN DECEMBER, APPROXIMATELY, OF 1983?

19 A READ ANY? LIKE IN THE PAPER?

20 Q ANYWHERE.

21 A YEAH. I CAN REMEMBER -- I DON'T REMEMBER EXACTLY
22 WHAT THEY SAID. BUT I CAN REMEMBER THEM DESCRIBING RON, LIKE
23 HOW OLD HE WAS AND THINGS LIKE THAT.

24 Q GIVING A PHYSICAL DESCRIPTION OF HIM?

25 A YEAH. I SUPPOSE SO. I DON'T REMEMBER EXACTLY
26 WHAT THEY SAID.

27 Q DID YOU HAPPEN TO READ THE ESQUIRE MAGAZINE
28 ARTICLE WRITTEN ABOUT THIS CASE?

1 A I READ THE PARAGRAPH ABOUT ME. THAT WAS IT.

2 Q YOU DIDN'T READ THE REST OF THE ARTICLE?

3 A NO.

4 Q THE TIME WHEN JOE HUNT AND RON LEVIN WENT TO
5 SAN FRANCISCO, WHEN WAS THAT? I KNOW THAT YOU ARE NOT VERY
6 GOOD ABOUT DATES. BUT CAN YOU TELL ME APPROXIMATELY?

7 A NO. I CAN'T. IT WAS NOT WINTERTIME, I KNOW THAT.

8 Q IT WAS NOT WINTERTIME?

9 A I DON'T THINK SO.

10 Q WHY DO YOU SAY THAT?

11 A WELL, I JUST REMEMBER THE MORNING HE CALLED. IT
12 WAS A SUNNY DAY.

13 Q WHO CALLED?

14 A RON.

15 Q HOLD ON A SECOND.

16 A I CAN'T TELL YOU -- HOLD ON?

17 Q NOW, WHAT DAY OF THE WEEK WAS IT THAT RON LEVIN
18 CALLED?

19 A IT WAS EITHER A FRIDAY MORNING OR A SATURDAY
20 MORNING.

21 Q AND HAD YOU MADE PLANS WITH MR. HUNT TO SPEND THAT
22 WEEKEND WITH HIM?

23 A YES.

24 Q WHEN HAD YOU MADE THOSE PLANS WITH MR. HUNT?

25 A THAT MORNING BEFORE RON CALLED.

26 Q WHAT WERE YOUR PLANS?

27 A JUST TO SPEND A WEEKEND TOGETHER.

28 Q IN TOWN?

1 A YES.

2 Q AND WHEN RON CALLED, I TAKE IT YOU WEREN'T LISTENING
3 IN ON THE PHONE CALL?

4 A I WAS NOT ON. I WAS SITTING RIGHT NEXT TO JOE.

5 Q YOU COULD HEAR JOE'S HALF OF THE CONVERSATION?

6 A YES.

7 Q AND WHAT WAS THE CONVERSATION THAT HE HAD?

8 A HE SAID THAT HE WOULD HAVE TO CALL HIM BACK. YOU
9 KNOW, THAT HE WOULD LIKE TO GO TO SAN FRANCISCO BUT HE WOULD
10 HAVE TO CALL HIM BACK.

11 Q DID JOE HUNT HAVE A CONVERSATION WITH YOU AT THAT
12 POINT?

13 A YES. I SAID I WANTED TO GO.
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1 Q WHAT DID YOU SAY?

2 A I SAID I DIDN'T WANT HIM TO GO. I WANTED HIM
3 TO STAY WITH ME.

4 Q WHAT DID JOE HUNT SAY?

5 A HE SAID IT WAS HIS BUSINESS AND THAT HE WAS DOING
6 BUSINESS WITH RON AND THAT HE WOULD BE BACK IN THE AFTERNOON,
7 HE WOULD ONLY BE GONE FOR A COUPLE OF DAYS.

8 Q DID HE SAY WHAT KIND OF BUSINESS?

9 A NO.

10 Q IS IT FAIR TO SAY YOU WEREN'T VERY FAMILIAR
11 WITH ANY OF THE BUSINESS DEALINGS MR. HUNT HAD?

12 A YEAH, THAT IS FAIR TO SAY.

13 Q AND IN FACT, DID HE CALL MR. LEVIN BACK?

14 A YES.

15 Q DID HE LEAVE THE HOUSE THAT DAY?

16 A YES.

17 Q WHEN DID HE COME BACK?

18 A HE CAME BACK -- I TALKED TO HIM THAT NIGHT. I
19 CALLED HIM AT THE HOTEL AND HE CALLED ME.

20 HE CAME BACK THE NEXT DAY.

21 Q WAIT A MINUTE. YOU CALLED?

22 A UP-HUH.

23 Q JOE HUNT SAID HE IS GOING TO GO AWAY --

24 A RIGHT.

25 Q -- FOR THE DAY WITH MR. LEVIN?

26 A NO.

27 HE WAS GOING TO STAY OVERNIGHT. THEY WERE GOING
28 TO GO TO SAN FRANCISCO.

1 Q OKAY. I THOUGHT YOU JUST TOLD US THAT HE SAID
2 HE WAS GOING TO STAY FOR THE DAY AND HE WAS COMING BACK THAT
3 NIGHT?

4 A NO. YOU MISUNDERSTOOD.
5 HE WENT UP THERE, SPENT A NIGHT AND HE CAME BACK
6 THE NEXT DAY.

7 Q WHAT HOTEL? DID HE TELL YOU WHAT HOTEL HE WAS
8 GOING TO STAY AT?

9 A YES, HE CALLED ME AND LEFT A MESSAGE ON THE
10 MACHINE TO CALL HIM.

11 I DON'T REMEMBER WHAT HOTEL IT WAS BUT I CALLED
12 HIM BACK.

13 Q AS FAR AS YOU KNOW, IT WAS JUST THE TWO OF THEM,
14 JOE HUNT AND RON LEVIN?

15 A YES.

16 Q THE WEEK BEFORE YOU WENT TO THE MOVIES
17 WITH DEAN AND JEFF, YOU WERE SICK THAT WEEK?

18 A YES.

19 Q WERE YOU IN BED AT HOME ALL WEEK?

20 A YES.

21 Q AND DID THAT INCLUDE BEING IN BED AND AT HOME
22 THE NIGHT BEFORE YOU WENT TO THE MOVIES OR THE DAY BEFORE,
23 THE DAY BEFORE THE EVENING YOU WENT TO THE MOVIES?

24 A I WAS LOUNGING AROUND, NOT REALLY LAYING DOWN,
25 BUT I STAYED HOME THAT DAY.

26 Q DO YOU REMEMBER WHAT DAY OF THE WEEK THAT WAS?

27 A NO.

28 Q YOU HAVE BEEN ABLE TO RECONSTRUCT THE DATE BASED

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1 ON TALKING TO YOUR MOTHER AND FINDING OUT WHEN SHE WAS DUE
2 BACK FROM HER TRIP?

3 A YES.

4 Q WHAT IS THE DATE THAT YOU RECALL IT BEING?

5 A I DIDN'T RECALL IT AT THE TIME.

6 I RECALLED IT AFTER JOE WAS ARRAIGNED, WHEN IT
7 CAME OUT IN THE PAPER AND THE POLICE REPORTS SAYING THAT
8 DAY, IT WAS JUNE 6.

9 Q WELL, NOW LET ME GET THIS STRAIGHT. DO YOU
10 REMEMBER IT NOW BECAUSE YOU READ IT IN THE PAPER OR BECAUSE
11 YOU TALKED TO YOUR MOTHER ABOUT THE DAY THAT SHE WAS SUPPOSED
12 TO COME BACK FROM HER TRIP?

13 A WELL, WHEN HE WAS FIRST ARRESTED, I HAD NO IDEA
14 OF WHAT THE DAY OR ANYTHING WAS AND THEN WHEN I FOUND OUT
15 IT WAS JUNE 6TH, I TALKED TO MY MOM.

16 Q RIGHT AFTER HE GOT ARRESTED, YOU TALKED TO YOUR
17 MOTHER?

18 A THE SECOND TIME.

19 NO, HIS ARRAIGNMENT WAS POSTPONED A MONTH. JOE
20 HAD BEEN IN JAIL FOR ABOUT A MONTH AND I STILL DIDN'T KNOW
21 WHAT DAY THEY WERE SAYING THAT HE SUPPOSEDLY KILLED RON
22 LEVIN.

23 Q BUT CERTAINLY BY THE END OF 1984, YOU KNEW WHAT
24 DATE IT WAS, RIGHT?

25 A WHEN I READ THE POLICE REPORTS, YES.

26 Q AND YOU KNEW THAT HE WAS BEING CHARGED, OF COURSE,
27 WITH THE MURDER OF RON LEVIN?

28 A YES.

1 Q AND YOU KNEW, OF COURSE, THAT HE TOLD YOU THAT
2 HE DIDN'T DO IT, RIGHT?

3 A I HEARD HIM, HIS WHOLE CONVERSATION, I KNEW HE
4 DIDN'T DO IT.

5 Q OF COURSE, YOU WENT IMMEDIATELY TO THE POLICE
6 AND TOLD THEM THAT?

7 A NO.
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1 MR. BARENS: ASKED AND ANSWERED YESTERDAY.

2 THE COURT: OCCASIONALLY, YOU CAN REPEAT THE SAME
3 QUESTION.

4 MR. BARENS: POSSIBLY.

5 Q BY MR. WAPNER: NOW, THE NIGHT THAT -- THE
6 EVENING, EARLY EVENING OF JUNE THE 6TH OR LATE AFTERNOON,
7 IF YOU WILL, DID YOU SEE JOE HUNT COME HOME FROM THE OFFICE?

8 A YES.

9 Q HOW WAS HE DRESSED?

10 A IN A BUSINESS SUIT.

11 Q DID HE HAVE ANYTHING WITH HIM?

12 A BRIEFCASE PROBABLY. I DON'T KNOW.

13 THE COURT: HE HAD A WHAT?

14 THE WITNESS: BRIEFCASE PROBABLY.

15 THE COURT: ALL RIGHT.

16 Q BY MR. WAPNER: AND YOU HAD BEEN LOUNGING AROUND
17 THE HOUSE ALL DAY?

18 A YES, I WAS IN MY PAJAMAS.

19 Q WERE YOU IN THE BEDROOM?

20 A I PROBABLY GREETED HIM AT THE DOOR.

21 Q AND DID YOU GO WITH HIM INTO THE ROOM AND WATCH
22 HIM CHANGE HIS CLOTHES?

23 A YES.

24 Q AND WHAT KIND OF CLOTHES DID HE PUT ON?

25 A HE SAID HE WAS GOING TO LA SCALA FOR DINNER AND
26 HE WORE LIKE SLACKS, SHIRT.

27 I COULDN'T TELL YOU EXACTLY WHAT HE WORE BUT
28 HE ALWAYS WORE SLACKS AND A SHIRT.

1 HE DIDN'T DRESS REAL SLOPPY OR ANYTHING.

2 Q AND HE PUT ON THE SLACKS AND A SHIRT AND WHAT
3 DID HE DO WITH HIS BRIEFCASE?

4 A I HAVE NO IDEA. PROBABLY PUT IT ON THE KITCHEN
5 TABLE.

6 Q DID HE HAVE A DESK IN HIS HOUSE?

7 A YES.

8 Q WHERE WAS THE DESK?

9 A WELL, THERE WERE SEVERAL DESKS BUT WE HAD A DESK
10 IN OUR ROOM.

11 Q WHO USED THE DESK THAT WAS IN YOUR ROOM?

12 A MOSTLY, I DID AND HE DID, TOO.

13 I DID A LOT OF ART ON IT BECAUSE IT WAS BIG LIKE
14 AN ART TABLE.

15 Q DID MR. HUNT SAY ANYTHING TO YOU ABOUT WHAT HE
16 WAS GOING TO DO THAT NIGHT?

17 A YES, HE SAID HE WAS GOING TO HAVE DINNER WITH
18 RON LEVIN.

19 Q DID HE SAY HE WAS GOING TO DO ANY BUSINESS WITH
20 MR. LEVIN?

21 A I DON'T REMEMBER EXACTLY.

22 Q DID HE SEEM PARTICULARLY EXCITED ABOUT IT?

23 A HE WAS IN A GOOD MOOD.

24 THE COURT: HE WHAT?

25 THE WITNESS: HE WAS IN A GOOD MOOD.

26 Q BY MR. WAPNER: DID HE SAY TO YOU, "I AM GOING
27 TO GET A MILLION AND A HALF DOLLARS TONIGHT"?

28 A NO.

1 Q HE DIDN'T MENTION ANYTHING TO YOU ABOUT THAT?

2 A HE SAID HE WAS GOING TO DO SOME BUSINESS, BUT
3 I DON'T RECALL HIM SAYING ABOUT A MILLION AND A HALF DOLLARS
4 THAT HE WAS GOING TO GET THAT.

5 Q HE JUST SAID TO YOU THAT HE WAS GOING TO DO SOME
6 BUSINESS?

7 A I GUESS SO.

8 I DON'T RECALL HIM SAYING HE WAS GOING TO BRING
9 HOME A MILLION AND A HALF DOLLARS, NO.

10 Q AND HE SEEMED LIKE HE WAS IN A GOOD MOOD? WAS
11 THAT A DIFFERENT MOOD THAN NORMAL?

12 A NO.

13 HE WAS PRETTY EVEN. HE IS A PRETTY -- HE IS
14 ALWAYS IN A GOOD MOOD. HE IS STABLE.

15 Q HE STAYS ON A PRETTY EVEN SCALE?

16 A HE IS STABLE.

17 I AM MORE MOODY THAN HE IS.

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8A-1
1 Q MR. HUNT IS ALWAYS PRETTY COOL?

2 A COOL?

3 MR. BARENS: OBJECTION. SHE DIDN'T USE THAT WORD. SHE
4 SAID HE WAS IN A GOOD MOOD.

5 MR. WAPNER: I AM ASKING HER.

6 MR. BARENS: ALL RIGHT. IF THAT IS A QUESTION.

7 THE COURT: HE MAY ASK IT.

8 THE WITNESS: I WOULDN'T PHRASE IT AS COOL. IT IS JUST
9 THAT HE WAS -- HE WAS IN A GOOD MOOD.

10 Q BY MR. WAPNER: AND WAS HE ALWAYS PRETTY MUCH ON
11 AN EVEN KEEL, NOT TOO MANY HIGHS OR LOWS? WOULD YOU SAY THAT
12 IS A FAIR STATEMENT?

13 A YES. HE HAD A FEW LOWS AND A FEW HIGHS BUT PRETTY
14 STABLE.

15 Q OKAY. NOW, YOU MENTIONED YESTERDAY ABOUT HIM
16 BEING UPSET AT ONE POINT BECAUSE HE DIDN'T GET THE KILPATRICK
17 MONEY THAT HE NEEDED TO BAIL HIM OUT.

18 A I DON'T THINK THOSE WERE MY WORDS. NO. I DIDN'T
19 SAY THAT.

20 MR. BARENS: OBJECTION.

21 Q BY MR. WAPNER: YOU DIDN'T USE THOSE WORDS
22 YESTERDAY?

23 A HE WAS VERY UPSET WHEN A CHECK DIDN'T GO THROUGH.

24 Q OKAY. AND THAT -- DIDN'T YOU SAY YESTERDAY THAT
25 HE WAS LOOKING AT THE KILPATRICK MONEY TO BAIL HIM OUT?

26 A TO PAY BACK HIS INVESTORS AND NOT TO LOSE THE BBC.

27 Q NOW, WHEN WAS IT THAT YOU FIRST BECAME AWARE THAT
28 HE HAD A PROBLEM WITH THE INVESTORS?

1 A WHEN HE WAS REALLY EXCITED ABOUT THE CHECK. HE
2 SAID, "NOW I CAN PAY BACK THE INVESTORS." SO I ASSUMED THAT
3 HE NEEDED TO PAY BACK THE INVESTORS.

4 Q BUT HE NEVER SAID ANYTHING ABOUT THAT TO YOU
5 BEFORE?

6 A I HEARD HIM TALK ABOUT IT WITH DEAN AND BEN.
7 I HEARD HIM TALKING BUT I DON'T REMEMBER EXACTLY.

8 IT WAS NOT LIKE, "I HAVE A SERIOUS PROBLEM."
9 I DON'T REMEMBER HIM SAYING THAT, NO, ACTING LIKE THAT.

10 Q WHEN THE CHECK BOUNCED, HE SURE ACTED LIKE HE HAD
11 A SERIOUS PROBLEM, DIDN'T HE?

12 A YEAH.

13 Q WHAT DID HE SAY?

14 A HE WAS CRYING. HE CAME BACK FROM LONDON. I OPENED
15 THE DOOR AND HE WAS CRYING IN OUR BEDROOM.

16 Q DURING THE TIME THAT YOU KNEW MR. HUNT, FROM THE
17 DAY YOU FIRST MET HIM UNTIL THE DAY YOU SAW HIM CRYING ON THE
18 BED, HOW MANY OTHER TIMES HAVE YOU SEEN HIM CRY?

19 A NEVER. THAT WAS THE FIRST TIME EXCEPT I SAW HIM
20 CRY WHEN HE GOT OUT OF JAIL. BUT THAT WAS THE FIRST TIME.

21 Q AND SO YOU KNEW THAT THIS IS NOW PRETTY SERIOUS,
22 RIGHT? SO, HE IS ON AN EVEN KEEL MOST OF THE TIME AND NOW
23 HE IS PRETTY UPSET?

24 A OH, YEAH. I WAS VERY CONCERNED.

25 Q AND HE DIDN'T EXHIBIT ANY CONCERN OR WORRY LIKE
26 THAT THE NIGHT THAT HE WAS GOING OVER TO GET THE CHECK, DID
27 HE?

28 A NO. HE SHOWED ME THE CHECK AND HE WAS JUMPING

8A- 1 UP AND DOWN. IT WAS LIKE THANK YOU, I AM SO GLAD THAT RON
2 CAME THROUGH.

3 AND HE WAS LIKE, ENTHUSIASTIC TO THE MAXIMUM.

4 Q BUT BEFORE HE LEFT TO GO SUPPOSEDLY TO DINNER WITH
5 MR. LEVIN, WAS HE ENTHUSIASTIC TO THE MAXIMUM?

6 A HE WAS IN A GOOD MOOD.

7 Q I KNOW THAT. BUT HOW IS THIS DIFFERENT FROM ANY
8 OTHER GOOD MOOD THAT HE WAS IN ANY OTHER TIME?

9 A WELL, HE WAS REALLY HAPPY.

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1 MR. BARENS: WELL, THAT HAS BEEN ASKED AND ANSWERED
2 THREE TIMES.

3 THE COURT: I DON'T THINK HE IS SATISFIED WITH THE
4 ANSWERS. HE IS ASKING HER AGAIN. GO AHEAD.

5 MR. BARENS: BUT, WHEN IT HAS BEEN ASKED AND ANSWERED,
6 I DON'T KNOW WHAT TO DO.

7 THE COURT: YOU MAY ASK IT AGAIN.

8 Q BY MR. WAPNER: HOW WAS THAT MOOD THAT HE WAS IN
9 DIFFERENT THAN THE MOOD HE WAS IN ANY OTHER TIME?

10 A WHICH MOOD?

11 Q WHEN HE CAME HOME.

12 A SO MANY MOODS --

13 Q WHEN HE CAME HOME FROM THE BBC OFFICE ON JUNE THE
14 6TH.

15 A YES. HE WAS NOT DIFFERENT THAT DAY THAT I SAW
16 HIM. WHEN HE CAME HOME FROM THE OFFICE, HE WAS NORMAL.

17 Q NORMAL?

18 A YES. JOE WAS MY BOYFRIEND. HE WAS HAPPY TO SEE
19 ME, I SUPPOSE. I HOPE. AND HE WAS GOING TO GO OUT TO DINNER
20 WITH RON LEVIN.

21 Q WELL, DURING THE TIME THAT YOU SAW JOE HUNT WHILE
22 HE WAS HOME, HOW MANY HOURS WAS HE HOME THAT EVENING BEFORE
23 ONE OF YOU LEFT?

24 A I DON'T KNOW. AN HOUR, MAYBE. 45 MINUTES OR AN
25 HOUR.

26 Q DID HE LEAVE BEFORE YOU?

27 A I DON'T THINK SO. I DON'T REMEMBER.

28 Q WHICH WAS IT? YOU DON'T THINK SO OR YOU DON'T

8B -
1 REMEMBER?

2 A DID HE LEAVE BEFORE US? I DON'T REMEMBER.

3 Q DID YOU SEE JIM PITTMAN THAT NIGHT?

4 A DID I?

5 Q DID YOU?

6 A NO.

7 Q NOT AT ALL THAT NIGHT?

8 A NO. HE DIDN'T GO TO THE MOVIE WITH US.

9 Q AND HE WASN'T BACK AT THE MANNING WHEN YOU CAME
10 BACK FROM THE MOVIES, WAS HE?

11 A NO.

12 Q WHEN YOU CAME BACK FROM THE MOVIES, WHERE WAS
13 MR. HUNT?

14 A HE WAS IN THE BATHROOM.

15 Q NOW, TO PUT THIS IN SOME PERSPECTIVE, THE WILSHIRE
16 MANNING CONDOMINIUM IS ON WILSHIRE BOULEVARD, RIGHT?

17 A YES.

18 Q AND THE AVCO THEATER WHERE THE MOVIE WAS, WAS ALSO
19 ON WILSHIRE BOULEVARD?

20 A YES.

21 Q AND ARE YOU VERY GOOD ABOUT DISTANCES?

22 A IT IS A COUPLE OF MILES. YOU CAN WALK THERE.
23 I HAVE WALKED THERE A MILLION TIMES.

24 Q A COUPLE OF MILES?

25 A MAYBE A MILE. A COUPLE OF BLOCKS.

26 Q MAYBE I SHOULD JUST WAIT RIGHT HERE.

27 THE COURT: IT WILL BE NEXT DOOR IF YOU WAIT A WHILE.

28 THE WITNESS: SORRY.

1 Q BY MR. WAPNER: IT IS PRETTY CLOSE, RIGHT?

2 A WHEN I WALKED BACK, I WAS TIRED. IT SEEMED LIKE
3 FOREVER.

4 Q DID YOU WALK HOME?

5 A NO. I DROVE HOME.

6 Q WAIT A MINUTE. DIDN'T YOU JUST SAY WHEN YOU WALKED
7 BACK YOU WERE TIRED?

8 THE COURT: WAIT A MINUTE.

9 THE WITNESS: WELL NOT --

10 THE COURT: WAIT UNTIL THE QUESTION COMES IN. ASK HER
11 A QUESTION, PLEASE.

12 Q BY MR. WAPNER: YOU SAID YOU WALKED BACK AND YOU
13 WERE TIRED. WERE YOU TALKING ABOUT THAT NIGHT?

14 A NO. I WAS JOKING. SORRY.

15 THE COURT: YOU WERE WHAT?

16 THE WITNESS: I WAS JOKING.

17 THE COURT: JOKING ABOUT WHAT?

18 THE WITNESS: WALKING BACK AND BEING TIRED. LIKE, IT
19 FELT LIKE A COUPLE OF MILES. IT WAS NOT FUNNY, OBVIOUSLY.
20 NEVER MIND.

21 I DROVE MY CAR BACK.

22 Q BY MR. WAPNER: NOW, DID YOU GO TO DINNER
23 BEFOREHAND?

24 A YES.

25 Q HOW MANY DIFFERENT CARS DID YOU TAKE TO GO TO
26 DINNER?

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1 A TWO, I GUESS.

2 Q WHERE DID YOU GO TO DINNER?

3 A HANA SUSHI ON WILSHIRE, I THINK. IT IS EITHER --
4 YEAH, WILSHIRE.

5 Q AND WAS IT YOUR UNDERSTANDING THAT MR. KARNY WAS
6 GOING TO GO SEE HIS GIRLFRIEND AFTER THE MOVIE?

7 A I REMEMBER HIM TALKING ABOUT MEETING LISA MARIE.
8 I DON'T REMEMBER WHEN HE WAS GOING TO MEET HER. BUT I KNOW
9 IT WAS NOT AT THE MOVIE.

10 Q IS THAT WHY HE TOLD YOU HE WANTED TO TAKE HIS OWN
11 CAR?

12 A I WANTED TO TAKE MY OWN CAR. I KNEW THAT.

13 Q WHY DID YOU WANT TO TAKE YOUR OWN CAR?

14 A BECAUSE I DIDN'T WANT TO DRIVE WITH DEAN.

15 THE COURT: YOU DIDN'T WANT TO DO WHAT?

16 THE WITNESS: DRIVE WITH DEAN.

17 Q BY MR. WAPNER: HE HAD BEEN LIVING THERE AT THE
18 WILSHIRE MANNING WITH YOU FOR QUITE A WHILE?

19 A YES.

20 Q DID YOU GET ALONG WITH HIM?

21 A NO.

22 Q HOW LONG HAD IT BEEN THAT YOU DIDN'T GET ALONG
23 WITH HIM?

24 A THE DAY I MOVED INTO THE VALLEY.

25 Q AND DID YOU SAY TO JOE HUNT, "LET'S NOT MOVE TO
26 THE WILSHIRE MANNING IF DEAN IS GOING TO BE THERE"?

27 A YES.

28 Q WHAT DID HE SAY?

1 A HE SAID THAT HE WAS HIS FRIEND AND DEAN REALLY
2 WANTED TO LIVE WITH HIM AND HE WANTED TO LIVE WITH DEAN.

3 Q WERE MR. HUNT AND MR. KARNY PRETTY CLOSE?

4 A YEAH. THEY WERE GOOD FRIENDS.

5 Q WELL, YOU MUST HAVE HAD -- WELL, LET ME ASK YOU
6 ANOTHER QUESTION. HANA SUSHI IS PROBABLY ALSO WITHIN -- I
7 HATE TO GET INTO MILES AGAIN. HANA SUSHI IS ON WILSHIRE,
8 RIGHT?

9 A YES.

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1 Q IT IS ON THE OTHER SIDE OF SEPULVEDA TOWARDS
2 THE BEACH?

3 A YES.

4 Q FROM WHERE YOU WERE LIVING, RIGHT?

5 A YES.

6 IT IS ABOUT TEN MINUTES, SEVEN MINUTES AWAY.

7 Q OKAY. SO THAT IS SEVEN MINUTES DRIVING, RIGHT?

8 A YEAH, DRIVING, OF COURSE.

9 YOU COULDN'T WALK THERE.

10 Q YOU WOULD GET TIRED?

11 A I WOULD BE EXHAUSTED.

12 Q NOW, TO GO FROM THE WILSHIRE MANNING TO HANA
13 SUSHI AND THEN TO THE MOVIES IS ALL WITHIN A MATTER OF A
14 FEW MILES; IS THAT RIGHT?

15 A YES.

16 Q IF YOU DISLIKED DEAN KARNY SO MUCH, WHY DID YOU
17 DECIDE TO GO TO DINNER WITH HIM?

18 A WELL, WE MISSED THE FIRST MOVIE AND SO DEAN SAID,
19 "LET'S JUST GO GET SOMETHING TO EAT," SO I SAID, "OKAY."

20 Q WHAT TIME WAS THE FIRST MOVIE?

21 A I SAW THE PAPER YESTERDAY, I DON'T KNOW. FIVE-ISH
22 I COULDN'T TELL YOU EXACTLY WHAT TIME IT WAS.

23 Q WELL, YOU MISSED THE FIRST MOVIE?

24 A UH-HUH.

25 Q AND YOU WERE WITHIN A FEW BLOCKS OF THE CONDO,
26 RIGHT?

27 A YES.

28 Q AND IF YOU HAD HATED DEAN KARNY THAT MUCH, WHY

1 DIDN'T YOU SAY --

2 MR. BARENS: WHOA. WHOA. THAT MISSTATES THE EVIDENCE
3 AND IS ARGUMENTATIVE. SHE DIDN'T SAY SHE HATED HIM.

4 THE COURT: THE JURY HAS HEARD THE EVIDENCE. LET
5 THEM BE THE JUDGE AS TO WHETHER OR NOT THAT WAS SAID.

6 MR. BARENS: IT IS ARGUMENTATIVE.

7 THE COURT: THE OBJECTION IS OVERRULED.

8 THE WITNESS: I NEVER SAID I HATED DEAN. I DON'T FEEL
9 THAT WAY.

10 Q BY MR. WAPNER: HOW DO YOU FEEL ABOUT HIM?

11 A WE DIDN'T GET ALONG. IF I SAID SOMETHING, HE
12 WOULD ALWAYS CORRECT ME. I WAS ALWAYS WRONG. HE WAS ALWAYS
13 VERY HOSTILE TOWARDS ME.

14 I WAS TRYING TO GET ALONG.

15 Q AND YOU HADN'T ORIGINALLY PLANNED TO GO TO DINNER?

16 A WE HADN'T OR WE HAD?

17 Q YOU HAD NOT?

18 A AH, WE WERE GOING TO MEET PEOPLE OVER THERE,
19 BECAUSE A LOT OF PEOPLE WANTED TO GO TO THE MOVIES.

20 Q WAIT A SECOND. I THOUGHT YOU SAID YOU WERE GOING
21 TO GO TO THE EARLY MOVIE AND IT WAS ONLY AFTER YOU MISSED
22 THE EARLY MOVIE THAT YOU THEN DECIDED TO GO TO DINNER?

23 A YES, AND WE WERE GOING TO MEET PEOPLE OVER THERE
24 AT THE --

25 Q OVER WHERE?

26 A AT HANA SUSHI.

27 Q WHAT TIME?

28 A I DON'T KNOW, WHATEVER TIME THE MOVIE -- WE ATE

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1 SUSHI AND THEN WE ZIPPED OFF TO THE MOVIE, AND SO WHENEVER
2 THE MOVIE STARTED, WE MADE IT ON TIME, WE SAW THE MOVIE.

3 THE COURT: HE WANTS TO KNOW WHAT TIME YOU ARRANGED
4 TO MEET THESE OTHER PEOPLE FOR DINNER.

5 THE WITNESS: OH, HALF AN HOUR BEFORE THE MOVIE STARTED,
6 40 MINUTES, SO THEY COULD HAVE SOME SUSHI.

7 Q BY MR. WAPNER: A HALF AN HOUR BEFORE WHICH
8 SHOWING OF THE MOVIE?

9 A THE EARLY, THE 7:00 O'CLOCK SHOW. I PICKED IT
10 OUT YESTERDAY IN THE PAPER.

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1 Q IF YOU WERE GOING TO MEET THEM --
2 WHEN DID YOU MAKE THESE PLANS TO MEET THE PEOPLE
3 THERE?

4 A OH, I DON'T KNOW. I DON'T REMEMBER WHAT TIME
5 IT WAS. IT WAS -- I DON'T REMEMBER. I COULDN'T TELL YOU.

6 Q BEFORE YOU LEFT TO GO TO THE MOVIES?

7 A YES, BEFORE WE LEFT TO GO TO THE MOVIES.

8 BEFORE WE LEFT THE MANNING, I REMEMBER DEAN WAS
9 ON THE PHONE TALKING TO PEOPLE AND SAYING, "MEET US OVER
10 AT HANA SUSHI" AND THEN WE WERE GOING TO GO TO SEE "STREETS
11 OF FIRE."

12 Q AND YOU DID?

13 A YEAH, WE DID.

14 Q WHAT HAPPENED WITH GOING TO THE EARLY MOVIE?

15 A I DON'T KNOW.

16 WE HAD SUSHI FIRST.

17 Q I THOUGHT YOU SAID YOU FIRST WENT TO THE MOVIES
18 AND THEN --

19 A NO. I NEVER SAID WE FIRST -- I FIRST WENT TO
20 THE MOVIES.

21 WE WENT TO HANA SUSHI FIRST AND THEN WE WENT
22 TO THE MOVIES.

23 Q BUT DIDN'T YOU JUST SAY THAT YOU FIRST TRIED
24 TO GO TO THE 5:00 O'CLOCK AND YOU MISSED IT AND IT WAS ONLY
25 AFTER YOU MISSED IT --

26 MR. BARENS: OBJECTION.

27 THE WITNESS: MR. WAPNER --

28 MR. BARENS: OBJECTION, YOUR HONOR.

1 MR. WAPNER: LET ME FINISH THE QUESTION.

2 THE COURT: HE IS ASKING WHETHER OR NOT THAT IS TRUE.

3 MR. BARENS: CAN THE DEFENSE MAKE A COMMENT, SIR?

4 I HAVE AN OBJECTION.

5 THE COURT: OBJECTION OVERRULED.

6 MR. BARENS: I HAVEN'T MADE IT YET.

7 THE COURT: IF YOU HAVE AN OBJECTION, WHAT IS YOUR
8 OBJECTION?

9 MR. BARENS: THANK YOU, SIR.

10 TWO THINGS: HE IS MISSTATING THE EVIDENCE. THE
11 WITNESS CLEARLY NEVER SAID SHE WENT TO THE MOVIES FIRST.
12 SHE SAID SHE WENT TO THE MOVIE --

13 THE COURT: IS THAT AN OBJECTION OR IS THAT AN ARGUMENT?

14 MR. BARENS: IT IS AN OBJECTION. HE IS MISSTATING
15 THE BLOODY EVIDENCE AT THIS POINT.

16 THE COURT: GIVE HIM A CHANCE WOULD YOU? YOU HAVE
17 HAD YOURS.

18 GO AHEAD. OBJECTION OVERRULED.

19 MR. BARENS: I PRESUME IT IS OVERRULED, THANK YOU.

20 THE COURT: YES.

21 Q BY MR. WAPNER: DIDN'T YOU SAY THAT YOU DIDN'T
22 ORIGINALLY SET OUT TO EAT DINNER AND THEN GO TO THE MOVIES,
23 BUT THAT YOU ORIGINALLY SET OUT TO GO TO THE EARLY MOVIE,
24 THAT YOU MISSED IT AND IT WAS ONLY AFTER YOU MISSED THE EARLY
25 MOVIE THAT YOU THEN DECIDED TO GO AND HAVE SOME DINNER?

26 A I DON'T KNOW. I CAN'T ANSWER THAT QUESTION.
27 I DON'T KNOW.

28 Q DIDN'T YOU JUST SAY THAT FIVE MINUTES AGO?

1 A ALL I KNOW IS THAT WE WENT TO HANA SUSHI, WE
2 HAD SOME DINNER, IT WAS A QUICK DINNER.

3 JOHN ALLEN CAME OVER AND MET US OVER THERE BECAUSE
4 HE DIDN'T WANT TO GO AND LAUREN RABB AND HIM DIDN'T WANT
5 TO GO, TOO, SO THEY DIDN'T GO TO THE MOVIE.

6 SO THAT IS WHY I SAID, I DON'T UNDERSTAND WHAT
7 YOU ARE TRYING TO SAY.

8 Q SO YOU WERE PLANNING ALL ALONG TO HAVE DINNER
9 FIRST?

10 A NO, WE WEREN'T. IT WAS A LAST MINUTE THING LIKE
11 "OKAY, LET'S HAVE SOME SUSHI, OKAY, WE WILL GO."

12 Q OKAY, MAYBE I USED A BAD WORD.

13 BEFORE YOU LEFT THE MANNING, HAD YOU MADE SOME
14 PLANS TO GO HAVE DINNER?

15 A I DON'T REMEMBER SPECIFICALLY.

16 THE COURT: WAS JOE HUNT THERE AT THE TIME --

17 THE WITNESS: YES.

18 THE COURT: -- YOU WERE MAKING THESE PLANS?

19 THE WITNESS: YES.

20 THE COURT: ALL RIGHT. DO YOU KNOW WHAT TIME HE LEFT?

21 THE WITNESS: NO, I DON'T. SORRY.

22 Q BY MR. WAPNER: WAS IT YOUR DESIRE TO SPEND AS
23 LITTLE TIME WITH DEAN KARNY AS POSSIBLE?

24 A WAS IT MY DESIRE? I DON'T UNDERSTAND.

25 Q BECAUSE OF HOW YOU FELT ABOUT DEAN KARNY.

26 A YES.

27 Q DID YOU PREFER TO BE AROUND HIM AS LITTLE AS
28 YOU POSSIBLY COULD?

1 A OH, I NEVER WAS AROUND HIM LIKE ALONE. WE NEVER
2 HUNG OUT AND WENT TO MOVIES TOGETHER. I DIDN'T ENJOY HIM.

3 BUT JEFF RAYMOND, I LIKED VERY MUCH, SO I DIDN'T
4 MIND GOING.

5 Q SO YOU WENT TO DINNER THAT NIGHT BECAUSE JEFF
6 WAS GOING TO BE THERE?

7 A WELL, JEFF WAS THERE AND DEAN WANTED TO GET SOME-
8 THING TO EAT, SO I SAID, "OKAY, I WILL GO."

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1 Q BUT YOU WENT IN SEPARATE CARS?

2 A YES.

3 Q WHY?

4 A BECAUSE I DIDN'T WANT TO GO WITH DEAN, I GUESS.

5 Q BUT JEFF WAS IN THE CAR, WASN'T HE?

6 A DEAN DROVE A TWO-SEATER FIAT. I DIDN'T WANT
7 TO SIT ON JEFF'S LAP, EITHER.

8 Q AND THERE WERE PLENTY OF OTHER CARS YOU COULD
9 HAVE TAKEN, RIGHT, THAT HAD MORE SEATS?

10 A IN OUR GARAGE, WE HAD JOE'S JEEP --

11 MR. BARENS: I HAVE AN OBJECTION, SIR.

12 THE WITNESS: -- JOE'S JEEP, THE FIAT AND MY CAR.

13 Q BY MR. WAPNER: WHAT KIND OF A CAR DID YOU HAVE?

14 A A VOLKSWAGEN RABBIT.

15 Q THAT HAD MORE THAN TWO SEATS, DIDN'T IT?

16 THE WITNESS: YES.

17 Q BY MR. WAPNER: YOU COULD HAVE TAKEN THAT CAR
18 THAT NIGHT?

19 A COULD HAVE.

20 Q WERE THERE BMW CARS OR WESTCARS OCCASIONALLY
21 AVAILABLE TO YOU IN THE GARAGE AT THE WILSHIRE MANNING?

22 A AVAILABLE TO ME?

23 Q OR OTHER MEMBERS OF THE BBC?

24 MR. BARENS: THAT IS COMPOUND AT THIS TIME.

25 WHY DNO'T WE DO IT ONE AT A TIME?

26 THE COURT: ALL RIGHT, AVAILABLE TO YOU?

27 THE WITNESS: NO, I DON'T DRIVE A STICK SHIFT SO THERE
28 WAS NO CAR AVAILABLE TO ME THAT I COULD DRIVE. THOSE WERE --

1 THAT WAS A BMW.

2 Q THEY WERE ALL STICK SHIFT CARS, THE BMW'S?

3 A YES.

4 Q WERE THERE ANY BMW CARS AVAILABLE TO YOU AT THE
5 WILSHIRE MANNING THAT NIGHT?

6 A I DON'T KNOW.

7 Q WERE THOSE BMW CARS GENERALLY AVAILABLE AT THE
8 GARAGE IN THE MANNING, AVAILABLE TO THE MEMBERS OF THE BBC?

9 A THERE WEREN'T A LOT OF SPACES AVAILABLE. WE
10 ONLY HAD FOUR SPACES SO WE COULDN'T HAVE FIT THE BMW'S IN.

11 Q WERE THERE EVER CARS FROM WESTCARS THAT WERE
12 PUT IN THE GARAGE AT THE WILSHIRE MANNING SO PEOPLE IN THE
13 BBC COULD USE THEM?

14 A THERE WERE CARS PUT IN THE GARAGE BUT NOT SO
15 PEOPLE COULD USE THEM.

16 SO THEY COULD BE PARKED.

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1 Q WHAT WAS DONE WITH THEM AFTER THEY WERE PARKED?

2 A WHAT WAS DONE WITH THEM?

3 Q RIGHT. DID PEOPLE JUST GO TO LOOK AT THEM OR DID
4 THEY TAKE THEM OUT AND DRIVE THEM?

5 A I AM SURE THEY TOOK THEM OUT AND DROVE THEM.

6 Q THIS WAS MEMBERS OF THE BBC?

7 MR. BARENS: OBJECTION, THAT IS AN ASSUMPTION, YOUR HONOR.

8 THE COURT: HE IS ASKING THE QUESTION.

9 Q BY MR. WAPNER: WAS THAT MEMBERS OF THE BBC?

10 A YEAH. I GUESS THEY WERE.

11 Q THOSE WERE CARS THAT BELONGED TO WESTCARS, WEREN'T
12 THEY?

13 A YES.

14 Q OKAY. NOW, BACK TO THE NIGHT OF JUNE THE 6TH --

15 A YES.

16 Q DURING THE TIME THAT JOE HUNT WAS HOME BEFORE YOU
17 LEFT TO GO TO THE MOVIES OR TO GO EAT OR WHATEVER THE HECK
18 YOU WERE GOING TO DO, DID YOU SEE HIM WORKING ON ANY THINGS
19 FOR WORK, DOING ANY KIND OF WORK OF ANY KIND?

20 A I DON'T REMEMBER.

21 Q AFTER HE CAME HOME -- WHEN HE FIRST CAME HOME,
22 DID HE CHANGE HIS CLOTHES?

23 A EVENTUALLY HE CHANGED HIS CLOTHES. I DON'T
24 REMEMBER SPECIFICALLY.

25 Q WHAT DID HE DO WHEN HE FIRST GOT HOME?

26 A HE SAID HELLO TO ME.

27 Q AND THEN WHAT DID HE DO?

28 A I DON'T REMEMBER, SIR. THIS HAPPENED THREE YEARS

10A
1 AGO. THIS WAS A NIGHT HE CAME HOME AND GOT UNDRESSED AND SAID
2 THAT HE WAS GOING TO GO HAVE DINNER WITH RON LEVIN.

3 I DIDN'T TAKE NOTES OF EXACTLY WHAT HE DID. I
4 AM SORRY.

5 Q ALL RIGHT. IT HAS BECOME OBVIOUS TO YOU FOR QUITE
6 SOME TIME THAT THE EVENTS OF THAT NIGHT MIGHT BE PRETTY
7 IMPORTANT, RIGHT?

8 A YES. I HAVE TRIED TO REMEMBER SPECIFIC THINGS
9 FOR A LONG TIME. BUT I DON'T REMEMBER IF HE TOOK HIS CLOTHES
10 OFF FIRST OR WHAT HE SAID EXACTLY WHEN HE WALKED IN THE DOOR.

11 Q WELL, DO YOU REMEMBER WHETHER HE DID ANY WORK IN
12 PREPARATION FOR THIS BUSINESS MEETING HE SAID --

13 A I SAID I DON'T REMEMBER, SIR. SORRY.

14 Q DID YOU EVER TRY TO REMEMBER WHETHER HE HAD DONE
15 ANY WORK?

16 A I AM TRYING RIGHT NOW TO REMEMBER. BUT I DON'T
17 REMEMBER WHETHER HE DID ANY WORK.

18 Q WAS IT THAT NIGHT THE FIRST TIME THAT YOU FOUND
19 OUT HE WAS GOING TO HAVE THIS BUSINESS MEETING WITH RON LEVIN?

20 A WHAT? I DON'T UNDERSTAND.

21 Q JUNE THE 6TH, MR. HUNT TOLD YOU THAT HE WAS GOING
22 TO HAVE DINNER WITH RON LEVIN AND IT HAD SOMETHING TO DO WITH
23 BUSINESS, RIGHT?

24 A YES.

25 Q HAD HE EVER TOLD YOU BEFORE THAT DAY THAT HE WAS
26 GOING TO MEET WITH RON LEVIN AND GET TOGETHER WITH HIM?

27 A YES. MANY TIMES HE MET WITH RON LEVIN.

28 Q OKAY. IT WAS NOT A GOOD QUESTION, EITHER.

10
1 BEFORE THE NIGHT OF JUNE THE 6TH, ANY TIME DURING
2 THAT WEEK, HAD HE SAID, "I AM GOING TO GET TOGETHER WITH RON
3 LEVIN FOR BUSINESS THIS WEEK"?

4 A I DON'T REMEMBER IF HE SAID THAT OR NOT.

5 Q WHEN HE SAID TO YOU THAT NIGHT THAT HE WAS GOING
6 TO HAVE DINNER WITH RON LEVIN FOR THE PURPOSE OF BUSINESS,
7 DID IT COME AS A SURPRISE TO YOU? HAD YOU HEARD IT BEFORE?
8 DO YOU RECALL HAVING HEARD IT BEFORE?

9 A I WAS NOT SURPRISED, NO. I SAID, "WHERE ARE YOU
10 GOING TO GO?"

11 HE SAID, "RON'S FAVORITE PLACE, LA SCALA."
12 I REMEMBER THAT.

13 THE COURT: WHAT?

14 THE WITNESS: HIS FAVORITE RESTAURANT.

15 THE COURT: LA SCALA WITH RON?

16 THE WITNESS: YES.

17 Q BY MR. WAPNER: DO YOU REMEMBER THAT MR. HUNT
18 HAD EVER MENTIONED GOING OUT TO DINNER WITH RON LEVIN ON THAT
19 NIGHT BEFORE THAT DAY? HAD HE TOLD YOU TUESDAY FOR EXAMPLE,
20 "I AM GOING TO GO TO DINNER"?

21 A NO. I DON'T REMEMBER.

22 Q NOW, HE COMES HOME AND HE TELLS YOU THAT HE IS
23 GOING TO GO TO DINNER WITH RON LEVIN?

24 A YES.

25 Q WHAT ELSE DID HE DO AT HOME BESIDES CHANGE HIS
26 CLOTHES?

27 A PROBABLY GOT A SNACK OR SOMETHING.

28 Q ARE YOU GUESSING OR DO YOU REMEMBER?

10A-4

1 A I AM GUESSING. I DON'T REMEMBER.

2 Q DO YOU KNOW HOW LONG HE WAS HOME BEFORE YOU LEFT
3 TO GO OUT TO THE MOVIES?

4 A AN HOUR, MAYBE. BECAUSE I WANTED HIM TO GO TO
5 THE MOVIE WITH US. I SAID, "COME WITH US."

6 HE SAID, "NO. I CAN'T. I CAN'T. I CAN'T."

7 BECAUSE I WANTED HIM TO GO. HE SAID HE HAD TO
8 GO TO DINNER WITH RON LEVIN. I SAID OKAY.

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1 Q THIS MEETING THAT HE WAS GOING TO HAVE SEEMED
2 PRETTY IMPORTANT TO HIM?

3 A HE SAID HE HAD A MEETING. I SAID OKAY. I SAID
4 THAT I HOPED IT GOES WELL.

5 Q AND DURING THE TIME THAT HE WAS HOME, DID YOU EVER
6 SEE HIM WORKING OR WRITING ON ANY OF THESE PIECE OF PAPER?
7 YOU CAN TAKE YOUR TIME TO LOOK THROUGH THOSE.

8 SHE IS REFERRING FOR THE RECORD, YOUR HONOR, TO
9 PEOPLE'S 55.

10 A NO. I NEVER SAW THIS ONE.

11 MR. BARENS: COULD YOU HOLD THEM UP ONE AT A TIME SO
12 WE CAN SEE WHICH ONES YOU ARE REFERRING TO?

13 MR. WAPNER: THAT WOULD BE IN ORDER, THE ONE THAT HAS
14 THE HAND DRAWN MAP ON IT?

15 THE COURT: YES.

16 MR. BARENS: OKAY.

17 THE WITNESS: THIS IS NOT JOE'S HANDWRITING, RIGHT HERE.

18 Q BY MR. WAPNER: THAT IS THE ONE THAT SAYS
19 "AUTHORIZATION" AT THE TOP?

20 A "JEFF LIST," AND HE DOESN'T WRITE LIKE THAT.

21 Q WHERE IT SAYS, "NUMBER 5, JEFF LIST"?

22 A YES.

23 MR. WAPNER: ALL RIGHT. I BELIEVE THAT WE PREVIOUSLY
24 HAVE HAD A STIPULATION THAT ALL OF THE HANDWRITING ON THERE
25 BELONGS TO MR. HUNT.

26 THE COURT: IT LOOKS LIKE HIS HANDWRITING, DOESN'T IT?

27 THE WITNESS: NOT ON THIS ONE.

28 THE COURT: PARDON ME?

1 THE WITNESS: NOT ON THIS ONE. THAT IS NOT HIS.

2 Q BY MR. WAPNER: WHICH ONE ARE YOU TALKING ABOUT?

3 A JUST THIS, RIGHT HERE.

4 Q FOR THE RECORD, THAT IS "NUMBER 5, JEFF LIST"?

5 A I NEVER SAW THIS ONE.

6 THE COURT: PARDON ME?

7 MR. BARENS: SHE SAID SHE NEVER SAW THIS ONE, SIR.

8 Q BY MR. WAPNER: THAT IS IN REFERENCE TO THE ONE

9 THAT SAYS "JIM DIGS PIT," AT THE TOP?

10 A YES. I NEVER SAW THIS ONE EITHER.

11 Q WHAT DOES IT SAY AT THE TOP?

12 A IT SAYS, "DEBTOR RON LEVIN."

13 I HAVE NOT SEEN ANY OF THESE THAT I HAVE LOOKED
14 AT SO FAR.

15 I HAVE NOT SEEN THIS ONE.

16 Q WHAT DOES THAT SAY AT THE TOP?

17 A "GET ALARM CODE." AND I HAVE ONLY SEEN THIS ONE
18 IN THE NEWSPAPER.

19 THE COURT: YOU ONLY SAW --

20 THE WITNESS: NO. I NEVER SAW THIS EXCEPT IN THE
21 NEWSPAPER. YES.

22 THE COURT: OTHER THAN THE NEWSPAPER?

23 THE WITNESS: NO. I NEVER SAW IT.

24 THE COURT: YOUR ANSWER IS THAT YOU NEVER SAW ANY ONE
25 OF THESE SHEETS? IS THAT TRUE?

26 THE WITNESS: YES.

27 THE COURT: ALL RIGHT.

28 MR. BARENS: EXCEPT IN THE NEWSPAPER.

1 THE COURT: I SAID EXCEPT IN THE NEWSPAPER.

2 MR. BARENS: YES, YOUR HONOR.

3 Q BY MR. WAPNER: NOW, YOU GOT -- AFTER JOE HUNT
4 WAS ARRESTED, A COPY OF THE POLICE REPORT, RIGHT?

5 A AFTER HE WAS ARRESTED? HE WAS ARRAIGNED FIRST
6 AND THEN I GOT A COPY.

7 Q OKAY. BUT THE COPY OF IT WAS AFTER HE WAS
8 ARRESTED, RIGHT?

9 A YEAH. HE WAS IN JAIL.

10 Q OKAY. AND DID THAT HAVE THE POLICE REPORTS IN
11 IT AND THE COPY OF THESE LISTS IN IT?

12 A I DON'T REMEMBER. I JUST REMEMBER IT HAD
13 STATEMENTS FROM PEOPLE IN IT.

14 Q AND WHY DID YOU GET COPIES OF THE POLICE REPORT?

15 A I DIDN'T GET A COPY. MY ATTORNEY LET ME READ IT.

16 Q YOU NEVER HAD A COPY IN YOUR HAND?

17 A TO KEEP? NO.

18 Q TO KEEP?

19 A NO.

20 Q AND YOU HAD A MEETING WITH RYAN HUNT, RIGHT?

21 A RIGHT.

22 Q THAT IS JOE'S FATHER?

23 A YES.

24 Q AND DEAN KARNY, RIGHT?

25 A YES.

26 Q AND AT THAT MEETING, DEAN KARNY WAS GIVEN COPIES
27 OF THE POLICE REPORTS, RIGHT?

28 A YES.

10R-4
1 Q WELL, WHO GAVE THEM TO HIM?

2 A I THINK -- WHO PHYSICALLY GAVE IT? WHEN WE MET
3 HIM, WHO PHYSICALLY GAVE IT TO HIM WAS RYAN, HANDED IT TO HIM.

4 Q BUT, HOW DID THEY GET TO -- WHERE WAS THAT MEETING
5 THAT YOU HAD WITH RYAN HUNT AND DEAN KARNY?

6 A IT WAS AT HIS OFFICE IN THE VALLEY.

7 Q RYAN HUNT'S OFFICE?

8 A YES.

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11- ' 1 Q AND YOU WENT TO RYAN HUNT'S OFFICE?

2 A YES.

3 Q AND DEAN KARNY WENT SEPARATELY?

4 A HE BROUGHT HIS MOTHER.

5 Q SEPARATELY FROM YOU?

6 A YES.

7 Q DID YOU GET THERE FIRST BEFORE DEAN KARNY?

8 A YES.

9 Q DID RYAN HUNT HAVE A COPY OF THE POLICE REPORTS
10 WHEN YOU GOT THERE?

11 A FOR HIMSELF, I DON'T KNOW. YOU WILL HAVE TO ASK
12 HIM. I DON'T KNOW.

13 Q WAS THERE A COPY THERE?

14 A FOR DEAN, YES.

15 Q WHEN YOU GOT TO THE MEETING, THERE WAS A COPY THERE?

16 A YES.

17 Q HOW DID IT GET THERE?

18 A I THINK I GAVE IT TO RYAN.

19 Q WHEN?

20 A AH, I DON'T KNOW. I --

21 OR MAYBE RYAN GOT IT FROM JOE'S ATTORNEY.

22 I DON'T KNOW. I DON'T REMEMBER WHO GOT IT.

23 SOMEBODY HAD IT, THOUGH.

24 Q WHEN YOU SAY YOU THINK YOU GAVE IT TO RYAN, WHEN
25 WOULD YOU HAVE GIVEN IT TO HIM?

26 A WELL, WHEN JOE WAS ARRAIGNED, THEY HAD THE POLICE
27 REPORTS. MY ATTORNEY, ED MASRY -- OR JOE'S ATTORNEY, ED MASRY,
28 I SAID I NEEDED THEM BECAUSE I NEEDED TO GIVE THEM TO DEAN

1 AND SO --

2 Q SO DID HE GIVE THEM TO YOU?

3 A YES.

4 Q SO NOW IN FACT, YOU DID HAVE A COPY OF YOUR OWN,
5 RIGHT?

6 A BUT I GAVE MINE TO DEAN THEN BECAUSE I DON'T HAVE
7 A COPY, I NEVER DID.

8 Q BUT MR. MASRY IN FACT GAVE YOU COPIES OF THE
9 REPORTS?

10 A YES.

11 Q HOW LONG DID YOU HAVE POSSESSION OF THOSE BEFORE
12 YOU GAVE THEM TO MR. KARNY?

13 A HOW LONG?

14 I DROVE IMMEDIATELY. WELL, THE OFFICE -- RYAN'S
15 OFFICE WAS VERY CLOSE TO ED MASRY, SO I DROVE OVER THERE AND
16 I GAVE THEM TO RYAN. I JUST SKIMMED THROUGH THEM LIKE THAT.

17 THE COURT: YOU DID WHAT?

18 THE WITNESS: I SKIMMED THROUGH THEM, SO I DIDN'T HAVE
19 THEM FOR A LONG TIME.

20 Q BY MR. WAPNER: YOU WEREN'T INTERESTED IN WHAT
21 WAS IN THEM?

22 A OH, YEAH, I WAS VERY UPSET. I WAS INTERESTED AND
23 VERY DISAPPOINTED.

24 Q WHAT DO YOU MEAN WHEN YOU SAY YOU SKIMMED THROUGH
25 THEM?

26 A I READ THROUGH THEM.

27 A LOT OF PEOPLE SAID "OH, JOE THREATENED ME" AND
28 THERE WAS MANY, MANY, MANY LIES IN THERE SO I DIDN'T, YOU

1 KNOW --

2 Q WHEN YOU GOT THESE POLICE REPORTS, THEY WERE
3 REFERRING TO REPORTS OF A MURDER THAT THE MAN YOU WERE IN LOVE
4 WITH WAS CHARGED WITH, RIGHT?

5 A YES.

6 Q SO IT WAS PRETTY IMPORTANT FOR YOU TO READ WHAT
7 WAS IN THERE, RIGHT?

8 A YES.

9 Q WELL, SO WHY THE HECK DID YOU JUST SKIM IT?
10 MR. BARENS: "WHY THE HECK" IS PLENTY ARGUMENTATIVE.
11 THE COURT: LEAVE OUT THE "HECK," ALL RIGHT.

12 Q BY MR. WAPNER: WHY DID YOU JUST SKIM IT?

13 A BECAUSE I KNOW JOE DIDN'T DO IT.

14 Q WASN'T IT IMPORTANT TO YOU TO FIND OUT WHAT OTHER
15 PEOPLE WERE SAYING?

16 A I KNEW THAT TOM AND DAVE MAY AND JEFF RAYMOND WENT
17 TO THE POLICE AND CONCOCTED A STORY, BECAUSE I FOUND PAPERS
18 I GLUED TOGETHER FROM THE TRASHCAN SAYING WHAT THEY WERE GOING
19 TO SAY --

20 MR. BARENS: LET HER FINISH HER ANSWER, SIR.

21 MR. WAPNER: WELL, IT IS NOT RESPONSIVE TO THE QUESTION.

22 THE COURT: I WILL STRIKE THE ENTIRE ANSWER. LET'S
23 START AGAIN.

24 JUST ANSWER THE QUESTION, IF YOU WILL, PLEASE.

25 Q BY MR. WAPNER: WASN'T IT IMPORTANT TO YOU TO READ
26 THE ENTIRE REPORTS TO FIND OUT?

27 A I READ THE ENTIRE REPORT.

28 Q YOU DIDN'T JUST SKIM IT, DID YOU? YOU READ IT

1 IN PRETTY MUCH OF DETAIL?

2 A IT DIDN'T TAKE ME LONG TO READ.

3 Q AND IN FACT, AT SOME POINT WHEN YOU HAD READ THESE
4 REPORTS, YOU CALLED DEAN KARNY, DIDN'T YOU?

5 A YES.

6 Q TO TELL HIM THAT YOU HAD READ THE REPORTS, RIGHT?

7 A YES.

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1 Q AND DIDN'T YOU ALSO CALL HIM AND TELL HIM ON THE
2 PHONE THAT YOU NEEDED HIM TO SIGN AN AFFIDAVIT SAYING THAT
3 THE MEETING OF JUNE 24TH NEVER HAPPENED?

4 A I DON'T REMEMBER THAT, NO.

5 Q YOU DON'T REMEMBER THAT?

6 A NO.

7 Q YOU ARE NOT SAYING IT DIDN'T HAPPEN. YOU ARE JUST
8 SAYING YOU DON'T REMEMBER IT?

9 A I TOLD DEAN TO PLEASE COME FORWARD AND MEET WITH
10 OUR LAWYER AND PLEASE TO TELL THE TRUTH, THAT IS WHAT I SAID
11 TO DEAN.

12 THE COURT: WHAT WAS THE TRUTH?

13 THE WITNESS: THAT JOE DID NOT KILL RON LEVIN AND THAT
14 WAS ALL A LIE.

15 Q BY MR. WAPNER: BY THE WAY, WHEN YOU CAME HOME
16 ON THE NIGHT OF JUNE THE 6TH, DID YOU EVER SEE THIS CONTRACT
17 THAT JOE HUNT WAS GOING TO HAVE RON LEVIN SIGN?

18 A YES.

19 Q NO, I MEAN BEFORE YOU WENT TO THE MOVIES?

20 A OH, NO.

21 Q OKAY. AND WHEN YOU CAME BACK FROM THE MOVIES,
22 MR. HUNT WAS DOING WHAT?

23 A HE WAS BRUSHING HIS TEETH IN THE BATHROOM.

24 Q AND I ASSUME HE WAS PREPARING TO GO TO BED?

25 A YES.

26 Q HE WAS UNDRESSED OR PARTIALLY UNDRESSED?

27 A YES.

28 Q AND DID YOU SEE MR. PITTMAN AT THAT TIME?

1 A NO.

2 Q DID YOU SEE MR. PITTMAN THE NEXT DAY?

3 A I DON'T REMEMBER.

4 Q AND AT SOME POINT LATER ON YOU FOUND THAT
5 MR. PITTMAN IN FACT WAS IN NEW YORK, RIGHT?

6 A YES.

7 Q NOW, WHEN WAS IT THAT YOU FIRST LEARNED THAT
8 MR. HUNT WAS PLANNING TO GO TO LONDON?

9 A HE HAD BEEN TALKING ABOUT IT WHEN -- WHENEVER
10 STEVE LOPEZ -- STEVE LOPEZ HAD BEEN THERE FOR ABOUT A MONTH.

11 Q HAD BEEN WHERE FOR ABOUT A MONTH?

12 A LONDON.

13 HE WAS PLANNING ON GOING TO SEE STEVE, SO HE HAD
14 BEEN TALKING ABOUT IT.

15 Q HOW DO YOU KNOW STEVE LOPEZ HAD BEEN IN LONDON
16 FOR ABOUT A MONTH?

17 A BECAUSE I KNOW. HE WENT TO LONDON FOR A MONTH
18 OR LONGER.

19 Q HOW DO YOU KNOW THAT?

20 A STEVE SAID GOOD-BYE TO ME WHEN HE WENT TO LONDON.

21 Q BUT HOW DO YOU KNOW IT WAS LONDON?

22 A JOE MET HIM IN LONDON AND JOE CALLED ME FROM
23 LONDON.

24 Q HOW DO YOU KNOW STEVE WAS THERE FOR A MONTH?

25 A HE WENT TO SINGAPORE ALSO DURING THAT TIME.

26 Q OKAY. THAT IS NOT LONDON, THOUGH, IS IT?

27 A BUT HE WAS IN LONDON FOR A LONG TIME.

28 Q HOW DO YOU KNOW THAT, THOUGH?

1 A JOE CALLED ME FROM LONDON.

2 STEVE WAS IN LONDON WITH HIM.

3 I SAID, "HOW IS STEVE DOING?"

4 I TALKED TO STEVE, "HI, STEVE, HOW ARE YOU? ARE
5 YOU IN LONDON?" "YES, I AM."

6 THEY WERE BOTH IN LONDON.

7 Q HOW DO YOU KNOW HE HAD BEEN THERE FOR A LONG TIME
8 BEFORE JOE HUNT GOT THERE?

9 A BECAUSE I JUST KNOW HE WAS -- HE WAS IN LONDON
10 FOR A LONG TIME.

11 Q WAS IT BECAUSE YOU JUST KNOW MEN --

12 MR. BARENS: YOUR HONOR, THAT IS GETTING ARGUMENTATIVE.

13 THE COURT: LET'S GO ON. I WILL SUSTAIN THE OBJECTION.

14 GO ON AND ASK YOUR NEXT QUESTION.

15 Q BY MR. WARNER: HOW LONG WAS JOE HUNT IN LONDON?

16 A MAYBE A WEEK. I DON'T REMEMBER.

17 Q DID HE CALL YOU WHEN HE FIRST GOT THERE?

18 A YES.

19 Q AND DID HE CALL YOU ANY OTHER TIMES WHILE HE WAS
20 THERE?

21 A A COUPLE OF TIMES.

22 Q WERE THOSE COLLECT CALLS?

23 A I DON'T REMEMBER.

24 Q AND DID YOU KNOW WHERE HE HAD GONE BESIDES GOING
25 TO LONDON?

26 A HE WENT TO NEW YORK FIRST.

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1 Q OKAY. AND WHEN HE WENT TO NEW YORK, HE CALLED
2 YOU AT ONE POINT ON THE TELEPHONE, RIGHT?

3 A YES.

4 Q AND HE CALLED YOU. DID HE SAY WHERE HE WAS
5 CALLING FROM?

6 A NO.

7 Q HOW MANY TIMES DID HE CALL YOU?

8 A A COUPLE OF TIMES. IT WAS AT LEAST ONE TIME
9 BECAUSE I REMEMBER I WAITED UNTIL HE CALLED ME BECAUSE I
10 WAS CONCERNED. SO I KNOW --

11 Q DID HE TELL YOU WHERE HE WAS GOING TO STAY IN
12 NEW YORK?

13 A NO. I DON'T THINK HE STAYED IN NEW YORK. I
14 DON'T THINK HE STAYED THERE.

15 Q DID YOU SAY HE WENT THERE --

16 A BUT I DON'T KNOW. YOU WILL HAVE TO ASK JOE IF
17 HE STAYED THERE OR NOT.

18 BUT IT WAS VERY SHORT WHEN HE WAS THERE. IT
19 WAS A VERY SHORT TIME.

20 Q DID YOU EVER DISCUSS WITH HIM WHERE HE STAYED
21 IN NEW YORK?

22 A NO. I DID NOT.

23 Q DID YOU EVER DISCUSS WITH HIM WHETHER HE STAYED
24 IN NEW YORK USING HIS OWN NAME?

25 A I PRESUME HE USED HIS OWN NAME.

26 Q DID YOU DISCUSS WITH HIM WHY HE WAS GOING TO
27 NEW YORK?

28 A HE TOLD ME WHY.

2-2

1 Q TO GET JIM OUT OF JAIL?

2 A YES.

3 Q DID YOU TELL US YESTERDAY THAT YOU THOUGHT IT
4 WAS A WEEK TO TWO WEEKS THAT YOU THOUGHT HE WAS IN LONDON?

5 A YES. I THINK I DID.

6 Q DO YOU HAVE ANY BETTER RECOLLECTION AS TO WHETHER
7 IT WAS A WEEK OR WHETHER IT WAS TWO WEEKS?

8 A NO. I DON'T.

9 Q WHEN HE LEFT TO GO TO NEW YORK -- SORRY. I WILL
10 ASK YOU ANOTHER QUESTION. IT WAS THERE AND THEN IT WAS GONE.

11 WHEN MR. HUNT LEFT TO GO TO NEW YORK, HAD HE
12 SAID ANYTHING TO YOU ABOUT THE FACT THAT THE CHECK FOR MR.
13 LEVIN DIDN'T CLEAR?

14 A NO.

15 Q NOW, WHEN HE CAME BACK FROM LONDON, DID HE SAY
16 ANYTHING ABOUT THAT?

17 A YES.

18 Q HOW LONG AFTER HE WAS BACK FROM LONDON, DID HE
19 SAY THAT?

20 A THE FIRST DAY HE GOT BACK, I CAME HOME THAT NIGHT.
21 IT WAS ABOUT 5:00 O'CLOCK IN THE AFTERNOON.

22 AND THE DOOR WAS CLOSED. NO ONE WAS IN MY HOUSE.
23 HE WAS CRYING IN MY BEDROOM, FACE DOWN ON MY BED.

24 SO I SAID, "WHAT IS WRONG?" THAT WAS THE FIRST
25 TIME HE TOLD ME.

26 Q NOW, UP TO THAT POINT, HAD YOU HEARD ANYTHING
27 ABOUT RON LEVIN, BETWEEN THE DATE THAT JOE HUNT WENT TO
28 DINNER PURPORTEDLY -- PURPORTEDLY WENT TO DINNER WITH HIM

1 ON JUNE 6TH AND THE DATE THAT YOU SAW JOE HUNT COME BACK
2 FROM LONDON AND HE WAS ON THE BED?

3 A DID I HEAR ANYTHING ABOUT HIM?

4 Q RIGHT, ANYTHING ABOUT HIM? HIS NAME? ANYTHING?

5 A YEAH. I THINK I DID. YEAH.

6 Q WHAT?

7 A I DON'T KNOW.

8 Q WELL, IF YOU THINK YOU HEARD SOMETHING, WHAT
9 IS IT THAT YOU THINK YOU HEARD?

10 A I CAN'T MAKE SOMETHING UP RIGHT NOW. I DON'T
11 KNOW.

12 Q IF I GIVE YOU SOME TIME, CAN YOU MAKE SOMETHING
13 ELSE UP?

14 A NO.

15 MR. BARENS: THAT IS A REAL PROPER STATEMENT THAT I
16 SHOULD HAVE MADE TO MR. KARNY AS WELL, SIR.

17 THE COURT: THAT WAS IN RESPONSE TO HER ANSWER.

18 MR. BARENS: SIR, I THINK WHEN HE IS INSULTING THE
19 WITNESS, WE OUGHT TO KEEP IT TO A MINIMUM.

20 THE COURT: THERE IS NO QUESTION OF INSULTING THE
21 WITNESS.

22 MR. BARENS: I THINK THERE WAS, SIR.

23 THE COURT: WELL, EXAMINE YOUR OWN CONDUCT WITH
24 WITNESSES ON THIS STAND. THERE WERE INSULTING QUESTIONS --

25 MR. BARENS: SIR, I AM MAKING AN OBJECTION.

26 THE COURT: THIS IS CROSS-EXAMINATION. YOU ARE ENTITLED
27 TO ELICIT IT, WHEN YOU --

28 MR. BARENS: I HAVE AN OBJECTION TO IT, SIR.

2-4

1 Q BY MR. WAPNER: DID YOU HEAR ANYTHING ABOUT MR.
2 LEVIN BETWEEN THE TIME JOE HUNT PURPORTEDLY WENT TO DINNER
3 WITH HIM ON JUNE THE 6TH AND THE TIME JOE HUNT WAS THERE,
4 SUPPOSEDLY CRYING IN HIS BED, WHEN HE GOT BACK FROM LONDON?

2B

5 A SUPPOSEDLY? HE WAS CRYING IN HIS BED.
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1 Q DID YOU HEAR ANYTHING ABOUT RON LEVIN IN BETWEEN
2 THOSE TWO DATES?

3 A YES. I AM SURE I DID. I DON'T REMEMBER EXACTLY
4 WHAT I HEARD, SIR.

5 Q WHO DID YOU HEAR IT FROM?

6 A JOE, BEN, DEAN, THE MAYS.

7 Q WHAT DID YOU HEAR FROM JOE?

8 A I DON'T KNOW. I DON'T REMEMBER.

9 Q WELL THEN, HOW ARE YOU SURE THAT YOU HEARD SOME-
10 THING?

11 A I AM NOT SURE I DID. I MEAN, HE GAVE US A BIG
12 CHECK. IT WAS A MILLION DOLLARS. YOU DON'T JUST NOT
13 MENTION THE PERSON'S NAME ANYMORE. THAT IS RIDICULOUS.

14 Q IT DOESN'T LOOK VERY LOGICAL TO YOU, RIGHT?

15 A NO IT DOESN'T.

16 Q YOU SAY THAT YOU HEARD SOMETHING BUT THAT YOU
17 JUST DON'T KNOW WHAT YOU HEARD, IS THAT RIGHT?

18 A YES.

19 Q ARE YOU REALLY SURE YOU HEARD SOMETHING?

20 A YES. I AM.

21 Q OKAY. NOW, WHEN YOU SAW JOE HUNT ON THE BED
22 AND HE WAS UPSET BECAUSE THE CHECK HAD NOT CLEARED --

23 A YES.

24 Q AND HE WAS UPSET ABOUT THE INVESTORS, RIGHT?

25 "WHAT AM I GOING TO DO ABOUT THE INVESTORS?"

26 A YES.

27 Q BUT AT THAT POINT, YOU STILL DIDN'T KNOW THAT
28 HE HAD BEEN LYING TO THEM FOR QUITE SOME TIME, DID YOU?

1 A NO.

2 MR. BARENS: OBJECTION ON THAT, YOUR HONOR. THAT
3 ASSUMES A FACT NOT IN EVIDENCE.

4 THE COURT: I WILL SUSTAIN THE OBJECTION. STRIKE THE
5 ANSWER.

6 MR. BARENS: THANK YOU.

7 Q BY MR. WAPNER: DID YOU KNOW THAT IN FACT, FOR
8 A FEW MONTHS, MR. HUNT HAD BEEN TELLING THE INVESTORS THAT
9 THEY HAD BEEN MAKING APPROXIMATELY 17 PERCENT PROFIT PER
10 MONTH WHEN IN FACT, THEY WERE LOSING MONEY AT THE BROKERAGE
11 HOUSE?

12 MR. BARENS: OBJECTION.

13 THE COURT: ASK HER WHETHER OR NOT SHE HEARD IT.

14 MR. BARENS: EXCUSE ME. THE QUESTION WAS, IF YOUR
15 HONOR WILL RECALL, HE HAD BEEN TELLING THE INVESTORS.

16 THE ONLY INFORMATION I EVER HEARD IN THIS TRIAL
17 WAS AN INVESTOR ON A SPECIFIC OCCASION AND A PERSON --

18 THE COURT: WILL YOU MODIFY YOUR QUESTION FROM
19 INVESTORS TO INVESTOR OR INVESTORS?

20 Q BY MR. WAPNER: WERE YOU AWARE MR. HUNT WAS
21 SENDING OUT QUARTERLY STATEMENTS TO ALL OF THE INVESTORS
22 IN THE STEVE WEISS GROUP THAT REFLECTED PROFITS OF 17.59
23 PERCENT PER MONTH?

24 A NO, I WAS NOT.

25 Q WERE YOU AWARE THAT AT THE SAME TIME HE WAS SEND-
26 ING OUT THOSE STATEMENTS, THAT IN FACT, THE STATEMENTS FROM
27 THE BROKERAGE HOUSES INDICATED HE WAS LOSING AND LOSING
28 APPROXIMATELY \$750,000 IN THOSE TRANSACTIONS?

1 MR. BARENS: YOUR HONOR, MY LORD, MR. WAPNER IS ARGUING
2 HIS CASE. HE IS NOT ASKING A QUESTION.

3 NOW YOUR HONOR, THE WOMAN SAID THAT --

4 THE COURT: WELL, I WILL SUSTAIN THE OBJECTION. LET'S
5 MOVE ON, TO SAVE TIME.

6 MR. BARENS: ALL RIGHT. GOOD GRIEF.

7 Q BY MR. WAPNER: YOU DIDN'T KNOW THE BASIS OR
8 WHY HE WAS SO UPSET AND CRYING IN BED, DID YOU?

9 A AT FIRST, NO. BUT THEN HE TALKED TO ME.

10 Q HE TOLD YOU THAT HE FELT SORRY FOR THE POOR
11 INVESTORS?

12 A HE SAID, "WHAT AM I GOING TO DO?" HE SAID,
13 "HOW COULD RON LEVIN BE SO CRUEL."

14 HE SAID, "I DON'T KNOW WHAT THE BOYS ARE GOING
15 TO THINK. I AM GOING TO LOSE THE BBC. I HAVE GOT TO PAY
16 BACK THE INVESTORS."

17 HE WAS JUST CRYING AND BLURTING THINGS OUT.

18 Q SPEAKING OF LOSING THE BBC, WAS THAT SOMETHING,
19 THE BBC, SOMETHING THAT WAS PRETTY IMPORTANT TO JOE HUNT?

20 A YES, VERY.

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3-1
1 Q HOW SO?

2 A HE DIDN'T WANT TO LOSE HIS BUSINESS.

3 Q WHY DID YOU REFER TO IT AS "HIS BUSINESS"?

4 A THE BUSINESS.

5 Q WAS IT HIS BUSINESS?

6 A IT WAS EVERYONE'S, BEN AND JOE AND DEAN.

7 Q IN FACT, MR. HUNT WAS REALLY THE PERSON IN CHARGE
8 OF THE BBC, WASN'T HE?

9 A NO.

10 Q WHY DO YOU SAY THAT?

11 A YOU ASKED ME THIS YESTERDAY AND I TOLD YOU.

12 Q WHY DID YOU SAY HE WASN'T?

13 A PARDON? I AM SORRY, SIR.

14 Q WHY DID YOU SAY HE WASN'T?

15 A BEN --

16 THE COURT: IF YOU KNOW SO MUCH ABOUT THE BUSINESS, BUT YOU
17 SAY YOU DIDN'T KNOW WHO WAS IN CHARGE?

18 THE WITNESS: I KNEW THAT DEAN, BEN AND JOE WERE IN
19 CHARGE OF THE BBC. THEY RAN THE BBC.

20 THE COURT: WHICH OF THE THREE OF THEM WAS THE MORE
21 DOMINANT ONE?

22 THE WITNESS: I CAN'T ANSWER THAT, SIR. I MEAN --

23 THE COURT: ALL RIGHT. IT WASN'T JOE, THOUGH, WAS IT?

24 MR. BARENS: IT ASSUMES THAT ONE WAS MORE DOMINANT,
25 YOUR QUESTION, SIR.

26 THE WITNESS: YEAH. I MEAN IF YOU HAVE THREE PEOPLE
27 THAT OWN A BUSINESS, IT IS NOT FAIR TO SAY WHICH ONE IS THE
28 MOST DOMINANT. THEY ALL OWN IT. THEY ALL RUN IT.

1 WE ARE NOT TAKING A POPULARITY CONTEST, ARE WE?

2 THE COURT: YES, WE ARE.

3 THE WITNESS: IF WE ARE, THEN I WOULD SAY JOE WAS.

4 THE COURT: JOE WAS THE ONE RUNNING IT?

5 THE WITNESS: NO. THEY WERE ALL RUNNING IT. THEY ALL --
6 THEY ALL RAN IT.

7 THE COURT: ALL RIGHT, FINE.

8 Q BY MR. WAPNER: HOW INVOLVED WERE YOU IN THE DAY-TO-
9 DAY OPERATIONS OF THE BUSINESS?

10 A I WASN'T INVOLVED.

11 Q AT ALL?

12 A WHEN I WAS WORKING THERE TEMPORARILY, YOU KNOW.

13 Q HELPING WITH THE DECORATING?

14 MR. BARENS: OBJECTION, YOUR HONOR.

15 THE WITNESS: AND ANSWERING THE TELEPHONES.

16 THE COURT: I THINK WE HAVE GONE ALL OVER THAT.

17 SHE SAID OCCASIONALLY SHE ANSWERED THE TELEPHONE;
18 IS THAT RIGHT?

19 THE WITNESS: YES, SIR.

20 Q BY MR. WAPNER: YOU WERE SO INVOLVED THAT YOU DIDN'T
21 KNOW IN FACT WHAT MR. HUNT WAS GOING TO DO THAT NIGHT WITH
22 MR. LEVIN?

23 MR. BARENS: WHOA, WHOA. LISTEN --

24 THE WITNESS: JOE TOLD ME HE WAS GOING TO DINNER.

25 MR. BARENS: EXCUSE ME, FOLKS.

26 THE COURT: THE THREE OF YOU CAN'T BE HEARD AT THE SAME
27 TIME.

28 MR. BARENS: THAT IS REAL ARGUMENTATIVE. THAT IS

1 REAL ARGUMENTATIVE.

2 THE COURT: I WILL SUSTAIN THE OBJECTION.

3 LET'S GO ON.

4 MR. BARENS: INSTEAD OF A LITTLE ARGUMENTATIVE.

5 Q BY MR. WAPNER: THE BUSINESS DEALINGS THAT HE
6 PURPORTEDLY HAD WITH MR. LEVIN IN SAN FRANCISCO, OTHER THAN
7 TELLING YOU HE WAS GOING TO DO BUSINESS THERE, YOU DIDN'T KNOW
8 WHAT THE NATURE OF THAT BUSINESS WAS, DID YOU?

9 A IN SAN FRANCISCO?

10 Q RIGHT.

11 A NO.

12 MR. WAPNER: MIGHT THIS BE AN APPROPRIATE TIME TO BREAK?

13 THE COURT: ALL RIGHT.

14 MR. WAPNER: THANK YOU.

15 THE COURT: LADIES AND GENTLEMEN OF THE JURY, WE WILL
16 TAKE A RECESS NOW UNTIL 1:30 THIS AFTERNOON.

17 AND THE SAME ADMONITION I GAVE YOU, INCIDENTALLY,
18 ABOUT TALKING AMONG YOURSELVES OR THIRD PARTIES OR READING
19 ANYTHING IN ANY NEWSPAPER WOULD STILL APPLY.

20 AND I UNDERSTAND THAT IN THE JURY ROOM THERE WAS
21 A NEWSPAPER WITH AN ACCOUNT OF THIS TRIAL. I DON'T WANT TO
22 MAKE ANY SUGGESTIONS AS TO WHO MAY OR MAY NOT HAVE HAD IT.
23 LET'S NOT HAVE ANY NEWSPAPER OR ANYTHING ELSE WHICH DISCUSSES
24 THIS CASE IN ANY WAY DISCUSSED AMONG YOU OR ANY NEWSPAPER OR
25 ANYTHING.

26 I AM SURE YOU INNOCENTLY MIGHT HAVE DONE IT, BUT
27 I SUGGEST YOU DON'T DO IT.

28 I HAVE BEFORE ME NOW A NEWSPAPER FROM TUESDAY,

1 MARCH 31ST, FROM THE DAILY NEWS THAT THE CLERK HAPPENED TO
2 GO INTO THE JURY ROOM AND FOUND THAT PAPER ON THE TABLE WITH
3 AN ACCOUNT OF WHAT HAPPENED IN THIS TRIAL YESTERDAY.

4 I AM ADMONISHING YOU NOW ALL AND I AM VERY SERIOUS
5 ABOUT IT, THAT YOU ARE NOT TO TALK ABOUT THE CASE AMONG
6 YOURSELVES OR READ ANYTHING ABOUT THE CASE OR SEE IT ON
7 TELEVISION OR HEAR IT ON THE RADIO, I AM SERIOUS ABOUT THAT,
8 BECAUSE WHATEVER YOU MAY READ IN THE NEWSPAPER MAY OR MAY NOT
9 BE WHATEVER YOU HEARD IN COURT AND IT MAY CONTAIN A LOT OF
10 MATTERS WHICH YOU ARE NOT SUPPOSED TO KNOW ABOUT.

11 SO PLEASE, LADIES AND GENTLEMEN, DO NOT UNDER ANY
12 CIRCUMSTANCES READ ANYTHING IN ANY NEWSPAPER OR HEAR ANYTHING
13 ON ANY TELEVISION.

14 ALL RIGHT, THANK YOU VERY MUCH.

15 I AM SORRY I HAVE TO GIVE YOU THIS ADMONITION BUT
16 IT IS MY DUTY TO DO SO AND PLEASE OBSERVE IT. THANK YOU.

17 (AT 12 NOON A RECESS WAS TAKEN UNTIL
18 1:30 P.M. OF THE SAME DAY.)

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1 SANTA MONICA, CALIFORNIA; TUESDAY, MARCH 31, 1987; 1:32 P.M.
2 DEPARTMENT WEST C HON. LAURENCE J. RITTENBAND, JUDGE
3 (APPEARANCES AS NOTED ON TITLE PAGE.)
4

5 THE CLERK: YOU HAVE PREVIOUSLY BEEN SWORN. PLEASE
6 STATE YOUR NAME ONCE AGAIN FOR THE RECORD.

7 THE WITNESS: BROOKE ROBERTS.

8 THE COURT: ALL RIGHT. YOU MAY PROCEED.

9 MR. WAPNER: THANK YOU.
10

11 BROOKE ROBERTS,
12 THE WITNESS ON THE STAND AT THE TIME OF ADJOURNMENT, RESUMED
13 THE STAND AND TESTIFIED AS FOLLOWS:
14

15 CROSS-EXAMINATION (CONTINUED)

16 BY MR. WAPNER:

17 Q MISS ROBERTS, WHEN DID MR. HUNT LEAVE TO GO TO
18 NEW YORK?

19 A LET'S SEE -- I DON'T KNOW. IT WAS MAY SOMETIME,
20 MAYBE. I DON'T KNOW. I DON'T REMEMBER.

21 Q WELL, I AM TALKING NOW ABOUT THE TIME HE WENT
22 TO NEW YORK TO GET MR. PITTMAN OUT OF JAIL.

23 A YES.

24 Q DO YOU THINK IT WAS IN MAY SOMETIME?

25 A IT WAS SUMMER. IT WAS IN THE SUMMER. IT WAS
26 AFTER HE HAD GOTTEN THE CHECK. SO IT MUST HAVE BEEN IN JUNE.

27 Q NOW, IT WAS AFTER THAT WHEN YOU SAY YOU DON'T
28 KNOW HOW LONG HE WAS IN NEW YORK, RIGHT?

1 A NOT VERY LONG, NO.

2 Q AND AT SOME POINT, AFTER HE LEFT TO GO TO NEW
3 YORK, HE WAS BACK HOME AND HE HAD NOT BEEN HOME VERY LONG
4 AND THAT IS WHEN YOU SAW HIM CRYING IN THE BED, RIGHT?

5 A HE WENT TO NEW YORK. THEN HE WENT STRAIGHT TO
6 LONDON. THEN HE CAME BACK FROM LONDON.

7 Q IT WAS AFTER NEW YORK AT SOME POINT, WHETHER
8 IT WAS AFTER LONDON IS NOT REALLY VERY IMPORTANT -- BUT AFTER
9 NEW YORK AT SOME POINT, HE CAME BACK AND HE WAS BACK IN LOS
10 ANGLES, RIGHT?

11 A YES.

12 Q THAT IS WHEN YOU SAW HIM CRYING IN THE BED, RIGHT?

13 A YES.

14 Q NOW, BETWEEN THE TIME THAT YOU SAW HIM ALL EXCITED
15 WITH THE CONTRACT AND YOU SAW HIM CRYING IN THE BED, WHAT
16 HAD YOU HEARD ABOUT RON LEVIN ONE WAY OR THE OTHER?

17 A LET'S SEE -- I HEARD WHEN JIM WAS IN NEW YORK,
18 I GOT A COLLECT CALL FROM RON LEVIN. I ANSWERED THE PHONE.

19 Q IT TURNED OUT TO BE JIM?

20 A YES. IT TURNED OUT TO BE JIM?

21 Q OKAY.

22 A AND I SAID, "GEE, WHAT IS WRONG? WHAT HAPPENED?"

23 HE SAID THAT JIM WAS SUPPOSED TO MEET RON IN
24 NEW YORK AND RON GAVE HIM HIS CREDIT CARDS AND THEY WERE
25 BAD, SO I HEARD THAT.

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5-1

1 Q AND OTHER THAN THAT, YOU HADN'T HEARD FROM MR.
2 LEVIN YOURSELF, HAD YOU?

3 A NO.

4 Q YOU HADN'T EVER BEEN OVER TO HIS PLACE ON PECK
5 DRIVE, HAD YOU?

6 A NO. I HAVE DRIVEN BY IT BECAUSE I USED TO LOOK
7 FOR JOE, WHERE IS HE, AND I WOULD SEE HIS JEEP IN FRONT OF
8 RON'S APARTMENT.

9 Q HOW DID YOU KNOW WHERE RON LIVED?

10 A AH, HE LIVED ON PECK DRIVE. I DON'T KNOW --
11 I DON'T KNOW HOW I KNEW.

12 WELL, BECAUSE HE LIVED NEAR A SHOP, I THINK IT
13 IS SAKS FIFTH AVENUE, AND I REMEMBER HIM SAYING HE LIVED
14 THERE AND I REMEMBER LOOKING DOWN THE STREET AND SEEING JOE'S
15 JEEP THERE A COUPLE OF TIMES.

16 Q YOU RECOGNIZED IT AS JOE'S JEEP AS OPPOSED TO
17 JUST SOME BLACK JEEP?

18 A YEAH, I WOULD.

19 Q AND YOU HADN'T HEARD OR SEEN RON LEVIN BETWEEN
20 THE TIME JOE GOT THE CHECK AND THE TIME THAT HE WENT TO NEW
21 YORK?

22 A HEARD FROM RON LEVIN?

23 Q RIGHT.

24 A NO.

25 Q AND DID YOU HEAR FROM OR ABOUT RON LEVIN OTHER
26 THAN WHAT YOU HAVE JUST TOLD US, WHILE JOE WAS IN NEW YORK?

27 A NO. I GUESS THAT WAS ALL I HEARD.

28 Q AND WHAT ABOUT WHEN JOE WAS IN LONDON, DID YOU

1 HEAR ANYTHING ABOUT RON LEVIN THEN?

2 A NO, I DON'T REMEMBER.

3 Q ALL RIGHT. SO UP UNTIL THE TIME THAT JOE GOT
4 BACK FROM LONDON --

5 A UH-HUH.

6 Q -- WHAT YOU KNEW, IN ESSENCE, WAS THAT JOE HAD
7 GOTTEN THIS BIG CHECK FROM RON LEVIN, RIGHT?

8 A YES.

9 Q AND YOU ASSUMED IT WAS PART OF A BUSINESS DEAL
10 AND THAT EVERYTHING WAS OKAY AT THAT POINT?

11 A YES.

12 Q OKAY. AND THEN YOU FOUND OUT WHEN JOE WAS ON
13 THE BED, CRYING, THAT OBVIOUSLY EVERYTHING WASN'T OKAY?

14 A YES.

15 Q WHEN WAS IT IN RELATION TO WHEN HE WAS CRYING
16 ON THE BED THAT YOU HEARD THIS SUPPOSED STATEMENT ABOUT --
17 THAT YOU OVERHEARD MR. HUNT AND MR. KARNY ALLEGEDLY TALKING?

18 A UH-HUH, THIS IS A COUPLE OF DAYS AFTER.

19 Q SO A COUPLE OF DAYS AFTER THE CHECK WAS BAD?

20 A YES.

21 Q AND THAT YOU SAW JOE --

22 A COUPLE OF DAYS AFTER YOU SAW JOE CRYING ON
23 THE BED?

24 A YES.

25 Q AND THEY WERE AT THE WILSHIRE MANNING?

26 A YES.

27 Q AND TELL ME EXACTLY WHAT YOU HEARD THEM SAYING?

28 A WELL, I HEARD JOE, HE WAS IN DEAN'S ROOM FOR

1 A WHILE AND I WAS WONDERING WHAT THEY WERE DOING AND I HEARD
2 PLANNING SOMETHING.

3 THE COURT: YOU HEARD WHAT?

4 THE WITNESS: PLANNING SOMETHING.

5 Q BY MR. WAPNER: TELL ME SPECIFICALLY, RATHER
6 THAN MAKING YOUR CONCLUSION.

7 A SPECIFICALLY, I CAN'T TELL YOU EXACTLY. I DIDN'T
8 WRITE DOWN THE WORDS.

9 BUT THE FIRST THING THAT CAUGHT MY EAR WAS, I
10 HEARD DEAN SAY, "WELL, DO YOU THINK THEY WOULD BELIEVE ME
11 IF I SAID I KILLED HIM?"

12 AND I THOUGHT, KILLED WHO?

13 Q WHERE WERE YOU AT THAT POINT?

14 A I WAS IN THE KITCHEN. OUR KITCHEN, WE HAVE
15 SHELVES AND THEY KIND OF LED INTO, YOU COULD HEAR THROUGH-
16 THE SHELVES INTO DEAN'S ROOM, SO I WAS IN THE CORNER OF THE
17 KITCHEN NEAR WHERE THE WASHER AND DRIER IS SUPPOSED TO BE
18 AND THEY ARE IN DEAN'S ROOM.

19 Q YOU ARE NOT LISTENING THROUGH AN OPEN DOOR?

20 A NO. THE DOOR WAS CLOSED.

21 Q SO THERE IS A WALL THAT SEPARATES DEAN'S BEDROOM?

22 A YES.

23 Q THE WALL THAT SEPARATES DEAN'S BEDROOM FROM THE
24 KITCHEN, RIGHT?

25 A YES.

26 Q AND THE DOOR TO DEAN'S ROOM WAS CLOSED?

27 A YES.

28 Q HOW LOUD WERE THOSE TONES, THEY WERE SUPPOSEDLY

1 TALKING IN?

2 A WELL, THEY WOULD FADE BACK AND FORTH BECAUSE
3 THEY WERE WALKING UP AND DOWN THE LITTLE HALL THAT DEAN HAS
4 SO WHEN THEY WOULD GO WAY BACK IN THE BEDROOM, YOU COULD
5 JUST HEAR MUMBLING.

6 Q HAD YOU HEARD OTHER THINGS IN THE KITCHEN AND
7 YOU WERE ABLE TO HEAR CLEARLY, CONVERSATIONS THAT TOOK PLACE
8 IN THE BEDROOM WHEN THE DOOR WAS CLOSED?

9 A ANY TIME I WANTED TO, UNLESS THEY WERE AT DEAN'S,
10 LIKE WAY DOWN ON DEAN'S BED, YOU COULD ONLY HEAR MUMBLING.

11 BUT OUR WALLS WERE VERY THIN SO WE COULD PRETTY
12 MUCH HEAR WHATEVER IS GOING ON IN ANY ROOM.

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6A 1 Q AND WAS THAT PRETTY MUCH COMMON KNOWLEDGE IN THE
2 APARTMENT THAT THE WALLS WERE SO THIN THAT YOU COULDN'T GET
3 ANY PRIVACY?

4 A UH-HUH. PEOPLE WOULD HEAR CERTAIN THINGS IN OTHER
5 PEOPLE'S ROOMS.

6 Q AND SO, WHAT WERE YOU DOING IN THE KITCHEN?

7 A WELL, I WENT IN AT FIRST TO SEE WHY JOE -- WHAT
8 HE WAS DOING. THEN THE DOOR WAS CLOSED. SO I JUST -- I DON'T
9 KNOW. I DON'T REMEMBER.

10 I WAS JUST KIND OF LOOKING AROUND. THEN I SORT
11 OF STARTED LISTENING TO THEIR CONVERSATION.

12 Q AND WHAT WERE YOU LOOKING AROUND FOR?

13 A I DON'T REMEMBER.

14 Q WHAT TIME OF THE DAY WAS IT?

15 A IT WAS ABOUT 4:00 OR 5:00, MAYBE. I DON'T REMEMBER.
16 I KNOW THAT IT WAS DAYLIGHT OUTSIDE.

17 Q WHAT DAY OF THE WEEK WAS IT?

18 A WEDNESDAY, THURSDAY MAYBE. IT WAS NOT THE
19 WEEKEND. I KNOW THAT. IT WAS LATE IN THE WEEK.

20 Q AND WHEN WAS THIS AGAIN IN RELATION TO WHEN
21 MR. HUNT CAME BACK FROM LONDON?

22 A IT WAS A COUPLE OF DAYS AFTER BECAUSE JOE STAYED
23 HOME THAT WEEK.

24 Q HE DIDN'T GO TO THE OFFICE THAT WEEK?

25 A NO. I DON'T KNOW. HE MIGHT HAVE GONE BY TO CHECK
26 TO SEE IF EVERYBODY WAS WORKING.

27 BUT HE STAYED HOME. HE WAS VERY DEPRESSED.

28 Q AND THIS WAS 4:00 OR 5:00 IN THE AFTERNOON ON A

6A-2
1 WEEKDAY, RIGHT?

2 A APPROXIMATELY.

3 Q OKAY. AND WHEN YOU WENT INTO THE KITCHEN, DO YOU
4 REMEMBER WHY YOU WENT IN THERE IN THE FIRST PLACE?

5 A NO. I DON'T.

6 WELL, THE KITCHEN WAS RIGHT IN THE MIDDLE OF OUR
7 WHOLE HOUSE.

8 OUR KITCHEN WAS IN THE LIVING ROOM. IF YOU WALKED
9 IN FROM YOUR BEDROOM, YOU ENDED UP IN THE LIVING ROOM AND THE
10 KITCHEN. SO I WAS ALWAYS IN THE KITCHEN.

11 Q AND WAS THERE ANYBODY ELSE IN THE APARTMENT THEN?

12 A NO. EXCEPT DEAN WAS. DEAN WAS HOME.

13 Q DO YOU REMEMBER WHETHER YOU TOOK ANY GLASSES OUT
14 AND GOT ANY WATER OR COOKED ANYTHING?

15 A NO. I DIDN'T COOK ANYTHING. I KNOW THAT.

16 Q DID YOU PUT A GLASS NEXT TO THE WALL?

17 A NO.

18 Q NEXT TO THE WALL TO LISTEN IN ON WHAT WAS GOING
19 ON?

20 A NO.

21 Q HOW LONG DID YOU STAY THERE IN THE KITCHEN
22 LISTENING?

23 A IT SEEMED LIKE A LONG TIME. BUT I WAS SO UP TIGHT
24 ABOUT IT, 15, 20 MINUTES.

25 Q YOU JUST STOOD THERE FOR 15 OR 20 MINUTES
26 LISTENING TO THIS CONVERSATION?

27 A NO, NOT SOLID. I WOULD LIKE -- BECAUSE I WOULD
28 HEAR SOMEBODY COMING TO THE DOOR AND I DIDN'T WANT THEM TO

16A 7
1 OPEN THE DOOR AND HEAR ME BECAUSE YOU COULD HEAR OUTSIDE THE
2 DOOR.

3 I WOULD WALK A LITTLE BIT AND THEN LATER I WOULD --

4 Q WHAT DIDN'T YOU WANT THEM TO HEAR?

5 A WHAT?

6 Q WHAT DIDN'T YOU WANT THEM TO HEAR?

7 A I DIDN'T WANT THEM TO KNOW I WAS LISTENING.

8 Q NOW, HOW WOULD THEY KNOW YOU WERE LISTENING IF
9 YOU WERE JUST STANDING IN THE KITCHEN?

10 A I WAS RIGHT NEAR THE DOOR, NEAR THE SHELVES. IF
11 YOU WALKED OUT, YOU WOULD SAY, "WHAT ARE YOU DOING IN THE CAN-
12 NED FOOD AREA?" THAT IS, IF YOU ARE NOT EATING IT IS OBVIOUS
13 THAT I WAS LISTENING.

14 Q WAS THERE LIKE, A PANTRY?

15 A I WAS OVER THERE. THEN WHEN JOE OPENED THE DOOR,
16 I WAS IN FRONT OF THE DOOR.

17 LIKE YOU KNOW, WHEN YOU OPEN THE DOOR IT IS WHAT
18 DO YOU WANT? YOU KNOW, SOMEBODY IS LISTENING AT YOUR DOOR.

19 Q I THOUGHT YOU WERE TRYING TO BE INCONSPICUOUS?

20 A I WAS. I WAS. I WAS TRYING TO BE.

21 Q YOU DIDN'T DO A VERY GOOD JOB? IS THAT WHAT YOU
22 ARE SAYING?

23 A I SUPPOSE NOT.

24 Q ALL RIGHT. WELL, WHEN HE HE OPENED THE DOOR, YOU
25 WERE STANDING THERE. WHAT HAPPENED?

26 A I SAID, "WHAT ARE YOU DOING?" HE SAID --

27 Q DID HE SAY TO YOU, "WHAT ARE YOU DOING?"

28 A NO. I SAID IT TO HIM. HE GOES "YES?" HE DIDN'T SAY

1 ANYTHING. AND I SAID, "WHAT ARE YOU DOING?"

2 HE GOES, "NOTHING. WHY?"

3 I SAID, "WELL, I HEARD SOME THINGS YOU ARE TALKING
4 ABOUT. I WANT TO TALK TO YOU."

5 Q ALL RIGHT. WHEN YOU SAID YOU WANTED TO TALK TO
6 HIM, DID YOU TAKE HIM SOMEWHERE IN PRIVATE?

7 A HE SAID, "I WILL TALK TO YOU IN A LITTLE BIT."

8 I SAID, "ALL RIGHT."

9 Q WHAT DID HE DO?

10 A HE WENT BACK IN AND CLOSED THE DOOR.

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1 Q DID YOU CONTINUE TO LISTEN TO WHAT WAS GOING ON?

2 A NO.

3 Q AND WHY DIDN'T YOU CONTINUE TO LISTEN TO WHAT WAS
4 GOING ON?

5 A I DON'T KNOW. I JUST WENT TO THE BEDROOM.
6 I THOUGHT I WOULD TALK TO JOE WHEN HE GOT IN THERE.

7 Q UP TO THAT POINT, YOU HAD BEEN STANDING THERE FOR
8 15 OR 20 MINUTES?

9 A YES.

10 Q AND WHEN JOE FINALLY CAME INTO THE BEDROOM --

11 A YES.

12 Q HOW MUCH LATER WAS IT?

13 A HALF AN HOUR OR 40 MINUTES. I WAS WAITING AND
14 WAITING AND WAITING. IT FELT LIKE A LONG TIME. IT MIGHT HAVE
15 BEEN LONGER.

16 Q AND WHEN HE CAME INTO THE BEDROOM, WHAT DID YOU
17 SAY TO HIM?

18 A I SAID, "WHAT THE HELL IS GOING ON?"

19 Q WHAT DID HE SAY?

20 A HE SAID DON'T -- WELL, I KEPT TALKING.

21 Q WHAT DID YOU SAY?

22 A WELL, I SAID, "WHAT IS GOING ON? WHAT ARE YOU
23 DOING? WHY DID I HEAR YOU AND DEAN SAY THAT YOU AND JIM WOULD
24 TELL THE BOYS THAT YOU AND JIM KILLED RON?"

25 Q WHAT DID JOE HUNT SAY?

26 A HE SAID NOT TO WORRY. BECAUSE I STARTED TO CRY
27 AND EVERYTHING.

28 HE SAID NOT TO WORRY. HE SAID IT WAS JUST FOR

1 EFFECT. HE SAID HE DIDN'T WANT TO LOSE THE BBC. IT WAS JUST
2 UNTIL THE CYCLATRON MACHINES SELL. HE SAID IT WAS ONLY GOING
3 TO BE FOR A COUPLE OF WEEKS. HE IS GOING TO DO IT FOR EFFECT.

4 Q DID HE SAY WHAT KIND OF EFFECT HE WANTED?

5 A NO. BECAUSE I REMEMBER SAYING, "WHAT IS THIS
6 GOING TO SOLVE? WHAT IS THIS GOING TO CAUSE? IT DOESN'T MEAN
7 ANYTHING. IT IS STUPID."

8 Q WHEN YOU SAID THAT TO HIM, WHAT DID HE SAY?

9 A HE JUST SAID NOT TO WORRY. HE SAID, "DON'T WORRY.
10 IT IS GOING TO BE OKAY. YOU KNOW I DIDN'T DO IT. YOU KNOW
11 THAT I WOULD NEVER DO ANYTHING LIKE THAT. BUT I WILL JUST
12 SAY IT. WE ARE GOING TO HAVE A MEETING ON SUNDAY. I WILL
13 JUST SAY IT BUT YOU KNOW IT IS NOT TRUE."

14 AND HE SAID THAT HE WANTED ME TO BE THERE AT THE
15 MEETING.

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1 Q BUT DID YOU ASK HIM, DID YOU PRESS HIM ON WHAT
2 IT WAS THAT HE POSSIBLY HOPED TO ACCOMPLISH BY TELLING SOMEONE
3 THAT HE HAD KILLED SOMEBODY?

4 A HE JUST SAID THAT HE -- HE SAID HE WANTED TO
5 USE IT AS AN EFFECT SO HE DOESN'T LOSE THE BBC, BECAUSE SOME
6 OF THE BOYS PLANNED ON STEALING SOME MACHINES AND HE DIDN'T
7 WANT THAT TO HAPPEN.

8 AND HE SAID HE JUST NEEDED THE TIME SO HE COULD
9 PAY BACK HIS INVESTORS.

10 Q WAIT A SECOND.

11 AT THAT POINT BEFORE HE HAD THE MEETING --

12 A YES.

13 Q -- HE SAID THAT HE ALREADY THOUGHT THAT PEOPLE
14 WERE PLANNING ON STEALING THE MACHINES?

15 A AH, YEAH, HE HAD AN IDEA.

16 Q AND WHO DID HE SAY AT THAT TIME HE THOUGHT WAS
17 GOING TO STEAL THE MACHINES?

18 A TOM AND DAVE AND GENE BROWNING.

19 Q DID HE SAY TO YOU THAT "IF I TELL THEM THAT I
20 KILLED RON LEVIN THAT, THEREFORE, THEY WON'T STEAL THE
21 MACHINES"?

22 A NO, HE DIDN'T EXPLAIN IT TO ME.

23 Q WHAT DID HE SAY HE THOUGHT WOULD HAPPEN IF HE
24 TOLD THEM ABOUT THE KILLING?

25 A WHAT? I DON'T UNDERSTAND.

26 Q WHAT DID HE SAY?

27 A HE DIDN'T TELL ANYBODY ABOUT THE KILLING.

28 HE JUST SAID, "I KNOCKED HIM OFF."

7-2

1 HE DIDN'T SAY LIKE, OH, I DID THIS AND THAT.

2 Q WELL, WHEN YOU TALKED TO HIM IN THE BEDROOM,
3 JUST THE TWO OF YOU --

4 A RIGHT.

5 Q -- YOU CONFRONTED HIM AND ASKED HIM "WHY ARE
6 YOU GOING TO TELL PEOPLE THAT YOU KILLED SOMEBODY," RIGHT?

7 A YES.

8 Q AND IT WAS YOUR UNDERSTANDING THAT WHAT HE INTENDED
9 TO DO AT THIS MEETING WAS TO TAKE CREDIT FOR A MURDER, WASN'T
10 THAT YOUR UNDERSTANDING AT THAT TIME?

11 A NO. THEY WERE MAKING IT UP. IT WAS A JOKE.
12 THEY WERE MAKING IT UP.

13 Q I UNDERSTAND THAT, BUT WASN'T IT YOUR UNDERSTANDING --

14 A THEY BOTH KNOW, DEAN KNOWS IT WAS BEING MADE
15 UP BECAUSE I --

16 THE COURT: ANSWER THE QUESTION, WILL YOU PLEASE?

17 MR. WARNER: THERE IS A MOTION TO STRIKE.

18 THE COURT: WAIT UNTIL THE QUESTION IS ASKED, THEN
19 YOU CAN VOLUNTEER ANYTHING YOU WANT.

20 THE WITNESS: WELL, I AM TRYING TO ANSWER THE QUESTION.

21 THE COURT: WELL, WAIT UNTIL THE QUESTION IS ASKED.

22 Q BY MR. WARNER: THE POINT IS THAT WHEN THE TWO
23 OF YOU WERE ALONE IN THE BEDROOM, IT WAS YOUR UNDERSTANDING
24 THAT HE INTENDED TO GO TO THIS MEETING AND TAKE CREDIT FOR
25 A MURDER?

26 A YES.

27 Q CORRECT?

28 A YES.

1 Q AND THERE WASN'T ANY AMBIGUITY OR MISUNDERSTANDING
2 BETWEEN THE TWO OF YOU AS TO WHAT HE WAS PLANNING ON DOING
3 AT THE MEETING, WAS THERE?

4 A NO, I KNEW WHAT HE WAS GOING TO SAY.

5 Q WHEN YOU WENT TO THE MEETING AND HE SAID, "I
6 KNOCKED OFF RON LEVIN," THERE WASN'T ANY QUESTION IN YOUR
7 MIND THAT HE WAS INTENDING TO SAY THAT HE KILLED HIM, RIGHT?

8 A I GUESS SO.

9 Q WELL, THAT IS WHAT HE TOLD YOU IN YOUR ROOM,
10 RIGHT?

11 A THAT IS WHAT I HEARD DEAN SAY.

12 Q WELL, BUT WHEN YOU --

13 A I HEARD -- I DON'T RECALL JOE SAYING IN THE
14 BEDROOM ABOUT THE KILLED PART.

15 I REMEMBER DEAN AND JOE SAYING THE WORD "KILLED,"
16 THAT IS WHY I STARTED LISTENING.

17 Q WELL, BUT ISN'T THAT WHAT YOU CONFRONTED MR.
18 HUNT ABOUT?

19 A YES, "YOU CAN'T SAY THAT ABOUT PEOPLE".

20 Q ISN'T THAT WHAT MADE YOU SO UPSET?

21 A YES.

22 Q NOW, TELL US ABOUT THE THREATENING TO LEAVE HIM;
23 WHAT DID YOU SAY SPECIFICALLY?

24 A SPECIFICALLY, I COULDN'T TELL YOU. I JUST SAID
25 THAT I WAS GOING TO LEAVE.

26 Q IF WHAT?

27 A IF HE SAID THAT.

28 Q IF HE SAID WHAT?

1 A IF HE WAS GOING TO SAY THAT TO THE BOYS, THAT
2 HE KNOCKED OFF RON LEVIN.

3 Q AND WHEN YOU TOLD HIM THAT, WHAT DID HE SAY?

4 A HE DIDN'T WANT ME TO.

5 Q AND WHAT DID YOU SAY BACK?

6 A I SHOULD HAVE WRITTEN ALL OF THIS DOWN FOR THIS
7 DAY.

8 I CRIED. I PLED. I JUST SAID, "PLEASE DON'T
9 SAY THAT. YOU CAN'T DO THAT. YOU CAN'T DO IT BECAUSE YOU
10 NEVER KNOW WHAT PEOPLE ARE GOING TO DO. IF YOU SAY THAT,
11 YOU NEVER KNOW THE CONSEQUENCES THAT IT COULD CAUSE."

12 SO YOU KNOW, I SAID THINGS, I WAS SAYING THINGS
13 LIKE THAT.

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1 Q AND DID YOU SAY, IF YOU SAY THIS, THAT YOU WERE
2 GOING TO LEAVE?

3 A THAT CAME OUT BUT I DIDN'T LEAVE.

4 YOU KNOW, HE LOVES ME AND I LOVE HIM AND HE SAID,
5 "I DIDN'T DO IT. I WOULD NEVER DO ANYTHING LIKE THAT. I
6 AM JUST GOING TO SAY THIS SO PLEASE, YOU KNOW, JUST --"

7 Q BUT YOU DIDN'T PUSH HIM ON WHAT IT WAS THAT HE
8 EXPECTED TO GAIN FROM THIS?

9 A NO.

10 I REMEMBER SAYING --

11 MR. BARENS: EXCUSE ME.

12 THE WITNESS: YES --

13 MR. BARENS: YOUR HONOR, WE ARE AT THE FOURTH ASKED
14 AND ANSWERED ON THIS AND I HAVE ALLOWED THREE. HE IS
15 BADGERING THE WITNESS AT THIS POINT. SHE HAS ALSO SAID THIS
16 ON THREE DIFFERENT OCCASIONS.

17 MR. WAPNER: COULD WE HAVE AN OBJECTION UNDER THE
18 EVIDENCE CODE?

19 MR. BARENS: THE OBJECTION IS ASKED AND ANSWERED AND
20 BADGERING THE WITNESS, SPECIFICALLY, SIR.

21 MR. WAPNER: THERE IS NO OBJECTION FOR BADGERING THE
22 WITNESS IN THE EVIDENCE CODE.

23 THE COURT: ALL RIGHT, OVERRULED ON BOTH GROUNDS.

24 Q BY MR. WAPNER: DID YOU ASK HIM SPECIFICALLY
25 WHAT HE INTENDED TO GAIN BY PRODUCING THIS EFFECT, WITH THIS
26 EFFECT.

27 MR. BARENS: THAT IS THE FIFTH TIME NOW.

28 THE WITNESS: I TOLD YOU. I TOLD YOU WHAT HE SAID.

1 I DIDN'T ASK HIM.

2 HE SAID HE DIDN'T WANT TO LOSE THE BBC. HE WANTED
3 TO WAIT UNTIL THE MICROGENESIS MACHINES SOLD AND WAIT A COUPLE
4 OF WEEKS SO HE WOULD HAVE THE MONEY FOR HIS INVESTORS, HE
5 COULD PAY THEM BACK AND HE WOULDN'T LOSE HIS OFFICE, THAT
6 IS WHAT HE SAID.

7 Q BY MR. WAPNER: DID HE SAY WHO HE WAS GOING TO
8 SELL THE MICROGENESIS MACHINES TO?

9 A A GUY, KILPATRICK. I DON'T KNOW FOR SURE, BUT
10 I THINK IT IS KILPATRICK.

11 Q WASN'T IT AT THE TIME HE WAS CRYING ON THE BED
12 THAT HE HAD ALREADY MENTIONED TO YOU THAT THE KILPATRICK
13 DEAL HAD FALLEN THROUGH?

14 A NO, HE DIDN'T.

15 Q WHEN DID HE MENTION TO YOU THAT THE KILPATRICK
16 DEAL HAD FALLEN THROUGH?

17 A HE NEVER DID. I DIDN'T KNOW.

18 Q NEVER TOLD YOU THAT THE KILPATRICK THING HAD
19 FALLEN THROUGH?

20 A I DON'T KNOW. I DON'T RECALL.

21 Q AFTER HE MADE HIS ANNOUNCEMENT AT THE MEETING --

22 A YES.

23 Q AT ANY TIME, DID YOU EVER ASK HIM WHETHER HE
24 HAD GOTTEN AN AGREEMENT WITH MR. KILPATRICK?

25 A WELL, WHEN WE DROVE TO ARIZONA, THE MACHINES
26 WERE STOLEN, SO I ASSUME THAT HE DIDN'T SELL THE MACHINES
27 LIKE HE HAD BEEN PLANNING.

28 Q WELL, AT THAT TIME, DID YOU KNOW WHAT THE CAPABILITY

1 OF MICROGENESIS WAS TO PRODUCE MACHINES?

2 A OH, THERE WAS SOME SORT OF CONTRACT WRITTEN UP
3 THAT WAS GOING TO MAKE MILLIONS OF DOLLARS BUT -- AND THAT
4 IT GRINDED -- COULD GRIND GOLD INTO DUST AND THINGS LIKE
5 THAT.

6 Q OKAY. BUT THE POINT IS, DID HE EVER TELL YOU
7 AT ANY POINT, AFTER THE MEETING, THAT THE DEAL WITH MR.
8 KILPATRICK HAD FALLEN THROUGH?

9 A HE HAD TO GET THE MACHINES FIRST AND THE MACHINES
10 WERE STOLEN SO, OF COURSE, THE DEAL DIDN'T GO THROUGH.

11 Q WELL, THE POINT IS THAT YOU DIDN'T KNOW WHETHER
12 HE HAD THE CAPABILITY OF PRODUCING OTHER MACHINES, DID YOU?

13 A WELL, HE DIDN'T HAVE THE CAPABILITY BECAUSE THE
14 MACHINES WERE STOLEN.

15 Q HOW MANY MACHINES DID YOU UNDERSTAND WERE STOLEN?

16 A I THINK IT WAS TWO WERE TAKEN.

17 Q HOW MANY MILLIONS OF DOLLARS WAS HE GOING TO
18 MAKE BY SELLING TWO MACHINES, DID YOU KNOW THAT?

19 A NO.

20 Q SO WHAT YOU ARE SAYING IS THAT HE NEVER TOLD
21 YOU ABOUT THE AGREEMENT WITH MR. KILPATRICK, DID HE?

22 A YES, HE DID. I KNEW HE HAD A DEAL TO SELL THEM.

23 Q DID HE SAY TO YOU, "WELL, I CAN'T DO THE DEAL
24 WITH MR. KILPATRICK BECAUSE I DON'T HAVE THESE TWO MACHINES
25 FROM ARIZONA"?

26 A YEAH.

27 Q WHEN DID HE SAY THAT?

28 A WHEN WE DROVE TO ARIZONA AND WE ASKED THE MAN

1 WHO TOOK THE MACHINES AND HE SAID THAT TOM AND DAVE AND A
2 BLOND-HAIRED FELLOW CAME UP AND GAVE HIS -- JOE'S AUTHORIZATION
3 TO TAKE THE MACHINES.

4 Q WHAT I WANT TO KNOW IS WHEN MR. HUNT TOLD YOU
5 THAT IN POINT OF TIME.

6 A I WAS WITH HIM. I WAS STANDING RIGHT THERE.
7 THE MAN WAS TELLING US AND I WAS STANDING RIGHT THERE.

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1 Q WHAT I WANT TO KNOW IS, WHAT DID MR. HUNT TELL
2 YOU?

3 A HE SAID THAT TOM, DAVE AND PROBABLY JEFF STOLE
4 THE MACHINES.

5 Q WHAT I WANT TO KNOW IS, WHAT MR. HUNT TOLD YOU
6 AS FAR AS THIS CONTRACT WITH MR. KILPATRICK. WHAT DID HE TELL
7 YOU?

8 A I CAN'T -- I DON'T UNDERSTAND THIS QUESTION.
9 SORRY.

10 Q WHAT DID MR. HUNT TELL YOU ABOUT HIS CONTRACT WITH
11 MR. KILPATRICK?

12 A THAT HE PLANNED TO SELL CYCLATRONS.

13 Q HE TOLD YOU THAT IN EARLY JUNE OR EARLIER?

14 A EARLIER THAN THAT -- YEAH. THOSE THINGS WERE BEING
15 BUILT FOREVER.

16 Q WHEN THE CONTRACT WITH MR. KILPATRICK FELL THROUGH,
17 DID HE TELL YOU WHY?

18 THE COURT: SHE SAID IT WAS BECAUSE THE MACHINES WERE
19 STOLEN.

20 THE WITNESS: HOW CAN YOU SELL SOMETHING IF THEY ARE
21 STOLEN. I DON'T UNDERSTAND --

22 THE COURT: SHE TOLD US ABOUT EIGHT TIMES. LET'S GET
23 ON TO SOMETHING ELSE, WILL YOU PLEASE?

24 SHE WON'T CHANGE THE STORY.

25 Q BY MR. WAPNER: AND AT THE POINT WHERE MR. HUNT
26 SAID TO YOU THAT HE WAS GOING TO TAKE CREDIT FOR THIS MURDER,
27 WHAT DID YOU KNOW ABOUT THE WHEREABOUTS OF MR. LEVIN?

28 A I DIDN'T KNOW ANYTHING.

8A-2

1 MR. BARENS: YOUR HONOR, THAT MISSTATES THE EVIDENCE
2 NOW --

3 THE COURT: SHE ANSWERED THE QUESTION. LET'S GET ON
4 TO THE NEXT QUESTION.

5 MR. BARENS: WELL, I MOVE TO STRIKE IT, SIR.

6 THE COURT: WELL, WE WILL LET IT STAND. SHE DOESN'T
7 KNOW ANYTHING IS A GOOD ANSWER TO EVERYTHING.

8 MR. BARENS: PARDON ME? YOU THOUGHT IT WAS A GOOD
9 ANSWER, YOU SAY?

10 THE COURT: IT IS A GOOD ANSWER TO ANYTHING. GO AHEAD.

11 MR. BARENS: ALL RIGHT.

12 THE WITNESS: BUT YOU HAVE TO TELL THE TRUTH. IF YOU
13 DON'T REMEMBER, YOU DON'T KNOW.

14 THE COURT: THAT'S CORRECT.

15 Q BY MR. WAPNER: WHEN YOU SAID THAT JOE HUNT SAID
16 TO YOU THAT HE WAS GOING TO TAKE CREDIT FOR THE KILLING OF
17 RON LEVIN, YOU DIDN'T KNOW MR. LEVIN WAS DEAD, DID YOU?

18 A HE WAS NOT DEAD.

19 Q DID YOU KNOW ONE WAY OR THE OTHER?

20 A I REMEMBER SAYING TO JOE, "WHAT ABOUT WHEN RON
21 FINDS OUT? WHAT ARE YOU GOING TO SAY?"

22 Q WHAT DID HE SAY?

23 A HE SAID THAT HE PROBABLY WOULDN'T FIND OUT.

24 Q DID HE SAY WHY HE THOUGHT MR. LEVIN WOULDN'T FIND
25 OUT?

26 A YEAH. HE SAID THAT HE PROBABLY WAS -- HE SAID
27 THAT HE HAD SOME LEGAL PROSECUTION PROBLEMS AND THAT HE PROBABLY
28 TOOK OFF.

18 -
1 Q DID JOE HUNT SAY WHY HE THOUGHT RON LEVIN HAD
2 PROBABLY TAKEN OFF?

3 A NO.

4 Q THIS IS A CONVERSATION YOU HAD WITH MR. HUNT WHEN
5 HE IS CRYING?

6 A NO.

7 Q WHEN WAS THIS?

8 A THIS WAS DURING -- WHEN THEY WERE GOING TO SAY
9 THAT HE KNOCKED OFF RON LEVIN.

10 Q OKAY. WHEN HE CAME BACK FROM LONDON WAS
11 APPROXIMATELY THE 16TH OF JUNE, WASN'T IT?

12 A YES, IF THAT IS WHAT IT SAYS IN THE BOOK.

13 Q IS THIS JOE HUNT'S PASSPORT?

14 A YES IT IS.

15 Q ALL RIGHT. BY THE WAY, WHEN DOES IT SAY HE GOT
16 TO LONDON?

17 A JUNE 16TH.

18 Q OKAY. SO HE WAS NOT THERE A WEEK OR TWO, WAS HE?

19 A NO. IT SEEMED LIKE FOREVER, THOUGH.

20 Q NOW, WHEN HE CAME BACK ON THE 16TH, WOULD IT BE
21 FAIR TO SAY THAT THE SAME DAY HE GOT BACK, WHICH ACCORDING
22 TO THE PASSPORT IS THE 16TH, WAS THE DAY THAT HE FOUND OUT
23 THAT THE CHECK WAS NO GOOD AND THE DAY THAT YOU SAW HIM
24 CRYING?

25 MR. BARENS: OBJECTION. I DON'T BELIEVE THE WITNESS
26 HAS EVER TESTIFIED THAT SHE KNEW HE FOUND OUT THE CHECK WAS
27 NO GOOD. THAT IS A COMPOUND QUESTION.

28 THE COURT: WELL --

18A-1
1 MR. WAPNER: I WILL ASK IT AGAIN.

2 THE COURT: SEPARATE THE TWO QUESTIONS.

3 Q BY MR. WAPNER: WHEN YOU FIRST SAW MR. HUNT WHEN
4 HE RETURNED FROM LONDON, HE WAS IN THE BEDROOM OF THE WILSHIRE
5 MANNING, RIGHT?

6 A YES.

7 Q AND HE WAS ON THE BED, RIGHT?

8 A YES.

9 Q HE WAS CRYING?

10 A YES.

11 MR. BARENS: YOUR HONOR, THAT IS THE 15TH TIME.

12 MR. WAPNER: I AM JUST TRYING TO PLACE IT IN POINT OF
13 TIME.

14 MR. BARENS: ALL RIGHT.
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1 Q BY MR. WAPNER: NOW, WAS THAT THE FIRST DAY YOU
2 SAW HIM WHEN HE CAME BACK?

3 A YES.

4 Q AND SINCE YOU OBVIOUSLY MISSED HIM A LOT, WOULD
5 IT BE FAIR TO SAY THAT YOU SAW HIM THE FIRST DAY HE CAME BACK?

6 A I SAW HIM THE FIRST DAY HE CAME BACK.

7 Q SO THAT WOULD BE WHAT THE PASSPORT SAYS, JUNE 16TH?

8 A 16TH --

9 Q CAN YOU WAIT UNTIL I FINISH? THIS LADY IS TRYING
10 TO WRITE IT DOWN.

11 A I AM DRIVING YOU CRAZY, I KNOW.

12 Q AND ME. AND WE ARE AGREED THAT THIS WOULD BE
13 JUNE 16TH, RIGHT?

14 A YES, SIR.

15 Q NOW, HOW LONG AFTER THAT WAS IT THAT YOU HEARD
16 MR. HUNT AND MR. KARNY TALKING IN THE BEDROOM?

17 MR. BARENS: ASKED AND ANSWERED, YOUR HONOR. WE HAVE
18 HAD THAT FIVE TIMES.

19 THE COURT: THE DATE?

20 MR. BARENS: WE HAVE HAD THIS HOW MANY TIMES, THE DATE?

21 THE COURT: DID YOU TELL US WHAT DATE IT WAS?

22 THE WITNESS: NO. I DON'T THINK I COULD TELL YOU THE
23 DATE.

24 MR. BARENS: SHE SAID IT FIVE TIMES. SHE SAID IT WAS
25 A FEW DAYS AFTER HE CAME BACK FROM LONDON.

26 THE WITNESS: RIGHT.

27 THE COURT: WAS IT A SUNDAY?

28 THE WITNESS: NO. IT WAS THE MIDDLE OF THE WEEK, AS

8-6
1 I REMEMBER.

2 THE COURT: ALL RIGHT. IT WAS BETWEEN THE DAY HE CAME
3 BACK AND THE SUNDAY OF JUNE 24TH, WHEN THEY HAD THAT MEETING
4 IN THE ROOM?

5 THE WITNESS: YES, SIR. YES, SIR.

6 THE COURT: ALL RIGHT.

7 MR. BARENS: THAT CLEARS THAT ONE UP.

8 THE COURT: THAT CLEARS IT UP, DOESN'T IT?

9 Q BY MR. WAPNER: AND THE 16TH OF JUNE OF 1984, WAS
10 A SATURDAY, WAS IT THE MIDDLE OF THE FOLLOWING WEEK THAT YOU
11 HEARD THIS CONVERSATION BETWEEN MR. KARNY AND MR. HUNT? OR
12 WAS IT THE MIDDLE OF THE WEEK FOLLOWING THAT?

13 A IT WAS I THINK THE WEEK JOE WAS HOME. HE STAYED
14 HOME FOR LIKE, A WEEK. SO IT WAS AROUND THERE.

15 Q DID HE STAY HOME THE WEEK RIGHT AFTER YOU SAW HIM
16 CRYING IN THE BED WHEN HE WAS DEPRESSED?

17 A YEAH. HE STAYED HOME MOST OF THE TIME.

18 Q AND SO YOU THINK IT WOULD HAVE BEEN A WEDNESDAY
19 OR A THURSDAY OF THAT FOLLOWING WEEK, RIGHT?

20 A YEAH. SO THAT WOULD BE THE 20TH OR THE 21ST OF
21 JUNE?

22 A OKAY, YEAH.

23 Q WOULD THAT BE A FAIR STATEMENT?

24 A YEAH. IT IS FAIR.

25 Q OKAY. AND WAS AT THAT POINT THAT MR. HUNT SAID
26 TO YOU THAT HE THOUGHT THAT RON LEVIN HAD TAKEN OFF BECAUSE
27 HE HAD PROSECUTION PROBLEMS?

28 A YEAH.

1 Q WHAT ELSE DID HE SAY ABOUT THAT?

2 A THAT WAS ABOUT IT. I DIDN'T ASK. HE WAS JUST
3 GOING ON AND ON.

4 Q DID YOU ASK HIM WHY HE THOUGHT THAT?

5 A NO.

6 Q IT DIDN'T OCCUR TO YOU TO ASK HIM WHY?

7 A HE DIDN'T TELL ME WHY. I MIGHT HAVE ASKED.

8 I DON'T REMEMBER.

9 BUT I REMEMBER SAYING, "WELL, WHAT IF HE FINDS
10 OUT YOU ARE SAYING THIS?"

11 HE SAID, "DON'T WORRY. DON'T WORRY." THERE WERE
12 A LOT OF QUOTE "DON'T WORRIES" IN THE CONVERSATION.

13 Q DID YOU GET THE IMPRESSION THAT HE DIDN'T WANT
14 YOU TO ASK HIM ANY QUESTIONS ABOUT WHAT WAS GOING ON?

15 A NO. I COULD ASK JOE ANYTHING. IF HE WOULDN'T
16 TELL ME, HE WOULDN'T TELL ME. BUT I COULD ASK HIM.

17 Q WAS HE OFTEN LIKE THAT WHERE HE WOULD SAY, "DON'T
18 WORRY. DON'T WORRY"?

19 A NO. IT WAS THE TIME WHERE -- IT WAS REALLY A
20 REAL DIFFICULT TIME FOR ME.

21 BUT SURE, THERE ARE THINGS THAT I HAD BEEN WORRIED
22 ABOUT IN MY LIFE AND HE SAID NOT TO WORRY. IT WAS NOTHING
23 UNUSUAL.

24 Q DID YOU EVER SEE JIM PITTMAN AT THE WILSHIRE
25 MANNING WITH A GUN OF ANY KIND?

26 A NO.

27 Q DID YOU EVER SEE JIM PITTMAN AT ANY TIME WITH A
28 GUN?

29 A NO.

1 Q DID YOU EVER SEE THE GUNS AT THE WILSHIRE MANNING?

2 A YES.

3 Q WHAT TYPE?

4 A BIG GUNS FOR TARGET SHOOTING.

5 Q SHOTGUNS?

6 A YEAH.

7 Q DID MR. HUNT OWN A SHOTGUN?

8 A YES.

9 Q DO YOU KNOW HOW MANY SHOTS THAT GUN FIRED, BY
10 ANY CHANCE?

11 A I HAVE NO IDEA.

12 Q DID YOU EVER SEE ANY PISTOLS AT THE WILSHIRE
13 MANNING?

14 A NO.

15 Q WHEN MR. HUNT GOT OUT OF -- STRIKE THAT.
16 UP UNTIL THE TIME THAT YOU HEARD JOE HUNT AND
17 DEAN KARNY TALKING ABOUT TAKING CREDIT FOR THIS MURDER, HAD
18 YOU READ ANY NEWSPAPER ARTICLES ABOUT RON LEVIN?

19 A NONE.

20 MR. BARENS: YOUR HONOR, I AM GOING TO, FOR THE RECORD,
21 OBJECT TO THAT LAST QUESTION, WHEN MR. WAPNER FRAMES THE
22 QUESTION AND SAYS "WHEN MR. HUNT TOOK CREDIT FOR THE MURDER
23 OF RON LEVIN," I THOUGHT WE WERE HERE TO DECIDE WHETHER THERE
24 WAS ONE OR NOT, SIR.

25 THE COURT: WHAT HE MEANS IS --

26 MR. WAPNER: IS THAT AN OBJECTION UNDER THE EVIDENCE
27 CODE?

28 MR. BARENS: YES. IT MISSTATES THE BLOODY EVIDENCE

1 AND GOES TO THE ULTIMATE ISSUE.

2 THE COURT: I WISH YOU WOULD NOT USE THAT TERM HERE.
3 WE ARE NOT A BRITISH COURT.

4 MR. BARENS: THAT IS A REAL BAD MISSTATEMENT OF ANY
5 EVIDENCE AND THAT GOES TO THE ULTIMATE FACT TO DETERMINE.

6 THE COURT: THAT IS NOT A LEGAL OBJECTION. I WANT
7 YOU TO MAKE A LEGAL OBJECTION.

8 MR. BARENS: THE OBJECTION IS IT MISSTATED THE EVIDENCE.

9 THE COURT: OBJECTION OVERRULED.

10 MR. BARENS: THEN YOU FEEL IT DOES NOT MISSTATE THE
11 EVIDENCE?

12 THE COURT: I DON'T HAVE TO GIVE YOU AN EXPLANATION
13 EVERY TIME I MAKE A RULING.

14 WILL YOU SIT DOWN?

15 MR. BARENS: SIR, YOU WISH TO PERMIT HIM TO SAY THERE
16 WAS A MURDER IN FACT?

17 THE COURT: WILL YOU PLEASE SIT DOWN?

18 MR. BARENS: YES, SIR.

19 THE COURT: ALL RIGHT, THANK YOU.

20 YOU MAY PROCEED.

21 Q BY MR. WAPNER: UP UNTIL THE TIME YOU HAD HEARD
22 DEAN AND JOE TALKING IN THE APARTMENT ABOUT TAKING CREDIT
23 FOR THE KILLING OF RON LEVIN, HAD YOU HEARD ANYTHING ABOUT
24 PROBLEMS IN THE BBC?

25 A OH, YEAH.

26 Q SUCH AS?

27 A WITH THE MAYS, THERE WERE PROBLEMS.

28 Q AND WAS THAT WITH REGARD TO STEALING THE MACHINES?

19-3

1 A YES, AND DOING OTHER THINGS THAT I AM NOT SUPPOSED
2 TO SAY.

3 Q HAD YOU HEARD ABOUT THE FACT THAT THE BBC WAS
4 SOMEHOW FALLING APART?

5 A NO.

6 Q YOU WERE A MEMBER OF THE BBC, RIGHT?

7 A YES.

8 Q WERE YOU AWARE THAT THERE WERE ANY PROBLEMS WITH
9 THE BBC THAT MIGHT CAUSE MR. HUNT, IN HIS WORDS, TO LOSE
10 IT?

11 A THERE WERE SOME SOCIAL PROBLEMS WITH THE BBC
12 THAT I WAS AWARE OF.

13 Q WELL, DID YOU GET THE IMPRESSION THAT MR. HUNT
14 WAS GOING TO TELL THIS GROUP THAT HE HAD KILLED SOMEBODY
15 TO ALLEVIATE SOCIAL PROBLEMS IN THE BBC?

16 A I DON'T KNOW. I DON'T UNDERSTAND THAT QUESTION.

17 Q DID YOU KNOW WHAT PROBLEMS HE WAS TALKING ABOUT
18 WHEN HE SAID --

19 A WELL, HE SAID THAT THE MAYS WERE GOING TO STEAL
20 THE MACHINES AND HE DIDN'T WANT THAT TO HAPPEN.

21 Q AND THIS WAS BEFORE THE MEETING, HE SUGGESTED
22 THEY WERE GOING TO STEAL THE MACHINES?

23 A YEAH.

24 WE FOUND NOTES THAT THEY WROTE THAT THEY LEFT
25 IN GARDENA THAT I GLUED TOGETHER, PLANNING TO STEAL THE
26 MACHINES.

27 Q AND YOU BROUGHT THOSE WITH YOU TO COURT TODAY?

28 A NO. THEY WERE STOLEN OUT OF THE MANNING.

1 JEFF RAYMOND STOLE THEM.

2 Q HOW DO YOU KNOW THAT?

3 A BECAUSE HE WENT THROUGH MY ENTIRE ROOM AND STOLE

4 A LOT OF PAPERS.

5 THE COURT: PARDON ME. HE WENT WHAT?

6 THE WITNESS: HE WENT THROUGH MY ROOM AND STOLE A LOT

7 OF PAPERS.

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1 THE COURT: WHAT WERE THOSE PAPERS DOING IN YOUR ROOM?

2 THE WITNESS: I LIVED WITH JOE IN THE SAME ROOM AT
3 THE MANNING. JEFF LIVED RIGHT NEXT DOOR IN THE OTHER ROOM.

4 Q BY MR. WAPNER: NOW I ASSUME THAT YOU WEREN'T
5 THERE WHEN MR. RAYMOND WAS THERE STEALING THE PAPERS?

6 A I AM PRETTY SURE IT WAS JEFF.

7 Q THAT IS A CONCLUSION ON YOUR PART, ISN'T IT?

8 A YES.

9 Q YOU DON'T KNOW HE DID THAT, DO YOU?

10 A I DIDN'T SEE HIM BUT I AM PRETTY SURE IT WAS
11 HIM.

12 MR. WAPNER: COULD WE MAKE A MOTION TO STRIKE BASED
13 ON HEARSAY AND NO PERSONAL KNOWLEDGE AND A CONCLUSION OF
14 THE WITNESS?

15 THE COURT: I WILL STRIKE THAT.

16 Q BY MR. WAPNER: YOU WERE IN THE WILSHIRE MANNING
17 ON THE NIGHT OF JUNE 6TH WITH MR. HUNT, IS THAT RIGHT --

18 A YES.

19 Q -- AFTER YOU CAME BACK FROM THE MOVIES?

20 A YES.

21 Q AND WERE YOU THERE THE NEXT MORNING WHEN MR.
22 HUNT GOT UP?

23 A YES.

24 Q WHAT TIME?

25 A I HAVE NO IDEA.

26 10:00. 10:00 MAYBE.

27 WE GOT UP IN THE MORNING.

28 Q WHAT DID HE DO IN THE MORNING?

1 A GOT OUT OF BED AND WENT TO THE BATHROOM. I DON'T
2 KNOW.

3 Q WHAT ELSE DID YOU DO AFTER THAT?

4 THE COURT: WHAT DATE ARE YOU TALKING ABOUT?

5 THE WITNESS: THE MORNING OF JUNE 7.

6 THE COURT: THE MORNING OF JUNE 7 HE GOT UP AT 10:00
7 O'CLOCK IN THE MORNING?

8 THE WITNESS: I DON'T KNOW, YOUR HONOR. I AM SORRY.
9 I DON'T KNOW.

10 THE COURT: DON'T GUESS. JUST TELL US IF YOU KNOW.

11 DO YOU KNOW WHAT TIME HE GOT UP?

12 THE WITNESS: NO, I DON'T, SIR.

13 THE COURT: WELL, ANSWER THAT THEN.

14 THE WITNESS: BUT HE GOT UP IN THE MORNING AND I WAS
15 WITH JOE.

16 THE COURT: ABOUT 10:00 O'CLOCK?

17 THE WITNESS: YES.

18 Q BY MR. WAPNER; WHAT DID HE DO THAT DAY?

19 A THAT DAY, HE WENT TO THE OFFICE.

20 Q DID HE DO ANYTHING AT THE MANNING BEFORE HE WENT
21 TO THE OFFICE, THAT YOU SAW?

22 A YEAR, HE SHOWED DEAN THE CHECK IN THE MORNING.

23 Q AND DID HE SHOW THE CHECK TO ANYBODY ELSE?

24 A I DON'T KNOW FOR SURE. I DIDN'T SEE HIM, JUST
25 LIKE THE THING WITH JEFF RAYMOND.

26 Q DID YOU SEE HIM SHOW THE CHECK TO DEAN?

27 A NO, I DIDN'T. BUT I KNOW HE SHOWED THE CHECK
28 TO DEAN.

1 Q WHAT MAKES YOU THINK HE SHOWED THE CHECK TO
2 DEAN?

3 A BECAUSE HE WENT INTO DEAN'S ROOM.

4 I DIDN'T FOLLOW EVERY SINGLE STEP THAT JOE TOOK.
5 THE COURT: WELL, THERE HAS BEEN TESTIMONY HERE THAT
6 THE DEFENDANT WENT INTO DEAN'S ROOM AT ABOUT 7:00 O'CLOCK
7 IN THE MORNING AND SHOWED HIM THE CHECK.

8 THE WITNESS: OH, WELL --

9 THE COURT: ALL RIGHT, NOW IT CAN'T BE 10:00 O'CLOCK
10 HE GOT UP THEN, WAS IT?

11 THE WITNESS: WELL, ARE YOU BELIEVING DEAN OR ARE YOU
12 BELIEVING ME?

13 (LAUGHTER IN THE COURTROOM.)

14 THE COURT: WELL, I CAN'T EXPRESS ANY OPINIONS AS TO
15 YOU.

16 THE WITNESS: THANK YOU. I HOPE NOT DEAN.

17 THE COURT: ALL RIGHT, GO AHEAD.

18 Q BY MR. WAPNER: DID YOU SEE MR. HUNT GO INTO
19 DEAN'S ROOM?

20 A YES, I DID.

21 Q WHERE WAS HIS ROOM IN RELATION TO WHERE YOUR
22 ROOM WAS?

23 A THERE WAS JEFF'S ROOM WAS RIGHT NEXT TO OURS
24 AND THEN THERE WAS DEAN'S ROOM.

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1 Q HOW FAR DOWN THE HALL FROM WHERE YOUR BEDROOM WAS?

2 A FIFTEEN STEPS, JOE'S STEPS.

3 Q AND WHEN HE WENT INTO DEAN'S ROOM, HOW WAS HE
4 DRESSED?

5 A I DON'T KNOW.

6 Q WHAT DID HE HAVE WITH HIM?

7 A PROBABLY THE CHECK.

8 Q WHY DO YOU SAY "PROBABLY"?

9 A BECAUSE HE SHOWED DEAN THE CHECK. SO HE HAD TO
10 HAVE THE CHECK.

11 Q HOW DO YOU KNOW HE SHOWED DEAN THE CHECK?

12 A BECAUSE I KNOW DEAN SAW THE CHECK.

13 Q HOW DO YOU KNOW THAT?

14 A BECAUSE DEAN WAS HAPPY. HE SAW THE CHECK. JOE
15 SHOWED EVERYBODY THE CHECK.

16 Q HOW DO YOU KNOW HE DID IT THAT MORNING?

17 A BECAUSE I KNOW HE DID.

18 Q HOW?

19 A HE SHOWED ME THAT NIGHT. HE WAS GOING TO SHOW
20 DEAN THAT NIGHT BUT DEAN WAS NOT HOME.

21 Q HOW DO YOU KNOW HE SHOWED DEAN THE CHECK THAT
22 MORNING?

23 A BECAUSE I KNOW HE DID.

24 Q HOW DO YOU KNOW?

25 A BECAUSE HE WENT INTO DEAN'S ROOM TO SHOW HIM THE
26 CHECK.

27 Q DID HE HAVE THE CHECK WITH HIM?

28 A I SUPPOSE HE DID. YES. I DIDN'T PUT THE CHECK

1 IN DEAN'S -- JOE'S HAND, SO I DON'T KNOW.

2 BUT IF YOU ARE GOING TO SHOW SOMEBODY THE CUP,
3 YOU ARE GOING TO TAKE THE CUP WITH YOU.

4 Q HE LEFT YOUR ROOM TO GO TO DEAN'S ROOM, RIGHT?

5 A YES, SIR.

6 Q DID YOU SEE HIM LEAVE YOUR ROOM?

7 A YES.

8 Q ALL RIGHT. WHAT DID HE HAVE WITH HIM WHEN HE LEFT
9 YOUR ROOM?

10 A I DON'T KNOW. I CAN'T ANSWER THIS. THIS IS --

11 Q SO YOU DON'T KNOW WHETHER HE HAD THE CHECK OR NOT,
12 DO YOU?

13 A WELL, I KNOW HE SHOWED DEAN THE CHECK IN DEAN'S
14 ROOM.

15 THE COURT: LET'S GET ON, PLEASE.

16 THE WITNESS: MAYBE DEAN HAD THE CHECK BEFORE JOE DID
17 WHEN HE GOT INTO HIS ROOM. I DON'T KNOW.

18 Q BY MR. WAPNER: OKAY.

19 A HOW DO I KNOW I AM WEARING CLOTHES?

20 Q YOU DON'T KNOW WHETHER HE SHOWED JEFF RAYMOND THE
21 CHECK, EITHER?

22 A I KNOW HE SHOWED JEFF RAYMOND.

23 THE COURT: THIS IS STILL AFTER 10 O'CLOCK?

24 THE WITNESS: I DON'T KNOW, SIR, WHAT TIME IT WAS.

25 THE COURT: YOU SAID THAT YOU GOT UP AT 10 O'CLOCK,
26 DIDN'T YOU?

27 THE WITNESS: HE WANTED ME TO GUESS SO I GUESSED.

28 Q BY MR. WAPNER: WELL, SO WE DON'T HAVE ANY

1 MISUNDERSTANDING, I DON'T WANT YOU TO GUESS.

2 A YOU SAID, WELL, WHAT TIME. WELL, I DON'T KNOW.
3 WHAT TIME DO YOU THINK IT WAS? WHAT TIME? MAYBE 10 O'CLOCK.

4 Q SO WE HAVE A CLEAR UNDERSTANDING, YOU ARE NOT
5 SUPPOSED TO GUESS.

6 A YES. BUT IF YOU PUSH AND PUSH AND YOU ARE ASKING
7 QUESTIONS --

8 MR. WAPNER: YOUR HONOR, COULD WE NOT HAVE ARGUMENTS
9 WITH THE WITNESS?

10 MR. BARENS: FROM BOTH SIDES?

11 THE COURT: HAVE YOU EVER TRIED TO SHUT UP A WOMAN WHEN
12 SHE IS IN THE MOOD?

13 MR. BARENS: WELL, THE ARGUMENT IS COMING FROM
14 MR. WAPNER.

15 THE WITNESS: YOUR HONOR, THIS IS A TERRIBLE THING THAT
16 HAS GONE ON. I AM NOT IN THE MOOD FOR ANYTHING. I AM IN THE
17 MOOD FOR TELLING THE TRUTH.

18 THE COURT: NOW, YOU JUST ANSWER THE QUESTIONS. ALL
19 RIGHT?

20 THE WITNESS: YES, SIR.

21 THE COURT: DON'T FORGET THAT. GO AHEAD.

22 Q BY MR. WAPNER: AND DID MR. HULT TELL YOU THAT
23 HE HAD GONE TO THE BANK THAT SAME DAY TO TRY TO GET THE CHECK
24 CASHED?

25 A NO. HE DIDN'T.

26 Q YOU DIDN'T DISCUSS WITH HIM HIS EFFORTS TO TRY
27 TO GET THE CHECK CASHED THAT DAY?

28 MR. BARENS: WHICH DAY? SORRY, SIR. WHICH DAY ARE WE

0-
1 AT?

2 MR. WAPNER: IS THAT AN OBJECTION?

3 THE COURT: I ASSUME THAT IT IS JUNE THE 7TH, IS THAT
4 CORRECT?

5 MR. WAPNER: WELL, IF THE WITNESS KNOWS, THEN SHE CAN
6 SAY SO. IF HE HAS AN OBJECTION, HE CAN MAKE IT.

7 MR. BARENS: OBJECTION, VAGUE AND AMBIGUOUS. THE RECORD
8 WOULD NOT BE CLEAR.

9 THE COURT: JUNE 7TH, IS THAT THE DATE YOU HAVE IN MIND?

10 MR. WAPNER: YES.

11 THE COURT: DID HE TELL YOU JUNE THE 7TH WHEN YOU GOT
12 UP THAT MORNING, THAT HE WAS GOING TO THE BANK TO HAVE THAT
13 CHECK CASHED?

14 THE WITNESS: NO. HE DIDN'T. I DON'T REMEMBER.

15 THE COURT: ALL RIGHT.
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1 Q BY MR. WAPNER: AND WHEN WAS IT AFTER THE MEETING
2 OF JUNE 24TH, THAT YOU BECAME AWARE THAT PEOPLE HAD GONE TO
3 THE POLICE?

4 A WHEN JOE WENT TO THE POLICE.

5 THE COURT: WHEN JOE WHAT?

6 THE WITNESS: WENT TO THE POLICE DEPARTMENT.

7 Q BY MR. WAPNER: AND HE WENT TO THE POLICE DEPARTMENT
8 ALREADY SOMETIME IN SEPTEMBER?

9 A IT WAS BEFORE HIS FIRST ARREST.

10 Q ALL RIGHT. AND IF HIS FIRST ARREST WAS
11 SEPTEMBER THE 28TH, IT WOULD BE BEFORE THAT, RIGHT?

12 A YES.

13 Q ALL RIGHT. AND WHEN HE WENT TO THE POLICE AT THAT
14 TIME, YOU WEREN'T THERE, RIGHT?

15 A NO.

16 Q YOU WERE TOLD THAT HE WAS BASICALLY KICKED OUT?

17 A BY LAUREN RABB AND JOE.

18 Q SO THE POLICE DIDN'T GIVE HIM ANY INFORMATION,
19 CORRECT?

20 A HE SAID THEY DIDN'T BELIEVE HIM.

21 Q WELL, YOU DON'T KNOW WHAT HE SAID OR WHAT THEY
22 SAID AT THE POLICE STATION FROM YOUR OWN PERSONAL KNOWLEDGE,
23 DO YOU? IT IS JUST WHAT SOMEBODY TOLD SOMEBODY?

24 A YES.

25 Q WERE YOU THERE?

26 A NO.

27 Q OKAY. AND WAS IT BECAUSE HE WENT TO THE POLICE,
28 THE FACT OF JOE HUNT GOING TO THE POLICE, THAT MADE YOU AWARE

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1 THAT OTHER PEOPLE IN FACT, HAD GONE TO THE POLICE?

2 A I SAW THE NOTES WRITTEN BY TOM MAY THAT THEY WERE
3 GOING TO CALL THE POLICE, CALL THE S.E.C. AND CALL THE F.B.I.

4 Q NOTES THAT WERE WRITTEN?

5 A WRITTEN, YES.

6 Q THAT JOE HAD?

7 A YES.

8 Q YOU DIDN'T KNOW THAT HE HAD BROKEN INTO THE MAYS'
9 APARTMENT AND LISTENED TO THEIR ANSWERING MACHINE, DID YOU?

10 MR. BARENS: OBJECTION.

11 THE COURT: HE ASKED HER WHETHER OR NOT SHE KNEW THAT.

12 THE WITNESS: DID YOU KNOW THEY BROKE INTO THE OFFICE?

13 MR. BARENS: IS HE ASKING ABOUT THE EVIDENCE THAT --

14 THE COURT: I THOUGHT THERE WAS EVIDENCE TO THAT
15 EFFECT.

16 MR. BARENS: A BREAK-IN, SIR? THERE WASN'T ANY EVIDENCE
17 AS TO THAT. I THINK THAT WE HAD EVIDENCE THAT HE HAD A KEY
18 THAT HAD BEEN GIVEN TO HIM BY MR. MAY.

19 Q BY MR. WAPNER; DID YOU KNOW THAT HE HAD GONE INTO
20 THE MAYS' APARTMENT AND LISTENED TO THEIR MESSAGES ON THEIR
21 ANSWERING MACHINE?

22 A NO I DID NOT.

23 Q SO THE FIRST TIME THAT YOU BECAME AWARE THAT
24 SOMEBODY HAD GONE TO THE POLICE, IS WHEN YOU SAW THOSE NOTES?

25 A YES.

26 Q WHEN WAS THAT?

27 A BEFORE JOE WAS ARRESTED THE FIRST TIME.

28 Q WHEN WAS THAT IN RELATION TO WHEN HE WENT TO THE

20-7
1 POLICE DEPARTMENT?

2 A IT WAS A COUPLE OF DAYS. HE WENT RIGHT AWAY TO
3 THE POLICE.

4 Q AND TO THIS DAY, YOU HAVE NOT GONE TO THE POLICE
5 DEPARTMENT, RIGHT?

6 A NO I HAVE NOT.

7 Q DID YOU HAVE A CHANCE LAST NIGHT TO TALK TO YOUR
8 DAD ABOUT THE LETTER THAT I SHOWED YOU YESTERDAY THAT WAS
9 PEOPLE'S 236?

10 A YES.

11 Q AND DID THAT REFRESH YOUR MEMORY AT ALL AS TO
12 WHETHER YOU HAD EVER SEEN THE LETTER?

13 A I NEVER SAW IT. DETECTIVE ZOELLER HANDED IT TO
14 ME. MY DAD WAS RIGHT THERE.

15 AND HE SAW THIS, DETECTIVE ZOELLER. I SAID, "HERE
16 YOU GO, DAD." HE SAID OKAY AND IT WAS IN AN ENVELOPE.

17 MY DAD TOOK IT. I CLOSED MY DOOR AND I SAID
18 GOOD-BYE TO DETECTIVE ZOELLER.

19 Q IT WAS ADDRESSED TO YOU, WASN'T IT?

20 A YES. I DON'T KNOW. I DON'T KNOW. I DIDN'T LOOK
21 AT THE ENVELOPE. I JUST SAID, "HERE, DAD."

22 I REMEMBER SAYING TO DETECTIVE ZOELLER, "LONG TIME
23 NO SEE," WHEN I ANSWERED THE DOOR.

24 Q AND YOU NEVER, EVER SAW THE CONTENTS OF THAT LETTER?

25 A NO, UNTIL YESTERDAY.

26 Q WAS IT COMMON FOR YOUR DAD TO READ ALL YOUR MAIL
27 FIRST?

28 A THE LEGAL STUFF, YES.

20- 1 Q HE READS ALL OF YOUR LEGAL STUFF FIRST?

2 A NOT ALL OF IT. I GOT A LETTER FROM PEOPLE
3 MAGAZINE. THEY WANTED TO DO AN ARTICLE. I READ THAT ONE.

4 Q TO DO AN ARTICLE ABOUT THIS CASE?

5 A YES.

6 Q DID YOU RESPOND TO THEM?

7 A ABSOLUTELY NOT.

8 Q THAT WAS I ASSUME, ON THE INSTRUCTION OF COUNSEL?

9 A NO. IT WAS MY OWN DECISION.

10 Q BY THE WAY, WHEN YOU WENT TO THE -- YOU GOT
11 INTERVIEWED, EXCUSE ME -- HAD YOUR DEPOSITION TAKEN BY THE
12 SECURITIES AND EXCHANGE COMMISSION IN CONNECTION WITH THIS
13 CASE, DIDN'T YOU?

14 A YES.

15 Q WERE YOU REPRESENTED BY COUNSEL AT THAT TIME?

16 A THAT WAS LIKE -- JOE HAD BEEN IN JAIL LIKE A MONTH.
17 ARTHUR BARENS REPRESENTED ME THAT DAY. I NEVER NEEDED AN
18 ATTORNEY UNTIL THIS TIME.

19 THE COURT: MR. BARENS REPRESENTED YOU?

20 THE WITNESS: THAT DAY, YES.

21 Q BY MR. WAPNER: JOE HUNT HAD BEEN IN JAIL FOR ABOUT
22 A MONTH AT THAT TIME?

23 A NO, A WHILE. A COUPLE OF MONTHS. BUT HE WAS LIKE
24 IN THE WHOLE YEAR, AFTER A YEAR. AND IT WAS --

25 MR. BARENS: YOUR HONOR, WE OBJECT TO THE RELEVANCY OF
26 THE S.E.C. HEARINGS AND THE PROCEEDINGS IN THE TRANSCRIPT
27 FROM THE S.E.C.

28 THE COURT: THAT WILL BE SUSTAINED UNLESS YOU HAVE GOT

1 SOMETHING THAT SHE SAID IN THERE THAT YOU WANT TO READ FROM
2 THE TRANSCRIPT.

3 MR. WAPNER: WELL, THERE ARE A FEW THINGS. BUT THE MAIN
4 PURPOSE WAS THAT SHE WAS REPRESENTED BY THE SAME COUNSEL THAT
5 REPRESENTS MR. HUNT.

6 THE COURT: ALL RIGHT.

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1 THE COURT: LET'S GET ON. THERE IS NO PENDING QUESTION,
2 IS THERE?

3 MR. BARENS: ALL RIGHT. MAY WE APPROACH THE SIDE BAR
4 ON THIS ISSUE?

5 THE COURT: ALL RIGHT, .

6 MR. BARENS: THANK YOU, YOUR HONOR.

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

10 THE COURT: YES?

11 MR. BARENS: I SAT IN ON AN INTERVIEW. IT WASN'T A
12 DEPOSITION.

13 I SAT IN ON AN INTERVIEW THAT WAS TRANSCRIBED
14 BY AN S.E.C. FELLOW, WHOSE NAME I CAN'T REMEMBER. THERE
15 WAS NO NOTICED INTERVIEW.

16 THEY HAD WANTED TO SPEAK TO HER AND I SAID WHY
17 DON'T WE USE MY LIBRARY AND WE SAT IN AT THE LIBRARY.

18 I WANTED TO BE PRESENT BECAUSE I WANTED TO HEAR
19 THE QUESTIONS. THEY SAID, "WHY ARE YOU HERE?" AND I SAID,
20 "I AM HERE TO REPRESENT BROOKE ROBERTS."

21 I HAD NEVER, PRIOR TO THAT MEETING, SAID I WAS
22 HER LAWYER. I VOLUNTEERED THAT SO I COULD SIT IN AT THE
23 MEETING.

24 I NEVER DISCUSSED HER TESTIMONY OR HEARD ANYTHING
25 ABOUT IT PRIOR TO THAT SESSION.

26 MR. WAPNER: WELL, THAT MAY BE. NONE OF THAT APPEARS
27 IN THE BLACK AND WHITE RECORD.

28 IN FACT, MR. BARENS MADE CERTAIN REPRESENTATIONS

1 TO THE COMMISSION ON BEHALF OF THE WITNESS, WHICH WOULD
2 INDICATE TO ME THAT THERE WERE CERTAIN PRIOR CONTACTS.

3 THE COURT: WHAT IS THE PURPOSE OF THIS? WHAT DID
4 YOU WANT TO ASK HER ABOUT THE S.E.C. ABOUT, THAT SHE TESTIFIED
5 BEFORE THEM AT ALL?

6 MR. WAPNER: SHE MADE CERTAIN STATEMENTS. THE POINT
7 IS TO SHOW THE RELATIONSHIP.

8 THE COURT: YOU WANT TO ASK HER ABOUT THOSE STATEMENTS?

9 MR. WAPNER: NO. THE ONLY POINT IS TO SHOW THE
10 RELATIONSHIP BETWEEN THE PARTIES.

11 THE COURT: ALL RIGHT, YOU HAVE SHOWN THAT.

12 MR. WAPNER: THAT IS ALL.

13 (THE FOLLOWING PROCEEDINGS WERE HELD IN
14 OPEN COURT IN THE HEARING AND PRECENSE
15 OF THE JURY:)

16 MR. WAPNER: WHEN DETECTIVE ZOELLER CAME TO YOUR HOUSE
17 AND HANDED YOU THE LETTER, HE GAVE IT TO YOU; IS THAT RIGHT?

18 THE WITNESS: YES.

19 Q BY MR. WAPNER: AND DID YOU OPEN AND LOOK AT
20 IT?

21 A NO.

22 MR. WAPNER: THANK YOU. I HAVE NOTHING FURTHER.

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REDIRECT EXAMINATION

25

BY MR. BARENS:

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Q BROOKE, HOW WAS IT YOU WENT TO THAT SCHOOL THAT
MR. WAPNER ASKED YOU ABOUT IN ARIZONA?

28

A HOW WAS IT?

1 Q YES. WHY DID YOU GO TO THAT SCHOOL IN ARIZONA?

2 A MY OLDER BROTHER WENT THERE AND IT WAS A GREAT
3 SCHOOL. I WANTED TO GO.

4 Q THAT IS HOW YOU ENDED UP THERE?

5 A YES.

6 Q OKAY. I WOULD LIKE TO CLEAR UP SOME CONFUSION
7 ABOUT THIS BUSINESS ABOUT GOING TO THE MOVIES.

8 A OKAY.

9 Q WHO WAS ACTUALLY MAKING THE ACTUAL PLAN AND
10 TELEPHONE CALLS ABOUT FINDING OUT WHEN THE MOVIE STARTED?

11 A DEAN.

12 Q DID YOU MAKE ANY TELEPHONE CALLS TO THE MOVIE
13 THEATER TO FIND OUT WHEN THE MOVIE STARTED?

14 A NO, I DIDN'T.

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1 Q WHO WAS MAKING THE CALLS TO THE OTHER PEOPLE
2 TO ARRANGE TO MEET THEM WHEREVER AND WHENEVER YOU WERE GOING
3 TO MEET THEM?

4 A DEAN DID.

5 Q AND YOU WENT STRAIGHT FROM THE WILSHIRE MANNING
6 TO WHERE?

7 A THE HANA SUSHI.

8 Q DID YOU OR DEAN GO TO THE MOVIE AND GET TURNED
9 AWAY FROM THE EARLY SHOW ON THE BASIS THAT YOU HAD MISSED
10 IT OR YOU WERE TOO LATE OR THEY WERE SOLD OUT OR ANYTHING
11 LIKE THAT?

12 A NO.

13 Q OKAY. SO ISN'T IT A FACT THAT BY THE TIME --
14 MR. WAPNER: OBJECTION. LEADING.

15 THE COURT: ASK HER.

16 MR. BARENS: SURE, YOUR HONOR. I WILL TAKE THOSE WORDS
17 UP.

18 Q WHEN YOU DECIDED TO GO TO THE SUSHI PLACE, HAD
19 DEAN ALREADY TOLD YOU THAT YOU HAD MISSED THE EARLY MOVIE?

20 A YES.

21 Q SO YOU WENT STRAIGHT TO THE SUSHI PLACE WHERE
22 YOU RAN INTO JOHN ALLEN?

23 A YES.

24 MR. WAPNER: SAME OBJECTION. LEADING.

25 MR. BARENS: ALL RIGHT, WE WILL DO IT ANOTHER WAY.

26 THE COURT: IT IS SO MUCH EASIER FOR HER IF YOU LEAD
27 HER THAT WAY, ISN'T IT?

28 MR. BARENS: YOU MEAN LIKE MR. KARNY, SIR?

1 THE COURT: NO. LIKE YOU DID.

2 MR. BARENS: DID I LEAD?

3 THE COURT: YES, LIKE YOU ARE LEADING HER NOW, LEADING
4 HER TO GET IT OUT OF HER.

5 MR. BARENS: I AM GLAD WE GOT THOSE COMMENTS, JUDGE.
6 I WILL DO IT ANOTHER WAY.

7 THE COURT: YES.

8 Q BY MR. BARENS: BROOKE, DID YOU SEE SOMEONE AT
9 THE HANA SUSHI PLACE?

10 A YES.

11 Q WHO DID YOU SEE?

12 A JOHN ALLEN.

13 Q DID YOU ARRANGE TO MEET HIM THERE?

14 A YES.

15 Q DID YOU CALL JOHN ALLEN AND TELL HIM TO MEET
16 YOU THERE?

17 A I DID NOT, NO.

18 Q DO YOU KNOW WHO DID CALL JOHN ALLEN?

19 A DEAN.

20 Q DID YOU TELL JOHN ALLEN WHAT TIME TO BE AT THE
21 SUSHI PLACE?

22 A NO.

23 Q YOU WENT TO THE SUSHI PLACE AND YOU WENT STRAIGHT
24 FROM THE SUSHI PLACE TO THE MOVIE?

25 A YES.

26 MR. WAPNER: SAME OBJECTION. LEADING.

27 THE WITNESS: YES, WE WENT TO THE SUSHI PLACE.

28 THE COURT: GO AHEAD.

1 MR. BARENS: IT IS JUST SOMETHING TO SAVE A LOT OF
2 TIME.

3 THE COURT: GO AHEAD. SHE HAS ALREADY TESTIFIED TO
4 ALL OF THESE THINGS BUT IF YOU WANT HER TO TESTIFY AGAIN,
5 GO AHEAD.

6 MR. BARENS: WE HAD SOME CONFUSION, IT APPEARED, YOUR
7 HONOR.

8 Q BY MR. BARENS: DID YOU KNOW YOU HAD MISSED THE
9 EARLY SHOW OR DID SOMEONE TELL YOU YOU MISSED THE EARLY MOVIE?

10 A SOMEONE TOLD ME.

11 Q WHO TOLD YOU THAT YOU MISSED THE EARLY MOVIE?

12 A DEAN.

13 Q YOU ONLY WENT TO THE MOVIE WHERE YOU SAW "STREETS
14 OF FIRE" ON ONE OCCASION THAT NIGHT?

15 A YES, THAT NIGHT I SAW IT FOR THE FIRST TIME.
16 I WENT BACK AGAIN AND SAW IT AGAIN WITH JOE.

17 Q YOU ONLY WENT TO THE THEATER AFTER YOU WENT TO
18 THE SUSHI PLACE --

19 A YES.

20 Q -- AFTER YOU LEFT THE MANNING?

21 OKAY, WERE YOU IN TOUCH WITH JOE'S LAWYER FROM
22 THE TIME JOE ARRANGED TO HAVE ONE AFTER HE WAS ARRESTED?

23 A YES.

24 Q ALL RIGHT. WAS THERE EVER A PERIOD OF TIME WHEN
25 JOE WAS IN JAIL THAT YOU WERE NOT IN TOUCH WITH HIM?

26 A NO.

27 Q WERE YOU DETERMINED TO GET HIM OUT OF JAIL?

28 A YES.

1 Q WERE YOU UPSET THAT HE WAS IN JAIL?

2 A YES.

3 THE COURT: PARDON ME. I DIDN'T HEAR THAT.

4 MR. BARENS: I SAID, WERE YOU UPSET THAT HE WAS IN
5 JAIL, SIR?

6 THE COURT: DID YOU HAVE TO ASK THAT QUESTION?

7 MR. BARENS: IT SEEMS OBVIOUS TO ME.

8 THE COURT: OF COURSE IT IS OBVIOUS. YOU DON'T HAVE
9 TO ASK HER.

10 MR. BARENS: OH. OCCASIONALLY, WE ASK THE OBVIOUS.

11 Q DID YOU SEE JOE WHILE HE WAS IN JAIL?

12 A YES, I DID.

13 Q HOW OFTEN DID YOU GO THERE?

14 A EVERY DAY, PRACTICALLY. EVERY NIGHT. YOU HAVE
15 VISITING HOURS IN THE EVENING.

16 Q WAS THAT A STRENUOUS TIME IN YOUR LIFE?

17 A VERY.

18 Q WHEN DID YOU FIRST MEET ME?

19 A BEFORE JOE'S PRELIMINARY, WHENEVER THAT WAS.

20 Q DID I ASK YOU TO BE AT THE PRELIMINARY HEARING
21 IN BEVERLY HILLS?

22 A YES, YOU DID.

23 Q BEFORE YOU ARRIVED AT THE PRELIMINARY HEARING,
24 HAD YOU MET WITH ME AND TOLD ME CERTAIN FACTS THAT YOU HAVE
25 TESTIFIED ABOUT HERE TODAY?

26 A YES, I DID.

27 Q NOW, DID YOU TESTIFY AT THE PRELIMINARY HEARING?

28 A NO.

29 Q WHY DID YOU NOT TESTIFY AT THE PRELIMINARY

1 HEARING?

2 A WELL, WE WERE GOING TO AND YOU SAID THAT THINGS
3 HAD CHANGED AND YOU DIDN'T WANT ME TO GO.

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1 Q IS IT YOUR TESTIMONY THAT YOU DIDN'T TESTIFY AT
2 THE PRELIMINARY HEARING BECAUSE I TOLD YOU NOT TO?

3 A YES, SIR.

4 Q AND WHAT DID I TELL YOU ABOUT TALKING TO ANYBODY
5 ABOUT THIS CASE OTHER THAN YOUR FAMILY, FROM THAT POINT TO
6 THIS POINT?

7 A NOT TO DO IT.

8 Q DID I TELL YOU NOT TO TALK TO THE POLICE?

9 A YES.

10 Q IS JOE HUNT YOUR BOYFRIEND NOW?

11 A NO. HE IS NOT.

12 Q HAVE YOU BEEN DATING OTHER MEN FOR THE LAST YEAR?

13 A I HAVE HAD A BOYFRIEND FOR THE LAST YEAR.

14 Q WHO IS YOUR BOYFRIEND?

15 A GRANT HESLOV.

16 Q WILL YOU SPELL HIS NAME, PLEASE?

17 A H-E-S-L-O-V.

18 Q HOW LONG HAVE YOU BEEN DATING MR. HESLOV?

19 A IT HAS BEEN A YEAR. SINCE MARCH 19TH.

20 Q IS JOE HUNT AWARE OF THAT?

21 A YES.

22 Q ARE YOUR PARENTS AWARE OF THAT?

23 A YES.

24 Q AS YOU STAND HERE OR SIT HERE TODAY, ARE YOU
25 ROMANTICALLY INVOLVED WITH JOE HUNT?

26 A NO.

27 Q DO YOU LOVE HIM AS A FRIEND?

28 A VERY MUCH.

2A
1 Q YOU WERE ASKED WHETHER YOU HAD REHEARSED YOUR
2 TESTIMONY HERE TODAY. YOU WERE ASKED YESTERDAY?

3 A YES.

4 Q HOW MANY TIMES HAVE YOU DISCUSSED WITH ME YOUR --
5 THIS TESTIMONY?

6 A THREE TIMES.

7 Q WHEN WAS THAT?

8 A WHEN I FIRST MET YOU AND SHORTLY AFTER THAT. THAT
9 WAS A LONG TIME AGO. AND LAST SUNDAY.

10 Q ALL RIGHT. DID I TELL YOU WHAT TO SAY?

11 A NO.

12 Q DID I TELL YOU CERTAIN RULES ABOUT BEING A WITNESS
13 IN A CASE?

14 YOU KNOW, HOW TO ANSWER QUESTIONS AND HOW TO BE
15 RESPONSIVE?

16 A LISTEN TO THE QUESTION. YES. NO. IF YOU NEED
17 TO GIVE AN ANSWER, GIVE AN ANSWER.

18 Q ALL RIGHT. JEFF ALLEN HAD A GIRLFRIEND NAMED
19 RENEE?

20 A JEFF RAYMOND?

21 Q SORRY. JEFF RAYMOND, JON ALLEN. JEFF RAYMOND
22 HAD A GIRLFRIEND NAMED RENEE. DO YOU REMEMBER HER LAST NAME?

23 A RENEE MARTIN.

24 Q WAS SHE A FRIEND OF YOURS?

25 A YES.

26 Q WAS SHE A FRIEND OF JOE'S?

27 A YES.

28 Q WERE YOU ALL KIND OF GOOD FRIENDS?

2A
1 A YES.

2 Q WAS IT A SOCIAL THING?

3 A YES.

4 Q SHE WAS NOT IN THE BBC, WAS SHE?

5 A NO.

6 MR. BARENS: NOTHING FURTHER.

7 THE COURT: RECROSS-EXAMINATION?

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RECROSS-EXAMINATION

10 BY MR. WAPNER:

11 Q WHAT YOU ARE SAYING IS THAT YOU REALLY WANTED TO
12 GO TO THE POLICE THE WHOLE TIME AND TELL THEM THE TRUTH AND
13 YOU ONLY DIDN'T DO IT BECAUSE MR. BARENS TOLD YOU NOT TO?

14 MR. BARENS: ARGUMENTATIVE.

15 THE COURT: OVERRULED.

16 THE WITNESS: I TALKED TO ARTHUR. HE SAID NO. I SAID
17 OKAY.

18 Q BY MR. WAPNER: YOU WANTED TO GO TO THE POLICE
19 TO MAKE SURE THAT THE TRUTH CAME OUT?

20 A I WANTED THE TRUTH TO COME OUT. BUT I KNEW THE
21 POLICE DIDN'T BELIEVE JOE.

22 JOE TRIED TO GO TO THE POLICE AND EVERYTHING.
23 AND I KNEW THAT THESE GUYS DIDN'T BELIEVE US.

24 Q YOU WEREN'T THERE WHEN HE WENT TO THE POLICE?

25 A NO. I WAS NOT THERE.

26 Q YOU WEREN'T THERE WHEN DETECTIVE ZOELLER INTERVIEWED
27 MR. HUNT, WERE YOU?

28 A NO. I WAS NOT.

2A
1 Q YOU WEREN'T THERE WHEN DETECTIVE ZOELLER PUT THE
2 SEVEN PAGES OF HANDWRITTEN NOTES IN FRONT OF JOE, WERE YOU?

3 A NO.

4 Q ALL RIGHT. YOU WEREN'T THERE WHEN DETECTIVE
5 ZOELLER ASKED --

6 MR. BARENS: HE IS ARGUING HIS CASE, IS HE NOT?

7 THE COURT: SHE WAS NOT THERE AT ALL. SO SHE CAN'T
8 ANSWER AS TO ANYTHING THAT HAPPENED THEN.

9 MR. BARENS: THE QUESTIONS AREN'T ASKED IN GOOD FAITH,
10 YOUR HONOR.

11 MR. WAPNER: I MAKE A MOTION TO STRIKE HER STATEMENT
12 THAT HE WENT AND TRIED TO TELL THEM THE TRUTH.

13 MR. BARENS: WE ARE ARGUING THE CASE.

14 THE COURT: GO AHEAD. LET'S START WITH ANOTHER QUESTION.

15 MR. BARENS: ALL RIGHT.

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1 MR. WAPNER: ALL RIGHT.

2 Q YOU WEREN'T THERE WHEN DETECTIVE ZOELLER ASKED
3 MR. HUNT ABOUT THE --

4 MR. BARENS: THIS IS A BAD-FAITH QUESTION AND --

5 THE COURT: SHE WASN'T THERE. THEREFORE, SHE COULDN'T
6 KNOW ANYTHING THAT HAPPENED THERE.

7 MR. BARENS: SHE ANSWERED THIS STRAIGHT UP. HE IS
8 ARGUING HIS CASE.

9 MR. WAPNER: NOTHING FURTHER.

10 THE COURT: NOTHING FURTHER? THE QUESTIONS ARE STILL
11 A LITTLE CONFUSING. YOU SAID THAT DEAN KARNY MADE ALL OF THOSE
12 CALLS, ALL OF THOSE ARRANGEMENTS FOR THE SUSHI PLACE AND ALSO
13 FOR THE MOVIE, IS THAT RIGHT?

14 THE WITNESS: YES.

15 THE COURT: NOW, AFTER HE MADE ALL OF THOSE ARRANGEMENTS,
16 HE WAS AT THE APARTMENT, WASN'T HE?

17 THE WITNESS: YES.

18 THE COURT: DIDN'T YOU AND HE GO TO THE SUSHI PLACE?

19 THE WITNESS: AND JEFF RAYMOND.

20 THE COURT: THE THREE OF YOU WENT TOGETHER?

21 THE WITNESS: I DROVE MY CAR.

22 THE COURT: DID THE THREE OF YOU GO TOGETHER, I AM ASKING
23 YOU?

24 THE WITNESS: YES.

25 THE COURT: WHY DID YOU GO IN YOUR CAR ALONE? COULDN'T
26 THE THREE OF YOU HAVE GONE IN DEAN KARNY'S CAR OR RAYMOND'S
27 CAR?

28 THE WITNESS: I WANTED TO GO IN MY OWN CAR. SO I WENT

1 IN MY OWN CAR.

2 THE COURT: ALL RIGHT. SO YOU GOT TO THE RESTAURANT
3 BY YOURSELF. YOU PARKED THERE, DIDN'T YOU?

4 THE WITNESS: YES.

5 THE COURT: YOU GOT INTO THE CAR AGAIN AND YOU WENT OVER
6 TO THE AVCO, IS THAT RIGHT?

7 THE WITNESS: YES.

8 THE COURT: IT WAS VERY EXPENSIVE PARKING THERE, ISN'T
9 IT?

10 THE WITNESS: S3. IT IS NOT THAT BAD.

11 THE COURT: SO, YOU COULD HAVE SAVED THAT BY GOING WITH
12 DEAN KARNY?

13 THE WITNESS: I DON'T MIND PAYING FOR PARKING. I PAY
14 ALL OF THE TIME, EVEN WHEN I AM BROKE.

15 THE COURT: SO, YOU MADE UP YOUR MIND YOU WANTED TO GO
16 BY YOURSELF, IS THAT RIGHT?

17 THE WITNESS: YES, SIR.

18 THE COURT: ALL RIGHT. AND DEAN KARNY DIDN'T GO HOME
19 WITH YOU TO THE --

20 THE WITNESS: HE WAS NOT THERE WHEN I GOT THERE.

21 THE COURT: DIDN'T YOU SAY SOMETHING ABOUT HIS GOING
22 TO VISIT HIS GIRLFRIEND?

23 THE WITNESS: HE WAS PLANNING TO MEET HER.

24 THE COURT: WHERE?

25 THE WITNESS: I DON'T KNOW. I DIDN'T ASK HIM.

26 THE COURT: ALL RIGHT. YOU DON'T KNOW WHAT TIME HE GOT
27 HOME?

28 THE WITNESS: NO.

1 THE COURT: ALL RIGHT. THAT IS CLEAR, THEN.

2 NOW, LET'S TALK ABOUT SOME OTHER THINGS. YOU WERE
3 NOT ON THE PAYROLL, WERE YOU? YOU WEREN'T RECEIVING ANY MONEY
4 FROM ANYBODY FOR THE WORK YOU WERE DOING AT THE BBC, WERE YOU?

5 THE WITNESS: NO.

6 THE COURT: ANY MONEY YOU GOT, YOU SAID WAS FROM
7 MR. HUNT IN THE FORM OF CASH, IS THAT RIGHT? ONCE IN A WHILE
8 HE WOULD GIVE YOU A CHECK?

9 THE WITNESS: I SAID CASH OR CHECKS.

10 THE COURT: WELL, HOW MUCH WERE THE CHECKS? FOR WHAT
11 WERE THEY FOR?

12 THE WITNESS: WHAT WERE THEY FOR?

13 THE COURT: YES.

14 THE WITNESS: ONE TIME HE GAVE ME \$10,000 TO BUY
15 FURNITURE FOR THE WHOLE HOUSE AND BOOK SHELVES AND BEDS AND
16 TABLES AND EVERYTHING.

17 THE COURT: OTHER THAN THAT, DID HE GIVE YOU ANYTHING
18 ELSE?

19 THE WITNESS: YES, MONEY FOR MY BANK ACCOUNT.

20 THE COURT: BANK ACCOUNT?

21 THE WITNESS: YES.

22 THE COURT: WELL, HOW MUCH DID HE GIVE YOU?

23 THE WITNESS: I DON'T KNOW HOW MUCH ALTOGETHER.

24 THE COURT: TAKE A GUESS.

25 THE WITNESS: TAKE A GUESS?

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1 MR. BARENS: I DON'T THINK SHE IS SUPPOSED TO BE
2 GUESSING.

3 THE COURT: AN ESTIMATE THEN, IF YOU DON'T LIKE THE
4 WORD GUESS.

5 MR. BARENS: NO.

6 THE COURT: ALL RIGHT, THEN AN ESTIMATE.

7 THE WITNESS: FIFTEEN, TWENTY THOUSAND DOLLARS.

8 MR. BARENS: OVER WHAT PERIOD OF TIME, YOU MIGHT ASK,
9 YOUR HONOR.

10 THE COURT: DO YOU WANT TO ASK THE QUESTIONS OR AM
11 I ASKING THE QUESTIONS?

12 MR. BARENS: WELL, WE CAN ALL WORK TOGETHER.

13 THE COURT: YOU CAN WAIT AND ASK THEM LATER AND HAVE
14 ANOTHER GO AT IT.

15 MR. BARENS: OKAY.

16 THE COURT: WHAT WERE THOSE SUMS OF MONEY FOR, YOUR
17 BANK ACCOUNT?

18 THE WITNESS: ONE TIME, I OPENED UP A BANK ACCOUNT
19 AND HE GAVE ME A THOUSAND DOLLARS.

20 THE COURT: AND ANOTHER TIME HE GAVE YOU \$1,500?

21 THE WITNESS: YES.

22 THE COURT: AND ANOTHER TIME HE GAVE YOU \$500?

23 THE WITNESS: YES.

24 THE COURT: AND A COUPLE OF TIMES HE GAVE YOU \$700,
25 IS THAT IT?

26 THE WITNESS: UH-HUH. I WAS IN CHARGE OF GOING TO
27 THE MARKET. EVERYBODY --

28 THE COURT: YOU HAD A CHARGE ACCOUNT, DIDN'T YOU?

1 THE WITNESS: THAT'S RIGHT. IT WAS ABOUT \$500 A
2 MONTH IN GROCERIES.

3 THE COURT: AND THAT CHARGE ACCOUNT, THOSE BILLS WERE
4 SENT TO THE BBC AND THEY PAID THAT?

5 THE WITNESS: NOT ALL OF THE TIME. I PAID IT. THEY
6 WERE SENT BUT I WOULD PAY THE BILL.

7 THE COURT: ALL RIGHT, WHEN YOU WERE LISTENING IN AT
8 THE DOOR, DID YOU HEAR ONE OR THE OTHER, DEAN KARNY, SAY
9 TO THE DEFENDANT OR THE DEFENDANT SAY, "LET'S TOSS A COIN
10 AND SEE WHO IS GOING TO TELL THE STORY"?

11 THE WITNESS: NO.

12 THE COURT: HOW DID THEY ARRIVE AT FINALLY THE DEFENDANT
13 SAYING HE WAS THE ONE THAT, WITH JIM, KILLED HIM?

14 THE WITNESS: I REMEMBER HEARING DEAN SAY, "I KNOW
15 WHAT THEY WOULD BELIEVE, THEY WOULD BELIEVE IF YOU AND JIM
16 SAID YOU DID IT." THAT IS WHAT I HEARD DEAN SAY.

17 THE COURT: JIM SAYS?

18 THE WITNESS: DEAN.

19 JIM WASN'T THERE.

20 THE COURT: YES, ALL RIGHT.

21 NOW, THERE WAS SOME INTIMATION IN THE TESTIMONY
22 YOU GAVE ABOUT SOME HANDCUFFS THAT DEAN KARNY HAD.

23 THE WITNESS: YES.

24 THE COURT: AND HE HAD THE HANDCUFFS IN THE BED AND
25 HE HAD SOMEBODY WITH HIM.

26 THE WITNESS: UNDER THE BED. THEY WERE UNDER THE BED.

27 THE COURT: WHAT WAS THE POINT OF THAT STORY?

28 THE WITNESS: I DON'T KNOW. ARTHUR ASKED ME IF I EVER

1 SAW DEAN WITH HANDCUFFS AND I DID.

2 THE COURT: THERE WASN'T ANY SADO-MASOCHISTIC
3 RELATIONSHIP GOING ON BETWEEN ANYBODY, WAS THERE?

4 THE WITNESS: I KNOW DEAN HAD A LOT OF PROBLEMS WITH
5 WOMEN. I DON'T KNOW IF IT WAS SADO-MASOCHISTIC.

6 YOU WOULD HAVE TO ASK DEAN.

7 THE COURT: DID YOU EVER SEE ANY CHAINS IN THE HOUSE
8 OR ANYTHING?

9 THE WITNESS: I SAW A PHOTOGRAPH.

10 WELL, LET ME TELL YOU SOMETHING.

11 THE COURT: OR ANY WHIPS?

12 THE WITNESS: I SAW A PHOTOGRAPH OF A GIRL.

13 IN FACT, I DON'T KNOW IF SHE IS HERE TODAY BUT
14 SHE WAS HERE EARLIER.

15 SHE WAS TIED UP IN BONDAGE AND SHE AND EVAN WERE
16 DRESSED UP AS WOMEN. IT WAS ON EVAN'S WALL AT THE SOUTH
17 SWALL APARTMENT.

18 IT WAS KIND OF GROSS. IT WAS BONDAGE.

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1 THE COURT: I WASN'T TALKING ABOUT EVAN.

2 THE WITNESS: EVAN AND DEAN TIED THIS GIRL UP.

3 THE COURT: DIDN'T YOU SAVE THAT PHOTOGRAPH?

4 THE WITNESS: YOU KNOW WHAT? I SHOULD HAVE, BECAUSE
5 I WISH I HAD.

6 THE COURT: YOU WOULD HAVE IT IN COURT?

7 THE WITNESS: DEAN HAS IT.

8 I WISH I HAD IT, LET ME TELL YOU.

9 THE COURT: YOU COULD SHOW IT TO US AND SHOW HOW BAD
10 THESE TWO PEOPLE ARE.

11 THE WITNESS: WELL, EVAN HAD IT ON HIS WALL AND DEAN
12 HAD TONS OF THESE PHOTOGRAPHS IN HIS BEDROOM SO --

13 THE COURT: TELL ME, THE DEFENDANT GOT LARGE SUMS OF
14 MONEY FOR INVESTMENTS ANY NUMBER OF TIMES, DIDN'T HE, THROUGH
15 1982, 1983 AND THE EARLY PART OF '84, HE GOT A LOT OF MONEY,
16 DIDN'T HE?

17 THE WITNESS: I GUESS SO, YES.

18 THE COURT: HE TOLD YOU ABOUT IT, DIDN'T HE?

19 THE WITNESS: NO, HE DIDN'T TELL ME ABOUT IT.

20 THE COURT: HE DIDN'T TELL YOU ABOUT IT?

21 THE WITNESS: NO.

22 HE TOLD ME ABOUT THE MILLION AND A HALF CHECK.

23 MR. BARENS: THE DEFENSE HAS AN INQUIRY. I BELIEVE
24 YOU ARE BEYOND THE SCOPE, SIR.

25 THE COURT: OH, YES, ALL RIGHT.

26 (LAUGHTER IN COURTROOM.)

27 THE COURT: ALL RIGHT, NOW EVERY TIME THAT HE GOT THESE
28 LARGE SUMS OF MONEY, DID HE TELL YOU ABOUT IT?

1 THE WITNESS: NO.

2 THE COURT: JUST THIS ONE TIME HE DID WHEN HE GOT THE
3 MILLION FIVE HUNDRED DOLLAR CHECK?

4 THE WITNESS: YEAH.

5 THE COURT: HE NEVER TOLD YOU ANY OTHER TIME AT ALL
6 SO, THEREFORE, HE NEVER CALLED YOUR MOTHER TO TELL HER?

7 THE WITNESS: NO.

8 THE COURT: AND YOU CALLED HER TELLING HER ABOUT GETTING
9 THESE LARGE SUMS OF MONEY, DID YOU?

10 THE WITNESS: NO.

11 THE ONLY TIME I CALLED MY MOM, I WOULD SAY, "JOE
12 IS DOING REAL WELL," AND STUFF.

13 THE COURT: WHY DID YOU CALL YOUR MOTHER ON THIS
14 PARTICULAR OCCASION?

15 THE WITNESS: WELL, I SAW IT ON MY CALENDAR.

16 THE REASON I WENT HOME THAT NIGHT IS BECAUSE
17 AT THE THEATER, I GOT VERY ILL AND I GOT MY, YOU KNOW, MY
18 PERIOD AND I WAS UNCOMFORTABLE SO I DROVE HOME REAL FAST
19 BECAUSE I WANTED TO GET HOME, AND I WRITE IN MY BOOK WHEN
20 I GET MY MENSTRUAL CYCLE. AND AS I SAID, THAT THIS DAY MY
21 MOM GOT HOME, I SAID ON THERE "PARENTS RETURN FROM ALASKA"
22 SO I WANTED TO TALK TO MY PARENTS BECAUSE MY PARENTS WENT
23 CAMPING IN ALASKA AND MY PARENTS HAD NEVER GONE CAMPING IN
24 THEIR LIVES.

25 THE COURT: THEY GOT HOME BEFORE THAT, DIDN'T THEY?

26 THE WITNESS: THEY DID.

27 I TALKED TO MY MOM AND SHE SAID SHE HAD BEEN
28 BACK AND HAD TO GO ON JURY DUTY.

1 THE COURT: WHEN WAS THAT?

2 THE WITNESS: WHEN DID SHE GO TO JURY DUTY?

3 THE COURT: NO.

4 HOW SOON BEFORE THE JUNE 6TH NIGHT, DID SHE GET
5 BACK?

6 THE WITNESS: SHE GOT BACK LIKE A WEEK EARLY.

7 THE COURT: YES, I KNOW.

8 WHY DID YOU CALL HER THAT PARTICULAR NIGHT?

9 THE WITNESS: I DIDN'T KNOW SHE WAS GETTING BACK.

10 MY MOM TOLD ME SHE WAS GETTING BACK ON JUNE 6.
11 SHE PLANNED TO BE BACK IN THREE WEEKS.

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1 THE COURT: YOU DIDN'T CALL EARLIER?

2 THE WITNESS: I DIDN'T. I HAD WRITTEN ON MY CALENDAR
3 "PARENTS RETURN FROM ALASKA," SO I CALLED MY MOM.

4 THE COURT: ON WHAT DATE?

5 THE WITNESS: JUNE 6.

6 THAT NIGHT, I CALLED THEM THAT NIGHT AND SHE
7 SAID, "WE HAVE BEEN BACK FOR A WHILE."

8 I SAID, "OKAY. HOW WAS YOUR TRIP?"

9 THE COURT: ALL RIGHT, THAT IS FINE. THAT IS ALL I
10 WANTED TO KNOW.

11 THANK YOU VERY MUCH.

12 OR, INCIDENTALLY, DID YOU EVER TALK TO THE
13 DEFENDANT AT ALL ABOUT THE TESTIMONY THAT YOU WERE GOING
14 TO GIVE IN COURT?

15 THE WITNESS: NO, I HAVE NOT.

16 THE COURT: NEVER DID?

17 THE WITNESS: I HAVE DISCUSSED IT. I REMEMBER THINGS
18 AND, YOU KNOW.

19 THE COURT: YOU DIDN'T DISCUSS IT IN ADVANCE OF YOUR
20 TESTIMONY HERE, DID YOU?

21 THE WITNESS: NO.

22 THE COURT: ALL RIGHT, NOW YOU MAY CONTINUE YOURS.

23 MR. BARENS: WHY DON'T WE LET THE PROSECUTOR GO AND
24 FOLLOW SUIT?

25 THE COURT: YOU GO AHEAD.

26 MR. BARENS: THEY SHOULD GO FIRST, ON CROSS-EXAMINATION.

27 THE COURT: IT IS YOUR WITNESS.

28 MR. BARENS: WE ARE HAVING CROSS-EXAMINATION.

1 THE COURT: GO AHEAD.

2 MR. BARENS: I WILL GO AHEAD BUT I AM GOING TO RESERVE
3 TO COME BACK.

4 THE COURT: WELL, ANY TIME YOU WANT TO ASK ANY RELEVANT
5 QUESTIONS, YOU ARE ENTITLED TO DO SO.

6

7 FURTHER REDIRECT EXAMINATION

8 BY MR. BARENS

9 Q ALL RIGHT. OVER WHAT PERIOD OF TIME, YOU ESTIATED
10 FOR HIS HONOR, THAT JOE HAD GIVEN YOU FIFTEEN TO TWENTY
11 THOUSAND DOLLARS, I THINK WAS YOUR ESTIMATE, AND OVER WHAT
12 PERIOD OF TIME DID HE GIVE THAT TO YOU?

13 A OVER A YEAR AND A HALF, TWO YEARS.

14 THE COURT: DO YOU KNOW WHERE HE GOT THE MONEY FROM?

15 THE WITNESS: FROM WORK. HE WAS WORKING.

16 THE COURT: ALL RIGHT. ANYTHING ELSE, MR. WAPNER?

17

18 RECROSS-EXAMINATION

19 BY MR. WAPNER:

20 Q WAS THE MONEY THAT HE GAVE TO YOU DURING THE
21 TIME THAT YOU WERE LIVING WITH HIM?

22 A YES.

23 Q HOW LONG AFTER YOU STARTED LIVING WITH HIM DID
24 HE START GIVING YOU MONEY?

25 A I DIDN'T HAVE ANY MONEY WHEN I MOVED IN. I
26 HAD LIKE \$50 IN MY BANK ACCOUNT, SO PRETTY SOON, HE STARTED
27 GIVING ME MONEY.

28 Q AND WAS THERE A PERIOD IN 1984 WHERE IT APPEARED

1 THAT MONEY WAS GETTING TIGHTER AT THE BBC?

2 A I DON'T KNOW.

3 Q AS FAR AS YOU KNOW, WHEN YOU NEEDED THE MONEY,
4 YOU GOT IT FROM JOE HUNT AND THAT WAS ALL YOU NEEDED TO KNOW?

5 A YEAH, I GUESS SO.

6 Q WHO IS THE GIRL IN THE PHOTOGRAPH AT EVAN'S HOUSE
7 THAT YOU REFERRED TO?

8 A DEBRA CORDAY.

9 SHE MIGHT BE HERE. SHE WAS HERE EARLIER.

10 SHE HAS GOT BLACK FRIZZY HAIR, YOU KNOW.

11 Q THE NAME IS SUFFICIENT. THANK YOU.

12 DID YOU OFTEN DO THE COOKING AT THE WILSHIRE
13 MANNING?

14 A I ATTEMPTED TO, YES.

15 Q WHO ELSE COOKED?

16 MR. BARENS: YOUR HONOR, I FAIL TO SEE THE RELEVANCY
17 OF WHO COOKED AND DIDN'T COOK. IT IS QUITE WELL BEYOND THE
18 SCOPE.

19 THE COURT: ARE YOU LEADING UP TO SOMETHING?

20 MR. WAPNER: WELL, I AM JUST CURIOUS, YES.

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4-1
1 MR. BARENS: YOUR HONOR, WE ARE WAY BEYOND -- YOUR HONOR,
2 WE HAVE GOT 800 RULES -- 800 YEARS OF RULES, HERE. WE ARE
3 WAY BEYOND THE SCOPE AND --

4 THE COURT: WELL, YOU DON'T HAVE TO MAKE A SPEECH. I
5 HAVE TOLD YOU THAT A DOZEN TIMES. IF YOU OBJECT TO THE
6 QUESTION, I WILL SUSTAIN YOUR OBJECTION. ALL RIGHT?

7 MR. BARENS: YES, I OBJECT AND --

8 THE COURT: THAT IS ENOUGH, NOW. I SUSTAINED THE
9 OBJECTION.

10 MR. BARENS: YOU DID? WELL, ALL RIGHT. SORRY. I MISSED
11 IT. I WAS TAKEN BY SURPRISE.

12 MR. WAPNER: LET ME SEE IF I CAN ASK IT A LITTLE MORE
13 DIRECTLY.

14 (LAUGHTER IN THE COURTROOM.)

15 Q BY MR. WAPNER: WHEN YOU ARE DONE WITH YOUR MAKEUP --

16 A IT IS NOT MAKEUP. IT IS CHAPSTICK BECAUSE MY LIPS
17 ARE CHAPPED. IF I COULD HAVE A LITTLE BIT MORE WATER, I WOULD
18 APPRECIATE IT, TOO, PLEASE.

19 THE COURT: GET HER SOME WATER, PLEASE.

20 THE WITNESS: I NEED WATER FOR MY HYGIENE. JESUS.

21 THE COURT: DON'T USE WORDS LIKE THAT, WILL YOU PLEASE?

22 THE WITNESS: SORRY.

23 THE COURT: STRIKE THAT.

24 MR. BARENS: COULD YOU STRIKE THE MAKEUP LINE?

25 THE COURT: WE'LL STRIKE THE WORD "JESUS," TOO.

26 ALL RIGHT. WE'LL STRIKE IT ALL. ANYTHING FURTHER?

27 Q BY MR. WAPNER: I BELIEVE THAT YOU WERE SAYING --
28 I WAS JUST WONDERING ABOUT THE \$500 A MONTH FOR GROCERIES AT

4-2
1 THE WILSHIRE MANNING. I ASSUME THAT MEANS THAT PEOPLE ATE
2 IN MOST OF THE TIME AND THERE WAS A LOT OF COOKING GOING ON?

3 MR. BARENS: OBJECTION.

4 THE WITNESS: YES.

5 MR. BARENS: OBJECTION, RELEVANCY. ARGUMENTATIVE.

6 THE COURT: I WILL SUSTAIN THE OBJECTION. I WILL STRIKE
7 THE ANSWER. SHE SAID YES AND IT IS STRICKEN.

8 MR. WAPNER: NOTHING FURTHER.

9 THE COURT: NOTHING FURTHER? ALL RIGHT. THANK YOU.

10 YOU MAY STEP DOWN. YOU ARE EXCUSED.

11 CALL YOUR NEXT WITNESS.

12 MR. BARENS: THE DEFENSE WILL CALL LYNNE ROBERTS.

13
14 LYNNE ROBERTS,

15 CALLED AS A WITNESS BY THE DEFENDANT, WAS SWORN AND TESTIFIED
16 AS FOLLOWS:

17 THE CLERK: RAISE YOUR RIGHT HAND TO BE SWORN.

18 YOU DO SOLEMNLY SWEAR THAT THE TESTIMONY YOU MAY
19 GIVE IN THE CAUSE NOW PENDING BEFORE THIS COURT SHALL BE THE
20 TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH, SO HELP YOU
21 GOD?

22 THE WITNESS: I DO.

23 THE CLERK: PLEASE BE SEATED THERE AT THE WITNESS STAND.
24 STATE AND SPELL YOUR NAME FOR THE RECORD.

25 THE WITNESS: LYNNE ROBERTS, L-Y-N-N-E.
26
27
28

DIRECT EXAMINATION

1
2 BY MR. BARENS:

3 Q GOOD AFTERNOON, MRS. ROBERTS. MRS. ROBERTS,
4 PERHAPS YOU SHOULD PULL YOUR CHAIR UP SO YOU CAN BE MORE
5 COMFORTABLE AND SPEAK INTO THE MICROPHONE.

6 MRS. ROBERTS, ARE YOU THE MOTHER OF BROOKE ROBERTS?

7 A YES.

8 Q DO YOU KNOW JOE HUNT?

9 A YES.

10 Q WHEN DID YOU FIRST MEET JOE HUNT?

11 A WHEN HE AND BROOKE FIRST STARTED DATING IN 1983,
12 NOVEMBER OR DECEMBER OF 1983, I THINK IT WAS.

13 Q ALL RIGHT. WHEN YOU FIRST --

14 A OR '82. EXCUSE ME. I AM NOT SURE.

15 Q 1982 --

16 A YES. IT WAS FOUR YEARS AGO. IT WILL BE FOUR
17 YEARS IN DECEMBER.

18 Q WHEN YOU FIRST MET JOE HUNT, WAS BROOKE LIVING
19 AT HOME WITH YOU?

20 A YES.

21 Q AND WHO ELSE LIVED IN THAT HOUSE AT THAT TIME?

22 A I THINK IT WAS ONE OTHER SON AND A FRIEND. EXCUSE
23 ME, IT WAS TWO OF MY SONS AND A FRIEND AND BROOKE.

24 Q ALL RIGHT. HOW MANY SONS DO YOU HAVE?

25 A I HAVE THREE SONS.

26 Q AND YOUR HUSBAND LIVED THERE WITH YOU, AS WELL?

27 A YES.

28 Q AND WHEN YOU FIRST MET JOE, DID BROOKE BRING HIM

1 OVER TO THE HOUSE?

2 A YES.

3 Q AND DO YOU RECALL APPROXIMATELY WHAT MONTH OR YEAR
4 IT WAS?

5 A IT WAS IN DECEMBER BECAUSE IT WAS AROUND
6 CHRISTMASTIME. I HAD HAD ALL MY CHRISTMAS DECORATIONS UP.

7 Q DID THEY COMMENCE DATING, TO YOUR KNOWLEDGE?

8 A YES. THEY STARTED DATING THEN.

9 Q ALL RIGHT. DID THERE COME A TIME WHEN BROOKE MOVED
10 OUT OF THE HOUSE TO LIVE WITH MR. HUNT?

11 A YES.

12 Q DO YOU REMEMBER APPROXIMATELY WHEN THAT WAS?

13 A WELL, I THINK IT WAS LIKE MAYBE THE FOLLOWING APRIL
14 BUT I AM REALLY NOT SURE.

15 Q DO YOU KNOW WHERE THEY MOVED AT THAT TIME?

16 A YES. THEY WERE LIVING IN THE VALLEY.

17 Q DID YOU EVER GO OUT THERE, WHERE THEY LIVED?

18 A YES.

19 Q AND WAS IT IN A CONDOMINIUM OF SORTS?

20 A YES.

21 Q HOW DID YOU FEEL ABOUT YOUR DAUGHTER MOVING OUT
22 WITH JOE HUNT?

23 A I DIDN'T LIKE IT.

24 Q WHY NOT?

25 A WELL, I FELT THAT SHE WAS MUCH TOO YOUNG. I WANTED
26 HER TO GO AWAY TO COLLEGE AND GET HER EDUCATION. SO I WAS
27 VERY UPSET.

28 Q DID THAT PRODUCE SOME STRAIN IN YOUR RELATIONSHIP

4-5
1 WITH BROOKE?

2 A YES.

3 Q DID THERE COME A TIME WHEN YOU AND YOUR HUSBAND
4 WENT TO ALASKA?

5 A YES.

6 Q AND WHEN DID YOU GO TO ALASKA?

7 A IN MAY. WE LEFT MAY THE 16TH, 1984.

8 Q DO YOU KEEP A DAY-BY-DAY DIARY?

9 A YES.

10 Q DID I ASK YOU TO BRING TO COURT TODAY, YOUR DAY-BY-
11 DAY DIARY?

12 A YES.

13 Q WOULD YOU PLEASE TAKE OUT YOUR DIARY?

14 WHAT I WOULD LIKE TO DO IS MARK THE DIARY, WITH
15 THE WITNESS'S PERMISSION.

16 MRS. ROBERTS, I AM GOING TO ASK THAT THE DIARY
17 BE MARKED BY THE DEFENSE AS EVIDENCE. THAT MEANS YOU ARE GOING
18 TO BE WITHOUT IT FOR A WHILE. WOULD YOU AGREE TO THAT, PLEASE?

19 A YES. I DO AGREE.

20 MR. BARENS: THAT WOULD BE DEFENDANT'S NEXT, WHEREVER
21 WE ARE, YOUR HONOR. I THINK IT IS JJ.

22 THE COURT: MM.

23 MR. BARENS: THANK YOU, SIR.

24 Q I AM GOING WITH YOUR PERMISSION, TO PUT ON THE
25 COVER PAGE OF THIS, DEFENDANT'S MM.

26 A OKAY.

27 Q NOW MRS. ROBERTS, DID I ASK YOU TO REVIEW THAT
28 DAY-BY-DAY DIARY?

24-
1 A YES.

2 Q TO FIND A DATE FOR ME?

3 A YES.

4 Q DID YOU FIND AN ENTRY THAT WILL SHOW WHAT DATE
5 YOU WENT TO ALASKA?

6 A YES.

7 Q COULD YOU PLEASE TURN TO THAT?

8 A YES.

9 I HAVE GOT TO GET MY GLASSES ON.

10 Q IF YOU WOULD.

11 A IT IS RIGHT HERE.

25F
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5-
1 THE WITNESS: HERE, YOU SEE.

2 Q BY MR. BARENS: WHAT DAY DOES THAT SHOW?

3 A WEDNESDAY, THE 16TH OF MAY.

4 Q AND THE YEAR IS 1984?

5 A YES.

6 Q AND WHAT DOES IT SAY THERE?

7 A IT JUST SAYS "LEAVE FOR ALASKA."

8 Q NOW, ON THE PAGE TO ITS RIGHT, DO YOU HAVE CERTAIN
9 WORDS WRITTEN ON THE DAYS?

10 A WELL, I MARK IT, YOU KNOW. I JUST WROTE "ALASKA,
11 ALASKA," AND THEN, YOU KNOW, WHERE MY DAY LADY CAME AND
12 WORKED.

13 MR. BARENS: NOW I WOULD LIKE TO SHOW THAT TO THE JURY,
14 IF I MIGHT.

15 MR. WAPNER: MAY I SEE IT FIRST, PLEASE?

16 MR. BARENS: YES.

17 WE WILL BE SHOWING OTHER PAGES AS WELL, SIR.

18 (PAUSE IN PROCEEDINGS.)

19 MR. BARENS: MAY I DISPLAY THE PAGES, SIR?

20 THE COURT: GO AHEAD.

21 (MR. BARENS EXHIBITS DOCUMENT TO JURY.)

22 Q BY MR. BARENS: NOW, WHEN YOU PLANNED THE TRIP
23 TO ALASKA, HOW LONG DID YOU PLAN TO BE GONE?

24 A WE PLANNED TO BE GONE THREE WEEKS ORIGINALLY.

25 Q AND WHEN DID YOU PLAN TO RETURN FROM ALASKA?

26 A WELL, IT WAS GOING TO BE THREE WEEKS FROM THIS
27 DAY, JUNE 6TH.

28 Q DID YOU MAKE AN ENTRY IN YOUR BOOK AS TO WHAT DAY

1 YOU WERE TO RETURN FROM ALASKA?

2 A YES.

3 Q AND DO YOU FIND THAT IN YOUR BOOK?

4 A YES. IT IS RIGHT HERE.

5 Q AND DID YOU STRIKE IT OUT?

6 A YES, I DID.

7 Q ALL RIGHT. PRIOR TO LEAVING FOR ALASKA, WERE YOU
8 SUPPOSED TO HAVE BEEN ON JURY DUTY?

9 A YES.

10 Q AND HAD YOU BEEN CALLED FOR JURY DUTY ON MORE THAN
11 ONE OCCASION AT THAT POINT IN TIME?

12 A YES. I HAD BEEN CALLED -- WELL, THE ORIGINAL TIME
13 I HAD GOT CALLED AND THEN I ASKED IF IT COULD BE, YOU KNOW,
14 POSTPONED TO ANOTHER TIME BECAUSE OF BUSINESS, YOU KNOW, A
15 TRIP OR SOMETHING WITH MY HUSBAND AND I THEN -- THEY SAID
16 OKAY.

17 AND THEN I ASKED FOR AN EXCUSE AGAIN. SO THIS
18 TIME WHEN I GOT THE NOTICE, YOU KNOW, I WAS JUST GOING TO GO
19 AND THEN BECAUSE OF OUR TRIP TO ALASKA, I CALLED AND I ASKED
20 IF IT COULD BE POSTPONED, LIKE PUSHED UP TO THE FOLLOWING
21 MONTH AND THEY DIDN'T GRANT ME THAT PERMISSION.

22 THEY SAID I ALREADY HAD TWO EXCUSES FOR POSTPONE-
23 MENT AND THEY WOULDN'T PUT IT BACK, YOU KNOW, UNTIL JUNE OR
24 JULY SO I HAD TO COME BACK.

25 Q PRIOR TO THAT TIME, HAD YOU TOLD YOUR DAUGHTER,
26 BROOKE, WHEN YOU WERE RETURNING FROM ALASKA?

27 A I TOLD BROOKE AND I TOLD EVERYBODY IN MY FAMILY,
28 YOU KNOW, ALL MY KIDS AND MY FRIENDS.

5--
1 Q WHEN DID YOU TELL THEM YOU WERE RETURNING FROM
2 ALASKA, ON WHAT DATE?

3 A JUNE 6TH, THE THREE WEEKS.

4 Q NOW, BECAUSE OF YOUR JURY DUTY, DID YOU HAVE TO
5 CHANGE YOUR PLANS?

6 A YES, I DID.

7 Q WHAT DAY DID YOU RETURN FROM ALASKA?

8 A I RETURNED ON MEMORIAL DAY, THE 28TH, AT
9 2 O'CLOCK IN THE MORNING.

10 Q DID YOU ENTER THAT IN YOUR BOOK?

11 A YES, I DID.

12 Q DID YOU ENTER IT IN AT THE TIME YOU DID IT?

13 A WHEN I RETURNED?

14 Q YES.

15 A YES.

16 Q ALL RIGHT. IS THERE AN ENTRY ON JUNE 28TH?

17 A YES.

18 THE COURT: JUNE 28TH?

19 MR. BARENS: I AM SORRY. MAY 28TH.

20 THE WITNESS: MAY 28TH.

21 MR. BARENS: THE BOOK HAS MAY/JUNE.

22 THE WITNESS: IT SAYS "ALASKA LEFT 6:30 P.M. ARRIVED
23 2 A.M., L.A."

24 Q BY MR. BARENS: IS IT YOUR PRACTICE TO MAKE THOSE
25 TYPES OF ENTRIES IN YOUR BOOK ABOUT WHERE YOUR COMINGS AND
26 GOINGS OCCUR?

27 A YES.

28 Q DO YOU DO IT CONTEMPORANEOUSLY WITH THOSE EVENTS?

5-
1 A UH-HUH.

2 MR. WAPNER: IS THAT YES?

3 THE WITNESS: YES.

4 Q BY MR. BARENS: NOW, MRS. ROBERTS, DID YOU MAKE
5 AN ENTRY FOR THE NEXT BUSINESS DAYS, IN OTHER WORDS, FOR
6 TUESDAY AND WEDNESDAY AND THURSDAY AND FRIDAY OF THAT WEEK?

7 A YES, I WROTE "JURY DUTY," YOU KNOW, "JURY DUTY."

8 Q YOU WROTE "JURY DUTY" FOR EACH ONE OF THOSE DAYS,
9 DID YOU NOT?

10 A YES.

11 Q SIMILAR TO THE WAY YOU ENTERED THE WORD "ALASKA"
12 FOR THE DAYS YOU WERE IN ALASKA?

13 A YES.

14 Q BY THE WAY, DID YOU CONTINUE ON JURY DUTY THE
15 WEEK COMMENCING JUNE 4TH, 5TH, 6TH?

16 A YES.

17 Q AND DID YOU MAKE AN ENTRY?

18 A YES.

19 Q AND WHAT DOES IT SAY?

20 A IT JUST SAYS, YOU KNOW "JURY, JURY, JURY." AND
21 I MADE LIKE A LITTLE HALF A BOX AROUND IT AND ALSO ON THE 7TH
22 AND 8TH, THAT IS WHEN I FINISHED.

23 Q ON THE 8TH OF JUNE?

24 A YES.

25 Q 1984?

26 A YES.

27 Q NOW, WHEN YOU CAME BACK FROM ALASKA, AS I
28 UNDERSTAND IT, IT WAS ON MONDAY, JUNE THE 28TH?

5-
1 A UH-HUH.

2 Q IS THAT CORRECT?

3 A MAY. MEMORIAL DAY.

4 Q I DID IT AGAIN. MAY 28TH.

5 ARE YOU TELLING ME THE SOLE REASON YOU RETURNED
6 EARLY ON THAT DATE WAS BECAUSE OF YOUR JURY DUTY COMMITMENT?

7 A YES.

8 Q ALL RIGHT. WHEN YOU CAME BACK FROM ALASKA, DID
9 YOU CALL BROOKE TO TELL HER YOU WERE BACK EARLY?

10 A WELL, NO, I DIDN'T.

11 Q WHY DID YOU NOT CALL HER TO TELL HER YOU WERE BACK
12 EARLY?

13 A BECAUSE SHE -- SHE THOUGHT THAT I WAS COMING THE
14 WEEK LATER.

15 I GOT IN AT 2 O'CLOCK IN THE MORNING AND I STARTED
16 ON JURY DUTY. I HAD TO BE THERE AT 8:15 THAT FIRST MEETING
17 AND THEN IT WAS JURY DUTY EVERY DAY, AND SO I DIDN'T CALL HER
18 TO TELL HER BECAUSE SHE KNEW THAT I WAS GOING TO BE GONE THAT
19 EXTRA WEEK ANYWAY AND ALSO, YOU KNOW, I WAS UNCOMFORTABLE WITH
20 CALLING BROOKE.

21 WE KIND OF HAD AN AGREEMENT THAT BROOKE CALLED
22 ME UNLESS THERE WAS AN EMERGENCY IN THE FAMILY OR SOMETHING,
23 SHE WOULD JUST CHECK IN WITH ME.

24 Q DURING THE PERIOD OF TIME AFTER SHE MOVED OUT OF
25 THE HOUSE --

26 A UH-HUH.

27 Q -- WAS IT THE NATURE OF YOUR RELATIONSHIP WITH
28 BROOKE THAT DURING THAT PERIOD OF TIME THAT SHE WOULD CALL

25-
1 YOU RATHER THAN YOU CALL HER?

2 A YES.

3 Q DID YOU FEEL SOME AWKWARDNESS IN CALLING THE
4 WILSHIRE MANNING?

5 A YES, I DID.
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1 Q DID YOU RECEIVE A CALL FROM BROOKE ON JUNE 6TH?

2 A YES I DID.

3 Q WHAT TIME DID YOU RECEIVE THE CALL?

4 A WELL, IT WAS IN THE EVENING. AND I WAS, BECAUSE
5 OF BEING ON JURY DUTY -- I WAS IN BED WATCHING THE 10 O'CLOCK
6 NEWS BECAUSE I HAD TO BE ASLEEP BY 11:00. AND SO IT WAS
7 PROBABLY -- IT COULD HAVE BEEN 10:30, YOU KNOW, OR 10:45.
8 I DON'T RECALL THE EXACT TIME. I JUST KNOW THAT TIME.

9 Q ALL RIGHT. WHEN SHE CALLED ON THE PHONE, DID YOU
10 ANSWER THE PHONE YOURSELF, DIRECTLY?

11 A YES I DID.

12 Q WHEN SHE SPOKE TO YOU ON THE PHONE, WHAT DID SHE
13 SAY TO YOU?

14 A WELL, SHE ASKED ME HOW WAS ALASKA AND SHE SAID,
15 "YOU JUST GOT BACK, DIDN'T YOU?"

16 I SAID, "NO. ACTUALLY, I HAVE BEEN BACK FOR A
17 WEEK."

18 AND I EXPLAINED THAT I HAD TO COME BACK BECAUSE
19 OF JURY DUTY.

20 AND WE TALKED ABOUT ALASKA. THEN SHE TOLD ME THAT
21 SHE HAD THIS WONDERFUL NEWS THAT SHE WANTED ME TO KNOW THAT
22 JOE HAD MADE THIS BIG DEAL AND GOTTEN THIS BIG CHECK FOR A
23 MILLION AND A HALF DOLLARS AND THEY WERE ALL EXCITED AND THEY
24 WERE LIKE, CELEBRATING -- JUST REAL HAPPY ABOUT IT.

25 AND SO, YOU KNOW, I JUST SAID CONGRATULATIONS AND
26 I ASKED IF JOE WAS THERE. SHE SAID HE WAS.

27 AND SO, HE GOT ON THE PHONE. AND HE ASKED ME ABOUT
28 ALASKA FIRST. AND THEN WE JUST TALKED ABOUT THAT HE HAD MADE --

1 GOTTEN THIS -- RECEIVED THAT CHECK THAT DAY OR SOMETHING.
2 I SAID CONGRATULATIONS AND I GOT OFF THE PHONE.

3 WELL, YOU KNOW, BROOKE GOT BACK ON THE PHONE AND
4 THEN WE SAID GOOD-BYE. THAT WAS IT.

5 Q SO AS I UNDERSTAND IT, BROOKE CALLED YOU. YOU
6 TALKED ABOUT ALASKA?

7 MR. WAPNER: OBJECTION, LEADING. ASKED AND ANSWERED.
8 HE IS REHASHING WHAT WAS PREVIOUSLY STATED.

9 MR. BARENS: I AM ONLY ON MY SECOND TIME. WE HAVE
10 15 TO GO.

11 Q ALL RIGHT. YOU TALKED ABOUT ALASKA. SHE TOLD
12 YOU THAT HE HAD MADE A BIG -- MADE SOME MONEY?

13 A UH-HUH.

14 Q DO YOU REMEMBER EXACTLY WHAT SHE SAID OR COULD
15 YOU TELL ME TO THE BEST OF YOUR RECOLLECTION WHAT DID BROOKE
16 SAY TO YOU ABOUT THE BUSINESS TRANSACTIONS JOE HUNT HAD BEEN
17 INVOLVED IN? CAN YOU TELL ME THE SUBSTANCE OF IT?

18 A IT WAS JUST LIKE I TOLD YOU. SHE WAS JUST --
19 THEY WERE VERY EXCITED ABOUT HIM MAKING THAT BIG DEAL. HE
20 HAD RECEIVED THIS BIG CHECK. AND YOU KNOW, I SAID, "THAT'S
21 TERRIFIC." I MEAN --

22 Q DID BROOKE TELL YOU HOW MUCH THE CHECK WAS FOR?

23 A YES, A MILLION AND A HALF DOLLARS.

24 Q NOW, DID YOU ASK TO SPEAK TO JOE OR DID BROOKE
25 ASK YOU TO SPEAK TO JOE?

26 A I ASKED TO SPEAK TO JOE TO CONGRATULATE HIM.

27 Q ALL RIGHT. AND THEN DID BROOKE PUT JOE ON?

28 A AS I RECALL.

1 Q THAT IS ALL THAT I CAN ASK YOU, TO THE BEST OF
2 YOUR RECOLLECTION, MRS. ROBERTS.

3 MRS. ROBERTS, YOU THEN SPOKE TO JOE HUNT?

4 A YES.

5 Q YOU HAD SPOKEN TO JOE HUNT ON OTHER OCCASIONS BY
6 TELEPHONE, HAD YOU NOT?

7 A YES.

8 Q SO YOU KNEW WHO HE WAS AND WHAT HE SOUNDED LIKE
9 ON THE TELEPHONE?

10 A OF COURSE.

11 Q ALL RIGHT. WHEN YOU SPOKE TO HIM, COULD YOU TELL
12 ME THE SUBSTANCE OF WHAT HE SAID TO YOU?

13 A WELL, HE WAS VERY INTERESTED IN THE ALASKA TRIP.
14 HE WANTED TO KNOW, YOU KNOW, BECAUSE IT WAS A VERY STRANGE
15 THING THAT MY HUSBAND AND I WERE GOING YOU KNOW, OUT IN THE
16 WILD AND LIVING IN TENTS AND THINGS.

17 SO HE WAS VERY INTERESTED IN THAT. THAT IS WHAT
18 WE TALKED ABOUT. I SAID YOU KNOW, CONGRATULATIONS. HE SAID
19 THANK YOU. AND I MEAN YOU KNOW, THAT WAS IT.

20 Q HOW DID MR. HUNT SEEM? EXCITED?

21 A YES. HE WAS VERY EXCITED.

22 Q HOW LONG -- AND THEN YOU GOT ON THE PHONE WITH
23 BROOKE AGAIN?

24 A UH-HUH. AFTER YOU KNOW, I SAID CONGRATULATIONS
25 TO HIM. THEN BROOKE GOT BACK ON THE PHONE AND WE TALKED FOR
26 A MINUTE.

27 Q DID BROOKE TELL YOU HOW MUCH THE CHECK WAS FOR?

28 A YES.

1 Q ALL RIGHT. BEFORE YOU TALKED TO JOE?

2 A YES.

3 Q ALL RIGHT. HOW MUCH DID SHE TELL YOU THE CHECK
4 WAS FOR?

5 A A MILLION AND A HALF DOLLARS.

6 Q DID JOE TELL YOU HOW MUCH THE CHECK WAS FOR?

7 A HE COULD HAVE. I DON'T RECALL HIM TELLING ME.

8 I JUST CONGRATULATED HIM ON THIS, YOU KNOW. HE
9 HAD BEEN WORKING ON THIS BUSINESS DEAL AND HE GOT THIS CHECK.
10 THAT IS ALL I KNOW.

11 Q DID THEY TELL YOU -- DID EITHER BROOKE OR JOE TELL
12 YOU WHOM HE GOT THE MONEY FROM?

13 A NO. HE JUST SAID IT WAS -- BROOKE SAID THAT HE
14 HAD BEEN WORKING ON THIS BUSINESS DEAL AND HE GOT THIS CHECK.

15 Q HOW LONG DID THAT -- STRIKE THAT.

16 YOU SAID YOU SPOKE TO BROOKE A SECOND TIME?

17 A UH-HUH.

18 Q WHAT DID YOU TALK ABOUT THE SECOND TIME YOU SPOKE
19 TO BROOKE?

20 A JUST REALLY TO SAY GOOD-BYE TO HER, YOU KNOW,
21 AFTER I HAD SPOKEN TO BOTH OF THEM. THEN SHE GOT BACK ON THE
22 PHONE TO SAY GOOD-BYE. WE WERE GOING TO MAKE PLANS TO HAVE
23 LUNCH BUT I WAS ON JURY DUTY SO I COULDN'T. YOU KNOW, I TOLD
24 HER THAT I WAS GOING TO BE ON JURY DUTY.

25 Q WAS YOUR HUSBAND HOME WHEN YOU GOT THAT PHONE
26 CALL?

27 A NO.

28 Q HE CAME HOME LATER?

1 A YES.

2 Q HOW LONG DID THE PHONE CALL LAST?

3 A PROBABLY MAYBE 15 MINUTES, BETWEEN 15 AND 20
4 MINUTES, PROBABLY, AS I RECALL. I DON'T KNOW.

5 MR. BARENS: YOUR HONOR, WHILE I AM THINKING OF IT, I
6 WOULD LIKE TO HAVE A WAY TO MARK THE PAGES IN THE BOOK THAT
7 I HAVE BEEN REFERRING TO.

8 THE COURT: DO YOU WANT TO TAKE THEM OUT?

9 MR. BARENS: WOULD THERE BE ANY OBJECTION FROM THE COURT
10 OR THE PEOPLE IF I JUST REMOVED FROM THE EXHIBIT THE PAGES
11 THAT I AM REFERRING TO?

12 MR. WAPNER: WELL, I CAN'T TELL YOU NOW UNTIL I HAVE
13 HAD MORE OF AN OPPORTUNITY TO LOOK AT IT.

14 MR. BARENS: MAYBE I COULD PAPERCLIP THEM.

15 THE COURT: JUST LEAVE IT THAT WAY FOR THE TIME BEING.

16 MR. BARENS: I COULD PAPERCLIP THE PAGES.

17 THE COURT: I THOUGHT THEY WERE PAPERCLIPPED?

18 MR. BARENS: NO. THERE IS ONLY ONE THAT HAS A PAPERCLIP.
19 I WOULD LIKE TO PAPERCLIP ALL OF THE PAGES THAT HAVE BEEN THE
20 SUBJECT OF TESTIMONY.

21 OTHERWISE, YOU CAN'T FIND IT VERY EASILY. PERHAPS
22 IF WE ARE GOING TO HAVE A BREAK, I COULD DO IT NOW.

23 THE COURT: ALL RIGHT. LADIES AND GENTLEMEN OF THE JURY,
24 WE'LL TAKE A 15-MINUTE RECESS AT THIS TIME. THE SAME ADMONITION
25 APPLIES.

26 (RECESS.)

27

28

1 THE COURT: ALL RIGHT, YOU MAY PROCEED.

2 MR. BARENS: THANK YOU, YOUR HONOR.

3

4

LYNNE ROBERTS,

5 CALLED AS A WITNESS BY THE DEFENDANT, HAVING BEEN PREVIOUSLY

6 SWORN, TESTIFIED AS FOLLOWS:

7

8

DIRECT EXAMINATION (RESUMED)

9 Q BY MR. BARENS: MRS. ROBERTS, DID YOU TELL YOUR
10 HUSBAND ABOUT THE TELEPHONE CALL YOU HAD GOTTEN FROM BROOKE?

11 A YES, I DID.

12 Q NOW, DID YOU MEET ME IN NOVEMBER OF 1984?

13 A YES.

14 Q DID YOU TELL ME ABOUT THE TELEPHONE CALL?

15 A YES.

16 Q DID I ASK YOU TO BE PRESENT AT MR. HUNT'S
17 PRELIMINARY HEARING IN BEVERLY HILLS?

18 A YES.

19 Q DID YOU COME THERE TO TESTIFY AT THE PRELIMINARY
20 HEARING?

21 A YES, I DID.

22 Q DID YOU TESTIFY AT THE PRELIMINARY HEARING?

23 A NO.

24 Q WHY DID YOU NOT TESTIFY?

25 A BECAUSE YOU TOLD ME THAT YOU HAD MADE A DECISION
26 THAT I SHOULDN'T TESTIFY.

27 Q AFTER THAT TIME, DID I TELL YOU WHO TO TALK TO
28 OR WHO NOT TO TALK TO CONCERNING WHAT YOU HAD TOLD ME?

27-2

1 A YOU SAID FOR ME NOT TO TELL ANYONE.

2 Q ALL RIGHT, NOW AFTER THAT TIME WHEN YOU TOLD
3 ME THAT ABOUT THE TELEPHONE CALL --

4 A UH-HUH.

5 Q -- DID YOU EVER MEET WITH ME AGAIN TO TALK ABOUT
6 YOUR TESTIMONY IN THIS MATTER?

7 A YES, LAST SUNDAY.

8 Q ALL RIGHT. BETWEEN THAT TIME IN 1984 IN NOVEMBER
9 AND LAST SUNDAY, HAD YOU AND I EVER TALKED ABOUT YOUR
10 TESTIMONY?

11 A NO.

12

13

14

15

16

17

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28

-1

1 Q WAS LAST SUNDAY THE FIRST TIME YOU HAD SHOWN
2 ME THIS BOOK?

3 A YES.

4 Q NOW, AFTER YOU TOLD ME ABOUT THE TELEPHONE CALL,
5 HAD I TOLD YOU TO TRY TO LOCATE ANY INFORMATION YOU HAD THAT
6 MIGHT BE HELPFUL IN CONFIRMING YOUR RECOLLECTION OF THE
7 TELEPHONE CALL?

8 A YES.

9 Q AND WAS THIS THE INFORMATION YOU CAME UP WITH?

10 A YES.

11 Q HAVE YOU EVER MET DEAN KARNY?

12 A YES.

13 Q WHEN DID YOU MEET DEAN KARNY?

14 A HE CAME OVER TO MY HOUSE.

15 Q AND WHO DID HE COME OVER TO MY HOUSE WITH?

16 A HE CAME OVER WITH JOE AND -- HE CAME OVER WITH
17 BROOKE AND JOE.

18 Q DO YOU RECALL WHEN THOSE OCCASIONS WERE IN POINT
19 OF TIME?

20 A JUST RIGHT, YOU KNOW, AROUND THE TIME THAT BROOKE
21 MET JOE AND JUST RIGHT AFTER THAT.

22 Q YOUR HUSBAND IS -- WHAT DOES YOUR HUSBAND DO
23 FOR A LIVING?

24 A WELL, HE IS A BUSINESSMAN. HE IS A FILM PRODUCER.
25 HE IS IN REAL ESTATE. HE HAS MANY -- YOU KNOW, HE IS A
26 BUSINESSMAN.

27 Q DOES YOUR HUSBAND HAVE A FINANCIAL INTEREST IN
28 THE OUTCOME OF THIS CASE?

1 A NO.

2 Q IS YOUR HUSBAND PRODUCING A FILM ON THIS CASE?

3 A NO.

4 MR. BARENS: NOTHING FURTHER.

5

6

CROSS-EXAMINATION

7

BY MR. WAPNER:

8

Q MRS. ROBERTS, YOU AND YOUR HUSBAND HAVE PUT UP
9 YOUR HOUSE AS COLLATERAL FOR MR. HUNT'S BAIL, IS THAT RIGHT?

10

A YES.

11

Q AND MR. HUNT HAS BEEN LIVING WITH YOU SINCE HE
12 GOT OUT OF CUSTODY, IS THAT RIGHT?

13

A YES.

14

Q ARE YOU AWARE THAT HE REFERS TO YOU AS HIS FAMILY?

15

A WELL, I HOPE HE DOES. I FEEL AS THOUGH HE IS
16 MY FAMILY.

17

Q DO YOU FEEL TOWARD HIM KIND OF LIKE A SON?

18

A UH-HUH, YES.

19

Q IS THAT YES?

20

A YES.

21

Q ALL RIGHT. AND YOU FELT THAT WAY FOR HOW LONG?

22

A WELL, FOR A LONG TIME. FOR A LONG TIME NOW.

23

ESPECIALLY -- WE BECAME EVEN CLOSER AFTER HIS ARREST.

24

Q WELL, DURING THE TIME THAT HE WAS LIVING WITH
25 YOUR DAUGHTER -- LET'S BACK UP. YOU SAY YOU BECAME CLOSER
26 AFTER HIS ARREST. WAS THAT DURING THE TIME THAT HE WAS IN
27 CUSTODY?

28

A YES.

29-1

1 Q DID YOU GO TO VISIT HIM WHEN HE WAS IN CUSTODY,
2 YOU YOURSELF?

3 A YES, I DID.

4 Q HOW OFTEN?

5 A ONCE A WEEK, TWICE A WEEK. I DON'T KNOW.

6 Q DID YOU GO WITH BROOKE?

7 A I WENT WITH BROOKE, YES.

8 Q AND WERE THERE OTHER OCCASIONS WHERE SHE WENT
9 WHEN YOU DID NOT GO?

10 A YES.

11 Q AND WERE THERE OCCASIONS WHERE YOU JUST WENT
12 BY YOURSELF TO VISIT HIM?

13 A YES.

14 Q AND DID YOU GO TO VISIT HIM AT LEAST ONCE A WEEK
15 DURING THE ENTIRE TIME HE WAS IN CUSTODY?

16 A YEAH, I THINK SO.

17 I MEAN I MIGHT HAVE MISSED A WEEK OR TWO
18 OCCASIONALLY, BUT I WENT ON A REGULAR BASIS, YES.

19 Q SO THAT IS ONCE A WEEK OR SO FOR A YEAR OR A
20 LITTLE OVER, RIGHT?

21 A UH-HUH.

22 Q IS THAT YES?

23 A YES.

24 Q AND WHEN HE GOT OUT, HE STARTED LIVING AT YOUR
25 HOUSE AND HE HAS BEEN LIVING THERE EVER SINCE?

26 A THAT'S RIGHT.

27 Q AND THAT HAS LIKEWISE BEEN FOR A LITTLE OVER
28 A YEAR?

1 A WELL, IT IS ABOUT A YEAR AND A HALF NOW. I THINK
2 HE GOT OUT IN NOVEMBER, A YEAR AND A HALF AGO.

3 Q AND WHO IS LIVING AT THE HOUSE, NOW, BESIDES
4 YOU, YOUR HUSBAND AND YOUR DAUGHTER AND MR. HUNT?

5 A AND OUR SON DARREN AND OUR SON CURTIS JUST MOVED
6 BACK ON SUNDAY, HE IS TEMPORARILY THERE.

7 Q AT THE TIME THAT BROOKE WAS LIVING AT THE
8 WILSHIRE MANNING, YOU SAID THAT YOU DIDN'T CALL THERE; WHY
9 IS THAT?

10 A WELL, I -- I DID CALL THERE BUT I JUST -- IT
11 WAS UNCOMFORTABLE FOR ME.

12 Q WHY?

13 A WHY?

14 WELL, BECAUSE MY AND BROOKE'S RELATIONSHIP WAS
15 STRAINED AND I FELT THAT I NEEDED TO GIVE HER ROOM TO JUST
16 BE HERSELF AND WITH, YOU KNOW, SO MANY PEOPLE THERE AND
17 ANSWERING THE PHONES OR NOT ANSWERING THE PHONES, I JUST
18 DIDN'T --

19 I JUST FELT AWKWARD IN CALLING THERE BECAUSE
20 I DIDN'T REALLY APPROVE OF HER LIVING THERE.

21 Q WHAT DO YOU MEAN "SO MANY PEOPLE ANSWERING THE
22 PHONES OR NOT ANSWERING THE PHONES," WHAT DOES THAT MEAN?

23 A WHAT DOES IT MEAN?

24 IT MEANS LIKE THERE WAS THREE OR FOUR PEOPLE
25 LIVING THERE ALL THE TIME.

26 Q WHY WOULD THAT MAKE YOU UNCOMFORTABLE TO CALL?

27 A WELL, THAT WASN'T THE PART THAT MADE ME SO
28 UNCOMFORTABLE.

1 WHAT MADE ME UNCOMFORTABLE WAS FOR ME TO CALL
2 BROOKE AND OUR RELATIONSHIP WAS KIND OF STRAINED AND I JUST
3 DIDN'T, YOU KNOW, CALL -- WELL, TELL HER THAT HER MOTHER
4 CALLED, I MEAN I WAS JUST UNCOMFORTABLE WITH THAT.

5 Q WHAT WAS YOUR RELATIONSHIP LIKE BEFORE SHE MOVED
6 OUT OF THE HOUSE TO MOVE IN WITH JOE HUNT?

7 A IT WAS JUST NORMAL MOTHER-DAUGHTER. GOOD, YOU
8 KNOW.

9 WE HAD OUR DISAGREEMENTS LIKE, I THINK, ALL MOTHERS
10 AND DAUGHTERS DO.

11 Q I AM SURE THAT IS TRUE AND I THINK THAT SINCE
12 THERE ARE SO MANY MOTHERS AND DAUGHTERS IN THE WORLD, THERE
13 IS PROBABLY NO SUCH THING AS A NORMAL MOTHER-DAUGHTER
14 RELATIONSHIP.

15 A THAT IS PROBABLY TRUE.

16 Q CAN YOU TRY TO EXPLAIN A LITTLE MORE THEN?

17 A I WAS VERY CLOSE WITH HER. SHE WAS CLOSE WITH
18 ME. WE HAVE ALWAYS BEEN A CLOSE FAMILY.

19 Q DID YOU TALK TO HER ABOUT YOUR PROBLEMS?

20 A ABOUT MY PROBLEMS? YOU MEAN WHAT KIND OF
21 PROBLEMS?

22 Q YOU SAID YOU WERE CLOSE.

23 DID YOU TALK ABOUT THINGS THAT WERE INTIMATE?

24 A YES.

25 Q AND SHE, LIKEWISE, CONFIDED IN YOU ABOUT THINGS?

26 A YES.

27

28

1 Q OKAY. AND I ASSUME SHE TALKED TO YOU ABOUT MOVING
2 OUT?

3 A YES.

4 Q AND YOU HAD SOME SORT OF A DISAGREEMENT ABOUT THAT?

5 A YES.

6 Q ALL RIGHT. DURING THE TIME SHE WAS LIVING AT HOME
7 YOU WERE SUPPORTING HER, YOUR FAMILY AND YOU AND YOUR HUSBAND?

8 A WELL, YES. BUT SHE ALWAYS WORKED PART-TIME. SHE
9 WORKED AT A LITTLE CLOTHING STORE IN WESTWOOD FROM THE TIME
10 SHE WAS 15.

11 Q AND DID SHE STOP WORKING WHEN SHE MOVED OUT TO
12 LIVE WITH JOE HUNT?

13 A DID SHE STOP WORKING?

14 Q RIGHT.

15 A WELL, SHE WAS WORKING AT LAURA ASHLEY, I THINK
16 IN CENTURY CITY. THEN I THINK SHE DID STOP WORKING. SHE WAS
17 TAKING SOME ART CLASSES AT UCLA AND ENGLISH LITERATURE.

18 Q AND SHE WORKED PART-TIME WHEN SHE WAS AT HOME?
19 IS THAT BECAUSE YOU ENCOURAGED HER TO DO THAT?

20 A I ENCOURAGED ALL MY CHILDREN TO WORK.

21 Q AND WERE YOU AWARE SHE HAD STOPPED WORKING WHEN
22 SHE MOVED OUT?

23 A I AM SURE. YEAH. PROBABLY. OF COURSE. I WAS.
24 I MEAN, I CAN'T RECALL WHEN SHE QUIT OR ANYTHING LIKE THAT.
25 BUT I CAN RECALL YOU KNOW, SPEAKING -- US SPEAKING TO EACH
26 OTHER ABOUT GOING TO LUNCH AND SHE WAS SAYING THAT SHE WAS
27 NOT WORKING, JUST GOING TO COLLEGE, UCLA EXTENSION.

28 Q HOW DID YOUR RELATIONSHIP WITH HER GET STRAINED

1 WHEN SHE MOVED OUT WITH JOE HUNT?

2 A WELL, GOT STRAINED BECAUSE I THOUGHT SHE WAS TOO
3 YOUNG. SHE WAS ONLY 18 YEARS OLD. I DID NOT APPROVE OF HER MOVING
4 IN.

5 Q AND WHEN YOU DIDN'T APPROVE OF HER MOVING IN, WHAT
6 DID YOU DO IN TERMS OF YOUR RELATIONSHIP WITH HER? HOW DID
7 THAT AFFECT YOUR RELATIONSHIP WITH HER?

8 A WELL, IN THE VERY BEGINNING, LIKE THE FIRST THREE
9 WEEKS, I WAS VERY ANGRY ABOUT IT.

10 AND THEN I JUST CAME TO THE CONCLUSION THAT I
11 JUST COULDN'T BE SO STUCK IN MY BELIEF SYSTEM THAT I WOULD
12 LOSE MY DAUGHTER.

13 Q AND ONCE YOU CAME TO THAT REVELATION AFTER ABOUT
14 THREE WEEKS, WHAT DID YOU DO?

15 A I WENT OUT TO THE APARTMENT, OUT IN THE VALLEY.
16 AND I TOLD HER.

17 Q THAT YOU DIDN'T WANT TO LOSE HER AND YOU WANTED
18 TO PATCH THINGS UP, KIND OF?

19 A AND THAT EVEN THOUGH I DIDN'T AGREE WITH HER, I
20 AT LEAST HAD BEEN HONEST WITH HER AND TOLD HER MY FEELINGS
21 AND SHE DIDN'T AGREE WITH ME.

22 BUT JUST BECAUSE I HAD A DIFFERENT BELIEF SYSTEM
23 THAN SHE DID, I WAS NOT WILLING TO GIVE UP OUR RELATIONSHIP.

24 Q AND DID THINGS GET BETTER AFTER THAT?

25 A YES.

26 Q AND SO THAT WAS SHORTLY AFTER SHE IN FACT, MOVED
27 IN WITH MR. HUNT?

28 A YES.

1 Q AND DID THINGS CONTINUE TO GET BETTER WITH HER
2 AFTER THAT?

3 A THEY JUST STAYED ON AN EVEN KEEL. I MEAN YOU KNOW,
4 IT WAS -- YEAH. SHE WAS -- YEAH.

5 I MEAN, WE WERE ALWAYS VERY CLOSE. SHE KNEW I
6 WAS ALWAYS THERE FOR HER.

7 AND I KNEW THAT IF I EVER REALLY NEEDED BROOKE,
8 I COULD CALL HER AND SHE WOULD BE THERE FOR ME.

9 Q AND SO, BASICALLY, THE CLOSE FEELINGS THAT YOU
10 HAD DIDN'T CHANGE THAT MUCH FROM THE TIME THAT SHE LIVED IN --

11 A MY LOVE DID NOT DIMINISH, NO.

12 Q AFTER YOU HAD THIS CONVERSATION WITH HER WHEN SHE
13 WAS LIVING IN THE VALLEY, HOW OFTEN DID YOU SPEAK WITH HER
14 AFTER THAT?

15 A WELL, IT SEEMED TO ME IT WAS LIKE, EVERY COUPLE
16 OF WEEKS.

17 Q HOW OLD WAS SHE WHEN SHE MOVED OUT?

18 A WELL, SHE WAS -- IT SEEMS LIKE SHE WAS 18. 18.
19 SHE HAD JUST GOTTEN OUT OF SCHOOL.

20 Q AND WHAT WAS YOUR RELATIONSHIP WITH MR. HUNT DURING
21 THAT TIME?

22 A IT WAS JUST FRIENDLY AND YOU KNOW -- I LIKED --
23 ALWAYS LIKED JOE A LOT. AND HE WAS ALWAYS A GENTLEMAN. AND
24 VERY POLITE AND NICE AND IT WAS NOT BETWEEN JOE AND ME.

25 IT WAS BETWEEN BROOKE AND I.

26 Q HOW OFTEN DID YOU TALK TO JOE HUNT ON THE
27 TELEPHONE?

28 A I DIDN'T TALK TO HIM AS OFTEN AS I TALKED TO

1 BROOKE. MAYBE -- YOU KNOW, I DIDN'T. BUT YOU KNOW, HE DROPPED
2 BY THE HOUSE A FEW TIMES AND --

3 Q WELL, LET'S START WITH THE TELEPHONE. HOW OFTEN
4 DID YOU TALK TO HIM ON THE TELEPHONE?

5 A I WOULD SAY ONCE A MONTH OR ONCE EVERY OTHER MONTH.
6 I CAN'T BE --

7 Q ONCE A MONTH OR ONCE EVERY TWO MONTHS?

8 A SOMETIMES IT WOULD BE ONCE A MONTH. SOMETIMES
9 I WOULDN'T SPEAK TO HIM FOR A COUPLE OF MONTHS.

10 Q HOW OFTEN DID YOU TALK TO HIM ABOUT BUSINESS ON
11 THE TELEPHONE?

12 A I DIDN'T TALK TO HIM ABOUT BUSINESS.

13 Q EVER?

14 A NO, HUH-UH. SOMETIMES -- I REMEMBER ONCE HE GOT
15 A PHONE CALL AT THE HOUSE. SOMEBODY CALLED THE HOUSE AND
16 WANTED HIS NUMBER.

17 AND SO I CALLED THE OFFICE AND I SAID THAT THIS
18 PERSON CALLED. I DON'T REMEMBER WHO IT WAS. IS IT OKAY FOR
19 ME TO GIVE HIM HIS NUMBER AND HE SAID YEAH, SO I DID.

20 Q BUT, THAT WAS NOT A CONVERSATION THAT YOU HAD WITH
21 JOE HUNT ABOUT BUSINESS?

22 A BUT THAT WAS THE CLOSEST THING TO BUSINESS ON THE
23 PHONE WITH JOE I EVER HAD, I THINK.

24

25

26

27

28

1-1

1 Q DID YOU EVER BECOME AWARE THAT HE HAD MADE OR
2 CLAIMED TO HAVE MADE \$8 MILLION TRADING COMMODITIES FOR RON
3 LEVIN?

4 A NO.

5 Q DID YOU EVER BECOME AWARE THAT HE HAD CLAIMED
6 THAT HE HAD OBTAINED A HALF INTEREST IN A SHOPPING CENTER
7 IN CHICAGO AS A RESULT OF TRADING COMMODITIES FOR RON LEVIN?

8 A NO.

9 Q DID HE EVER CALL YOU ON THE PHONE AND SHARE HIS
10 JOY WITH YOU ABOUT GETTING \$8 MILLION FROM MAKING A \$4 MILLION
11 PROFIT FROM RON LEVIN FOR TRADING COMMODITIES?

12 A NO.

13 MR. BARENS: OBJECTION.

14 I BEG YOUR PARDON. THESE QUESTIONS ARE NOT
15 OBVIOUSLY BEING ASKED IN GOOD FAITH ONCE AGAIN, YOUR HONOR.

16 THE COURT: HE IS ASKING THEM BECAUSE OF THE FACT THERE
17 WAS THIS CALL ABOUT A MILLION AND A HALF AND HE WANTS TO
18 KNOW WHETHER OR NOT SHE GOT ANY CALLS WHEN HE MADE ALL OF
19 THESE MONEYS, THAT IS ALL.

20 MR. BARENS: YES, SIR, THE WITNESS, IT IS CLEAR, IS
21 INDICATING --

22 THE COURT: I WILL OVERRULE THE OBJECTION.

23 MR. BARENS: I HAVEN'T QUITE MADE IT.

24 THE COURT: GO AHEAD.

25 Q BY MR. WAPNER: DID MR. HUNT EVER CALL YOU AND
26 TELL YOU THAT HE HAD GOTTEN A HALF INTEREST IN THIS SHOPPING
27 CENTER AS A RESULT OF HIS TRADING COMMODITIES WITH RON LEVIN?

28 A NO.

1 Q DID BROOKE EVER CALL YOU TO TELL YOU HOW HAPPY
2 SHE WAS ABOUT HIS GETTING THE SHOPPING CENTER FOR \$4 MILLION?

3 A SHE USED TO TALK ABOUT DIFFERENT THINGS WHEN
4 WE WOULD GO TO LUNCH.

5 THE COURT: HE ASKED YOU WHETHER OR NOT SPECIFICALLY
6 SHE CALLED YOU AND TOLD YOU THAT HE HAD GOTTEN AN INTEREST
7 IN SOME SHOPPING CENTER.

8 THE WITNESS: I DON'T RECALL THE WORDS "SHOPPING CENTER".

9 THE COURT: WHAT DO YOU RECALL?

10 THE WITNESS: I JUST RECALL HER CALLING ME AND TELLING
11 ME THAT, YOU KNOW, WHEN HE WOULD BE -- "OH, JOE HAS BEEN
12 WORKING HARD AND GREAT THINGS ARE HAPPENING."

13 I DIDN'T PAY THAT MUCH ATTENTION TO IT.

14 THE COURT: GO AHEAD.

15 Q BY MR. WARNER: YOU DON'T RECALL ANYTHING
16 SPECIFIC THAT THEY CALLED TO TELL YOU?

17 A NOT ANY SHOPPING CENTER, NO.

18 Q THE TRIP TO ALASKA --

19 WELL, FIRST OF ALL, LET'S START OUT WITH THE
20 JURY DUTY.

21 WHEN DID YOU FIRST GET SUMMONED FOR JURY DUTY?

22 A I DON'T KNOW. I DON'T REMEMBER.

23 Q WHAT YEAR WAS IT?

24 A WHAT YEAR WAS THE VERY FIRST TIME?

25 Q NO.

26 YOU RELATED TO US A SERIES OF EVENTS ABOUT JURY
27 DUTY THAT HAPPENED, AS CULMINATING AND HAVING TO CUT YOUR
28 TRIP TO ALASKA SHORT, RIGHT?

1 A RIGHT.

2 Q AND THAT YOU HAD BEEN SUMMONED --

3 A UH-HUH, YES.

4 Q JUST A MINUTE. I AM WAITING FOR THE REPORTER.
5 AND THAT YOU HAD POSTPONED THAT TWICE; IS THAT
6 RIGHT?

7 A YES.

8 Q NOW, THAT PARTICULAR CALL FOR JURY DUTY, WHEN
9 WAS THE FIRST TIME THAT YOU GOT THE CALL AND POSTPONED IT?

10 A I DON'T REMEMBER. I HONESTLY DON'T REMEMBER.

11 Q DID YOU WRITE IT DOWN?

12 A NO.

13 IT WAS BEFORE -- IT WAS BEFORE THAT. IT WAS
14 LIKE, I THINK IT WAS LIKE THAT PAST NOVEMBER, LIKE THE PAST
15 NOVEMBER.

16 Q THAT WAS THE FIRST TIME YOU GOT SUMMONED?

17 A I DON'T REMEMBER EXACTLY. I AM GUESSING.

18 Q ALL RIGHT. YOU POSTPONED IT FROM THE FIRST TIME,
19 RIGHT?

20 A TWO TIMES, I POSTPONED IT.

21 Q WELL, WE WILL GET TO THAT.

22 WHEN WAS THE TIME THAT YOU POSTPONED IT TO, WHICH
23 WOULD HAVE BEEN THEN THE SECOND TIME THAT YOU WERE SUPPOSED
24 TO GO?

25 A I DON'T KNOW. I DON'T REMEMBER.

26 Q YOU DIDN'T WRITE THAT DOWN?

27 A NO, BECAUSE I DIDN'T HAVE TO GO ON IT.

28 Q AND DO YOU REMEMBER WHY IT WAS THAT YOU HAD TO

1-4

1 POSTPONE IT THE SECOND TIME?

2 A THE SECOND TIME, I THINK I WAS DOING A SEMINAR,
3 BUT I AM NOT POSITIVE BUT IT WAS -- IT WAS JUST, YOU KNOW,
4 NOT A GOOD TIME. I WAS BUSY. I HAD MADE A PREVIOUS COMMITMENT.

5 Q I AM AT A LOSS HERE, AND PROBABLY THE JURY KNOWS
6 BETTER THAN I DO HOW THIS STUFF WORKS.

7 BUT WHEN YOU GOT THE POSTPONEMENT THE SECOND
8 TIME, WAS IT AN INDEFINITE POSTPONEMENT, DID THEY SAY "WE
9 WILL CALL YOU AGAIN WHEN WE NEED YOU"?

10 A NO. IT SEEMS --

11 Q WAIT. LET ME FINISH.

12 OR DID THEY GIVE YOU A CERTAIN DATE?

13 A WELL, I DON'T REMEMBER. I JUST REMEMBER THAT
14 I -- I WAS SUMMONED FOR, YOU KNOW, I GOT THE NOTICE BUT IT
15 SEEMS TO ME LIKE THEY MIGHT HAVE TOLD ME -- I DON'T KNOW.
16 I CAN'T ANSWER YOU. I HONESTLY DON'T KNOW.

17

18

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1 Q WHEN DID YOU MAKE YOUR PLANS TO GO TO ALASKA?

2 A THE YEAR BEFORE.

3 WE WENT WITH ANOTHER COUPLE THAT HAD BEEN BEFORE
4 AND MY HUSBAND TOLD ME LIKE THAT SUMMER AND NEXT SUMMER,
5 WE WERE GOING TO GO TO ALASKA IN MAY, BECAUSE THAT WAS
6 A SPECIAL TIME. IT IS NOT SO COLD, YOU KNOW, AND ALL OF
7 THAT STUFF.

8 Q THE QUESTION IS: WHEN WERE THE PLANS ACTUALLY
9 MADE, NOT THE --

10 A JANUARY.

11 Q WHO MADE THE RESERVATIONS?

12 A OUR FRIENDS.

13 Q AND DID THEY TELL YOU WHEN THEY MADE THE
14 RESERVATIONS FOR?

15 A THEY TOLD MY HUSBAND.

16 Q DID HE TELL YOU?

17 A WELL, YEAH. THAT IS WHY I WROTE IT DOWN IN MY
18 BOOK.

19 Q WAS IT IN JANUARY THAT YOU MADE THE ENTRIES IN
20 THE BOOK ON THE DATES IN MAY THAT THE TRIP WAS SUPPOSED TO
21 BE?

22 A AS I REMEMBER, YES.

23 I JUST, I -- YOU KNOW, I REMEMBER THE DATE AND
24 MY HUSBAND TOLD ME AND I WROTE IT IN.

25 Q LET ME ASK YOU SOMETHING: IS THIS BOOK THAT
26 HAS BEEN MARKED AS DEFENDANT'S MM, A BOOK THAT YOU USE TO
27 PLAN THINGS AHEAD OF TIME?

28 A NO, IT IS NOT A PLANNER.

1 IT IS JUST A DAYTIMER. IT SITS BY THE PHONE
2 IN THE KITCHEN AND YOU CAN SEE MY CHILDREN'S WRITING IN IT.
3 EVERYBODY'S WRITING IN IT. IT IS JUST THERE BY THE KITCHEN.

4 Q OKAY. BUT THE QUESTION IS -- JUST LET ME FINISH
5 THE QUESTION.

6 IS IT A BOOK THAT YOU USE TO RECORD PLANS THAT
7 YOU MAKE AHEAD OF TIME OR IS IT A BOOK THAT YOU USE TO RECORD
8 THINGS AFTER THEY HAVE HAPPENED, OR BOTH?

9 A BOTH.

10 Q OKAY, NOW THE ENTRIES THAT APPEAR IN HERE WHERE
11 IT SAYS "ALASKA" STARTING AT -- IT SAYS "ALASKA" STARTING
12 ON MAY THE 16TH, RIGHT?

13 A "LEAVE FOR ALASKA."

14 Q OKAY, NOW WHOSE HANDWRITING IS THAT?

15 A THAT IS MINE.

16 Q AND WHOSE WRITING IS IT WHERE IT SAYS "ALASKA"
17 ON THE 17TH?

18 A MINE.

19 THIS IS MY HOUSEKEEPER, THE DAY LADY THAT IS
20 WORKING FOR ME.

21 AND THIS LOOKS LIKE MY SON, DARREN'S (WITNESS
22 INDICATING).

23 Q LET ME JUST ASK THE QUESTIONS ONE AT A TIME,
24 ALL RIGHT?

25 A OKAY.

26 Q THE WRITING WHERE IT SAYS "ALASKA," ON THE 16TH
27 LOOKS DIFFERENT THAN THE WRITING ON THE 17TH; DO YOU KNOW
28 WHY THAT IS?

1 A YES, BECAUSE THIS IS THE WAY I USUALLY WRITE LIKE
2 THIS AND THEN THAT IS MORE SLANTED TO THE RIGHT (WITNESS
3 INDICATING).
4
5
6
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1 MR. WAPNER: CAN I JUST WALK THAT BRIEFLY BY THE JURY?

2 THE WITNESS: SURE. YOU CAN HAVE IT TESTED, IF YOU
3 WANT TO. ANYBODY THAT TESTS IT WILL KNOW THAT IT IS MINE.

4 (PAUSE.)

5 Q BY MR. WAPNER: WHEN THE PLANS WERE MADE THAT
6 JANUARY TO GO TO --

7 A WELL, VERBALLY, YOU KNOW. VERBALLY, OKAY?

8 Q WELL, VERBALLY THEY WERE MADE THE PREVIOUS YEAR,
9 RIGHT?

10 A YEAH. BUT WE DIDN'T KNOW EXACTLY WHEN, WHAT
11 MONTH.

12 Q OKAY.

13 A MY HUSBAND MADE THE PLANS.

14 Q VERBALLY THE PLANS WERE MADE IN JANUARY?

15 A AS I RECALL.

16 THE COURT: I THINK WE HAVE SPENT ENOUGH TIME ON THIS,
17 MR. WAPNER. LET'S GET ON.

18 Q BY MR. WAPNER: WHEN DID YOU FORMALIZE THE PLANS
19 AND DECIDE TO MAKE THE ACTUAL RESERVATIONS AND DECIDE WHEN
20 YOU WERE GOING TO GO?

21 A I DIDN'T MAKE THE RESERVATIONS. OUR FRIENDS
22 DID.

23 BUT I REMEMBER THAT MY HUSBAND PUT A DEPOSIT
24 DOWN ON THE TRIP. I THINK IT WAS IN JANUARY.

25 THEN I REALLY KNEW IN FEBRUARY THAT WE WERE GOING
26 ON THIS TRIP.

27 Q AND YOU WERE SUPPOSED TO RETURN ORIGINALLY ON
28 JUNE THE 6TH?

2-2

1 A YES. THAT MAKES IT THREE WEEKS.

2 Q OKAY. AND DID YOU EVER CHANGE THOSE PLANS IN
3 TERMS OF RETURNING ON JUNE 6TH?

4 A YES. THOSE PLANS WERE CHANGED.

5 Q HOW MANY TIMES?

6 A WHAT DO YOU MEAN "HOW MANY TIMES"?

7 Q HOW MANY TIMES WERE THEY CHANGED?

8 A WELL, IT WAS JUST CHANGED ONCE. WE COULDN'T
9 COME BACK IN THREE WEEKS. WE HAD TO COME BACK BEFORE.

10 AND THEN FOR ABOUT TWO WEEKS -- FIRST, IT WAS
11 LIKE I SAY -- WELL, YOU KNOW, MAYBE TWO WEEKS IN ALASKA.

12 SEE, OUR ORIGINAL PLANS WERE TWO WEEKS IN ALASKA
13 ITSELF AND THEN THAT EXTRA WEEK WE WERE GOING TO STAY IN
14 ANCHORAGE BECAUSE SEE, WE WERE OUT IN THE WILDS --

15 Q LET ME JUST ASK YOU A QUESTION. THE PLANS WERE
16 CHANGED ONLY ONE TIME, CORRECT? THEY WERE MADE --

17 A FROM THREE WEEKS, YES.

18 Q THEY WERE MADE TO RETURN ORIGINALLY ON JUNE THE
19 6TH AND THEN THEY WERE CHANGED SO THAT YOU WOULD RETURN ON
20 THE DATE THAT YOU ACTUALLY IN FACT, DID RETURN, RIGHT?

21 A WELL, YEAH. WELL, NO. FIRST, I THOUGHT IT
22 COULD BE TWO WEEKS. BUT THEN, LIKE THE DAY OR TWO BEFORE --

23 Q JUST TELL ME ABOUT -- I AM ASKING ABOUT -- NOT
24 ALL OF THE THOUGHT PROCESSES THAT WENT INTO THIS BUT --

25 A THIS ISN'T THE THOUGHT PROCESS. I AM TRYING
26 THE BEST I CAN TO TELL YOU.

27 Q JUST WAIT. I WANT TO KNOW -- YOU SAID THAT THEY
28 WERE CHANGED ONE TIME, RIGHT?

1 A FROM THE THREE WEEKS VACATION, ONE TIME.

2 Q I KNOW THAT. WHEN IT WAS CHANGED, ONE TIME,
3 WHAT DATE WERE THEY CHANGED TO?

4 A THAT IS WHAT I AM TRYING TO TELL YOU. AT FIRST,
5 I SAID TWO WEEKS. BUT THEN, I FOUND OUT THAT I COULDN'T
6 BE EXCUSED AT ALL. AND I HAD TO BE BACK FOR THAT TUESDAY
7 MORNING AT 8:15. IT WAS REALLY LESS THAN EVEN TWO WEEKS.

8 Q AND WHEN YOU FOUND OUT THAT YOU HAD TO BE BACK
9 TUESDAY MORNING, IS THAT WHEN YOU CHANGED PLANS?

10 MR. BARENS: I DON'T QUITE UNDERSTAND THE --

11 THE WITNESS: WHAT ARE YOU TALKING ABOUT? I DON'T
12 UNDERSTAND.

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1 Q BY MR. WAPNER: WHEN YOU FOUND OUT THE DATE YOU
2 WERE SUPPOSED TO RETURN WAS GOING TO BE THE TUESDAY MORNING
3 AND THAT YOU HAD TO BE BACK THAT DAY, IS THAT WHEN YOU FIRMED
4 UP THE RESERVATIONS?

5 A I DIDN'T FIRM UP ANY RESERVATIONS. THE
6 RESERVATIONS HAD BEEN FIRMED UP.

7 WE LEFT THE SAME DAY. IT DIDN'T MATTER WHEN
8 WE RETURNED.

9 OUR FRIENDS STAYED THERE, ANYWAY. WE ARE THE
10 ONES THAT HAD TO PACK UP AND COME HOME. THEY STAYED THERE.

11 Q WHEN WAS IT THAT YOU CALLED ALL THOSE PEOPLE
12 TO TELL THEM THAT YOU WERE COMING BACK?

13 A WHEN MY PLAN WAS TO LEAVE AND GO ABOUT THREE
14 WEEKS, THAT IS WHEN I TOLD EVERYBODY I WOULDN'T BE BACK FOR
15 THREE WEEKS.

16 Q WHEN?

17 A EVEN MY KIDS THAT WERE LIVING AT THE HOUSE AND
18 THE DAY WORKER THOUGHT THAT.

19 Q WHEN DID YOU CALL THESE PEOPLE AND TELL THEM
20 THAT YOU WOULD BE BACK ON THE 6TH?

21 A ON THE 6TH.

22 Q WHEN YOUR PLANS WERE MADE?

23 A ORIGINALLY I NEVER -- I DIDN'T TELL ANYBODY.
24 I DIDN'T TELL ANYBODY ON THAT MONDAY.

25 BEFORE I LEFT ON WEDNESDAY AND SAY, "FOLKS, I
26 AM COMING HOME EARLY." I DIDN'T DO THAT.

27 Q WHEN DID YOU CALL THE PEOPLE TO TELL THEM THAT
28 YOU WERE COMING HOME ON THE 6TH?

1 A I JUST TOLD YOU. WHEN OUR PLANS WERE MADE.

2 Q WHEN WAS THAT?

3 THE COURT: LET'S GO ON TO SOMETHING ELSE, WILL YOU
4 PLEASE?

5 Q BY MR. WAPNER: WHEN WAS THAT?

6 THE COURT: GET ON, GET ON, WILL YOU?

7 THE WITNESS: I DON'T KNOW WHAT DAY IT WAS. BUT AT
8 LEAST IT WOULD BE LIKE THREE OR FOUR WEEKS BEFORE I LEFT.
9 MAYBE TWO WEEKS. MAYBE THREE WEEKS. I DON'T KNOW.

10 Q BY MR. WAPNER: WHO DID YOU CALL?

11 A WHO DID I CALL?

12 Q WHO DID YOU CALL?

13 MR. BARENS: OBJECTION, VAGUE AND AMBIGUOUS.

14 THE COURT: I WILL SUSTAIN THE OBJECTION. SHE IS GIVING
15 THE BEST ANSWER THAT SHE COULD UNDER THE CIRCUMSTANCES.

16 Q BY MR. WAPNER: WHY DID YOU CALL THEM TO TELL
17 THEM YOU WERE COMING BACK?

18 A I DIDN'T CALL THE PEOPLE. I TOLD THEM ORIGINALLY.

19 MR. BARENS: EXCUSE ME, MS. ROBERTS.

20 THE COURT: SHE ALREADY ANSWERED THE QUESTION.

21 MR. BARENS: ASKED AND ANSWERED. HE IS ASKING THE
22 OBVIOUS. WHY DO YOU TELL YOUR FAMILY WHEN YOU ARE COMING
23 BACK? I MEAN, WE ARE BEGGING THE OBVIOUS.

24 Q BY MR. WAPNER: DID YOU CALL YOUR DAUGHTER TO
25 TELL HER WHEN YOU WERE COMING BACK?

26 A I HAD LUNCH WITH MY DAUGHTER AND I TOLD HER WE
27 WERE LEAVING. AND I TOLD HER THE DATE THAT WE WERE GOING
28 TO RETURN.

1 I WENT AND I FOUND OUT THAT I WAS NOT GOING TO
2 RETURN THEN AND I DIDN'T CALL HER AND CHANGE IT.

3 Q WHY DID YOU TELL HER IN THE FIRST PLACE, THE
4 DATE YOU WERE COMING BACK?

5 A BECAUSE THAT IS WHEN MY VACATION WAS PLANNED.
6 THAT IS WHAT WE HAD PLANNED TO DO, BE AWAY FOR THREE WEEKS.

7 Q YOU WANTED HER TO KNOW, RIGHT?

8 A YEAH.

9 Q OKAY. BECAUSE IT IS IMPORTANT FOR THE PEOPLE
10 THAT LOVE EACH OTHER TO KNOW WHEN THEY ARE GONE AND WHEN
11 THEY ARE COMING BACK, RIGHT?

12 MR. BARENS: IS THAT A QUESTION?

13 Q BY MR. WAPNER: ISN'T THAT TRUE?

14 A THAT'S TRUE. YEAH. SOME OCCASIONS.

15 (LAUGHTER IN THE COURTROOM.)

16 Q BY MR. WAPNER: ON SOME OCCASIONS IT IS TRUE
17 AND SOME OTHER OCCASIONS --

18 A YES. I LOVE ALL MY CHILDREN. BUT I DON'T ALWAYS
19 TELL THEM EXACTLY WHAT DATE WE ARE COMING BACK BECAUSE I
20 HOPE I GET TO STAY LONGER.

21 Q YOU CAME BACK --

22 MR. BARENS: THAT SOUNDS FAMILIAR TO EVERYBODY.

23 Q BY MR. WAPNER: SO, YOU WOULD TELL THEM YOU WERE
24 COMING BACK ON ONE DAY AND THEN YOU WOULD STAY LONGER AND
25 YOU DON'T CALL THEM?

26 A IF I DON'T COME BACK --

27 MR. BARENS: I DISAPPROVE OF THAT.

28 MR. WAPNER: HE DISAPPROVES? IS THAT AN OBJECTION?

1 THE COURT: WE HAVE EXHAUSTED THAT SUBJECT. YOU HAVE
2 EXHAUSTED THAT SUBJECT AD NAUSEAM.

3 Q BY MR. WAPNER: NOW, YOU GOT BACK ACCORDING TO
4 THIS CALENDAR, ON MONDAY THE 28TH OF JUNE, WHICH IS MEMORIAL
5 DAY WEEKEND, RIGHT?

6 A UH-HUH.

7 THE COURT: IS THAT YES?

8 MR. BARENS: MAY 28?

9 MR. WAPNER: THANK YOU. IT IS CONTAGIOUS.

10 Q AT WHAT TIME DID YOU GET BACK?

11 A 2:00 O'CLOCK IN THE MORNING.

12 Q BECAUSE THAT IS WHAT IT SAYS HERE, RIGHT?

13 A NO. THAT IS WHAT TIME WE GOT IN.

14 Q OKAY. AND YOU WENT ON TO JURY DUTY THE NEXT
15 MORNING?

16 A AT 8:15 I HAD TO BE THERE.

17 Q AND DID YOU IN FACT, GO TO JURY DUTY AT 8:15?

18 A I DID.

19 Q AND DID YOU SIT ON A CASE, BY THE WAY?

20 A NO, I DIDN'T.

21 Q WHERE WAS YOUR JURY DUTY?

22 A BEVERLY HILLS.

23 Q AND DID YOU HAVE TO STAY -- IS THAT THE KIND
24 OF JURY SERVICE WHERE IF THEY DON'T PUT YOU ON A CASE, YOU
25 COULD GO HOME AND COME BACK WHEN THEY CALL YOU OR DID YOU
26 STAY?

27 A NO. YOU STAY THERE ALL OF THE TIME, ALL DAY.
28

33-1
1 Q AND DID YOU EVER SIT ON A CASE DURING THAT SERVICE?

2 A NO.

3 THERE WERE SO MANY OF US, I NEVER GOT CALLED.

4 Q AND YOU WERE THERE FOR HOW MANY DAYS NOW?

5 A TWO WEEKS.

6 WELL, THAT ONE DAY, THE MONDAY WAS A HOLIDAY SO
7 I STARTED ON TUESDAY, BUT IT WAS TWO WEEKS. IT WAS A TWO WEEK.

8 Q SO YOU SAT IN THE JURY ROOM FOR TWO WEEKS?

9 A YES.

10 Q HOW DID YOU KEEP YOURSELF OCCUPIED?

11 A THERE WAS A LOT OF NICE PEOPLE THERE.

12 MR. BARENS: YOUR HONOR, IS THERE A RELEVANCY TO THAT
13 QUESTION?

14 THE COURT: I DON'T SEE IT. I WILL SUSTAIN THE
15 OBJECTION.

16 LET'S GET ON, WILL YOU, PLEASE, MR. WAPNER?

17 (LAUGHTER IN COURTROOM.)

18 Q BY MR. WAPNER: YOU SAID THAT YOU DIDN'T HAVE TIME
19 BETWEEN THE 28TH OF JUNE (SIC) AND THE 6TH, TO CALL YOUR
20 DAUGHTER BECAUSE YOU WERE TOO BUSY, RIGHT?

21 MR. BARENS: OBJECTION. THAT MISSTATES THE TESTIMONY
22 AS WELL.

23 THE COURT: OVERRULED.

24 Q BY MR. WAPNER; DIDN'T YOU SAY THAT? DID YOU SAY
25 THAT YOU DIDN'T CALL YOUR DAUGHTER BETWEEN THE 28TH OF MAY
26 AND THE 6TH OF JUNE BECAUSE YOU WERE TOO BUSY?

27 A WELL, THAT WAS PART OF IT, THAT WAS ONE OF THE
28 REASONS.

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1 Q THEY HAVE A PHONE IN THAT JURY ROOM THAT YOU SAT
2 IN FOR THE LAST TWO WEEKS?

3 A I DIDN'T SAY I WASN'T PERMITTED TO CALL.

4 I TOLD YOU I CHOSE NOT TO. I WAS VERY BUSY AND
5 I -- I KNEW THAT SHE KNEW I WAS COMING BACK A WEEK LATER AND
6 IT WASN'T GOING TO BE A TRAUMA FOR HER IF I DIDN'T CALL HER.

7 Q WHEN YOU TALKED TO BROOKE AND JOE HUNT WAS ON THE
8 PHONE THAT EVENING, DID SHE TELL YOU THAT HE HAD BEEN WORKING,
9 MR. HUNT HAD BEEN WORKING ON THIS BUSINESS DEAL?

10 A UH-HUH, YES.

11 SHE SAID THAT HE HAD RECEIVED THIS BIG CHECK, THAT
12 HE HAD BEEN WORKING ON THIS DEAL AND THAT HE HAD GOTTEN THE
13 CHECK THAT DAY AND THEY WERE REALLY THRILLED ABOUT IT.

14 Q DID SHE TELL YOU HOW LONG HE HAD BEEN WORKING ON
15 IT?

16 A NO.

17 Q DID YOU CALL ANYBODY TO TELL THEM YOU WERE BACK
18 IN TOWN EARLY?

19 A NO, I DON'T THINK SO. I DON'T REMEMBER.

20 Q WHEN WAS THE FIRST TIME THAT YOU PRODUCED THIS
21 BOOK THAT IS DEFENDANT'S MM FOR MR. BARENS?

22 A SUNDAY, WHEN WE HAD A MEETING AT HIS OFFICE.

23 Q YOU TALKED TO HIM IN PREPARATION FOR GOING TO THE
24 PRELIMINARY HEARING?

25 A YES, I TALKED TO HIM.

26 Q AND DID HE ASK YOU TO TRY AND PRODUCE CORROBORATION
27 OF THIS STORY THAT YOU ARE TELLING, AT THAT TIME?

28 A YEAH, HE SAID FOR ME TO RECOLLECT EVERYTHING THAT

33-
1 I COULD RECOLLECT.

2 Q AND DID HE ASK YOU TO PRODUCE THE DIARY AT THAT
3 TIME?

4 A I DON'T -- I DON'T REMEMBER.

5 Q THE PRELIMINARY HEARING WAS AT THE BEGINNING OF
6 1985, WASN'T IT, SOMETIME AROUND MARCH OF 1985?

7 A I DON'T REMEMBER WHEN IT WAS.

8 Q AND DID YOU PRODUCE THE DIARY FOR HIM AT THAT TIME?

9 A NO, I DIDN'T SHOW HIM THE DIARY, BECAUSE WHEN I
10 GOT THERE HE SAID THAT WE WEREN'T GOING TO TESTIFY.

11 THE COURT: WELL, DID YOU HAVE IT WITH YOU AT THE TIME
12 YOU WENT THERE? HE WANTS TO KNOW.

13 THE WITNESS: YES, I DID.

14 THE COURT: THE DIARY?

15 THE WITNESS: YES, I DID.

16 THE COURT: ARE YOU SURE ABOUT THAT?

17 THE WITNESS: I THINK I DID.

18 THE COURT: ARE YOU SURE ABOUT THE FACT YOU HAD THAT
19 VERY DIARY WITH YOU AT THE TIME OF THE PRELIMINARY?

20 THE WITNESS: I -- WELL, I KNOW THAT THE ONLY TIME I
21 EVER SHOWED IT TO HIM WAS ON SUNDAY.

22 THE COURT: OR YOU SHOWED IT TO HIM THE FIRST TIME ON
23 SUNDAY?

24 THE WITNESS: I SHOWED IT TO HIM THE FIRST TIME ON
25 SUNDAY, YES.

26 THE COURT: YOU DIDN'T HAVE IT WITH YOU AT THE TIME OF
27 THE PRELIMINARY HEARING, DID YOU, WHEN YOU WENT THERE?

28 THE WITNESS: HAD IT WITH ME?

1 NO, I DON'T THINK I DID.

2 THE COURT: ALL RIGHT. VERY GOOD. THANK YOU.

3 Q BY MR. WAPNER: DO YOU SEE THIS ENTRY ON MAY THE
4 30TH, WEDNESDAY, MAY THE 30TH?

5 A YES.

6 Q AND IT IS SCRATCHED OUT, RIGHT?

7 A YES.

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3A
1 Q WHAT DOES IT SAY?

2 A "RETURN FROM ALASKA" AND 2 O'CLOCK, WINNIE."

3 Q WHAT DOES THAT "RETURN AT 2 O'CLOCK" MEAN?

4 A THAT WOULD HAVE BEEN TWO WEEKS, THAT IF WE HAD
5 RETURNED THEN THAT WOULD HAVE MADE IT EXACTLY TWO WEEKS.

6 Q WHO WROTE THAT IN THERE?

7 A I DID.

8 Q WHEN DID YOU CROSS THAT OUT?

9 A WHEN I CAME BACK FROM ALASKA, BECAUSE I CAME BACK
10 ON THE MONDAY INSTEAD.

11 Q WHEN DID YOU WRITE THAT IN?

12 A WHEN? I PROBABLY, WHEN THE TRIP WAS PLANNED FOR,
13 YOU KNOW, WHEN I WAS GOING TO STAY FOR THE THREE WEEKS THEN
14 WE FOUND, YOU KNOW, AND I JUST WROTE FOR THE TWO WEEKS BECAUSE
15 WHEN I THOUGHT I COULDN'T GET OFF OF JURY DUTY, THAT THEY
16 WOULDN'T POSTPONE IT FOR ME AND THEN I SAID "WELL, THAT WOULD MAKE
17 IT EXACTLY TWO WEEKS." BUT THEN WE HAD TO COME BACK EARLY.

18 MR. WAPNER: I HAVE NOTHING FURTHER.

19 MR. BARENS: THANK YOU, YOUR HONOR.

20 THE COURT: GO AHEAD.

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22

REDIRECT EXAMINATION

23 BY MR. BARENS:

24 Q MRS. ROBERTS, WHAT IS THE NAME OF THE OTHER COUPLE
25 OR THE NAMES OF THE OTHER COUPLE THAT YOU AND YOUR HUSBAND
26 WENT TO ALASKA WITH?

27 A DAVID AND PAULETTE SEMES.

28 THE COURT REPORTER: HOW DO YOU SPELL THAT?

33A-2

1 THE WITNESS: S-E-M-E-S.

2 Q BY MR. BARENS: THEY WERE THE ONES THAT MADE THE
3 PLANS FOR THE TRIP AND ARRANGEMENTS AS FAR AS YOU KNEW?

4 A YES.

5 Q WHILE YOU WERE IN ALASKA, WERE THERE PEOPLE AT
6 YOUR HOUSE?

7 A AT MY HOUSE?

8 Q YES.

9 A YES, MY CHILDREN AND THE DAY WORKER.

10 Q IF BROOKE NEEDED TO REACH YOU, WERE THERE PEOPLE
11 AT YOUR HOUSE SHE COULD HAVE CALLED TO GET IN TOUCH WITH YOU?

12 A YES.

13 Q DID SHE KNOW THAT YOUR SONS, ET CETERA, WERE NOT
14 GOING TO GO WITH YOU, THAT THEY WERE STAYING HOME AT YOUR HOUSE?

15 A YES.

16 MR. BARENS: THANK YOU.

17 THE COURT: ALL RIGHT.

18 MR. WAPNER: I HAVE NOTHING FURTHER.

19 THE COURT: I HAVE JUST A FEW QUESTIONS TO ASK YOU.

20 THE WITNESS: OKAY.

21 THE COURT: YOU ARE VERY, VERY FOND OF THE DEFENDANT,
22 ARE YOU NOT?

23 THE WITNESS: YES, I AM.

24 THE COURT: AND YOU HAVE BEEN HERE SINCE, LET ME SEE,
25 ANY NUMBER OF TIMES, YOU HAVE COME TO COURT WITH HIM, HAVE
26 YOU NOT?

27 THE WITNESS: YES.

28 THE COURT: IN FACT, THAT IS ABOUT SINCE NOVEMBER OF

3A 2
1 LAST YEAR; IS THAT RIGHT?

2 THE WITNESS: UH-HUH.

3 THE COURT: AND WHICH ROOM DOES HE OCCUPY AT YOUR HOME?

4 THE WITNESS: HE HAS HIS OWN BEDROOM UPSTAIRS.

5 THE COURT: AND THAT IS NEXT TO YOURS, ISN'T IT?

6 THE WITNESS: WELL, IT IS NOT NEXT TO OURS, NO.

7 OURS IS ON THIS WING AND HE IS OVER ON THAT SIDE

8 (WITNESS INDICATING).

9 THE COURT: HE HAS ANOTHER ROOM NEXT TO THAT, DOES HE
10 NOT?

11 THE WITNESS: WELL, HE DID UNTIL OUR OTHER BOY MOVED
12 BACK HOME AND NOW HE HAS THE ROOM.

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1 THE COURT: BUT FOR A LONG TIME, HE HAD BEEN OCCUPYING
2 THOSE TWO ROOMS?

3 THE WITNESS: NOT FOR A LONG TIME. IT WAS ABOUT I THINK,
4 THREE MONTHS.

5 THE COURT: ALL RIGHT. DOES HE STILL OCCUPY THIS ONE
6 BEDROOM?

7 THE WITNESS: YES.

8 THE COURT: WHERE DOES YOUR DAUGHTER SLEEP?

9 THE WITNESS: SHE LIVES IN THE GUEST HOUSE, OUTSIDE.
10 IT IS NOT CONNECTED TO OUR HOUSE.

11 THE COURT: OVER THE GARAGE?

12 THE WITNESS: NOT OVER THE GARAGE. IT IS CONNECTED TO
13 THE GARAGE.

14 THE COURT: UH-HUH. AND DO YOU REALIZE THE SIGNIFICANCE
15 OF YOUR TESTIMONY WITH RESPECT TO THIS PARTICULAR NIGHT AT
16 ABOUT 10:30 ON JUNE THE 6TH? HAVE YOU BEEN TOLD WHY IT IS
17 VERY IMPORTANT FOR YOU TO TESTIFY TO THAT EFFECT?

18 THE WITNESS: I KNOW WHY IT IS IMPORTANT.

19 THE COURT: WELL, WHAT DO YOU KNOW?

20 THE WITNESS: I KNOW THAT JOE SPOKE TO ME --

21 THE COURT: NO, NO. I WANT TO KNOW WHY YOU KNOW IT
22 IS AN IMPORTANT TIME FOR YOU TO REMEMBER.

23 THE WITNESS: BECAUSE --

24 MR. BARENS: IS YOUR HONOR ASKING FOR A LEGAL
25 CONCLUSION?

26 THE COURT: NO I AM NOT.

27 THE WITNESS: BECAUSE WHEN WE FOUND OUT THAT THAT WAS
28 THE NIGHT THAT HE WAS SUPPOSED TO HAVE DONE THIS TERRIBLE

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1 CRIME --

2 THE COURT: YES. YOU FURNISHED HIM AN ALIBI, DID YOU
3 NOT?

4 THE WITNESS: I AM NOT FURNISHING HIM AN ALIBI.

5 MR. BARENS: SIR --

6 THE COURT: WILL YOU JUST SIT DOWN? YOU HAVE A RECORD
7 MADE, HAVE YOU NOT?

8 IF IT IS IMPROPER, THEN --

9 MR. BARENS: YOUR HONOR, YOU ARE BECOMING A PARTISAN
10 IN YOUR EXAMINATION.

11 THE COURT: WILL YOU PLEASE SIT DOWN. WILL YOU PLEASE
12 SIT DOWN?

13 MR. BARENS: I OBJECT --

14 THE COURT: WILL YOU PLEASE SIT THIS GENTLEMAN DOWN,
15 PLEASE? HE DOESN'T UNDERSTAND ENGLISH. THAT IS AN ORDER.

16 MR. BARENS: I MADE A RECORD, SIR.

17 THE COURT: YOU MADE YOUR RECORD. I WANT TO KNOW
18 WHETHER YOU REALIZE THE SIGNIFICANCE OF YOUR TESTIMONY OF YOUR
19 GETTING THIS PHONE CALL AT 10:30 ON JUNE THE 6TH?

20 THE WITNESS: NO. IT IS SIGNIFICANT BECAUSE IT IS TRUE,
21 YOUR HONOR.

22 THE COURT: ALL RIGHT. DID YOU EVER TALK TO THE
23 DEFENDANT ABOUT YOUR TESTIMONY THAT YOU WERE GOING TO GIVE
24 IN THIS COURT TODAY?

25 THE WITNESS: NOT THE EXACT WORDS. I JUST TOLD HIM THAT
26 I AM GOING TO TELL THE TRUTH ABOUT IT AND WHAT HAPPENED.

27 THE COURT: DID YOU DISCUSS WITH HIM THE TESTIMONY WHICH
28 YOU GAVE TODAY IN COURT AT ANY TIME?

34A
1 THE WITNESS: WELL, YOU MEAN DISCUSS THE --

2 THE COURT: WELL, YOU TWO ARE TOGETHER A GREAT DEAL,
3 AREN'T YOU?

4 THE WITNESS: YES. HE LIVES IN MY HOME.
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1 THE COURT: YOU HAVE DISCUSSED IT, HAVE YOU NOT, THE
2 TESTIMONY THAT YOU ARE GIVING HERE TODAY?

3 THE WITNESS: I TOLD HIM THAT I WAS GOING TO TELL THE
4 TRUTH ABOUT THAT PHONE CALL.

5 THE COURT: WELL, IS IT TRUE OR ISN'T IT TRUE? I WANT
6 TO KNOW WHETHER OR NOT YOU DISCUSSED THE TESTIMONY WHICH YOU
7 GAVE TODAY WITH HIM?

8 THE WITNESS: NOT WORD FOR WORD. BUT I TOLD HIM, "JOE,
9 I AM GOING TO TELL ABOUT THAT PHONE CALL."

10 THE COURT: ALL RIGHT. YOU WERE ASKED ABOUT HAVING ANY
11 FINANCIAL INTEREST IN THIS PARTICULAR MATTER?

12 THE WITNESS: YES.

13 THE COURT: DO YOU KNOW PEOPLE NAMED BURTON MOSS AND
14 SY MARSH?

15 THE WITNESS: I DON'T KNOW THEM PERSONALLY.

16 THE COURT: DO YOU KNOW WHO THEY ARE?

17 THE WITNESS: YES I DO.

18 THE COURT: WHO ARE THEY?

19 THE WITNESS: THEY ARE AGENTS.

20 THE COURT: AGENTS FOR WHAT? THEATRICAL AGENTS?

21 THE WITNESS: THEATRICAL AGENTS.

22 THE COURT: WAS YOUR HUSBAND INSTRUMENTAL IN INTRODUCING
23 THEM TO THE DEFENDANT?

24 THE WITNESS: I DON'T KNOW. YOU WOULD HAVE TO ASK MY
25 HUSBAND.

26 THE COURT: I AM ASKING YOU. DID YOUR HUSBAND EVER TELL
27 YOU THAT HE WAS INSTRUMENTAL IN --

28 MR. BARENS: EXCUSE ME, YOUR HONOR.

34B 2
1 THE COURT: -- IN INTRODUCING THOSE THEATRICAL AGENTS
2 TO THE DEFENDANT?

3 MR. BARENS: EXCUSE ME, YOUR HONOR. THE DEFENSE HAS
4 A QUESTION AT THIS POINT, SIR.

5 THE COURT: YES?

6 MR. BARENS: I DON'T KNOW WHO THOSE PEOPLE ARE, EITHER.

7 THE COURT: I KNOW.

8 MR. WAPNER: IS THAT AN OBJECTION? A LEGAL OBJECTION?

9 MR. BARENS: OBJECTION. THE DEFENSE IS ENTITLED TO
10 DISCOVERY.

11 THE COURT: I HAVE DISCOVERED THIS ONLY ABOUT HALF AN
12 HOUR AGO. THAT IS WHY I AM ASKING THE QUESTION.

13 MR. BARENS: BUT THE DEFENSE --

14 THE COURT: WILL YOU LET ME PURSUE MY QUESTIONS, IF YOU
15 DON'T MIND?

16 MR. BARENS: SIR, AGAIN, I PROTEST. YOUR HONOR IS
17 BECOMING A PARTISAN. I AM ALREADY SEATED.

18 THE COURT: DID YOUR HUSBAND TELL YOU ABOUT THE FACT --

19 (LAUGHTER IN THE COURTROOM.)

20 THE COURT: DID YOUR HUSBAND EVER TELL YOU ABOUT THE
21 FACT THAT HE HAD HIRED THEATRICAL AGENTS ON A CONTRACT WRITING
22 THE LIFE STORY OF MR. HUNT?

23 THE WITNESS: I MYSELF, DID NOT HIRE THEM. I THINK THAT
24 THE MR. MARSH GENTLEMAN CONTACTED MY HUSBAND AND THEY HAVE
25 KNOWN EACH OTHER FOR MANY YEARS AND HE ASKED HIM FOR AN
26 INTRODUCTION WITH JOE. THAT IS ALL THAT I KNOW.

27 THE COURT: AND DO YOU KNOW IF YOUR HUSBAND IS GOING
28 TO RECEIVE ANYTHING FROM ANYTHING THAT MIGHT BE REALIZED FROM

34F -
1 THIS PLAN?

2 THE WITNESS: NO, YOUR HONOR. IN FACT, ALL THIS HAS
3 DONE IS COST US A LOT OF MONEY.

4 THE COURT: ALL RIGHT. I HAVE NOTHING FURTHER. DO YOU
5 WANT TO FIND OUT ABOUT IT? I WILL GIVE YOU THIS LITTLE
6 ARTICLE.

7 MR. BARENS: COULD WE APPROACH, YOUR HONOR?

8 THE COURT: YES. COME ON.

9 (THE FOLLOWING PROCEEDINGS WERE HELD
10 AT THE BENCH:)

11 MR. BARENS: COULD I SEE THE ARTICLE, YOUR HONOR IS
12 REFERRING TO?

13 THE COURT: CERTAINLY YOU MAY. YOU OPENED THE DOOR BY
14 ASKING IF SHE HAD ANY FINANCIAL INTEREST IN THIS MATTER. THIS
15 IS FINANCIAL. HER --

16 MR. BARENS: I AM CONSTANTLY OPENING THE DOOR. DOES
17 THAT ARTICLE SAY THAT HE HAS A FINANCIAL INTEREST?

18 THE COURT: GO AHEAD. READ IT.

19 (BRIEF PAUSE.)

20 MR. BARENS: WHERE DID THE ARTICLE SAY THAT THERE IS A
21 FINANCIAL INTEREST?

22 THE COURT: WELL, HER HUSBAND HAS --

23 MR. BARENS: DOES THE ARTICLE SAY THAT BOBBY ROBERTS
24 HAS A FINANCIAL INTEREST?

25 THE COURT: WELL, READ IT. THESE ARE THEATRICAL AGENTS.
26 HE INTRODUCED THEM. HE WAS --

27 MR. BARENS: WHERE DOES IT SAY THAT, JUDGE? I WANT --

28 THE COURT: BOBBY ROBERTS A FILM PRODUCER, PUT HIM UP

34F
1 AT HIS BEL AIR HOME AND SO ON AND SO FORTH. CONFIRMED THAT
2 THEY ARE MR. HUNT'S AGENTS AND THERE HAS BEEN A TREMENDOUS
3 AMOUNT OF INTEREST IN THIS. IT SAYS, "ROBERTS, WHO IS ALLOWING
4 HUNT TO STAY AT HIS BEL AIR HOME, FIELDS PHONE CALLS EVERY
5 DAY ASKING ABOUT HIS RIGHTS."

6 ROBERTS SAID THAT HE INTRODUCED HUNT TO THE AGENTS
7 SO JOE WOULDN'T HAVE TO -- THERE IT IS. THE INFERENCE IS
8 CLEAR.

9 MR. BARENS: I DON'T SEE ANY INFERENCE THAT --

10 THE COURT: THAT IS WHY I ASKED THE QUESTIONS.

11 MR. BARENS: CAN WE PUT THIS IN EVIDENCE?

12 THE COURT: SURELY.

13 MR. BARENS: THE PROBLEM I HAVE HERE NOW IS THAT I THINK
14 YOUR HONOR, YOU AND I HAVE DISAGREED FROM TIME TO TIME AS TO
15 AN IMPLICATION IN AN ARTICLE. THIS ARTICLE --

16 THE COURT: IF YOU HAD NOT ASKED HER THE QUESTION AS
17 TO WHETHER OR NOT SHE OR MR. ROBERTS HAS ANY INTEREST IN THIS
18 PARTICULAR CASE, FINANCIAL INTEREST, I WOULD NEVER HAVE
19 BROUGHT THAT UP.

20 MR. BARENS: HERE IS THE PROBLEM THAT I HAVE GOT, YOUR
21 HONOR. YOUR HONOR IS SUGGESTING THAT YOU READ AN ARTICLE THAT
22 SAYS THAT BOBBY ROBERTS AND LYNNE ROBERTS HAVE A FINANCIAL
23 INTEREST IN THE CASE. I DO NOT SEE THOSE WORDS ON THIS PAGE,
24 SIR.

25 THE COURT: I ASKED HER AND SHE SAYS THAT SHE DOESN'T
26 KNOW. ALL RIGHT?

27 MR. BARENS: I THINK SHE SAID TO THE CONTRARY, DID SHE
28 NOT, SIR?

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1 THE COURT: DO YOU WANT TO INTRODUCE THE ARTICLE?

2 (BRIEF PAUSE.)

3 MR. BARENS: I THINK WHAT I AM LOOKING FOR IS AN
4 INSTRUCTION --

5 THE COURT: YOU HAVE READ IT?

6 MR. BARENS: LET'S BOTH READ IT FOR A MINUTE, YOUR HONOR.
7 WHAT I AM LOOKING FOR IS THAT I MAY REQUEST AN INSTRUCTION
8 FROM YOUR HONOR AS A WAY TO FOCUS IT BECAUSE THIS IS PROBABLY --
9 I THINK THIS STUFF IN THE ARTICLE, THE OTHER SIDE MIGHT LIKE
10 TO HAVE IT IN FRONT OF THE JURY.

11 THE COURT: WELL, IF YOU HAD NOT BROUGHT UP THE QUESTION
12 OF ANY FINAANCIAL INTEREST, I WOULDN'T HAVE INQUIRED. BUT
13 I ASKED WHETHER OR NOT SHE KNOWS THESE PEOPLE. SHE SAYS THAT
14 SHE DOES. THESE ARE THEATRICAL AGENTS.

15 I GUESS SHE DOESN'T KNOW WHETHER OR NOT HE IS
16 PARTICIPATING IN ANY PROSPECTIVE PROFITS --

17 MR. BARENS: I DON'T THINK THIS ARTICLE PROVES HE DOES,
18 SIR.

19 THE COURT: THAT IS WHY I ASKED THE QUESTIONS.
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1 MR. BARENS: I NEED TO READ THIS TO MAKE A DECISION.

2 THE COURT: GO AHEAD.

3 MR. BARENS: DO YOU WANT TO READ THIS, TOO?

4 MR. WAPNER: SURE.

5 MR. BARENS: BECAUSE YOU MIGHT HAVE AN OBJECTION.

6 (PAUSE IN PROCEEDINGS AT THE BENCH.)

7 MR. BARENS: THEN THEY HAVE IN HERE ABOUT THE MAY
8 BROTHERS STORIES. YOU KNOW, YOU DIDN'T ALLOW ME TO ASK THEM.

9 THE COURT: DO YOU WANT TO DROP IT NOW OR IF YOU WANT
10 TO PURSUE IT FURTHER, GO AHEAD.

11 MR. BARENS: I DON'T WANT TO PURSUE IT.

12 WHAT I AM LOOKING FOR IS AN INSTRUCTION OR AN
13 EXPLANATION FROM YOUR HONOR THAT YOU HAVEN'T --

14 THE COURT: THAT IS WHY I ASKED THE QUESTION, BECAUSE
15 IF HE WAS INSTRUMENTAL, IF HER HUSBAND WAS INSTRUMENTAL IN
16 PICKING THEATRICAL AGENTS --

17 MR. BARENS: IT DIDN'T SAY HE PICKED THEM.

18 THE COURT: IT SAYS SO, HE SELECTED THEM.

19 MR. BARENS: ALL RIGHT. LET'S SEE WHAT IT SAYS HERE.

20 I DON'T KNOW HOW ACCURATE THIS IS.

21 THE COURT: LET ME SHOW IT TO YOU.

22 MR. BARENS: WAIT A MINUTE. LET ME SEE IF I CAN FIND
23 IT, JUDGE. I HAVE IT IN FRONT OF ME. LET ME TRY TO GET
24 THE CONTEXT OF IT.

25 (FURTHER PAUSE IN PROCEEDINGS AT THE
26 BENCH.)

27 MR. BARENS: I LOOK GREAT ON MY COMMENT, YOUR HONOR.

28 MR. WAPNER: YOUR HONOR, THE ARTICLE, I HAVEN'T FINISHED

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1 IT.

2 MR. BARENS: THE ARTICLE HAS A LOT OF BAD STUFF. I
3 DON'T WANT THE ARTICLE IN.

4 THE COURT: OF COURSE YOU DON'T. BUT UNLESS YOU WANT
5 TO --

6 MR. BARENS: YET, I GUESS WE HAD BETTER MARK IT AS A
7 COURT'S EXHIBIT FOR THE RECORD.

8 THE COURT: SURE.

9 MR. BARENS: SINCE WE HAVE HAD SOME DIALOGUE ON IT
10 UP HERE.

11 THE COURT: ALL RIGHT.

12 MR. WAPNER: FOR THE RECORD, IT IS AN ARTICLE ENTITLED
13 "BBC SUSPECT HIRES TWO AGENTS" AND IT IS DATED SATURDAY,
14 MARCH 28, 1987 AND IT IS AN ARTICLE IN THE DAILY NEWS BY
15 RON OSTROFF, O-S-T-R-O-F-F.

16 THE COURT: DO YOU WANT TO LET SLEEPING DOGS LIE? IT
17 IS ALL RIGHT WITH ME IF YOU JUST DROP IT THIS WAY.

18 MR. BARENS: ALL RIGHT, YOUR HONOR.

19 MY ATTITUDE IS THAT, FOR THE RECORD, COUNSEL
20 AND THE COURT HAVE A DISAGREEMENT AS TO WHAT THE IMPLICATION,
21 IF ANY, IS IN THIS ARTICLE.

22 COUNSEL FOR THE DEFENSE SUBMITS THAT THE ARTICLE
23 DOES NOT SAY ON ITS FACE THAT BOBBY ROBERTS OR LYNNE ROBERTS
24 HAVE A FINANCIAL INTEREST IN THE OUTCOME OF THIS CASE, I
25 WILL SUBMIT TO THE COURT, OTHER THAN A BAIL INTEREST, WHICH
26 YOUR HONOR IS AWARE OF, WHICH HAS NOT BEEN THE SUBJECT OF
27 DIRECT OR CROSS-EXAMINATION. SO WITH THE EXCEPTION OF THAT,
28 THERE IS NO REFERENCE.

1 THE COURT: WELL, ON DIRECT EXAMINATION YOU ASKED HER
2 WHETHER OR NOT THEY HAVE ANY FINANCIAL INTEREST IN THIS THING.

3 MR. BARENS: SIR, IF YOU WILL JUST LET ME FINISH.

4 THE ARTICLE MAKES REFERENCE TO THE BAIL THING
5 AND THAT IS WHAT I AM REFERRING TO HERE AND I DEEM THAT A
6 FINANCIAL INTEREST AS WELL, OF SORTS.

7 HOWEVER, THE DEFENSE SUBMITS THAT THE ARTICLE
8 DOES NOT SAY THAT THE ROBERTS HAVE A FINANCIAL INTEREST IN
9 THIS CASE.

10 THE COURT: I ASKED HER. NOW LOOK, LET'S BE REALISTIC.
11 WE UNDERSTAND WHAT WENT ON. YOU WANT TO HAVE ROBERTS
12 ON?

13 THERE IS NO QUESTION AT ALL THAT HE IS PARTICIPATING
14 WITH THESE TWO AGENTS -- WE WON'T TELL THAT TO THE JURY --

15 MR. BARENS: THANK YOU.

16 THE COURT: -- IN A MILLION DOLLAR DEAL.

17 MR. BARENS: RIGHT, YOUR HONOR BELIEVES THAT. I DO
18 NOT SEE EVIDENCE, IN MY MIND, TO THAT EFFECT. WE HAVE A
19 DISAGREEMENT, THAT IS ALL.

20 THE COURT: THAT IS WHY I ASKED THE QUESTION.

21 I DIDN'T SAY THAT HE HAD.

22 MR. BARENS: YOUR HONOR, WHILE WE ARE HERE, I WILL
23 LEAVE THAT FOR NOW, YOUR HONOR. THANK YOU, YOUR HONOR.

24 THE COURT: YOU WANT THIS MARKED AS AN EXHIBIT?

25 MR. CHIER: A COURT EXHIBIT.

26 MR. BARENS: I THINK IT HAS TO BE A COURT EXHIBIT,
27 KEPT FROM THE PRESS.

28 THE COURT: NOT TO BE SHOWN TO THE JURY, OF COURSE.

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1 MR. BARENS: NO.

2 THE COURT: FINE, IT WILL BE MARKED AS A COURT EXHIBIT.
3 WILL THAT BE THE FIRST OR SECOND?

4 MR. WAPNER: THERE HAVE BEEN A FEW OTHERS. WE CAN
5 MARK IT AT THE END OF THE DAY.

6 MR. BARENS: THERE WAS ONE OTHER.

7 THE COURT: ANY FURTHER QUESTIONS?

8 MR. BARENS: ARE YOU THROUGH?

9 THE COURT: YES, I AM THROUGH.

10 MR. BARENS: I AM THROUGH. WE ARE THROUGH.

11 THE COURT: ARE YOU THROUGH, TOO?

12 MR. WAPNER: WELL, SINCE THE COURT --
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1 MR. BARENS: NO. HE IS GOING TO BEAT IT UP NOW.

2 MR. WAPNER: THE COURT BROUGHT UP THE ISSUE OF THE
3 FINANCIAL INTEREST AND SHE SAYS, "NO, WE DON'T HAVE ANY
4 FINANCIAL INTEREST IN THIS. IT COSTS US A LOT OF MONEY."

5 NOW THE IDEA THAT THEY PUT UP, AS WE KNOW, A
6 SUBSTANTIAL AMOUNT OF MONEY FOR HIS ATTORNEYS' FEES AND THEY
7 ARE NOT GOING TO SEEK TO GET THAT BACK BECAUSE HE IS GETTING
8 MONEY FROM THE MOVIE, I CAN'T BELIEVE THAT -- I THINK WE
9 SHOULD BE ENTITLED TO INQUIRE ABOUT THAT.

10 MR. BARENS: YOUR HONOR, THAT REALLY IS IMPERMISSIBLE.

11 YOUR HONOR, NUMBER ONE, THAT GETS INTO DISCLOSING
12 TO THE JURY THIS WHOLE HISTORY OF THIS.

13 THE COURT: YES, I THINK IT IS ABSOLUTELY PROPER BUT
14 I THINK UNDER THE CIRCUMSTANCES, UNDER 352, I DON'T THINK
15 WE HAD BETTER GO INTO IT.

16 IT IS PROPER FOR YOU TO ASK HER IF SHE HAS THIS
17 FINANCIAL INTEREST, IF SHE WANTS TO GET HER MONEY BACK, THIS
18 IS ONE WAY OF GETTING HER MONEY BACK THAT SHE HAS ADVANCED
19 FOR HIM AND THAT MAY VERY WELL BE, I DON'T KNOW. THAT MAY
20 VERY WELL BE WHY THEY ADVANCED THE MONEY, HOPING TO GET THE
21 RIGHTS TO HIS LIFE STORY.

22 MR. WAPNER: IS THE COURT SAYING IT IS A PROPER AVENUE
23 OF INQUIRY BUT YOU ARE NOT GOING TO PERMIT IT UNDER 352?

24 THE COURT: THAT IS RIGHT.

25 MR. BARENS: I AM OBJECTING.

26 THE COURT: I SAID I AM SUSTAINING THE OBJECTION UNDER
27 352.

28 MR. BARENS: THAT IS CORRECT. I WANTED TO BE PROCEDURALLY

1 ACCURATE. THANK YOU, YOUR HONOR.

2 (PAUSE IN PROCEEDINGS.)

3 (UNREPORTED COLLOQUY BETWEEN MR. BARENS,
4 MR. CHIER AND THE DEFENDANT.)

5 MR. BARENS: MAY WE APPROACH THE BENCH AGAIN?

6 (THE FOLLOWING PROCEEDINGS WERE HELD
7 AT THE BENCH:)

8 THE COURT: I SUGGEST YOU TRUST YOUR OWN INSTINCTS,
9 I AM SERIOUS ABOUT IT.

10 MR. BARENS: JUDGE, LET ME JUST TALK TO THE COURT AND
11 SEEK OPINIONS HERE.

12 MR. WAPNER: WAIT A SECOND. WHAT IS THIS SEEKING
13 OPINIONS?

14 MR. BARENS: WAIT A MINUTE. WE ARE ALL IN A PROCESS
15 HERE AND I THINK WE CAN TALK TO EACH OTHER.

16 THE COURT: YOU HAVE APPROACHED THE BENCH AFTER YOU
17 TALKED TO YOUR CLIENT.

18 MR. BARENS: YES, I DID.

19 THE COURT: NOW WHAT IS IT YOU WANT TO SAY?

20 MR. BARENS: WHAT I AM SEEKING IS A LIMITING INSTRUCTION
21 FROM THE COURT TO THE JURY THAT THE COURT, IN MAKING ITS
22 LAST SERIES OF QUESTIONS, REFERRED TO A NEWSPAPER ARTICLE
23 AND THAT THE NEWSPAPER ARTICLE, IN THE JUDGE'S OPINION, HAD
24 AN IMPLICATION THAT THERE WAS A FINANCIAL INTEREST OF THE
25 ROBERTS IN THIS CASE. HOWEVER, THAT THE NEWSPAPER ARTICLE
26 ON ITS FACE DOES NOT SAY THAT.

27 THE COURT: WELL, LEAVE IT IN EVIDENCE AND LET THE
28 JURY THEN DECIDE.

1 MR. BARENS: THERE IS AN IMPLICATION --

2 THE COURT: LET THE JURY DECIDE THAT.

3 MR. BARENS: WHAT I AM ASKING FOR, JUDGE, I DON'T
4 WANT IT IN EVIDENCE, BECAUSE, YOU KNOW, THERE IS ALL OF THIS
5 OTHER GARBAGE IN HERE.

6 I THINK THE PROCEDURE I AM FAMILIAR WITH IS A
7 LIMITING INSTRUCTION.

8 THE COURT: PARDON ME.

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36A
1 THE COURT: INSTRUCTION TO WHAT EFFECT?

2 MR. BARENS: I WOULD LIKE TO HAVE -- I AM HERE TO TALK
3 TO YOU YOUR HONOR, TO TRY TO AGREE UPON WITH THE PEOPLE, SOME
4 LANGUAGE TO THE EFFECT -- A LIMITING INSTRUCTION BECAUSE I
5 HAVE GOT A PROBLEM AT THIS POINT WITH THE PERCEPTION OF THE
6 JURY.

7 THE JURY BELIEVES THAT THE JUDGE HAS READ AN
8 ARTICLE THAT SAYS THAT THE ROBERTS HAVE A FINANCIAL INTEREST
9 IN THIS CASE.

10 THE COURT: I DIDN'T TELL THEM THAT.

11 MR. BARENS: I BELIEVE THAT THE JURY COULD CLEARLY SEE
12 THAT YOUR HONOR WAS READING FROM SOMETHING.

13 THE COURT: I ASKED WHETHER OR NOT SHE KNOWS THESE
14 AGENTS AND IF THEY HAVE HAD ARRANGEMENTS WITH THE AGENTS.

15 MR. CHIER: LET'S HAVE READ TO THE JURY THE PARTS,
16 ARTHUR. THEY HAVEN'T SEEN THE WHOLE THING. THAT'S NOT FAIR
17 EITHER.

18 MR. BARENS: WELL, THE PROBLEM WE GET INTO WITH THE JURORS
19 IS THAT WE --

20 THE COURT: AS FAR AS A FINANCIAL INTEREST, IT HAS NOT
21 MENTIONED A MILLION DOLLARS AND --

22 MR. CHIER: I HAVE READ THE PARTS THAT --

23 THE COURT: JUST READ THE PARTS THAT HE WOULD LIKE AND
24 NOT WHAT THE JURY SHOULD UNDERSTAND? AND --

25 MR. BARENS: I AM NOT IN FAVOR OF THAT, EITHER. COULD
26 I JUST HAVE A MOMENT TO SEE WHAT TO DO? BECAUSE THIS IS AN
27 AWKWARDNESS THAT HAS COME UP. WITH RESPECT TO ITS GENESIS,
28 I AM TRYING TO RESOLVE IT.

1 (PAUSE.)

2 THE COURT: PARDON ME. SO FAR AS THE TESTIMONY IS
3 CONCERNED, ALL WE HAVE IS THAT SHE DOESN'T KNOW OF ANY KIND
4 OF FINANCIAL INTEREST THAT HER HUSBAND HAS WITH THESE AGENTS.
5 THAT IS THE EXTENT OF IT.

6 MR. WAPNER: I DON'T THINK THERE IS ANY TESTIMONY ABOUT
7 THE ARTICLE, PER SE.

8 THE COURT: NO. THERE WASN'T. I DIDN'T SAY THAT THERE
9 WAS ANY ARTICLE.

10 MR. BARENS: I THINK IT WAS CLEAR TO EVERYBODY IN THE
11 ROOM, THAT THE JUDGE --

12 THE COURT: YES. I WAS LOOKING AT SOME NOTE I HAD.
13 BUT YOU MADE A BIG DEAL OUT OF IT BY SHOWING IT TO HIM AND
14 GETTING INTO THIS LONG DISCUSSION AND --

15 MR. BARENS: JUDGE, YOU SEE THE PROBLEM? I GET THE
16 SENSE THAT EVERYBODY THOUGHT THAT YOU WERE TRYING TO IMPEACH
17 THE WITNESS. I AM BEING CANDID WITH YOU.

18 YOU KNOW WHAT YOU WERE DOING. YOU WERE TRYING
19 TO IMPEACH THE WITNESS.

20 THE POINT OF THE MATTER IS, THAT IRRESPECTIVE OF
21 ANY PARTISANSHIP OR NOT, YOUR HONOR IS FULFILLING WHAT HE FEELS
22 HIS OBLIGATION IS. THE PROBLEM THAT I GET INTO IS --

23 THE COURT: I REFER YOU TO THE SUPREME COURT CASE OF
24 PEOPLE V. OTTEY, O-T-T-E-Y. THAT IS AT 5 CAL.2D.

25 MR. BARENS: 5 CAL.?

26 THE COURT: YES, 5 CAL. IT WAS A VERY GOOD COURT AT
27 THAT TIME.

28 IT READS:

56A
1 "IN OTHER WORDS, IT WAS THE INTENTION
2 TO PLACE IN THE TRIAL JUDGE'S HANDS MORE POWER IN
3 THE TRIAL OF JURY CASES AND MAKE HIM A REAL FACTOR
4 IN THE ADMINISTRATION OF JUSTICE IN SUCH CASES,
5 INSTEAD OF BEING IN THE POSITION OF A MERE
6 REFEREE OR AUTOMOTON AS TO THE ASCERTAINMENT OF
7 THE FACTS."

8 THIS IS WHAT THE SUPREME COURT SAYS THE FUNCTION
9 OF A JUDGE IS. I AM EXERCISING THAT FUNCTION.

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1 MR. BARENS: I WISH THAT YOU JUDGE, HAD BEEN MORE
2 VIGOROUS WITH SOME OF THE PROSECUTION WITNESSES IN THAT REGARD.

3 THE COURT: IF THERE WAS ANY OCCASION I WOULD HAVE BEEN.

4 MR. BARENS: WELL, YOUR HONOR, IRRESPECTIVE OF WHAT YOU
5 AND I THINK, THERE HAS TO BE A FOCUS. AND IN THIS ARTICLE,
6 IT SAYS THAT BOBBY ROBERTS SAID THAT HE INTRODUCED HUNT TO
7 THE AGENTS SO JOE WOULDN'T HAVE TO FIELD THE PHONE CALLS
8 HIMSELF WHILE -- DURING THE TRIAL.

9 THE COURT: THAT IS WHY I ASKED WHETHER OR NOT SHE KNOWS
10 HIM. SHE SAID SHE HEARD OF HIM. I ASKED WHETHER OR NOT THOSE
11 AGENTS WERE SELECTED BY HER HUSBAND.

12 AND I ASKED HER A QUESTION AFTER THAT, DOES SHE
13 HAVE ANY FINANCIAL INTEREST IN IT.

14 MR. BARENS: YOU SEE THE PROBLEM IS -- I HAVE A PROBLEM.
15 I AM LOOKING FOR A LIMITING INSTRUCTION.

16 THE COURT: WE DON'T HAVE TO DO IT AT THIS MOMENT, DO
17 WE? WE CAN HAVE A LIMITING INSTRUCTION AT THE TIME I GIVE
18 ALL OF THE INSTRUCTIONS TO THE JURY.

19 MR. BARENS: YOU SEE, WHAT I AM SEEKING IS --

20 THE COURT: IF IT IS REQUESTED AT THAT POINT.

21 MR. BARENS: HERE IS WHAT I WILL DO. I WILL SUBMIT IT
22 TO YOUR HONOR. AND I WILL TELL YOU WHAT I AM THINKING.

23 I THINK THAT THE JURY THINKS YOUR HONOR IS READING
24 SOMETHING THAT SAID THAT THE ROBERTS HAVE A FINANCIAL INTEREST
25 IN THE CASE.

26 THE COURT: NO. I DID NOT. NO, NOT FROM WHAT YOU HAVE
27 JUST READ.

28 MR. BARENS: WELL, WOULD YOUR HONOR -- I DID NOT READ

36F 0
1 THAT ARTICLE. THAT IS, I DID NOT READ IN THE ARTICLE WHERE
2 IT SAID THAT ROBERTS --

3 THE COURT: I DON'T THINK I OUGHT TO AT THIS TIME.
4 ALL RIGHT?

5 MR. BARENS: WELL, THE PROBLEM IS THAT THERE IS NO TIME
6 LIKE THE PRESENT AND --

7 THE COURT: NO. I WILL NOT TELL THEM WHERE I READ IT
8 FROM.

9 MR. WAPNER: THAT IS LIKE TELLING A LITTLE KID THAT YOU
10 CAN'T HAVE THE CANDY. IT JUST MAKES HIM WANT IT ALL THE MORE.
11 IT IS RIDICULOUS.

12 MR. BARENS: WELL, LET ME ASK YOU THIS, JUDGE. HERE
13 IS WHAT I WOULD LIKE TO DO. I WOULD LIKE TO RESERVE FOR THE
14 DEFENSE IF YOU WOULD SIR, TO SUBMIT A LIMITING INSTRUCTION
15 TO THE COURT TOMORROW MORNING, A PROPOSED LIMITING INSTRUCTION
16 OR SERIES OF SOME ALTERNATIVES.

17 THE COURT: ALL RIGHT.

18 MR. BARENS: I WOULD INVITE MR. WAPNER ALONG THE SAME
19 LINES, TO DO LIKewise.

20 THE COURT: WILL YOU DO THAT?

21 MR. BARENS: YOUR HONOR --

22 THE COURT: HAVE YOU GOT ANY OTHER WITNESSES?

23 MR. BARENS: I HAVE ONE. I WOULD RATHER NOT START HIM
24 NOW, TO BE HONEST WITH YOU.

25 MR. WAPNER: TO TELL YOU THE TRUTH, I THINK THAT WE MIGHT
26 ALL BE BETTER SERVED IF -- I KNOW COUNSEL WANTS TO DO THIS
27 AS SOON AS POSSIBLE. BUT HE CAN HAVE THE DAILY TRANSCRIPT
28 TO SEE EXACTLY WHAT WAS SAID. THEN HE CAN KNOW WHAT WOULD

36P 7
1 BE THE BETTER POSITION AND HE COULD WRITE LIMITING INSTRUCTIONS.
2 SO INSTEAD OF DOING IT TOMORROW MORNING, MAYBE WE CAN DO IT
3 THE NEXT MORNING.

4 MR. BARENS: THEN I CAN READ WHAT WAS SAID.

5 THE COURT: I REMEMBER WHAT I SAID.

6 MR. BARENS: MR. CHIER REMEMBERS EVERYTHING.

7 THE COURT: DON'T QUOTE HIM TO ME.

8 MR. BARENS: NO. I AM NOT, SIR. LET'S ADJOURN FOR
9 TODAY AND WE'LL START TOMORROW. WE WILL SUBMIT SOME
10 ALTERNATIVE LIMITING INSTRUCTIONS TO BE DONE WITH IT.

11 THE COURT: ALL RIGHT.

12 MR. BARENS: AND I WILL RELEASE THE WITNESS.

13 MR. CHIER: COULD WE HAVE THE PAGE NUMBER OF THAT TOME
14 YOU HAVE FOUND THIS CASE ON?

15 MR. BARENS: THE CASE CITE?

16 THE COURT: WHAT IS HE SAYING?

17 MR. BARENS: HE WOULD LIKE THE CASE CITE. SORRY, SIR.

18 THE COURT: PEOPLE VERSUS OTTEY, O-T-T-E-Y, 5 CAL.2D,
19 PAGE 714 AT PAGE 723.

20 MR. BARENS: THANK YOU, YOUR HONOR. I WILL HAVE THAT
21 RESEARCHED IMMEDIATELY. THANK YOU, YOUR HONOR. ARE YOU GOING
22 TO GO AHEAD AND MARK THAT?

23 THE COURT: LET'S JUST LEAVE IT HERE. THE JURY HASN'T
24 SEEN IT. WE CAN MAKE IT THE NEXT JUDGE'S EXHIBIT FOR
25 IDENTIFICATION.

26 (THE FOLLOWING PROCEEDINGS WERE HELD IN
27 OPEN COURT IN THE PRESENCE OF THE JURY:)

28 THE COURT: ANY FURTHER QUESTIONS OF MRS. ROBERTS?

1 MR. WAPNER: NO.

2 MR. BARENS: NO.

3 THE COURT: SHE MADE BE EXCUSED. THANK YOU VERY MUCH,
4 MRS. ROBERTS. YOU ARE EXCUSED. YOU BETTER LEAVE THE BOOK
5 HERE.

6 THE WITNESS: I WILL.

7 THE COURT: WOULD YOU RATHER START TOMORROW MORNING?

8 MR. BARENS: WE MIGHT AS WELL.

9 THE COURT: ALL RIGHT. LADIES AND GENTLEMEN OF THE JURY,
10 WE WILL TAKE OUR AFTERNOON ADJOURNMENT AT THIS TIME UNTIL THE
11 USUAL TIME, 10:30 TOMORROW MORNING. GOOD NIGHT.

12 THE SAME ADMONITION THAT I GAVE YOU STILL APPLIES.

13 (AT 4:20 P.M. AN ADJOURNMENT WAS TAKEN

14 UNTIL WEDNESDAY, APRIL 1, 1987, AT 10:30 A.M.)
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