

2:21:26 PM 1 known.

2:21:26 PM 2 Q How do you know that?

2:21:28 PM 3 A How do I know that?

2:21:29 PM 4 Q How do you know the feelings of these people?

2:21:32 PM 5 A Bob told me.

2:21:33 PM 6 Q So Mr. Minton knows who they are.

2:21:37 PM 7 A You'd have to ask him.

2:21:38 PM 8 Q You received no paperwork from the bank indicating
2:21:45 PM 9 where this wire came from?

2:21:48 PM 10 A No.

2:21:50 PM 11 Well, it came from a bank in Germany.

2:21:53 PM 12 Q Germany.

2:21:54 PM 13 When did the wire come in?

2:21:55 PM 14 A You'd have to show me the papers that I just gave
2:22:02 PM 15 you.

2:22:06 PM 16 Q I'm handing you back Defendant's Exhibit 11.

2:22:12 PM 17 A In April, I believe.

2:22:18 PM 18 Q April of 2001?

2:22:21 PM 19 A I believe so.

2:22:24 PM 20 Q And then on April 11th, 2001, \$300,000 was
2:22:37 PM 21 transferred to Mr. Minton out of LMT accounts, is that
2:22:41 PM 22 correct?

2:22:41 PM 23 A There was only one account. And I paid him back.
2:22:50 PM 24 He had loaned the LMT money. And when we got that money, I
2:22:55 PM 25 gave it -- I loaned it back -- I mean, I paid it back to

2:22:58 PM 1 him.

23:02 PM 2 Q Is there a loan agreement?

2:23:06 PM 3 A Yes.

2:23:06 PM 4 Q A written loan agreement?

2:23:08 PM 5 A No. No, it's not written.

2:23:10 PM 6 Q An oral loan agreement?

2:23:12 PM 7 A Yes.

2:23:12 PM 8 Q How much is the oral loan agreement for?

2:23:17 PM 9 A Well, the agreement is if he loans us money, we'll
2:23:20 PM 10 pay it back to him when we are able to.

2:23:21 PM 11 Q This is an oral agreement between you and
2:23:24 PM 12 Mr. Minton?

2:23:24 PM 13 A Yes.

2:23:25 PM 14 Q How much money did he loan the corporation?

2:23:35 PM 15 A I believe a little bit more than 650,000.

2:23:40 PM 16 Q No one saw fit to put this agreement in writing?

2:23:43 PM 17 A He didn't require it.

2:23:45 PM 18 Q And you didn't require it as the president and
2:23:50 PM 19 chief financial officer of the corporation?

2:23:51 PM 20 A No. I thought it was extremely generous of him to
2:23:56 PM 21 loan us the money.

2:23:58 PM 22 Q Are there any board minutes or any other corporate
2:24:00 PM 23 records indicating the fact of this loan or any
2:24:07 PM 24 circumstances of this loan from Mr. Minton?

24:09 PM 25 A No.

2:24:10 PM 1

Q No paper whatsoever?

2:24:12 PM 2

A No.

2:24:13 PM 3

Q When did he loan that money; Mr. Minton?

2:24:17 PM 4

A I don't remember.

2:24:20 PM 5

Q Now, the two other checks that are part of Exhibit

2:24:26 PM 6

11 were both written in March, one on March 19th, one on

2:24:30 PM 7

March 20th, in the amounts of 200,000 and \$150,000. They're

2:24:35 PM 8

signed by you, correct?

2:24:37 PM 9

A Yes.

2:24:37 PM 10

Q Where did this money come from to re -- to give to

2:24:46 PM 11

Mr. Minton?

2:24:50 PM 12

A Well, there have been two things that have

2:24:54 PM 13

happened. One is that 300,000 has come in from Operation

2:24:59 PM 14

Clambake, and the other is that anonymous moneys have come

2:25:05 PM 15

in from people whose name -- who I don't know who they are.

2:25:08 PM 16

So I would have to have -- I would have to look but -- to

2:25:13 PM 17

remember which was which. But that's -- that's basically

2:25:17 PM 18

what happened.

2:25:18 PM 19

Q You're claiming the rest of this money came from

2:25:20 PM 20

what you call Operation Clambake?

2:25:22 PM 21

MR. MERRETT: I'm going to object to the argumentative tone of the question.

2:25:24 PM 22

2:25:26 PM 23

MR. DANDAR: And object to repetitive.

2:25:28 PM 24

MR. MOXON: Let me rephrase the question.

2:25:30 PM 25

MR. MERRETT: I mean, I think it's

2:25:31 PM 1 inappropriate to ask if she's claiming --

2:25:33 PM 2 MR. MOXON: Let me --

2:25:33 PM 3 THE COURT: Reframe --

2:25:34 PM 4 MR. MOXON: -- rephrase --

2:25:34 PM 5 MR. MERRETT: I'm sorry.

2:25:35 PM 6 THE COURT: Reframe the question.

2:25:36 PM 7 BY MR. MOXON:

2:25:36 PM 8 Q Are you saying, Ms. Brooks -- I'm not quite sure I
2:25:39 PM 9 understand what you're saying. Are you saying that \$300,000
2:25:43 PM 10 went to Mr. Minton from Operation Clambake?

2:25:47 PM 11 A No.

2:25:48 PM 12 Q How much went to Mr. Minton from money you got
2:25:50 PM 13 from Operation Clambake?

2:25:56 PM 14 A Well, approximately that much went to him after I
2:25:59 PM 15 got it from Operation Clambake. Yes.

2:26:02 PM 16 Q How much did Operation Clambake give to LMT?

2:26:07 PM 17 A Approximately \$300,000.

2:26:08 PM 18 Q And you paid all of that out to Mr. Minton.

2:26:11 PM 19 A Most of it.

2:26:11 PM 20 Q You paid out all of the money that you got from
2:26:17 PM 21 the anonymous source to Mr. Minton also?

2:26:19 PM 22 A No.

2:26:19 PM 23 Q How much of that did you keep?

2:26:21 PM 24 A I don't remember.

2:26:25 PM 25 Q How much did you get from this anonymous source?

2:26:30 PM 1 A Approximately 500,000.

2:26:31 PM 2 Q You got 300,000 from Clambake and 500,000 from the
2:26:37 PM 3 anonymous source?

2:26:38 PM 4 A I believe there were more than one source.

2:26:44 PM 5 Q But you got a total of 500,000 from anonymous
2:26:51 PM 6 sources?

2:26:51 PM 7 A Yes.

2:26:51 PM 8 Q Was that all in one transfer?

2:26:53 PM 9 A I don't recall that it was. I'm not sure, though.

2:26:59 PM 10 Q How many transfers were there?

2:27:03 PM 11 A I don't remember really. There may have been two
2:27:07 PM 12 or three, but I'm not sure.

2:27:11 PM 13 Q Was the transfer into your Bank of America
2:27:15 PM 14 account?

2:27:15 PM 15 A Yes.

2:27:16 PM 16 Q What's the account number of the Bank of America
2:27:19 PM 17 account?

2:27:20 PM 18 A I don't believe --

2:27:21 PM 19 MR. MERRETT: I'll object to --

2:27:21 PM 20 A -- I'm required to --

2:27:21 PM 21 MR. MERRETT: -- relevance.

2:27:21 PM 22 A -- answer that.

2:27:23 PM 23 THE COURT: Overruled.

2:27:25 PM 24 MR. MERRETT: Judge, Scientology has a
2:27:26 PM 25 history of engaging in bank fraud with the use of this

2:27:30 PM 1 information. They've done it to this witness; they've done
2:27:31 PM 2 it to Mr. Minton; they've taken bank numbers; they, by
2:27:35 PM 3 subterfuge, obtain bank records; they've emptied people's
2:27:41 PM 4 bank accounts; they've stolen money using this.

2:27:43 PM 5 This is an inappropriate subject for discovery.

2:27:46 PM 6 THE COURT: Overruled. If that occurs,
2:27:47 PM 7 there's other remedies that you can use.

8:09:13 AM 8 Answer the question, please.

2:27:51 PM 9 A I don't know.

2:27:52 PM 10 BY MR. MOXON:

2:27:53 PM 11 Q Can you provide that to me this afternoon?

2:27:55 PM 12 A No.

2:27:55 PM 13 Q Send a fax to my office with that information this
2:27:59 PM 14 evening?

2:27:59 PM 15 A I don't believe so.

2:28:00 PM 16 Q Why not?

2:28:01 PM 17 A I don't believe I should answer that question.

2:28:06 PM 18 Q Are you refusing to answer?

2:28:07 PM 19 A I think I should, yes. I think I'd better.

2:28:10 PM 20 MR. MERRETT: Actually, she's just answered
2:28:11 PM 21 it. You've asked her to do something outside of the
2:28:14 PM 22 deposition. She's not going to do it. If you have other
2:28:17 PM 23 questions during the deposition, we should hear them.

2:28:23 PM 24 BY MR. MOXON:

2:28:23 PM 25 Q Do you have any checks with this Bank of America

2:28:27 PM 1 account with you?

A No, I don't.

Q Or any information on this account?

A No, I don't.

Q How many accounts do you have at Bank of America?

A One.

Q How many accounts do you have at NationsBank?

A None.

Q None? How many did you have there?

A One. NationsBank became Bank of America.

Q Is this the same bank the two amounts were given to Mr. Minton from Exhibit 11: NationsBank checks of March 20th and March 19th and the Bank of America transfer of April 11th?

A Yes.

Q Who is Operation Clambake?

A It's a Web site.

Q Do you know who controls the Web site?

A A man named Andreas Heldal-Lund.

Q Was it Mr. Lund that transferred the \$300,000?

A I'm not really sure. I just know that it came from Operation Clambake.

Q Was it in a check or a wire transfer?

MR. DANDAR: Asked and answered.

THE COURT: Overruled.

2:29:39 PM 1 A I believe it was a check.

2:29:40 PM 2 BY MR. MOXON:

2:29:41 PM 3 Q What did the check say?

2:29:51 PM 4 A What do you mean?

2:29:52 PM 5 Q Did the check say "Operation Clambake" on it as

2:29:55 PM 6 the name --

2:29:56 PM 7 A I believe so, yeah.

2:29:56 PM 8 Q -- of the payee? Is that correct?

2:30:02 PM 9 A I believe so, yeah. As I recall.

2:30:06 PM 10 Q Who signed the check?

2:30:08 PM 11 A I'm not sure.

2:30:11 PM 12 Q Did you look?

2:30:11 PM 13 A I'm not --

2:30:15 PM 14 THE COURT: You're going to have to speak up,

2:30:17 PM 15 ma'am.

2:30:18 PM 16 THE DEPONENT: I didn't say anything.

2:30:18 PM 17 THE COURT: I can hardly hear you.

2:30:21 PM 18 THE DEPONENT: Okay. I didn't say anything.

2:30:23 PM 19 THE COURT: Well, I --

2:30:24 PM 20 THE DEPONENT: I didn't.

2:30:28 PM 21 BY MR. MOXON:

2:30:28 PM 22 Q Was it a -- is this an unusual event, to get a

2:30:31 PM 23 \$300,000 check into your corporation?

2:30:37 PM 24 A Yes, it is.

3:0:37 PM 25 Q You had no interest or concern as to who provided

2:30:41 PM 1 \$300,000 to your corporation?

2:30:43 PM 2 A I had reason to understand that it should be kept
2:30:49 PM 3 confidential.

2:30:51 PM 4 Q But you had no interest to know who it was as
2:30:54 PM 5 the --

2:30:54 PM 6 A I didn't.

2:30:55 PM 7 Q Were you the chief financial officer and the chief
2:30:58 PM 8 operating officer of the corporation at the time that you
2:31:01 PM 9 received this money?

2:31:02 PM 10 A Yes, I was.

2:31:03 PM 11 Q Was this income?

2:31:09 PM 12 A Yes.

2:31:10 PM 13 Q It's income to the corporation?

2:31:11 PM 14 A Yes.

2:31:11 PM 15 Q Do you know anyone associated with this Operation
2:31:21 PM 16 Clambake other than Andreas Heldal-Lund?

2:31:27 PM 17 A I believe he runs it.

2:31:29 PM 18 Q Do you know anyone else associated with it that --

2:31:32 PM 19 A You know, I don't really know much about it at
2:31:35 PM 20 all.

2:31:43 PM 21 Q Did you ask Mr. Minton where this money came from?

2:31:46 PM 22 A No.

2:31:47 PM 23 Q Did you ask Mr. Minton why --

2:31:50 PM 24 A Mr. Minton didn't know anything about this. This
3:31:52 PM 25 didn't have anything to do with him.

2:31:54 PM 1 Q The Operation Clambake check?

2:31:56 PM 2 A Yeah.

2:31:56 PM 3 Q Who arranged for that?

2:31:58 PM 4 A I was contacted by somebody who said that a
2:32:08 PM 5 donation was coming.

2:32:10 PM 6 Q Who were you contacted by?

2:32:12 PM 7 A A person.

2:32:13 PM 8 Q Who?

2:32:14 PM 9 A Who didn't say who they were.

2:32:17 PM 10 Q Did you know who it was?

2:32:18 PM 11 A No.

2:32:20 PM 12 Q Did you ask who they were?

2:32:21 PM 13 A I didn't.

2:32:27 PM 14 MR. DANDAR: Can I interrupt just for a
2:32:29 PM 15 second, Judge?

2:32:29 PM 16 THE COURT: You may.

2:32:30 PM 17 MR. DANDAR: I just wanted to make sure -- do
2:32:32 PM 18 you realize that that counterclaim is still subject to a
2:32:36 PM 19 motion to dismiss that hasn't been ruled upon?

2:32:38 PM 20 THE COURT: I do.

2:32:39 PM 21 MR. DANDAR: Okay.

2:32:46 PM 22 BY MR. MOXON:

2:32:46 PM 23 Q Did you make any record of your phone call with
2:32:49 PM 24 the anonymous person who --

2:32:50 PM 25 A No, I didn't.

- 2:32:50 PM 1 Q -- told you a check was coming --
- 2:32:53 PM 2 A No, I didn't.
- 2:32:53 PM 3 Q -- from Operation Clambake?
- 2:32:55 PM 4 No?
- 2:32:56 PM 5 A No, I didn't.
- 2:32:56 PM 6 Q Do you know if you have any corporate
- 2:33:03 PM 7 responsibility to make a record of the source of the
- 2:33:05 PM 8 corporation's funding?
- 2:33:08 PM 9 A Yes.
- 2:33:08 PM 10 Q What is that responsibility?
- 2:33:11 PM 11 A I make a record of it.
- 2:33:12 PM 12 Q Where is the record?
- 2:33:13 PM 13 A In our bank statements.
- 2:33:18 PM 14 Q Your bank statement is the only record of this
- 2:33:20 PM 15 \$300,000 check?
- 2:33:21 PM 16 A Yes.
- 2:33:22 PM 17 Q What record was made of the \$500,000 anonymous
- 2:33:27 PM 18 donation?
- 2:33:27 PM 19 A There was a deposit made.
- 2:33:31 PM 20 Q How do you know it wasn't drug money or some
- 2:33:35 PM 21 illegal money?
- 2:33:36 PM 22 MR. MERRETT: Scientology money, for example.
- 2:33:39 PM 23 A I'm sure it wasn't.
- 2:33:41 PM 24 BY MR. MOXON:
- 2:33:43 PM 25 Q How do you know?

2:33:43 PM 1 A And people who are dealing in drugs wouldn't be
2:33:49 PM 2 making donations to the Lisa McPherson Trust.

2:33:51 PM 3 Q Tell me --

2:33:52 PM 4 A The people who are making donations to the Lisa
2:33:55 PM 5 McPherson Trust are people whose families have been
2:33:59 PM 6 destroyed by Scientology or whose children have committed
2:34:03 PM 7 suicide by Scientology -- because of Scientology, or some
2:34:08 PM 8 other tragedy has happened to them, and they are hoping that
2:34:10 PM 9 the same thing won't happen to anyone else.

2:34:12 PM 10 Q So you have some idea who made this anonymous
2:34:15 PM 11 donation?

2:34:15 PM 12 A No. I just know the type of people who are
2:34:17 PM 13 concerned to make sure that the Lisa McPherson Trust
2:34:19 PM 14 continues.

2:34:29 PM 15 Q Did you ask Mr. Minton who had made these
2:34:31 PM 16 investments in the trust?

2:34:33 PM 17 A Yes.

2:34:33 PM 18 Q What did he tell you?

2:34:38 PM 19 A He said that they had asked to remain anonymous
2:34:41 PM 20 and he had given them his word.

2:34:44 PM 21 Q Who owns this company, the Lisa McPherson Trust?

2:34:48 PM 22 A I do.

2:34:48 PM 23 Q Is it a stock corporation?

2:34:53 PM 24 A Yes.

34:53 PM 25 Q How many shares of stock are there?

2:34:55 PM 1 A Hundred.

2:34:55 PM 2 Q 100?

2:34:56 PM 3 A Yes.

2:34:56 PM 4 Q You own them all?

2:34:58 PM 5 A I do.

2:34:58 PM 6 Q Did you buy them?

2:35:00 PM 7 A Yes.

2:35:01 PM 8 Q How much did you pay for them?

2:35:06 PM 9 MR. MERRETT: I'm going --

2:35:08 PM 10 A A dollar.

2:35:08 PM 11 MR. MERRETT: -- to object.

2:35:10 PM 12 BY MR. MOXON:

2:35:10 PM 13 Q \$1?

2:35:11 PM 14 MR. MERRETT: The value of the corporation --

2:35:12 PM 15 I mean, what are we trying here? He's not a stockholder --

2:35:15 PM 16 THE COURT: Are you making an objection?

2:35:16 PM 17 MR. MERRETT: The objection is that it's

2:35:17 PM 18 beyond the scope of the court's order and it's totally

2:35:19 PM 19 irrelevant to any issue here.

2:35:20 PM 20 THE COURT: Overruled.

2:35:22 PM 21 Go ahead.

2:35:23 PM 22 BY MR. MOXON:

2:35:25 PM 23 Q Who did you buy the stock from for \$1?

2:35:28 PM 24 A From Bob Minton.

3:35:30 PM 25 Q So it was essentially a gift to you.

- 2:35:33 PM 1 A Yes.
- 2:35:33 PM 2 Q What was the point of the \$1?
- 2:35:37 PM 3 A I thought that I should pay him something for it.
- 2:35:41 PM 4 Q He offered to give you the entirety of the
2:35:44 PM 5 corporation?
- 2:35:45 PM 6 A Yes.
- 2:35:45 PM 7 Q When was that?
- 2:35:48 PM 8 A I believe it was in March of 2000.
- 2:35:56 PM 9 Q Are there any board minutes or documents that
2:35:59 PM 10 document this transfer of the ownership of the company to
2:36:01 PM 11 you?
- 2:36:01 PM 12 A Yes.
- 2:36:02 PM 13 Q What are they?
- 2:36:03 PM 14 A There's a board minute.
- 2:36:08 PM 15 Q Who were the directors at that time?
- 2:36:10 PM 16 A There were a number of directors.
- 2:36:16 PM 17 Q Who were the directors at that time?
- 2:36:17 PM 18 A Jesse Prince, Ed Lottick, Rod Keller.
- 2:36:38 PM 19 Q Who was present at the board meeting?
- 2:36:41 PM 20 A Just myself and Bob Minton.
- 2:36:45 PM 21 Q Who signed the board minutes?
- 2:36:55 PM 22 A Well, actually, Jesse Prince was there also.
2:37:00 PM 23 I believe -- I believe Bob Minton and I did.
2:37:02 PM 24 Possibly Jesse Prince.
- 3:37:08 PM 25 Q Now, you didn't produce that document, but that

2:37:09 PM 1 would seem to me to be a financial record regarding a
2:37:13 PM 2 payment to any person identified as a witness in this case,
2:37:15 PM 3 since you are identified as a witness in these various
2:37:19 PM 4 orders.

A It wasn't a payment to me.

Q Well, a hundred -- the entirety of --

MR. MERRETT: Don't argue with the witness.

MR. MOXON: Okay. I won't argue. But

Mr. Merrett, could you please produce that document, so I
don't have to file a motion?

MR. MERRETT: I don't believe that the
document is responsive.

MR. MOXON: Well, I'll go on.

BY MR. MOXON:

Q Does LMT have any other bank accounts other than
the NationsBank account which turned into a Bank of America
account?

A No.

Q Did it ever?

A No.

Q Are there any other accounts that you utilized for
the payment of any expenses of the corporation?

A No.

Q What was Mr. Minton's position in the corporation
at the time of this transfer of funds to you?

2:38:19 PM 1

A Chairman of the board.

2:38:21 PM 2

Q Is he still the chairman of the board?

2:38:22 PM 3

A Yes.

2:38:23 PM 4

Q He's always been the chairman of the board,

2:38:28 PM 5

correct?

2:38:29 PM 6

A Yes.

2:38:29 PM 7

Q Have there been any other transfers of funds to

2:38:39 PM 8

Mr. Minton from the LMT other than what's set forth in

2:38:43 PM 9

Exhibit 11?

2:38:44 PM 10

A No.

2:38:53 PM 11

Q Are there any other investors in LMT other than

2:38:59 PM 12

you and Mr. Minton?

2:39:01 PM 13

A There are no investors into the LMT.

2:39:04 PM 14

Q Does anyone other than you own any part of LMT?

2:39:07 PM 15

A No.

2:39:08 PM 16

Q So anything that comes into LMT in the future is

2:39:13 PM 17

your property?

2:39:14 PM 18

MR. MERRETT: I'm going to object as calling

2:39:16 PM 19

for a legal conclusion. If counsel wants to pierce the

2:39:20 PM 20

corporate veil, he needs to do it by another means.

2:39:23 PM 21

THE COURT: Overruled.

8:09:13 AM 22

Answer the question, please.

2:39:25 PM 23

MR. MERRETT: If you understand what the

2:39:27 PM 24

relationship is between you and the corporation and the

2:39:28 PM 25

ownership of corporate assets.

2:39:31 PM 1 A What's the question again?

2:39:33 PM 2 BY MR. MOXON:

2:39:35 PM 3 Q Does anything, any funds that come into LMT,
2:39:38 PM 4 belong to you?

2:39:40 PM 5 A Yes.

2:39:40 PM 6 Q Does LMT have any debts?

2:39:51 PM 7 A Yes.

2:39:52 PM 8 Q What are the -- what are the -- give me a rough
2:39:56 PM 9 approximation of the amount of the debts.

2:39:58 PM 10 A I would say about \$250,000 to Mr. Minton.

2:40:07 PM 11 Q What's that based on? A loan from Mr. Minton?

2:40:11 PM 12 A Yes.

2:40:16 PM 13 I'm sorry. About 150,000.

2:40:18 PM 14 Q How do you know how much the amount that
2:40:23 PM 15 Mr. Minton is owed?

2:40:25 PM 16 A Because he's loaned me that -- he's loaned me
2:40:33 PM 17 about 800,000 and I've paid him back about 650,000.

2:40:38 PM 18 Q Is all the money that Mr. Minton given to LMT a
2:40:43 PM 19 loan?

2:40:45 PM 20 A Yes. Since I've taken it over.

2:40:58 PM 21 Q Is the money that he put into the corporation
2:41:00 PM 22 prior to you taking it over a loan?

2:41:02 PM 23 A Prior to that, he owned it.

2:41:08 PM 24 Q Can you answer my question?

2:41:11 PM 25 Is the money that he gave to the corporation prior

2:41:13 PM 1 to time you took it over a loan?

2:41:18 PM 2 A No.

2:41:18 PM 3 Q So the corporation doesn't owe him any money for
2:41:21 PM 4 the investment he made prior to that time?

2:41:23 PM 5 A Right.

2:41:23 PM 6 Q The entirety -- correct me if I'm wrong. The
2:41:31 PM 7 entirety of your calculations as to how much money you owe
2:41:36 PM 8 Mr. Minton will be based on your recollection of what your
2:41:39 PM 9 agreement is with Mr. Minton and how much you've paid him?

2:41:43 PM 10 A Excuse me?

2:41:47 PM 11 Q Is the entirety of any documentation or agreement
2:41:52 PM 12 with respect to how much money the corporation owes
2:41:55 PM 13 Mr. Minton based upon your recollection?

2:41:58 PM 14 A No.

2:41:59 PM 15 Q What else is it based on?

2:42:01 PM 16 A Based upon my financial records of how much he's
2:42:05 PM 17 loaned us and how much we've paid him back.

2:42:07 PM 18 Q Are there any other financial records than what
2:42:09 PM 19 you've produced here today?

2:42:11 PM 20 A No.

2:42:27 PM 21 Q Did Mr. Minton buy a house for you?

2:42:28 PM 22 MR. MERRETT: I'm going to object. That's
2:42:31 PM 23 beyond the scope. This is a corporate representative
2:42:33 PM 24 deposition. Her personal deposition for this kind of abuse
2:42:37 PM 25 is set a couple of weeks down the road.

2:42:40 PM 1 MR. MOXON: Let me -- let me rephrase the
2:42:41 PM 2 question so it can handle the objection, I hope.

2:42:43 PM 3 BY MR. MOXON:

2:42:43 PM 4 Q Did the chairman of the board of the Lisa
2:42:47 PM 5 McPherson Trust give the president of the board a house?

2:42:50 PM 6 A No.

2:42:54 PM 7 Q Did he provide any down payment used to purchase a
2:42:57 PM 8 house?

2:42:57 PM 9 A No.

2:42:57 PM 10 Q Prior to your work at the LMT, you weren't an
2:43:11 PM 11 employee, correct?

2:43:12 PM 12 A Excuse me?

2:43:16 PM 13 Q You were not employed prior to the time you
2:43:18 PM 14 started working at LMT, is that right?

2:43:21 PM 15 A No. That's not correct.

2:43:21 PM 16 Q When did you start working at LMT?

2:43:25 PM 17 A January, 2000.

2:43:25 PM 18 Q In the year 1999, were you employed?

2:43:31 PM 19 MR. MERRETT: I'm going to object. It's
2:43:34 PM 20 beyond the scope. This is corporate representative
2:43:36 PM 21 deposition. This is not her personal deposition.

2:43:38 PM 22 THE COURT: Overruled.

2:43:40 PM 23 MR. MERRETT: I wonder if we could get some
2:43:42 PM 24 guidance if there are any limits to what information about
43:44 PM 25 her personally is going to be --

2:43:45 PM 1 THE COURT: He asks the question; you make
2:43:47 PM 2 the objections; I rule.

2:43:51 PM 3 Proceed.

2:43:52 PM 4 THE DEPONENT: Okay. Well, your Honor, if I
2:43:54 PM 5 could just clarify something for myself, then -- I'm -- when
2:43:59 PM 6 he begins to question me personally and no longer is
2:44:03 PM 7 questioning the corporate representative of the LMT, then I
2:44:11 PM 8 would need to confer with my counsel in a different manner
2:44:17 PM 9 than I had prior to arriving at this deposition.

2:44:19 PM 10 THE COURT: If he asks a question you feel
2:44:21 PM 11 you need to confer with your counsel, you have that right.

2:44:24 PM 12 THE DEPONENT: Okay. I do feel that I need
2:44:25 PM 13 to right now.

2:44:26 PM 14 THE COURT: Okay. Go ahead.

2:44:29 PM 15 THE DEPONENT: I'd like to step outside,
2:44:30 PM 16 please.

2:44:39 PM 17 (A recess was taken.)

2:49:21 PM 18 BY MR. MOXON:

2:49:21 PM 19 Q The question, Ms. Brooks, is, were you employed in
2:49:24 PM 20 1999?

2:49:25 PM 21 A As the corporate representative of the LMT, I
2:49:27 PM 22 don't have that information.

2:49:35 PM 23 Q Let me ask you again.

2:49:37 PM 24 Were you employed in 1999?

49:38 PM 25 MR. MERRETT: Asked and answered.

2:49:39 PM 1 THE COURT: Is that your answer, ma'am?

2:49:41 PM 2 THE DEPONENT: Yes, it is.

2:49:41 PM 3 THE COURT: I instruct you to answer the
2:49:42 PM 4 question, please.

2:49:44 PM 5 MR. MERRETT: Judge, I have to interpose
2:49:46 PM 6 another objection.

2:49:48 PM 7 Unless there -- unless the concept of a corporate
2:49:49 PM 8 representative deposition is entirely meaningless, then
2:49:53 PM 9 personal questions about the witness's life are clearly
2:49:56 PM 10 outside the scope and need to be deferred until the
2:49:59 PM 11 witness's own deposition.

2:50:00 PM 12 THE COURT: Overruled.

2:50:03 PM 13 You instruct the witness to answer the question
2:50:08 PM 14 and we'll certify it.

2:50:09 PM 15 MR. MERRETT: We'll certify it.

2:50:11 PM 16 THE COURT: Are you instructing her not to
2:50:12 PM 17 answer the question?

2:50:12 PM 18 MR. MERRETT: Yes.

2:50:19 PM 19 BY MR. MOXON:

2:50:20 PM 20 Q Okay. Shortly after you came to work at the Lisa
2:50:23 PM 21 McPherson Trust, Inc., you purchased a house in Bellaire, is
2:50:28 PM 22 that correct?

2:50:29 PM 23 A That's incorrect.

2:50:30 PM 24 Q When did you purchase the house in Belleaire?

2:50:35 PM 25 A In November of 1999.

2:53:34 PM 1 Exhibit 5?

2:53:39 PM 2 A Well, there's these checks he's received. This
2:53:46 PM 3 was a reimbursement check and this was a --

2:53:49 PM 4 Q Exhibit 8.

2:53:51 PM 5 A Yes.

2:53:51 PM 6 Q So in Exhibit 5 and Exhibit 8 are the entirety of
2:53:54 PM 7 the checks paid to Jesse Prince?

2:53:57 PM 8 A Yes.

2:53:57 PM 9 Q He's received no other money from the corporation?

2:54:02 PM 10 A Correct.

2:54:10 PM 11 Q Is there any correspondence or documentation with
2:54:12 PM 12 your payroll company? Any records of any kind?

2:54:20 PM 13 A Well, the payroll records that they send with
2:54:23 PM 14 payroll every month.

2:54:25 PM 15 Q Is there any -- any documentation, summary of
2:54:30 PM 16 amounts given to them, and amounts paid to the employees?

2:54:34 PM 17 A That's what I've turned over to you.

2:54:36 PM 18 Q No. Is there --

2:54:37 PM 19 A That's the payroll records there.

2:54:39 PM 20 MR. DANDAR: Exhibit number, please.

2:54:43 PM 21 BY MR. MOXON:

2:54:43 PM 22 Q Mr. Merrett has pointed to Exhibit Number 9. Is
2:54:50 PM 23 Exhibit Number 9 a print-off from the payroll company?

2:54:53 PM 24 A Yes.

2:54:53 PM 25 Q What are the deletions?

- 2:54:55 PM 1 A People who are not witnesses in this case.
- 2:55:05 PM 2 Q Is there a cover letter from the payroll company
2:55:07 PM 3 that indicates what this is?
- 2:55:10 PM 4 A No.
- 2:55:10 PM 5 Q There's no other documentation other than this
2:55:13 PM 6 print-off?
- 2:55:14 PM 7 A No.
- 2:55:18 PM 8 There's a orange piece of paper on top.
- 2:55:23 PM 9 Q You've just been using the payroll company since
2:55:26 PM 10 January of this year?
- 2:55:31 PM 11 A No. We used them since we opened. But I don't --
2:55:36 PM 12 I mean, this is what I --
- 2:55:37 PM 13 Q Exhibit Number 9 only has -- starting on
2:55:41 PM 14 January 31st. Do you have other records?
- 2:55:43 PM 15 A Those are the only records I had at the office.
- 2:55:47 PM 16 Q Do you have other --
- 2:55:47 PM 17 A I mean, I think the payroll company -- I could
2:55:50 PM 18 probably get earlier ones from them, but this is all I had
2:55:54 PM 19 at the office.
- 2:55:54 PM 20 Q Did you destroy the other records from the payroll
2:55:57 PM 21 company for the year 2000?
- 2:56:02 PM 22 A Well, we had an employee working for us earlier
2:56:05 PM 23 who was dealing with it, and I believe that those records
2:56:13 PM 24 were only kept at the payroll company at that time.
- 2:56:16 PM 25 Q Who's that employee?

2:57:20 PM 1 A No.

2:57:25 PM 2 Q Now, there is a loan you gave to Grady Ward,
2:57:33 PM 3 correct?

2:57:34 PM 4 A Yes.

2:57:40 PM 5 Q How much was that loan?

2:57:41 PM 6 A If you'd let me --
2:57:43 PM 7 Well, actually -- I guess it's on this one.
2:57:51 PM 8 \$12,200.

2:57:53 PM 9 Q That was the loan from the corporation?

2:57:56 PM 10 A Yes.

2:58:00 PM 11 Q Are there any other -- are there any records of
2:58:02 PM 12 that loan other than the existence of the check which is in
2:58:07 PM 13 Exhibit 8?

2:58:08 PM 14 A I don't believe so.

2:58:12 PM 15 Q Did you actually conduct a search for all records
2:58:17 PM 16 that reflect any payments of any kind --

2:58:20 PM 17 A Yes.

2:58:20 PM 18 Q -- to all of these individuals: Yourself,
2:58:23 PM 19 Mr. Minton, Mr. Ward?

2:58:26 PM 20 A Yes, I did. That's how I got this together.

2:58:29 PM 21 Q There's no production here, by the way, for
2:58:32 PM 22 Mr. Bunker. Why didn't you produce any --

2:58:35 PM 23 A Yes, there is.

2:58:36 PM 24 MR. MERRETT: Keep up with the group.

25

3:00:59 PM 1 McPherson Trust, and he said no. And that's what I'm
.01:04 PM 2 required to produce for the deposition.

3:01:05 PM 3 Q That's the way you asked him the question; just
3:01:07 PM 4 like that?

3:01:08 PM 5 A Yes. In fact, I read this to him.

3:01:10 PM 6 Q You didn't ask him if he had any videos that he
3:01:13 PM 7 took; if he took any of the videos home with him.

3:01:17 PM 8 A He said he has videotape that he -- that is his.

3:01:22 PM 9 Q He's worked as a -- an employee of the Lisa
3:01:25 PM 10 McPherson Trust for how long?

3:01:26 PM 11 A For a little over a year and a half.

3:01:31 PM 12 But his video that he takes is not owned by the
01:35 PM 13 Lisa McPherson Trust.

3:01:35 PM 14 Q Who's it owned by?

3:01:39 PM 15 A By Mark Bunker.

3:01:40 PM 16 Q This is the -- the tape taken by what you call the
3:01:46 PM 17 MintonCam in your newsletter?

3:01:48 PM 18 A We don't call it that. You call it that. I've
3:01:56 PM 19 never called it that.

8:09:13 AM 20 Q Okay. I have a copy of the newsletter you put out
3:02:04 PM 21 that has a -- a glossary, and it defines the term
3:02:10 PM 22 "MintonCam," "The professional quality digital camcorder
3:02:16 PM 23 used exclusively for the production of LMT videos."

3:02:19 PM 24 A Okay.

02:21 PM 25 Q Okay.

3:02:22 PM 1 A But I don't use that word. I'm sure it's defining
3:02:27 PM 2 what somebody else said. I don't use the word.

3:02:29 PM 3 Q Okay. Are you saying that all of the videos that
3:02:31 PM 4 have been taken by Mark Bunker while he's an employee of LMT
3:02:36 PM 5 don't belong to LMT but they belong to Mark Bunker?

3:02:38 PM 6 A No.

3:02:39 PM 7 Q How do you know which ones belong to him and which
3:02:41 PM 8 ones belong to you?

3:02:42 PM 9 A What goes on the Web site is property of the LMT.

3:02:45 PM 10 Q And if it doesn't go on the Web site it's not
3:02:48 PM 11 property of the LMT?

3:02:49 PM 12 A That's right.

3:02:50 PM 13 Q Who makes that decision what goes on the Web site?

3:02:53 PM 14 A I do.

3:02:53 PM 15 Q So the videos that Mr. --

3:02:55 PM 16 A Well, in -- in cooperation with Mark Bunker.

3:02:57 PM 17 Q So the videos that Mr. Bunker's taken, which you
3:03:01 PM 18 haven't decided to put on the Web site, you consider not to
3:03:03 PM 19 be LMT property?

3:03:05 PM 20 A They aren't.

3:03:06 PM 21 Q That's your decision.

3:03:11 PM 22 A That's our agreement.

3:03:15 PM 23 Q So you're not producing anything that you didn't
3:03:18 PM 24 decide to put on your public Web site that was a video taken
03:22 PM 25 by Mr. Bunker, is that correct?

1 BY MR. MOXON:

2 08:07 PM Q -- asked you --

3 3:08:07 PM MR. MERRETT: She's the one who decides if
4 3:08:09 PM she needs clarification.

5 3:08:10 PM MR. DANDAR: Hey --

6 3:08:16 PM A I mean, what I understood you to be saying here --

7 3:08:21 PM MR. DANDAR: What are you referring to --

8 3:08:22 PM THE DEPONENT: Well --

9 3:08:22 PM MR. DANDAR: -- for the record?

10 3:08:23 PM THE DEPONENT: -- hang on just a second --

11 3:08:24 PM BY MR. MOXON:

12 3:08:25 PM Q You're referring to a letter that I wrote to
13 3:08:26 PM Mr. Merrett last week?

14 3:08:28 PM A Where you said -- hang on.

15 3:08:37 PM No. Not this one. There's another --

16 3:08:39 PM Q Let me just ask you a question. That's the best
17 3:08:41 PM way to do this.

18 3:08:42 PM As I understand, what you're telling me is that
19 3:08:45 PM you're aware of the existence of statements made by you,
20 3:08:47 PM Mr. Prince, Mr. Minton, et cetera, that are on your Web
21 3:08:51 PM site, that concern Scientology or concern this case or
22 3:08:56 PM concern Lisa McPherson Trust or concern Lisa McPherson,
23 3:09:01 PM correct?

24 3:09:01 PM A There are statements on our Web site. But see --
25 09:06 PM I mean --

3:09:07 PM 1

Q Okay. But you --

09:08 PM 2

A -- I don't -- I didn't consider an essay to be a statement. I mean, maybe I didn't understand your wording, but it seemed to me that you were asking for -- hang on -- statements having to do with this case.

3:09:17 PM 3

3:09:19 PM 4

3:09:34 PM 5

3:09:36 PM 6

Q So --

3:09:37 PM 7

A And there --

3:09:37 PM 8

Q So --

3:09:37 PM 9

A -- have been things on ARS that have been written about it, but I don't even follow ARS very --

3:09:41 PM 10

3:09:44 PM 11

Q Ms. Brooks --

3:09:45 PM 12

A -- much.

3:09:45 PM 13

Q -- bear with me. If you can just do that.

3:09:48 PM 14

You're aware of statements written by you, by Prince, by Minton concerning this case, concerning Lisa McPherson, correct?

3:09:51 PM 15

3:09:56 PM 16

3:09:58 PM 17

A Well --

3:09:59 PM 18

THE COURT: Well, since we're talking about statements, let's clarify what we're talking about. Written statements --

3:10:00 PM 19

3:10:03 PM 20

3:10:03 PM 21

MR. MOXON: Anything in writing.

3:10:04 PM 22

THE COURT: Talking about statements on the Web site? So that we can be specific. 'Cause apparently she does not consider statements on the Web site as statements as required under that order.

3:10:06 PM 23

3:10:09 PM 24

10:13 PM 25

3:10:16 PM 1

MR. MOXON: Yeah.

3:10:17 PM 2

THE COURT: Is that correct, ma'am?

3:10:18 PM 3

THE DEPONENT: That's correct, your Honor. I

3:10:20 PM 4

didn't consider that that would be responsive to this.

3:10:22 PM 5

BY MR. MOXON:

3:10:22 PM 6

Q Okay.

3:10:22 PM 7

A What I searched was my files.

3:10:25 PM 8

Q And you searched all of your files?

3:10:26 PM 9

A Yes. I did a very thorough search.

3:10:28 PM 10

Q How many file cabinets does LMT have?

3:10:35 PM 11

A Oh, gosh --

3:10:37 PM 12

THE COURT: Well, I think we ought to get on

3:10:38 PM 13

the record her reasons for not believing that "statements"

3:10:43 PM 14

included statements on the Web site.

3:10:45 PM 15

MR. MOXON: Okay.

3:10:47 PM 16

THE COURT: So why don't you go ahead and

3:10:49 PM 17

tell us why you did not consider statements on the Web site

3:10:53 PM 18

as included in the order.

3:10:54 PM 19

THE DEPONENT: My understanding of the order

3:10:55 PM 20

was written statements.

3:10:59 PM 21

BY MR. MOXON:

8:09:13 AM 22

Q All right.

3:11:00 PM 23

A And -- and not only that, but I wasn't including

3:11:06 PM 24

an essay written by me about auditing to be responsive to

11:19 PM 25

that order. I understood that order to be asking for

3:11:22 PM 1 statements by witnesses having to do with this case.

3:11:25 PM 2 Q Okay.

3:11:26 PM 3 A In other words, you know --

3:11:31 PM 4 Q Okay.

3:11:31 PM 5 A -- that's what I understood it to mean.

3:11:33 PM 6 Q So let me clarify, then. So if something is not
3:11:36 PM 7 in a hard-copy form. You didn't consider it to be
3:11:39 PM 8 responsive?

3:11:40 PM 9 A Correct.

3:11:40 PM 10 Q So if it's in a computer document, then it's not
3:11:46 PM 11 responsive, right?

3:11:48 PM 12 A Well, if it's in a computer in the LMT, then I
3:11:51 PM 13 would consider that something that I needed to provide.

3:11:54 PM 14 However, our Web site is a public Internet site --

3:12:04 PM 15 Q That's --

3:12:07 PM 16 A -- so I mean --

3:12:09 PM 17 Q I understand what you're saying.

3:12:10 PM 18 So you searched through all of your hard-copy
3:12:12 PM 19 files?

3:12:14 PM 20 A Yes.

3:12:14 PM 21 Q How many file cabinets do you have at LMT?

3:12:17 PM 22 A Maybe -- actual cabinets, probably about eight.

3:12:22 PM 23 Q And how many boxes of files do you have; boxes of
3:12:27 PM 24 documents?

3:12:28 PM 25 A Probably around maybe 50.

3:12:35 PM 1 Q What did you do with the rest of the file cabinets
3:12:39 PM 2 and boxes that were identified in the -- in the last
3:12:43 PM 3 deposition of --

3:12:45 PM 4 MR. MERRETT: I'm going --

3:12:46 PM 5 BY MR. MOXON:

3:12:46 PM 6 Q -- LMT --

3:12:46 PM 7 MR. MERRETT: -- to object as assuming facts
3:12:48 PM 8 not in evidence.

3:12:49 PM 9 Let's see a transcript.

3:12:50 PM 10 MR. MOXON: Let me finish my question,
3:12:52 PM 11 Mr. Merrett.

3:12:53 PM 12 THE COURT: Well, you recall being asked
3:12:54 PM 13 about other boxes in a prior deposition?

3:12:56 PM 14 THE DEPONENT: I don't.

3:12:57 PM 15 BY MR. MOXON:

3:12:57 PM 16 Q Have other -- have other boxes of documents been
3:13:01 PM 17 shredded or taken off the site?

3:13:04 PM 18 A No.

3:13:05 PM 19 Q You've shredded no boxes of documents or files of
3:13:11 PM 20 LMT --

3:13:11 PM 21 A Oh, well, we --

3:13:11 PM 22 Q -- since the April, 2000 deposition?

3:13:13 PM 23 A -- we regularly get rid of documents that we no
3:13:15 PM 24 longer need.

3:13:17 PM 25 Q How many boxes of documents have you gotten rid of

3:13:19 PM 1 that you thought you no longer needed?

.13:22 PM 2 A Probably, all together, it would add up to about a
3:13:25 PM 3 box.

3:13:26 PM 4 Q One box.

3:13:26 PM 5 A But I mean, we do it every day.

3:13:27 PM 6 Q Okay. So -- so from April of 2000 to now you've
3:13:33 PM 7 gotten rid of about a box of documents?

3:13:35 PM 8 A Probably.

8:09:13 AM 9 Q All right.

3:13:38 PM 10 A But that's not documents that were responsive to
3:13:42 PM 11 this. That's just daily --

3:13:44 PM 12 Q Yeah.

3:13:45 PM 13 A -- you know, things that, you know, work that
3:13:50 PM 14 we're -- you know, drafts of things or --

3:13:54 PM 15 Q Okay.

3:13:54 PM 16 A -- stuff like that.

3:13:55 PM 17 Q Did you look through these boxes of documents to
3:13:57 PM 18 find any written statements by you, Prince, or Minton?

3:14:04 PM 19 A Yes.

3:14:04 PM 20 Q You looked through all 50 boxes?

3:14:07 PM 21 A No, no. I haven't looked through 50 boxes.
3:14:09 PM 22 Because I know in most of those boxes there is nothing
3:14:14 PM 23 written by any of us. And I already know that.

3:14:15 PM 24 Q How many boxes did you --

14:16 PM 25 A But the one -- but where there was a possibility

3:14:19 PM 1 that there might be something written by any of us, I did
3:14:22 PM 2 look.

3:14:23 PM 3 Q Yes. I just want to make it very clear then.
3:14:27 PM 4 Correct me if I'm wrong: Your testimony is that there's not
3:14:30 PM 5 a single piece of paper in the LMT building which is a
3:14:35 PM 6 statement by you or Minton or Prince concerning Scientology,
3:14:43 PM 7 concerning any issue in this case or concerning Lisa
3:14:45 PM 8 McPherson, correct?

3:14:46 PM 9 A That's correct. The only place that anything
3:14:51 PM 10 exists like that are in John Merrett's files, which are his
3:14:57 PM 11 files.

3:14:57 PM 12 Q So you gave some files to Mr. Merrett?

3:15:00 PM 13 A Well, he -- he is in charge of all of our legal
3:15:03 PM 14 files. And they have -- I believe they probably have --

3:15:13 PM 15 Well, to be honest, I don't know if they do or
3:15:15 PM 16 not. I asked Mr. Merrett if there was anything in his files
3:15:20 PM 17 responsive, and he said no, other than -- you know, said,
3:15:22 PM 18 "Anything in my files is attorney work product or
3:15:24 PM 19 attorney-client privilege."

3:15:25 PM 20 Q So there might be some documents but you consider
3:15:27 PM 21 them to be privileged?

3:15:29 PM 22 A Well, what he told me is that they were legal
3:15:32 PM 23 documents and that wasn't something that I needed to be
3:15:34 PM 24 concerned about in this document production.

3:15:36 PM 25 Q I see.

3:16:35 PM 1 THE COURT: Well, it's a matter of record.

3:16:36 PM 2 BY MR. MOXON:

3:16:36 PM 3 Q Okay. It's dated May 18th, 2000.

3:16:40 PM 4 "Question: How many boxes of hard copy files do
3:16:42 PM 5 you have?"

3:16:43 PM 6 "Answer: 120.

3:16:45 PM 7 "Question: How many file cabinets are there?

3:16:49 PM 8 "Answer: Eight."

3:16:50 PM 9 A Okay.

3:16:50 PM 10 Q What happened to the other 70 boxes of files?

3:16:52 PM 11 A I -- my estimate may have been wrong. You know,
3:16:59 PM 12 we have a lot of boxes upstairs.

3:17:01 PM 13 But like I said, the part that's important about
3:17:04 PM 14 what I said is that I know for sure that the majority of
3:17:07 PM 15 those boxes has nothing in it by any of us.

3:17:10 PM 16 Q The majority?

3:17:13 PM 17 A I mean, there are -- there's only -- well, in
3:17:17 PM 18 fact, I wouldn't say that any of the boxes would have
3:17:19 PM 19 anything written by any of us. If there was anything
3:17:22 PM 20 written by us, it would be in a file cabinet.

3:17:25 PM 21 Q Okay. And you have no e-mails or any
3:17:27 PM 22 communications, letters or correspondence of any kind in the
3:17:31 PM 23 entirety of your office, that you've collected over the last
3:17:33 PM 24 year and a half, that address the issue of Scientology or
3:17:38 PM 25 Lisa McPherson or the Lisa McPherson Trust, is that correct?

3:17:40 PM 1 A Not that have anything to do with the Lisa
3:17:44 PM 2 McPherson case.

3:17:45 PM 3 Q That's not what I asked you.

3:17:47 PM 4 Do you have any documents that are in any
3:17:52 PM 5 computer, even, or any hard copy, or any -- well, let me --
3:17:56 PM 6 let's limit it to computer right --

3:17:58 PM 7 Do you have any documents in any computerized
3:18:00 PM 8 form, in a word processor, or an e-mail, or any other
3:18:07 PM 9 similar form, digital form, that you've written, that
3:18:12 PM 10 concern in any fashion Scientology, Lisa McPherson case, or
3:18:18 PM 11 Lisa McPherson?

3:18:19 PM 12 A No.

3:18:19 PM 13 Q So you've never -- have you ever written any
3:18:22 PM 14 e-mails that concern Scientology or Lisa McPherson?

3:18:24 PM 15 A Yes. But I don't keep my e-mails.

3:18:26 PM 16 Q You shred them all.

3:18:28 PM 17 A Yes.

3:18:31 PM 18 Q Have you written any since April of 2000?

3:18:36 PM 19 A Yes.

3:18:36 PM 20 Q You shredded those also?

3:18:38 PM 21 A Since April of 2000?

3:18:40 PM 22 Q Right.

3:18:40 PM 23 A I -- we have a policy of keeping our e-mail clean
3:18:44 PM 24 on a weekly basis.

3:18:47 PM 25 Q How about since May 15th of 2000? Have you

3:18:53 PM 1 shredded any of your e-mails that concern Scientology or
3:18:56 PM 2 Lisa McPherson or the Lisa McPherson case?

3:18:57 PM 3 A Again --

3:18:59 PM 4 MR. MERRETT: Do you mean e-mails that were
3:19:01 PM 5 extant on that date or e-mails since then?

3:19:04 PM 6 MR. MOXON: Created since then.

3:19:05 PM 7 A Created since the day that I shredded? I'm not --
3:19:12 PM 8 I'm not --

3:19:12 PM 9 BY MR. MOXON:

3:19:13 PM 10 Q Have any --

3:19:13 PM 11 A Let me say this again.

3:19:14 PM 12 Q Let me ask --

3:19:16 PM 13 A Every week --

3:19:16 PM 14 Q Yeah.

3:19:18 PM 15 A My e-mail is completely deleted.

3:19:20 PM 16 Q Okay.

3:19:21 PM 17 A In fact, usually, when I'm in town, it's deleted
3:19:25 PM 18 more regularly even than that. So I don't keep it.

3:19:27 PM 19 Q You have written statements -- you've written
3:19:31 PM 20 something about Scientology periodically between now and
3:19:35 PM 21 May 15th of 2000, correct?

3:19:40 PM 22 A Yes. In private e-mail. But it's nothing that I
3:19:42 PM 23 would share with you, because it's with families who are
3:19:47 PM 24 counting on me to maintain their confidentiality.

3:19:50 PM 25 Q And you did that before May 15th, 2000 too, right?

3:19:54 PM 1 You had e-mails concerning --

.19:55 PM 2 A Yes, I did.

3:19:59 PM 3 Q In fact, there are many things you've posted on
3:20:00 PM 4 the Internet also, correct, between --

3:20:02 PM 5 A Posting on the newsgroup. Definitely.

3:20:06 PM 6 Q And that is postings between January of 2000 and
3:20:09 PM 7 the present, correct?

3:20:10 PM 8 A Correct.

3:20:10 PM 9 Q And so has Mr. Minton, correct?

3:20:12 PM 10 A As I recall.

3:20:23 PM 11 Q Did you search every computer in LMT to see if
3:20:26 PM 12 there were any e-mails --

3:20:27 PM 13 A Yes. Very thoroughly.

3:20:29 PM 14 Q -- which -- which --

3:20:31 PM 15 Let me finish my question --

3:20:33 PM 16 A Sorry.

3:20:33 PM 17 Q -- before you answer it.

3:20:35 PM 18 Did you search every computer in LMT to see if
3:20:38 PM 19 there was a single e-mail by Grady Ward, Teresa Summers,
3:20:47 PM 20 you, Minton, Jeff Jacobsen, or Peter Alexander which
3:20:54 PM 21 concerned Scientology or concerned Lisa McPherson?

3:20:57 PM 22 A Yes. Very thoroughly.

3:20:58 PM 23 Q And you found none?

3:21:00 PM 24 A There are none.

3:21:02 PM 25 Q But you -- you will admit that there have been a

3:21:04 PM 1 number of such communications created over the past year and
.21:07 PM 2 a half, correct?

3:21:08 PM 3 A Yes.

3:21:10 PM 4 Q But they've all been shredded, is that right?

3:21:13 PM 5 A Yes. It's our policy with our e-mail --

3:21:15 PM 6 MR. MERRETT: Well, you --

3:21:15 PM 7 A -- to shred --

3:21:16 PM 8 MR. MERRETT: You need to clarify. E-mail is
3:21:18 PM 9 electrons. You can't shred them. I'm assuming you mean
3:21:22 PM 10 deleted.

3:21:23 PM 11 MR. MOXON: Deleted. Yes. I mean deleted.

3:21:28 PM 12 BY MR. MOXON:

3:21:28 PM 13 Q You deleted them, right?

3:21:33 PM 14 A Yes.

3:21:33 PM 15 Q Did you use the witness lists to conduct any
3:21:36 PM 16 search for any records?

3:21:38 PM 17 A Yes.

3:21:38 PM 18 Q Which list did you use?

3:21:54 PM 19 A Well --

3:21:57 PM 20 Q You use the list attached to the subpoena?

3:22:01 PM 21 A Yes.

3:22:02 PM 22 Q Did you go through the entirety of that list and
3:22:04 PM 23 check to see if there were any communications --

3:22:06 PM 24 A Yes.

22:06 PM 25 Q -- concerning any of those people?

3:22:08 PM 1

A Yes.

3:22:11 PM 2

Q When did you do that?

3:22:13 PM 3

A Well, it wasn't just for this deposition, but over the course of the last, I think, three weeks.

3:22:20 PM 4

3:22:26 PM 5

Q How long have you -- where did you do that other --

3:22:31 PM 6

3:22:32 PM 7

A In Clearwater.

3:22:32 PM 8

Q You've been in Clearwater for the past three weeks?

3:22:35 PM 9

3:22:36 PM 10

A No. Not on -- I mean, I've been in and out of town, which is why I say, over the past three weeks, those searches have been conducted.

3:22:38 PM 11

3:22:43 PM 12

3:22:45 PM 13

Q By you personally.

3:22:46 PM 14

A By myself and by the staff --

3:22:49 PM 15

Q Who else --

3:22:49 PM 16

A -- overseen by me.

3:22:51 PM 17

Q Who else conducted searches?

3:22:54 PM 18

A Jesse Prince, Teresa Summers, Mark Bunker, Jeff Jacobsen, Ingrid Wagner. Yeah.

3:22:59 PM 19

3:23:04 PM 20

Q So you had --

3:23:06 PM 21

A And myself.

3:23:06 PM 22

Q You had your entire staff search all of LMT, all the space, all the desks --

3:23:10 PM 23

3:23:12 PM 24

A Yes.

3:23:12 PM 25

Q -- everywhere, and you couldn't find a single

3:23:15 PM 1 written statement by a single LMT staff member that
3:23:18 PM 2 concerned this case.

3:23:20 PM 3 A Correct.

3:23:21 PM 4 Q And you couldn't find a single statement of any of
3:23:26 PM 5 those people concerning the issues in this case, correct?

3:23:31 PM 6 A Correct.

3:23:31 PM 7 Q You couldn't find a single statement of any of
3:23:35 PM 8 them concerning Lisa McPherson, is that right?

3:23:43 PM 9 A Yes. In our hard copy files, that's correct.

3:23:45 PM 10 Q And you searched all of your --

3:23:47 PM 11 A And in our computers, yes.

3:23:48 PM 12 Q And you searched all of your computers and you
3:23:50 PM 13 couldn't find a single thing that was written by a -- by any
3:23:53 PM 14 of your staff concerning Lisa McPherson.

3:23:56 PM 15 A Yes.

3:23:57 PM 16 Q Okay. Does LMT maintain any accounting system?

3:24:09 PM 17 A Yes.

3:24:09 PM 18 Q What is it?

3:24:10 PM 19 A It's called QuickBooks.

3:24:13 PM 20 Q QuickBooks? That has references to payments made
3:24:18 PM 21 to you, Minton, Ward, et cetera?

3:24:25 PM 22 A Only these that I've -- I mean, that's how -- I
3:24:28 PM 23 used it to find some of these things.

3:24:30 PM 24 Q Okay. So you've got -- you've got some
24:32 PM 25 documentation concerning the payments then that are in your

3:24:34 PM 1 Quicken or QuickBook system?

A Yes. What I've given to you here.

3:24:40 PM 3 Q Why didn't you produce that?

3:24:43 PM 4 A Why didn't I produce what?

3:24:44 PM 5 Q Why didn't you produce what's in your QuickBooks
3:24:48 PM 6 program --

3:24:48 PM 7 A I did. That's what I'm saying. I used the
3:24:51 PM 8 QuickBooks program to direct me to the things that I needed
3:24:55 PM 9 to produce.

3:24:56 PM 10 Q Right. I understood what you said.

3:24:57 PM 11 But why didn't you produce what's in the
3:24:59 PM 12 QuickBooks program as responsive to the court's orders?

3:25:04 PM 13 A Again, I did. Every single payment to a witness
3:25:12 PM 14 that is in the QuickBooks program is here today. That's
3:25:15 PM 15 what I did.

3:25:16 PM 16 Q Ms. Brooks, you didn't print out anything from
3:25:18 PM 17 Quickbooks and produce it to me today, did you?

3:25:21 PM 18 A A printout of QuickBooks itself, no.

3:25:24 PM 19 Q You didn't print out anything out of QuickBooks
3:25:26 PM 20 and produce it today, did you?

3:25:28 PM 21 A No.

3:25:30 PM 22 Q Do you have an accountant?

3:25:32 PM 23 A Yes.

3:25:33 PM 24 Q Who's your accountant?

3:25:34 PM 25 A His name is Devri.

3:27:32 PM 1 records?

A No.

3:27:33 PM 2
3:27:33 PM 3 Q Have you had any communications with Andreas
3:27:59 PM 4 Heldal-Lund yourself?

A Yes.

3:28:00 PM 5
3:28:00 PM 6 Q Have you had any communications with him about
3:28:03 PM 7 making investments in your company?

A No.

3:28:05 PM 8
3:28:05 PM 9 Q Have you had any communications with him about
3:28:09 PM 10 receiving any money from your company?

A No.

3:28:17 PM 11
3:28:20 PM 12 Q Has LMT provided any funds to Ursula Caberta?

A No.

3:28:31 PM 13
3:28:31 PM 14 Q Paid any expenses for her?

A I believe we covered the cost of her hotel.

3:28:40 PM 15
3:28:42 PM 16 Q How much was that?

A I can't remember. Actually -- maybe \$500.

3:28:59 PM 17
3:28:59 PM 18 Q Has the -- the chairman of the board of LMT given
3:29:02 PM 19 any money to Ursula Caberta?

A Yes.

3:29:07 PM 20
3:29:07 PM 21 Q How much?

A I don't know.

3:29:08 PM 22
3:29:13 PM 23 Q Approximately?

3:29:14 PM 24
29:15 PM 25 A I don't know. It's the subject of some other
legal issue, and I don't really know what -- the details of

3:41:59 PM 1

A Perhaps, mm-hmm.

3:42:00 PM 2

Q So -- so the money that -- Mr. Minton put in 1.3 million and got 600,000 back?

3:42:10 PM 3

3:42:13 PM 4

A So far.

3:42:17 PM 5

Q So it's your consideration that the money wasn't to repay Mr. Minton, it was to go into LMT; the money that was received from Operation Clambake and from the other anonymous source in Germany?

3:42:22 PM 6

3:42:28 PM 7

3:42:31 PM 8

A It was for me to do with as I needed to do.

3:42:35 PM 10

Q And you decided to give it all to Mr. Minton.

3:42:39 PM 11

A I decided to use it to repay a loan.

3:42:42 PM 12

Q And there haven't been any other investors or contributors other than -- of any substance other than Mr. Minton, this Clambake money and the anonymous German money, correct?

3:42:46 PM 13

3:42:49 PM 14

3:42:57 PM 15

A Not of that magnitude, if that's what you mean.

3:42:58 PM 16

3:43:03 PM 17

Q Yeah. Anything over a thousand dollars.

3:43:08 PM 18

A Well, we've had some over a thousand dollars, yes.

3:43:10 PM 19

Q Or any over 5,000?

3:43:13 PM 20

A I don't -- I don't believe so. I don't believe so.

3:43:21 PM 21

3:43:21 PM 22

Q Will Mr. Minton be repaid the entirety of the loan, the amount of money that he's put in the company if Ms. Liebreich prevails in this case and LMT receives funds for any hoped-for proceeds in this case?

3:43:26 PM 23

3:43:32 PM 24

4:3:37 PM 25

3:52:57 PM 1

A Absolutely.

3:53:09 PM 2

Q Okay. Has LMT given any money to Mr. Dandar?

3:53:07 PM 3

A No.

3:53:23 PM 4

MR. MERRETT: The record should reflect that the videos have been tendered, along with an index, on CDs.

3:53:25 PM 5

3:53:32 PM 6

THE DEPONENT: Oh.

3:53:33 PM 7

MR. MOXON: Come again?

3:53:34 PM 8

MR. MERRETT: The record should reflect that the videos have been tendered on CD, along with an index.

3:53:36 PM 9

3:53:40 PM 10

MR. MOXON: Is that what this is?

3:53:41 PM 11

MR. MERRETT: That's what I told you it was when I handed it to you.

3:53:43 PM 12

3:53:44 PM 13

MR. DANDAR: We'd like to have those all marked by the court reporter, please.

3:53:48 PM 14

3:53:49 PM 15

MR. MOXON: Well, you can mark them, but they won't do any good if the court reporter's the only one that has them.

3:53:50 PM 16

3:53:53 PM 17

What are these supposed -- what's -- what are you representing these are?

3:53:54 PM 18

3:53:54 PM 19

3:53:55 PM 20

MR. MERRETT: They're accompanied by an index. That is a production response with respect to the videos of the LMT.

3:53:57 PM 21

3:54:00 PM 22

3:54:01 PM 23

MR. MOXON: Per the four court orders?

3:54:03 PM 24

MR. MERRETT: Yes.

3:54:03 PM 25

THE DEPONENT: May I see the index, please?

3:54:07 PM 1 MR. DANDAR: Judge, we are going to mark
3:54:08 PM 2 those as exhibits, right?

3:54:09 PM 3 THE COURT: They will be marked.

3:54:12 PM 4 MR. MOXON: Okay.

3:54:12 PM 5 THE COURT: You want them marked now or you
3:54:14 PM 6 want them marked at the conclusion of the deposition?

3:54:16 PM 7 MR. MOXON: I'm trying to figure out --

3:54:19 PM 8 THE COURT: Exhibit --

3:54:20 PM 9 MR. MOXON: We can mark them all now.

3:54:23 PM 10 THE COURT: Madam court reporter, if you'll
3:54:24 PM 11 do us the honors.

3:54:37 PM 12 (A discussion was held off the record.)

3:58:37 PM 13 (Defendant's Exhibits Number 13 through 21 marked for
3:58:37 PM 14 identification.)

3:58:37 PM 15 (Defendant's Exhibit Number 22 marked for identification.)

3:58:40 PM 16 MR. MOXON: I've marked the exhibit (sic) as
3:58:48 PM 17 Defendant's Exhibit 22. The CDs are numbered 13 through 21.
3:59:10 PM 18 And various titles, I assume, correspond with the index.

3:59:13 PM 19 BY MR. MOXON:

3:59:18 PM 20 Q Are all of these videos from off your Web site?

3:59:21 PM 21 A Yes.

3:59:21 PM 22 Q No other source?

3:59:21 PM 23 A Correct.

3:59:48 PM 24 Q Now, the clarification that you made when you came
59:51 PM 25 back from your break a moment ago, do I correctly understand

- 4:01:26 PM 1 Q Did you search Lisa -- Teresa Summers' files?
- 4:01:30 PM 2 A Yes.
- 4:01:31 PM 3 Q Did you find anything responsive to the document
- 4:01:35 PM 4 request?
- 4:01:35 PM 5 A No.
- 4:01:36 PM 6 Q You didn't find any complaints about the Woodcraft
- 4:01:41 PM 7 family?
- 4:01:42 PM 8 A No.
- 4:01:42 PM 9 Q You found nothing about Marcus Quirino?
- 4:01:45 PM 10 A No.
- 4:01:46 PM 11 And if I had, I wouldn't have turned them over to
- 4:01:48 PM 12 you, 'cause it's privileged.
- 4:01:50 PM 13 Q What happened to the -- to the documents and her
- 4:01:56 PM 14 files that she sent to government agencies?
- 4:01:58 PM 15 A They went to government agencies.
- 4:01:59 PM 16 Q And she didn't keep any copies?
- 4:02:01 PM 17 A She didn't have any in her computer.
- 4:02:03 PM 18 Q Does she have any hard copies?
- 4:02:05 PM 19 A No.
- 4:02:05 PM 20 Q What happened to them?
- 4:02:06 PM 21 A I don't know.
- 4:02:12 PM 22 Q Did you ask her?
- 4:02:14 PM 23 A No.
- 4:02:14 PM 24 Q Why not?
- 4:02:17 PM 25 A I don't know.

4:06:39 PM 1 MR. MERRETT: And this witness is supposed to
:06:41 PM 2 know that, how?
4:06:42 PM 3 THE COURT: Well, she just says, "I don't
4:06:43 PM 4 know."
4:06:44 PM 5 THE DEPONENT: I don't know.
4:06:44 PM 6 MR. MOXON: That's what I'm trying to find --
4:06:44 PM 7 Mr. Merrett keeps interrupting me in the middle of
4:06:46 PM 8 my question.
4:06:47 PM 9 MR. DANDAR: And he's not on my witness list.
4:06:48 PM 10 THE COURT: Ask the question again, please.
4:06:50 PM 11 BY MR. MOXON:
4:06:50 PM 12 Q Did --
:06:50 PM 13 THE COURT: You're using your time up and I'm
4:06:51 PM 14 going to be out of here. I'm --
4:06:53 PM 15 MR. MOXON: I know. It's --
4:06:53 PM 16 THE COURT: -- telling you, at 4:45, I'm
4:06:57 PM 17 walking out --
4:06:58 PM 18 MR. MOXON: And I --
4:06:58 PM 19 THE COURT: -- wherever you are.
4:06:58 PM 20 BY MR. MOXON:
4:06:58 PM 21 Q Did you or did you not find any documents in
4:07:00 PM 22 Teresa Summers' files concerning witness Marcus Quirino?
4:07:03 PM 23 A No.
4:07:04 PM 24 When you ask the question that way, I did not,
:07:06 PM 25 because he's not a witness, to my knowledge.

4:07:07 PM 1 Q Well, did you find any records concerning Marcus
.07:09 PM 2 Quirino?

4:07:09 PM 3 A Yes.

4:07:10 PM 4 Q Okay. You didn't produce them, right?

4:07:12 PM 5 A That's right.

4:07:13 PM 6 Q Did you find any concerning the Woodcrafts?

4:07:17 PM 7 A Yes.

4:07:17 PM 8 Q Yes.

4:07:18 PM 9 A They're not witnesses.

4:07:18 PM 10 Q You didn't produce that, right?

4:07:20 PM 11 A They're not witnesses.

4:07:21 PM 12 Q I'm just saying, did you produce it or not?

4:07:24 PM 13 A They're not witnesses.

4:07:25 PM 14 Q No, no --

4:07:25 PM 15 THE COURT: Just answer the question yes or
4:07:27 PM 16 no, ma'am. We're not going --

4:07:29 PM 17 A No.

4:07:29 PM 18 THE COURT: -- to criticize you for not
4:07:34 PM 19 producing them if you didn't think they were witnesses.

4:07:37 PM 20 You know, we can move much faster if we just
4:07:40 PM 21 answer the question asked. Once the question is asked, then
4:07:42 PM 22 we move on to another question.

4:07:44 PM 23 BY MR. MOXON:

4:07:44 PM 24 Q Did you find any records in Teresa Summers' files
.07:47 PM 25 concerning complaints against church staff members?

4:07:51 PM 1

A Yes.

4:07:52 PM 2

Q Okay. You did not produce them, correct?

4:07:55 PM 3

A That's correct.

4:07:57 PM 4

Q Did you hire any shredding companies to shred any files?

4:08:02 PM 5

4:08:02 PM 6

A One afternoon we had to, 'cause our shredder broke.

4:08:07 PM 7

4:08:08 PM 8

Q What was the shred company?

4:08:11 PM 9

A I have no idea.

4:08:11 PM 10

Q Who did that?

4:08:14 PM 11

A I -- one of my staff. I can't remember who.

4:08:22 PM 12

Q Did you pay them?

4:08:25 PM 13

MR. MERRETT: Pay whom?

4:08:26 PM 14

BY MR. MOXON:

4:08:26 PM 15

Q The shredding company?

4:08:28 PM 16

A Yes.

4:08:30 PM 17

Q So you'd have a check?

4:08:31 PM 18

A Yes.

4:08:40 PM 19

Q Did you talk to Ms. Summers about whether or not she had any records responsive to the request?

4:08:42 PM 20

4:08:45 PM 21

A Yes.

4:08:46 PM 22

Q And the reason for not producing the Marcus Quirino files is what?

4:08:50 PM 23

4:08:52 PM 24

A He's not a witness, it's privileged, it's beyond the scope, it's overly broad, and it's irrelevant.

08:55 PM 25

4:19:53 PM 1 would be.

4:19:56 PM 2 Q And LMT was obligated to pay for it?

4:19:58 PM 3 A Yes.

4:19:59 PM 4 Q Number 9 is, "All documents you've received
4:20:04 PM 5 concerning the case of Liebreich versus Church of
4:20:07 PM 6 Scientology Flag Service Organization." Do you have any
4:20:10 PM 7 documents responsive to that request?

4:20:12 PM 8 A The only documents that exist are in our legal
4:20:15 PM 9 files of John Merrett, because we don't have anything except
4:20:21 PM 10 for documents that have been filed in the case. We don't
4:20:24 PM 11 have anything else.

4:20:26 PM 12 Q Now, you -- were you acting as an expert
4:20:30 PM 13 consultant in this case, or some sort of consultant?

4:20:34 PM 14 A I believe in 1997, I did.

4:20:36 PM 15 Q Not since then?

4:20:37 PM 16 A I don't -- I'd have to refresh my memory with
4:20:43 PM 17 Mr. Dandar, but I don't believe so.

4:20:45 PM 18 Q Okay. When did you stop? Sometime in '98?

4:20:47 PM 19 A Perhaps.

4:20:50 PM 20 Q Are there any -- what happened to the documents
4:20:52 PM 21 from 19 --

4:20:54 PM 22 When you say perhaps, does that mean yes?

4:20:56 PM 23 A It means I don't remember. I'd have to consult
4:20:59 PM 24 with Mr. Dandar to be able to tell you correctly.

4:21:04 PM 25 Q Well, tell me your best -- rather than Mr. Dandar,

- 4:23:49 PM 1 Q Okay. You didn't produce that, did you?
- 4:23:51 PM 2 A Yes.
- 4:23:52 PM 3 Q Is that on one of these CDs?
- 4:23:54 PM 4 A I believe so. I'm in it. You wanted video of me,
4:23:59 PM 5 and I'm in that. So I think you do have that. I'd have to
4:24:03 PM 6 look at the index. I think you have it.
- 4:24:05 PM 7 Q Now --
- 4:24:05 PM 8 A If you don't have it, you can get it on our Web
4:24:07 PM 9 site.
- 4:24:07 PM 10 Q These videos are all edited, aren't they; all the
4:24:11 PM 11 videos that were placed on your Web site?
- 4:24:13 PM 12 A Yes.
- 4:24:13 PM 13 Q Where are the unedited, original videos?
- 4:24:16 PM 14 A You'll have to ask Mark Bunker.
- 4:24:18 PM 15 Q They're in his possession?
- 4:24:21 PM 16 A If there are any, they're in his possession.
- 4:24:25 PM 17 Q Well, you mean if they haven't been destroyed?
- 4:24:28 PM 18 A If there are any, they're in his possession.
4:24:33 PM 19 That's what I mean.
- 4:24:33 PM 20 Q There are none in LMT's possession.
- 4:24:36 PM 21 A Correct.
- 4:24:36 PM 22 Q None of the original videos.
- 4:24:36 PM 23 A Correct.
- 4:24:39 PM 24 Q Mr. Bunker was paid for his video work by LMT,
4:24:45 PM 25 correct?

- 4:24:45 PM 1 A He's paid for the work he does for LMT. He's not
4:24:48 PM 2 paid for the work that he does on his own.
- 4:24:50 PM 3 Q Does he have another job?
- 4:24:52 PM 4 A Well, he does other work.
- 4:24:52 PM 5 Q Does he have other employment?
- 4:24:55 PM 6 A No. But he is working on other projects.
- 4:24:58 PM 7 Q He's not -- doesn't make any money on these other
4:25:01 PM 8 projects.
- 4:25:01 PM 9 A Well, he has made money on his other projects and
4:25:04 PM 10 he expects to make money on his other projects again.
- 4:25:07 PM 11 Q He's a full-time employee of LMT, isn't he?
- 4:25:09 PM 12 A He is full-time employee of ours, and he also
4:25:13 PM 13 works a lot in his off hours on his own.
- 4:25:16 PM 14 Q He's not employed by anyone else that you know of,
4:25:24 PM 15 correct?
- 4:25:24 PM 16 A No. The other work he does is his own creative
4:25:28 PM 17 work.
- 4:25:29 PM 18 Q Was this police video produced for LMT?
- 4:25:33 PM 19 A It was.
- 4:25:36 PM 20 Q Paid for by LMT?
- 4:25:44 PM 21 A No.
- 4:25:44 PM 22 Q Who paid for it?
- 4:25:46 PM 23 A Nobody. I mean, we paid Mark for the work that he
4:25:51 PM 24 did, if that's what you mean.
- 4:25:52 PM 25 Q That's what I mean.

4:35:31 PM 1 BY MR. MOXON:

4:35:31 PM 2 Q Because I looked through the Web site, and there
4:35:33 PM 3 are a few -- there are a couple of pickets, but there are
4:35:36 PM 4 some -- just some excerpts. However, Mark Bunker videos
4:35:43 PM 5 every time, and Mark -- and Jeff Jacobsen videos every time
4:35:48 PM 6 these pickets are done. And they're not on the Web site.

4:35:51 PM 7 Do you know if videos of pickets, the full lengths
4:35:55 PM 8 of the pickets, when they video for hours, are still in
4:35:58 PM 9 existence?

4:35:59 PM 10 A I don't, actually.

4:36:00 PM 11 Q And they're not included in these CDs, are they?

4:36:02 PM 12 A Well, I'm not exactly sure what you mean. But you
4:36:07 PM 13 just said that there was something you were looking for that
4:36:09 PM 14 you didn't find.

4:36:11 PM 15 Q Dozens of -- dozens of pickets, where I have seen
4:36:14 PM 16 Mark Bunker out videoing and Jeff Jacobsen videoing. They
4:36:17 PM 17 were standing there with videos, and they're interviewing
4:36:19 PM 18 you, interviewing Minton, and Minton talking in the videos,
4:36:23 PM 19 and they're not -- they're not on your Web site.

4:36:24 PM 20 A I don't know.

4:36:25 PM 21 Q You have no idea what happened to them?

4:36:26 PM 22 A I don't, really. I mean, they're not in my
4:36:28 PM 23 possession.

4:36:28 PM 24 Q They're not in LMT's possession?

4:36:31 PM 25 A No.

4:45:48 PM 1
4:45:48 PM 2
4:45:48 PM 3
4:45:48 PM 4
4:45:48 PM 5
4:45:48 PM 6
4:45:48 PM 7
4:45:48 PM 8
4:45:48 PM 9
4:45:48 PM 10
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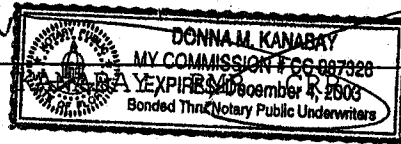
CERTIFICATE OF OATH

STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, the undersigned authority, certify that STACY BROOKS personally appeared before me and was duly sworn.

WITNESS my hand and official seal this 18th day of August, 2001.

DONNA M.



4:45:48 PM 1
4:45:48 PM 2
4:45:48 PM 3
4:45:48 PM 4
4:45:48 PM 5
4:45:48 PM 6
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4:45:48 PM 8
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REPORTER'S DEPOSITION CERTIFICATE

STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, DONNA M. KANABAY, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of STACY BROOKS; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 18th day of August, 2001.


DONNA M. KANABAY, RMR, CRR.
Notary Public
State of Florida at large.