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IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL
FOR PINELLAS COUNTY, FLORIDA
CIRCUIT CIVIL CASE NO. 00-002750-CI-20

CHURCH OF SCIENTOLOGY FLAG :
SERVICE ORGANIZATION, INC. :
Plaintiff :

Vs. :

DELL LIEBREICH, Individually :
and as Personal Representative:
of the Estate of Lisa :
McPherson and KENNAN G. DANDAR:
Defendants :

COPY

: :

DEPONENT: KENNAN G. DANDAR
DATE: JANUARY 25, 2001
9:00 A.M. - 12:30 P.M.
LOCATION: 915 CHESTNUT STREET
CLEARWATER, FL
REPORTER: DENISE ANN HERROLD
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE
D & D REPORTING SERVICE, INC.
915 CHESTNUT STREET
CLEARWATER, FL 33756
(727) 468-2002 - (800) 468-2003 - FAX (727) 468-2003

1 Q. Give me an example of a case that would run
2 \$400 an hour?

3 A. A Scientology case.

4 Q. As the plaintiff?

5 A. As the plaintiff. And cases that involve
6 commercial transactions which are loaded with parole
7 evidence and a little bit more complicated like an
8 arson and fraud case.

9 Q. So we're still sticking on the plaintiff's
10 side of the ledger now. I'm going to get to the
11 defense separately.

12 A. I understand.

13 Q. Have you represented plaintiffs on an hourly
14 rate in cases involving Scientology?

15 A. Excluding Dell Liebreich and the Estate of
16 Lisa McPherson.

17 Q. I thought that was a contingent fee case?

18 A. Well, not on what we're doing now.

19 Q. I said plaintiffs?

20 A. I got confused. You're right.

21 Q. I'll start the question again.

22 A. Let me think. Plaintiffs against
23 Scientology other than this.

24 Q. Any kind of Scientology-related case?

25 A. I've had people pay me by the hour for

1 Q. So that's four, right?

2 A. Right.

3 Q. What is the hourly rate that you are
4 charging for those cases?

5 A. Dell and I only have a general understanding
6 of reasonable, and I haven't sent her a bill yet.

7 Q. In other words, you've been working on these
8 cases in the case of the probate cases more than a
9 year, and you've never told her what you're going to
10 charge her?

11 A. No, just an understanding.

12 Q. An understanding it would be reasonable?

13 A. Right.

14 Q. Is somewhere between 300 and \$400 an hour
15 reasonable?

16 A. It's reasonable because it involves
17 Scientology.

18 Q. So if you got around tomorrow to sending her
19 a bill for \$400 an hour for the cases you handled in
20 the probate court in Pinellas County, you would
21 consider that you have fulfilled your promise to send
22 her a reasonable bill, right?

23 A. Well, that would be a reasonable bill, and
24 whether or not she could afford to pay it is another
25 matter.

1 Q. That's a different issue?

2 A. Right.

3 Q. But you would consider \$400 an hour for the
4 work that you did in the probate court to be
5 reasonable?

6 A. As an attorney against Scientology, that's
7 correct.

8 Q. In the course of these four cases, and in
9 particular the probate court cases, you have incurred
10 a significant amount of out-of-pocket expense?

11 A. In the probate?

12 Q. Yeah.

13 A. Privileged.

14 Q. Did you incur expense out of pocket, for
15 example, hiring experts?

16 A. In the probate case, yes.

17 Q. And hiring some attorney to represent the
18 estate, I forget the young man's name?

19 MR. DANDAR: Objection, vague.

20 BY MR. ROSEN:

21 A. Right.

22 Q. Is that his name, Vague? What's his first
23 name? Are those expenses ones that you paid out of
24 the funds that were provided to you by Mr. Minton?

25 A. Privileged.

1 mistake that your brother made?

2 A. It may be and it may not be.

3 Q. Let's go to Paragraph 4. Tell me the last
4 time anybody ever paid, knowingly paid, on an hourly
5 rate basis your firm \$400 an hour for the service of
6 your brother?

7 A. It's privileged.

8 Q. The answer is never.

9 A. No, that's not the answer. If you asked the
10 right question, I could have answered it, but that's
11 not the right answer to your question.

12 Q. Tell me the last time any client agreed to
13 pay, a client who is being charged on an hourly rate
14 rather than a contingent fee rate, the last time any
15 client agreed to pay \$400 an hour for your brother's
16 services?

17 A. It's privileged, but I can tell you that
18 some people pay more than that, but I can't tell you
19 who.

20 Q. You can't tell me the last time, like, last
21 week, last month?

22 A. No, because I don't know that.

23 Q. You're telling me that there are clients who
24 have agreed, knowingly agreed, to pay your brother on
25 an hourly basis more than \$400 an hour?

1 Q. When did you first learn that this
2 reasonable hourly rate that your brother was charging
3 you was \$400 an hour?

4 A. When I first talked to him because that's a
5 reasonable rate in matters dealing with Scientology.

6 Q. When did you first learn that the hourly
7 rate your brother was going to charge you was \$400?

8 A. When I was served with the complaint.

9 Q. So is that in the same conversation in which
10 you told me a minute ago that when you first discussed
11 it with your brother, he told you he was going to
12 charge you a reasonable hourly rate?

13 A. Yes.

14 Q. I'm getting a little confused.

15 A. Why?

16 Q. Because I didn't understand your testimony
17 earlier. So in the same conversation when you were
18 served with a complaint and the conversation that
19 immediately followed it, the entirety of the
20 conversation then was your brother said, I'm going to
21 charge you, Ken, my brother, a reasonable hourly rate,
22 and by the way, that reasonable hourly rate I'm going
23 to charge you is \$400 an hour?

24 A. Right, because a reasonable hourly rate in
25 matters dealing with Scientology is \$400 an hour.

1 Q. No other number?

2 A. When you represent someone against
3 Scientology.

4 Q. No other number?

5 A. No. In fact, it probably should be more.

6 Q. It's not 410, it's not 370?

7 A. It should be probably more.

8 Q. When you had the conversation with your
9 brother after being served with the summons and
10 complaint, and he said reasonable hourly rate, was the
11 \$400 figure mentioned, or did you just assume it was
12 400?

13 A. I assumed.

14 Q. No discussion of that number?

15 A. No.

16 MR. ROSEN: We're getting near the end.

17 Let's take a five-minute break.

18 (At this time a brief recess was taken at
19 12:15 to 12:20 p.m.)

20 BY MR. ROSEN:

21 Q. Mr. Dandar, have you ever heard the term
22 "courtesy rate"?

23 A. No. I've heard of another similar term, but
24 not that.

25 Q. What is the term?

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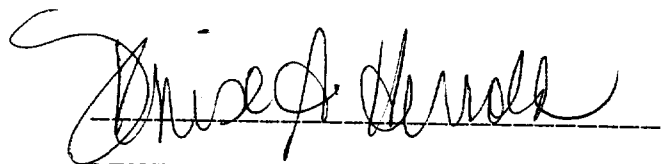
STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, DENISE HERROLD, Court Reporter,
certify that I was authorized to and did
stenographically report the foregoing deposition; and
that the transcript is a true record of the testimony
given by the witness.

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.

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

WITNESS my hand and official seal this
31st DAY OF JANUARY, 2001.



DENISE A. HERROLD

NOTARY PUBLIC - STATE OF FLORIDA
COURT REPORTER

DENISE ANN HERROLD
NOTARY PUBLIC - STATE OF FLORIDA
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