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The recorded meeting of MONTIE SPIVEY

## REPORTER'S PAGE

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2  
3 I, [REDACTED], in and  
4 for the State of Louisiana, the officer as defined  
5 in Rule 28 of the Federal Rules of Civil Procedure  
6 and/or Article 1434(B) of the Louisiana  
7 Code of Civil Procedure, before whom this proceeding  
8 was taken, do hereby state on the record:

9 That due to the interaction in the spontaneous  
10 discourse of this proceeding, dashes (--) have been  
11 used to indicate pauses, changes in thought, and/or  
12 talkovers; that same is the proper method for a  
13 Court Reporter's transcription of proceeding, and  
14 that the dashes (--) do not indicate that words or  
15 phrases have been left out of this transcript;

16 That any words and/or names which could not be  
17 verified through reference material have been  
18 denoted with the phrase "(spelled phonetically)."  
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1 TAPED STATEMENT OF MONTIE SPIVEY:

2 BY MR. WASHINGTON:

3 Q Today's date is January 28, 2016. Time is 4:21  
4 p.m. My name is Master Trooper Mike Washington  
5 with Louisiana State Police. We will be  
6 conducting an interview with CFO Montie Spivey.  
7 And we also have Sergeant Preston Savoy who will  
8 be participating and sitting in on the  
9 interview.

10 Mr. Spivey, I know we talked to you, I guess  
11 it was last week. Sometime, in reference to  
12 this criminal investigation. But before we get  
13 into it, I'm going to go ahead and read you your  
14 rights.

15 You have the right to remain silent,  
16 anything you say can be used against you in  
17 court or other proceedings. You have the right  
18 to talk to a lawyer for advice before  
19 questioning. And you have the right to have a  
20 lawyer present during the questioning.

21 You have the right to a lawyer's advice and  
22 the presence of a lawyer, even if you cannot  
23 afford to hire one. In such a case, a lawyer  
24 can be appointed to represent you. If you decide  
25 to answer questions without a lawyer present,

1 you still have the right to stop answering  
2 questions at any time. Do you understand your  
3 rights?

4 A Yes.

5 Q Are you willing to answer questions at this  
6 time?

7 A Yes.

8 Q Have any threats or promises been made to you or  
9 any pressure of any kind to get you to give up  
10 any of your rights?

11 A No.

12 Q Okay. Or to get you to answer questions or to  
13 give up any of your rights, okay. I'll get you  
14 to sign. SPIVEY?

15 A Yes, sir.

16 Q Okay. MONTIE.

17 A Correct.

18 Q You have a middle initial?

19 A ■.

20 Q [REDACTED]

21 A [REDACTED] [REDACTED]

22 [REDACTED] [REDACTED].

23 Q Hang on a second. When you said S, I --

24 A [REDACTED].

25 MR. SAVOY:

1 [REDACTED] --

2 A [REDACTED]

3 [REDACTED].

4 MR. SAVOY:

5 I know some states, it's --

6 A Sorry, I had them both for so long.

7 MR. SAVOY:

8 [REDACTED]?

9 A Yes.

10 BY MR. WASHINGTON:

11 Q [REDACTED] [REDACTED]?

12 A [REDACTED].

13 Q [REDACTED]?

14 A Yes.

15 Q [REDACTED]?

16 A [REDACTED].

17 Q [REDACTED]

18 A Yes, sir.

19 Q Masters, right?

20 A Yes.

21 Q Okay. You got me messing up my name. Print  
22 your name and sign. Serge, you want to witness  
23 that?

24 MR. SAVOY:

25 Yeah.

1 BY MR. WASHINGTON:

2 Q Okay. Okay, Mr. Spivey, we talked to you, like  
3 I said, it must have been a week or so ago about  
4 this criminal investigation and we kind of got a  
5 better understanding now because we were able to  
6 interview a lot more people and witnesses and  
7 look at a lot of the documents that we were not  
8 privy to during the first interview.

9 And so, I just wanted to kind of ask you a  
10 few more questions. Because we have a few  
11 concerns about some of the information you gave  
12 us during the first interview.

13 A Okay.

14 Q And I don't know if you were just a little  
15 nervous or whatever, I don't know if you've ever  
16 been investigated or interviewed by a law  
17 enforcement.

18 A No.

19 Q Okay. Or somebody has coerced you or whatever,  
20 but we're going to ask that you be honest and  
21 tell us the truth about what transpired. In  
22 part, I think maybe probably 30 percent of what  
23 you said was true. Regarding your first  
24 statement but we feel that you are withholding  
25 information and not telling us exactly what

1 happened. Especially with the bonus situation  
2 with O'Neil. I think you know a little bit more  
3 and we just want to give you an opportunity to  
4 share some of that information because we are  
5 about to wrap this investigation up and you are  
6 looking at some charges, I just want to tell  
7 you.

8 Because we've got a number of charges we  
9 haven't decided, but I'm just letting you know,  
10 you're looking at from computer fraud to  
11 criminal conspiracy to obstruction, let's see,  
12 public -- let's see here. Obstruction of  
13 justice, false accounting, bank fraud, all kinds  
14 of stuff we can come up with including theft.  
15 Because O'Neil taking that money was in fact a  
16 theft as far as we're concerned because he was  
17 not authorized to receive it so I just want to  
18 give you an opportunity to at least just tell  
19 us, just think about it and tell us what  
20 happened. I mean, if you want to stick with  
21 your initial statement, that's fine, but I'm  
22 just, I just want to give you an opportunity.

23 A I have gone back and pulled the emails that I  
24 forwarded to you, went through the emails to  
25 establish some good timelines, so I have those

1 timelines.

2 I will say I refute the charge of, that he  
3 was not authorized because that would have  
4 happened after the fact, as far as I know, when  
5 that payroll was processed, he was authorized.

6 Q I mean, he was authorized to receive the fund?  
7 What do you mean, authorized?

8 A I was authorized to send the funds at the time  
9 that they were sent.

10 Q Well you sent it, so you authorized it? Is what  
11 --

12 A No. I'm saying -- okay, let me stop.

13 Q Well, this is what I want to know, Montie, I'm  
14 just trying to find out who instructed you to do  
15 what you did or did you take it upon yourself to  
16 do what you did?

17 A No. I was instructed to add O'Neil to the bonus  
18 program on 12/17. O'Neil was added to the bonus  
19 program from a directive from Anthony Patrone  
20 from what he said on a discussion with the  
21 tribal council.

22 Q And what did he say? What did Mr. Patrone say to  
23 -- he just said I need you to give O'Neil a  
24 bonus?

25 A When -- that -- the Council authorized us to add



1 O'Neil to the bonus program for a prorated  
2 share.

3 Q Is that what Mr. Anthony Patrone told you?

4 A Yes.

5 MR. SAVOY:

6 That was just verbally, provided  
7 documents, email, or he just told you that?

8 BY MR. WASHINGTON:

9 Q Yeah. Because I mean, if you got any documents  
10 --

11 A He told me this, this was a verbal, however on  
12 12/17, I added O'Neil to the bonus list and  
13 emailed it back out to O'Neil, Patty Perry, and  
14 Anthony. Patty Perry responded to the email  
15 saying the percentage for Anthony's bonus was  
16 not correct on the front page of the document.  
17 That he was actually to get 100 percent, not 75  
18 percent as listed.

19 Q Okay.

20 A I made the correction and forwarded it back.

21 Q Okay.

22 A Which proves that they saw it.

23 Q What about O'Neil's bonus?

24 A O'Neil's was on that same page.

25 Q Okay.

1 A It was everybody's.

2 Q Okay.

3 A It was on that same page sent out --

4 Q They did not ask you any questions about that --

5 A No.

6 Q They didn't tell you to redo the bonus list or  
7 to resubmit another list to? Or anything like  
8 that?

9 A That resubmission, that resubmission of the  
10 list, I'll get to that one, 12/17 O'Neil was  
11 added. 12/20, Anthony was notified that any  
12 additional would have to wait until the 4th or  
13 5th of January because payroll was closing the  
14 year. That was 12/20.

15 12/21, Anthony's was processed. 12/29,  
16 we're getting closer to the authorization of  
17 O'Neil's bonus. Anthony sent out an email  
18 authorizing us to process the PAF to put O'Neil  
19 back into the system so we could pay it.

20 Q Okay. And what did you say? Did you reply?  
21 What did you, I mean, did you -- I'm asking what  
22 did you do when you received that email? Did  
23 you --

24 A We -- I went to HR to figure out where it needed  
25 to come from.

1 Q Where what needed to come from?

2 A The PAF.

3 Q Okay. So what did you do?

4 A Okay.

5 Q You didn't question Anthony about why he wanted  
6 to put O'Neil -- you knew O'Neil was no longer  
7 an employee, right?

8 A Yes, I did, but as of 12/17, he was added to the  
9 list.

10 Q A non-employee off the street added to the list,  
11 that did not ring a bell in your mind, is what  
12 I'm saying? That something is wrong?

13 A No. Because of a few different factors. One,  
14 we've made exceptions for tribal members in the  
15 past. Two, he didn't leave the organization. He  
16 still worked for the Chitimacha Tribe, which we  
17 all work for, so it wasn't like he went to work  
18 for an outside third company. Three, it was on  
19 Anthony's behest that he had talked to the  
20 council, they had approved it, it was put on the  
21 list, that list was sent out to the tribe.  
22 Nobody question it. Nobody question it from  
23 12/17 all the way until it was processed.

24 Q When was it processed?

25 A There was not a single question.

1 Q When was it processed? Because from my  
2 understanding, my information is different, that  
3 O'Neil met resistance over at the tribal side,  
4 on the tribal side.

5 A If he did, that was never relayed to me.

6 Q I mean, Patty Perry never told you --

7 A Patty Perry never told me. She emailed me that  
8 the percentage for Anthony was incorrect. We  
9 called Patty Perry, should this bonus come from  
10 the tribe or the casino, Patty said it should  
11 come from the casino. How do we do it from the  
12 casino? We would have to put in a PAF, put him  
13 back in the system, because payroll won't pay.

14 Q Who told you this, Patty?

15 A Patty.

16 Q Patty told you how to do it at the system?

17 A No, Linda told me how to do it, Patty told me  
18 that it should come from the casino.

19 Q The check should come from the casino?

20 A The check should come from the casino. Patty  
21 Perry told me the check should come from the  
22 casino when we called to figure out how we would  
23 go about doing this.

24 Q Yeah. Because they weren't going to cut a  
25 check, because they knew he was no longer an

1 employee, is the issue. So the issue is not  
2 whether or not, how do we process a check, the  
3 issue is, he was not authorized to receive a  
4 check because he is not an employee and that's  
5 part of the resistance he got initially over on  
6 that end. I have the paperwork --

7 A Okay. I have a question, then. If my, I have  
8 two people that I report -- what actually three  
9 people that I report to. Okay, I have a  
10 straight line from Anthony, I have a dotted line  
11 to Patty Perry who is the CFO for the tribe, who  
12 works for O'Neil.

13 Q Okay.

14 A Both of my bosses, straight-line and dotted  
15 line, Anthony Patrone and Patty Perry, both  
16 never objected to -- one told me to put it on to  
17 the list, never objected, the other one never  
18 objected, knew about it at least two different  
19 occasions, one on the day that she looked at the  
20 sheet and said it was wrong --

21 Q You have evidence?

22 A Yes.

23 Q I understand what you're saying.

24 A Yes, I have evidence.

25 Q You have emails saying --

1 A I submitted it to you.

2 Q -- that Patty approves of O'Neil receiving a  
3 bonus?

4 A I don't have an approval, I have a notification  
5 that one of the pieces of that spreadsheet were  
6 incorrect, which means she had looked it over --

7 Q Uh-huh (affirmative response).

8 A And had not said, hey, wait a minute, timeout,  
9 this isn't authorized. It was on that form that  
10 I know she looked at because she sent back a  
11 correction from it.

12 Q Okay. At what point was O'Neil initially added?  
13 Was it when they --

14 A It was on 12/17.

15 Q Okay. Was that before or after checks were cut?  
16 To the other employees.

17 A That was after.

18 Q When were the checks cut for the employees? The  
19 rest of them.

20 A Some time around the 12th or 13th.

21 Q Okay. 12th or 13th.

22 A We had Anthony's left to process.

23 Q Was O'Neil on that initial list where you cut  
24 the checks --

25 A On the -- no.

1 Q He was not on that list?

2 A No.

3 Q Okay. At what point was he added to the list?

4 A 12/17.

5 Q 12/17.

6 A I forwarded you that email.

7 Q Okay. And that was directed by Anthony Patrone.

8 A Correct.

9 Q And your -- with the approval of Patty Perry is  
10 what you're telling me?

11 A With the -- well, from Anthony, it was approved  
12 by the council.

13 Q Anthony told you the Council approved?

14 A Correct. Patty didn't --

15 Q And what did Patty say?

16 A Patty didn't raise any objections.

17 Q So Patty was aware that O'Neil was --

18 A Yes.

19 Q -- on the bonus list?

20 A Yes.

21 Q And --

22 A Because she sent back a correction to the bonus  
23 list that added O'Neil on it. She was aware on  
24 12/17 when I added it and sent it over to the  
25 tribe.

1 Q At what point --

2 A So Anthony's telling me that the council  
3 approved it, I'm directed to add him to the  
4 list, I add him to the list, send it over, Patty  
5 looks over the list, sees the correction of a  
6 different matter, since it back, hey, there's a  
7 correction on here with no 'why did we add  
8 O'Neil' on it. It was proposed O'Neil Darden,  
9 proposed Anthony Patrone. Because those two  
10 checks hadn't been cut yet.

11 Q And -- so you're telling me nobody ever asked  
12 you to modify that list on the tribal council  
13 side, to modify that list to exclude O'Neil  
14 Darden from the list?

15 A Yes.

16 Q Who told you that?

17 A O'Neil. O'Neil on 12/29, Anthony authorization,  
18 on 1/4 -- can I get to that?

19 Q Uh-uh.

20 A Okay, I'm going to answer that question, but I'm  
21 going to get to it, okay. On 1/4, January 4th,  
22 there was an email to Anthony: that I'm  
23 processing tomorrow on 1/5, it will hit the bank  
24 on 1/6 or 1/7. O'Neil's name is straight on  
25 that. Anthony: O'Neil's bonus will be processed



1 tomorrow along with others we talked about.

2 Q Okay.

3 A It will hit their bank Wednesday or Thursday  
4 depending on their bank.

5 Q I follow you.

6 A Okay? 1 --

7 Q So O'Neil was technically, what, his check was  
8 deposited on the 6th electronically?

9 A It was run on the 5th to be deposited on the 6th  
10 or 7th, depending on the bank.

11 Q I think they said the 6th, is what the paperwork  
12 showed.

13 A Yeah. But it depends on when it shows up into  
14 your account. So payroll --

15 Q 6th or 7th.

16 A Payroll set it to process on a Monday, some  
17 people get it Saturday, some people get it  
18 Monday. The dates are going to vary.

19 Q I think I confirmed with some people in  
20 accounting that said it was, I have paperwork.

21 A Okay.

22 Q It said the 6th, it was deposited. But --

23 A Okay. I don't know that. I don't know that at  
24 this time, I'm not aware of that, as of this  
25 point.

1 Q You said the 6th or 7th, so okay.

2 A I said 6th or 7th, it will hit their bank  
3 Wednesday or Thursday depending on their bank.

4 Q Okay.

5 A Okay. I have let the affected directors know  
6 about their people. That was on the 4th. So  
7 Anthony is aware we're going to cut it tomorrow.

8 Q Uh-huh (affirmative response).

9 A 1/5, we processed, O'Neil with several others.

10 Q Uh-huh (affirmative response). What do you mean  
11 processed?

12 A Processed through payroll, sent it to the bank.

13 Q Okay.

14 A Okay?

15 Q I got you.

16 A Still, no objections from anybody. Nobody is  
17 saying, hey this is wrong, hey don't do this,  
18 nothing. I've got illicit approval from Anthony  
19 and -- or specific approval from Anthony,  
20 illicit approval -- how do you say --

21 Q Okay, we'll take it.

22 A Do you know -- you understand what I'm saying?

23 Q Uh-huh (affirmative response).

24 A Tacit approval from Patty Perry. Nobody's  
25 objected to it for the last --

1 Q Well I mean --

2 A -- two and a half weeks.

3 Q I mean, how did you, did you send the  
4 information directly to Patty? Because I can't  
5 --

6 A Yes.

7 Q So Patty got the --

8 A On 12/17.

9 Q Okay. You sent the list to Patty Perry.

10 A Yes. On 12/17.

11 Q 12/17 with O'Neil Darden's name on it?

12 A Yes.

13 Q Now, you may not -- okay. I got you. That's  
14 good. Continue.

15 A Okay. So 1/5, hearing no objections, not that  
16 we expected any because I'm working off the  
17 information that the council approved this.  
18 1/5, we processed. 1/7, O'Neil gets out of the  
19 construction meeting, comes into my office, says  
20 look, I don't know, I don't think I want this  
21 thing.

22 Q Did he say why?

23 A No. I don't want it, I don't want this bonus.

24 Q And when was --

25 A It wasn't a, I'm not allowed to take it to take

1           it, this wasn't gone through tribal council,  
2           there wasn't anything relayed to me that this  
3           was illegal otherwise. I don't want it.

4    Q       Well he's not an employee. That's according to  
5           your human resource policy. And he knows that  
6           as a chairman, you can't be employed at another  
7           place while you're the chairman. Especially at  
8           the casino.

9    A       So my question is, why wouldn't he say anything  
10           at 12/17 when he's added and it's sent to him?

11   Q       When what's sent to him?

12   A       The bonus list with his name on it.

13   Q       Why would O'Neil say -- why would he --

14   A       If he knows that he's not an employee and he's  
15           not allowed to get it and, why wouldn't he say  
16           anything on 12/17 when he gets the list?

17   Q       No, well, that's the problem.

18   A       2 1/2 weeks go by. 2 1/2 weeks go by, he  
19           doesn't say anything. It gets processed. Now  
20           it's, oh, I don't think I want it anymore. All  
21           right, but it's already processed. It's going to  
22           show up into your bank. You're going to have to  
23           return the money if you don't want it.

24   Q       Okay. What are you saying?

25   A       What am I saying?

1 Q Yeah. I mean, you're saying all that to say  
2 what?

3 A I'm saying all that to tell any of this, this  
4 was our conversation on 1/7. That the money  
5 isn't going to be there, it is going to be  
6 returned. That it'll have to be returned, he'll  
7 have to cut us a check.

8 Q Okay.

9 A I think his response was, well you know where I  
10 live.

11 Q So you think he did not want to return it?

12 A No, I think he had full -- I walked away from  
13 the conversation with no doubt that we were  
14 going to get a check back. Matter of fact,  
15 later that day, I emailed accounting and HR --

16 Q Well, why didn't he return it the next day or  
17 the same day? Say, on the 8th or 9th?

18 A I have no idea. I have no idea. That check  
19 was supposed to come from him. He said let me  
20 make sure it clears my bank. As soon as it  
21 clears my bank, I'll cut a check back. I said  
22 fine, that'll work. I sent in an email to --

23 Q Why didn't you void the transaction in the  
24 system?

25 A Because we were trying to process tax, for

1 taxes. If it's going to be voided in the  
2 system, there's no other way, if he cuts a check  
3 back, when he cuts a check back to the casino,  
4 we have to -- the problem was, that on 1/7 or  
5 1/8, we had to pay taxes to the government, to  
6 the IRS. We have to pay tax, payroll taxes. If  
7 that check is coming back, that transaction  
8 shouldn't exist. Then we shouldn't pay the  
9 taxes.

10 That transaction gets voided in the system  
11 that we were not issuing a W2 at the end of the  
12 year. It voids of the transaction like it  
13 didn't happen. We issue the money, he sent it  
14 back, transaction is done.

15 Q Yeah, but I mean, it sounds good, but it almost  
16 sounds like you're trying to clean up your mess  
17 and trying to hide something because I see it a  
18 little bit different. Because first of all, he  
19 was not authorized to receive it, you see. And  
20 he was not --

21 A But I wouldn't know that. How would I know  
22 that?

23 Q He's not an employee. I'm sure you know he does  
24 not work for the casino. Only active employees,  
25 according to your policy here at Cypress Bayou

1 Casino, are allowed to receive bonus checks.

2 A But --

3 Q So --

4 A But also, people who have two or more written  
5 writeups are not allowed to receive a check.  
6 Did people with two or more written writeups  
7 receive a check? Yes.

8 Q Well did his wife receive a check, who left the  
9 same time he left?

10 A No because she wasn't working for the enterprise  
11 anymore.

12 Q Right.

13 A And wasn't --

14 Q So it --

15 A I wasn't told by Anthony to pay her a check.  
16 She wasn't --

17 Q So you basically, you were basically coerced by  
18 Anthony Patrone, the general manager, to pay  
19 O'Neil Darden?

20 A Yes. At the end of the day, yes.

21 Q So you didn't approve of it? Of paying him the  
22 check?

23 A I thought it was odd, but we had made exceptions  
24 for tribal members in the past. For every bonus  
25 run, there have been exceptions for tribal

1 members.

2 So from an odd standpoint, yes. But do I  
3 need to take Anthony at his face value with him  
4 being my boss saying, I went to the council, the  
5 council said yes.

6 Q Is that what Anthony told you?

7 A Yes. That's why I added him to the list. So  
8 I'm working off the information that Anthony's  
9 given me. However, I also sent it to Patty.  
10 Patty didn't object to it either. So as far as  
11 I'm concerned, as of 12/17 when I get that  
12 notification from Patty, there is no issue with  
13 it.

14 Q What did you send that list over to Patty for?

15 A Because she was starting to put together the  
16 resolution.

17 Q Is it Patty or Jill that does the -- you deal  
18 directly with Patty?

19 A I typically deal with Patty, but these lists  
20 were going to O'Neil, Patty, Anthony, and Jill.

21 Q And Jill?

22 A Yeah.

23 Q Okay. And Jill put together a packet?

24 A I would assume so, I don't know. I didn't go to  
25 the meetings, I'm not --



1 Q Okay. So what you're saying is that --

2 A I'm not a part of the council.

3 Q -- sent the list over.

4 A Uh-huh (affirmative response).

5 Q You did not get any negative feedback that  
6 O'Neil should, from the tribe, that O'Neil was  
7 not authorized to receive --

8 A Correct.

9 Q The check or their disapproval of --

10 A Correct.

11 Q -- O'Neil receiving moneys, bonus moneys?

12 A And I have my boss telling me that it's okay to  
13 pay.

14 Q Until what point? Because there is a second  
15 list, right?

16 A There is a second list as of 1/7.

17 Q O'Neil was on, at some point, you should have  
18 received a list from -- a resolution from the  
19 tribe or final approval list. Did that list  
20 have O'Neil's name on it?

21 A I don't think that there is a -- I don't know  
22 that it's a final approval list because it's  
23 coming a month after the fact. We cut checks for  
24 employees on 12/11, 12, 13. It's not an  
25 approval list, it's an after-the-fact, these

1           were the ones that got paid out.

2       Q       Well I think they approved, what they did, they  
3           approved the funding. You know, to pay each --

4       A       I'm not being argumentative, I'm really not, but  
5           how do you approve funding for something that's  
6           been paid four weeks ago?

7       Q       Well no, I'm saying --

8       A       What if they didn't approve it?

9       Q       My understanding -- the tribal council verbally  
10          approved, authorized the casino, you guys, to  
11          pay out moneys prior to Christmas. Am I right?

12      A       Yes.

13      Q       There was no resolution --

14      A       No.

15      Q       -- attached to that.

16      A       No.

17      Q       Or no itemized list of names and checks, or  
18          names associated with amounts of bonus money, or  
19          anything like that. It was just that approval so  
20          that you can disburse the funds, right? But  
21          yet, then you have to come back later and the  
22          tribe must approve that, you know, what they did  
23          verbally. They have to ratify it and meet, am I  
24          right?

25      A       Uh --

1 Q You have -- the final list has to be approved.

2 A Okay.

3 Q And was approved. Did you see that final list?

4 A Yes. I got it a couple days ago.

5 Q A couple days ago?

6 A Yes. From patty.

7 Q And where did -- was O'Neil on the list?

8 A No.

9 Q Okay. So that implies what? I mean, when did  
10 you receive it, first of all?

11 A I received it last -- Friday, last Friday.

12 Q And what day was last Friday? 22nd?

13 A 22nd. I went to a construction meeting with  
14 Patty, she handed over the final list.

15 MR. SAVOY:

16 You still have that list currently?

17 A Yes, sir.

18 MR. SAVOY:

19 A copy -- was there any discussion when  
20 she handed you that list? Any discussions  
21 at all about --

22 A These are for your files.

23 BY MR. WASHINGTON:

24 Q Just a moment.

25 A If I was trying to hide it, I wouldn't be

1           emailing accounting, and HR on the same day that  
2           O'Neil walked into my office and said I don't  
3           want any more, and says, okay, accounting and  
4           HR, O'Neil decided he that he's not going to  
5           take this bonus. He's going to cut a check back  
6           to the casino. That's not hiding it. I'm not -  
7           - there's no intent there.

8           Q     Well, it's intent to give somebody off the  
9           street -- make him, make a non-employee an  
10          employee for a period of time so that you can  
11          figure out, so that you can facilitate giving  
12          him moneys that he was not entitled to. That's  
13          not a crime? That's not a problem?

14          A     On direction from my general manager and the  
15          tribe?

16          Q     Well I don't have that. You're saying the  
17          tribe, but the tribe is telling me the opposite.  
18          So that's why I say, if you don't have --

19          A     Well, that's why I forwarded you, there's an  
20          email of list on 12/17. You have an email  
21          showing me sending over a list with O'Neil  
22          added, and then you should have an email with  
23          Patty saying Anthony should be at 100 percent,  
24          not 75 percent as listed on this list.

25                   MR. SAVOY:

1                   Was there any language about O'Neil?

2     A     None.

3                   MR. SAVOY:

4                   None.    Just Patrone?

5     A     Just Patrone.

6                   MR. SAVOY:

7                   So you're operating under the pretense  
8                   of verbal from Patrone that approval was  
9                   made by council?

10    A     Yeah.  I got verbal approval, I got verbal  
11            approval from Patrone, that I should add him.  I  
12            added him, I sent it to --

13    BY MR. WASHINGTON:

14    Q     Well, first of all, you got verbal approval to  
15            do what?  To go to human resources?  Or is that  
16            -- you took it upon yourself to go to human  
17            resources and force Linda and Jolinda to add  
18            him, to make him an active employee?  Is that --

19    A     You should have it --

20    Q     -- where it started?

21    A     You should have an email, 12/29, Anthony's  
22            authorization for the PAF for O'Neil.  That did  
23            not come from me, that came from Anthony.

24    Q     You did it though.  Anthony didn't do it.  He  
25            told, I mean, he told you --

1 A Anthony authorized it.

2 Q -- to rob the bank and you decided to rob it. I  
3 mean, I understand where you're coming from but  
4 --

5 A I --

6 Q You didn't feel you are doing anything wrong?

7 A No.

8 Q By making some -- taking somebody off the  
9 street, telling, going to human resources --

10 A Somebody who works for the tribe, same as I do.

11 Q Well he's not -- he's not an active employee  
12 here at the casino. He resigned, just like his  
13 wife. Just like a whole lot of other people.  
14 Tribal or non-tribal who left in 2015 for  
15 various reasons. Did we give Joey Barnes a  
16 check?

17 A No, but he didn't still work for the tribe.

18 Q It's irrelevant. I mean, it's irrelevant.

19 A And Anthony didn't come to me and say the  
20 council approved this.

21 Q -- separate entities. I mean, O'Neil has a lot  
22 of rules and ordinances that prohibit him from  
23 doing various things and one of those main  
24 points is that you cannot work anywhere when  
25 you're occupying that position. Definitely not

1 the casino.

2 A So --

3 Q Why would you make him an employee, an active  
4 employee? I mean, I'm not trying to be mean,  
5 but you don't see anything wrong with that?

6 O'Neil is no longer an employee and --

7 A I --

8 Q -- let's go figure out a way to give him some  
9 money, \$5700. So, okay, somebody came, you said  
10 you came up, Patty told you, well I don't think  
11 Patty told you to go to human resources and make  
12 him an --

13 A No. We --

14 Q I guess you came up with that, or Linda? Who  
15 came up with --

16 A Linda.

17 Q Okay. Linda came -- so someone asked Linda, you  
18 asked Linda what can we do to pay O'Neil the  
19 bonus?

20 A I'm not sure if it was me or what. But Tara,  
21 Linda, and I all talked to Patty. Patty said we  
22 weren't going --

23 Q Tara Trahan?

24 A Yeah. They weren't going to pay him from the  
25 tribal side, that we would have to pay him from

1 the casino side. Again, nothing wrong. Tara  
2 should have testified to the same thing. That  
3 we had the conversation with the tribe saying,  
4 are you going to pay him from your side or are  
5 we going to pay him from our side?

6 No, it's part of that bonus funds. We could  
7 from our side, but we are not accrued for it  
8 from our side. That should probably come from  
9 the casino side. We hang up the phone, we say,  
10 okay, what do we do?

11 We would have to put him into the system.  
12 Well, nobody's authorizing that until Anthony  
13 authorizes it. Anthony authorized this. It's  
14 in an email. Anthony authorizes the PAF for  
15 O'Neil. Did --

16 Q Okay. Well I --

17 A Did I think it was weird? Yes, it is weird.  
18 However --

19 Q What's weird about it?

20 A Because it's outside the scope of a normal bonus  
21 program.

22 Q Which makes it not right, huh? Or illegal?

23 A It's not right if -- it's not right if the tribe  
24 doesn't agree to it.

25 Q So I mean --



1 A So would the tribe --

2 Q Wait -- I understand what you're saying --

3 A Would the tribe agree to paying Joey? No.  
4 Because he doesn't work there anymore. Am I  
5 under the complete understanding that the tribe  
6 agreed to it? Yes.

7 So with that background that the tribe has  
8 agreed to it, I don't understand where the --  
9 where the robbing comes in. That's the part I'm  
10 having a tough time with because yes, it's odd.  
11 Yes, it's odd.

12 However, we make exceptions for tribal  
13 members all the time in the bonus, outside the  
14 bonus. Tribal members, preferential treatment,  
15 whatever. We make exceptions in the bonus,  
16 well-documented exceptions for tribal people in  
17 the bonus program.

18 He's working for the same organization, the  
19 same ownership of the casino. With what I think  
20 is council approval, which has been relayed by  
21 Anthony, and not disallowed or any objections  
22 whatsoever raised by Patty. Or Jill. Or Jill.

23 Q I don't think Patty is a decisive factor. I  
24 think it's the tribal council.

25 A But I report to Anthony and Patty. Patty reports

1 to the council.

2 Q I mean, you don't have any information that  
3 justifies the assertion that Patty understood,  
4 O'Neil -- or supported the idea of O'Neil  
5 receiving a bonus check. I mean, do you have  
6 any email, any documentation or any paperwork?

7 A Explicit from Patty saying --

8 Q Yeah. Otherwise, it's hearsay, and you're just  
9 trying to cover --

10 MR. SAVOY:

11 You operating under assumption --

12 BY MR. WASHINGTON:

13 Q Yeah. I mean --

14 MR. SAVOY:

15 -- Patty saw the list and didn't raise  
16 questions.

17 A Well no, I'm not operating under the assumption  
18 she saw the list, I know she saw the list.

19 MR. SAVOY:

20 Well she saw the list but she didn't  
21 voice any opposition to it?

22 BY MR. WASHINGTON:

23 Q Well she may have saw the request because you  
24 all send a proposed list, am I right?

25 A Right.

1 Q Yeah, you sent a proposed list to the tribe.  
2 Now the tribe can either accept it or deny it or  
3 change it, modify it, or even ratify it. I think  
4 they chose to ratify it, huh? Or to modify it,  
5 to exclude O'Neil Darden, am I right?

6 A No.

7 Q Oh, yes they did. Because they sent -- when  
8 they sent that final resolution, that tells you  
9 the tribal stands, where they stand in terms of  
10 who they want to get paid money, am I right?

11 A Yes.

12 Q Okay.

13 A But it was after it was already done.

14 Q Well, I mean, you did it. I mean, the tribe  
15 didn't have anything to do it. I understand  
16 where you're going with it, but I mean, you guys  
17 facilitated that on this end. After O'Neil ran  
18 into a roadblock over here.

19 A And we don't know that.

20 Q I do know that.

21 A I --

22 Q You don't know.

23 A I don't know that, and I certainly --

24 Q Yeah, okay, well just say that.

25 A -- I certainly didn't know that at the time.

1 Q That's not -- well, I don't know what you knew  
2 at the time. I mean, I'm trying to, you know I'm  
3 -- we're going to treat you fair, but --

4 A Until I got called up here, until I got called  
5 up into the first interview last week, that's  
6 the first time that anybody had raised any  
7 objections whatsoever. Other than O'Neil walked  
8 into my office and saying, you know what, I  
9 don't think I'm going to accept it.

10 Q Okay. At what point --

11 A And as far as objections, no --

12 Q Well maybe you don't know, but somebody knows  
13 something, is what I'm telling you. You know,  
14 you may be innocent.

15 A Well, why didn't they relay that to me?

16 Q Who?

17 A If anybody had any objections --

18 Q Well O'Neil is not, if he's got --

19 A If anybody had any objections in two and a half  
20 weeks, why didn't they bring it up?

21 Q So you're saying you see yourself as a victim in  
22 this?

23 A I see myself as doing what I was instructed to  
24 do, on all parts, not in the dark, in the light,  
25 in front of knowledge from everybody, not hiding

1           it whatsoever. And nobody raised any objections  
2           --

3       Q     Well why would you, why would you, as a CFO, why  
4           would you facilitate this process -- it seems to  
5           me if I disagree with making a non-employee an  
6           active employee to facilitate giving him a  
7           bonus, bonus moneys that he was not entitled to,  
8           it seems like at some point you should have  
9           objected. You seem to be complicit in every  
10          regard, every aspect of what took place  
11          concerning O'Neil. I mean, I don't see any  
12          objection on your part, or you didn't make it  
13          known. You're telling me now that you thought  
14          something was weird or --

15       A     No. No. Weird doesn't mean --

16       Q     So you didn't contact, you've got the game  
17           commission, you've got the state police, you've  
18           got a number of compliance, you got -- so you  
19           didn't feel you had anybody to talk to or you  
20           didn't share your feelings or what you, you  
21           know, your concerns to anyone?

22       A     No. Because I thought it was -- odd is not the  
23           same thing as illegal or not authorized or  
24           anything of the sort. I think there are, there  
25           were exceptions to the director's bonus that I

1           was told were discussed with the council. I  
2           don't know if they were or were not now. But at  
3           the time I'm discussing --

4       Q     I don't know what you mean by that --

5       A     At the time --

6       Q     What do you mean by that? Because I --

7                       MR. SAVOY:

8                               Which director were you referring to?

9       A     There were directors that were given extra  
10           bonus, there were directors that had bonus taken  
11           away. If you talk to McGladrey, McGladrey, RMS.

12       BY MR. WASHINGTON:

13       Q     Uh-huh (affirmative response).

14       A     Okay. Our external auditors. They will be able  
15           to tell you that at your end, I didn't have a  
16           final bonus list. At year end, they asked me  
17           what am I accruing to. I don't know. Because  
18           the answers I'm getting from Anthony were, that  
19           was going to be a discussion between him and the  
20           council.

21       Q     And what concerns did you have at that time?

22       A     That I wasn't accruing to a number, that I  
23           wasn't accruing to a plan. I raised those  
24           concerns with McGladrey, that I wasn't accruing  
25           to a plan. I have a number on my balance sheet

1 at year end that I can't justify because I don't  
2 know what the plan is for disbursement.

3 Q What --

4 A That plan for disbursement came way later, came  
5 in December.

6 Q Did you ask Anthony?

7 A Yes. I asked Anthony all along throughout the  
8 course of the entire year, when I was going to  
9 get the list. Well, I'm going to discuss it with  
10 the council, you don't need to know that yet.  
11 The council and I are going to create that list.

12 Q What did you think the purpose of that was? Of  
13 Anthony's delay or slow response?

14 A It would be purely subjecture, but --

15 MR. SAVOY:

16 That's fine.

17 A But I don't know that he wanted to bring it up  
18 until we knew, until he knew about what the  
19 results were going to be. But that's purely  
20 conjecture on my part, I don't think it was --

21 BY MR. WASHINGTON:

22 Q What do you mean? What -- what results? What -  
23 -

24 A So there was a question at the beginning of the  
25 year whether or not -- there was some discussion

1 at the beginning of the year of whether or not  
2 we were going to do step bonuses. So what step  
3 bonuses are, is, you hit this target, you get X.  
4 We hit this financial target, you get X plus.

5 Q I got it.

6 A We had this one, you get X plus, plus.

7 Q Uh-huh (affirmative response).

8 A We started talking about stretch bonuses at the  
9 beginning of the year.

10 Q For all employees?

11 A For --

12 Q Or for the --

13 A At least supervisory up. There was a stretch  
14 discussion going on. I asked Anthony repeatedly  
15 as we were approaching year end about getting  
16 the plan so I could put it, so I could have a  
17 number to target to in the balance sheet.  
18 Repeatedly, I was told that was going to be a  
19 discussion between him and the council.

20 When I finally did get the list, it came  
21 with the caveat that it came from him and the  
22 council. What reason at that point would I  
23 have, at that point, to raise huge red flags,  
24 because everybody was aware of it? Does that  
25 make sense? So --



1 MR. SAVOY:

2 I was under the impression that the GM  
3 decides on how much casino employees get,  
4 how much money is dispersed. But from what  
5 you're telling me, Anthony had that  
6 conversation with the council --

7 A Through a discussion --

8 MR. SAVOY:

9 -- decided on who gets what and how  
10 much.

11 A Who gets what and how much, and --

12 MR. SAVOY:

13 What would be --

14 A And to add O'Neil.

15 MR. SAVOY:

16 Right. So they had that --

17 A That's part of the same discussion.

18 MR. SAVOY:

19 -- of that side discussion.

20 A It's part of that same discussion. It came back  
21 with the directors and adding on Neil.

22 MR. SAVOY:

23 And this was about when?

24 A Directors were cut around -- director list  
25 received with amounts on 12/11. Then there were

1 further discussions, the hosts were increased,  
2 Shawn, who is a tribal member, Shawn in IT was  
3 given an additional amount as part of that  
4 supplemental run.

5 Tara and Jacqueline were included in the  
6 bonuses at more than what we originally  
7 discussed, but that, I was told that was for  
8 performance during the course of the year. Some  
9 directors got less than the 10 percent we had  
10 talked about at the beginning of the year but  
11 again, I was told that was for performance  
12 reasons.

13 BY MR. WASHINGTON:

14 Q Jackie and Tara got more than --

15 A More than the 10. More than the 10 percent.

16 Q Because I think directors was, according to my  
17 records, were to get 10 percent.

18 A Yeah. It was -- pre-lim. put in there at an  
19 average of 10, and then going back and put the  
20 exact amount.

21 Q Why do you think they got more?

22 A I was told for performance reasons.

23 Q By Anthony Patrone?

24 A Yes.

25 Q Okay.

1 A That was discussed with the council, and that  
2 these were added too. I'm not meeting with the  
3 council, I haven't met with the council.

4 MR. SAVOY:

5 And you got that information from  
6 Anthony or you got that from jointly the  
7 council and Anthony?

8 A From Anthony.

9 MR. SAVOY:

10 So all that, everything that the  
11 council supposedly said was conveyed by  
12 Anthony?

13 A Yes. Because he was the one that was going to -  
14 - he was the one that was invited to the  
15 meetings. It's his meetings. I'm not invited to  
16 those, so I wouldn't hear it.

17 BY MR. WASHINGTON:

18 Q Okay. Did you actively tried to pursue, once  
19 the moneys were sent, electronically, or direct  
20 deposited to O'Neil's account, checking account,  
21 did you actively try to, once you realized that  
22 O'Neil stated that he would return the money,  
23 the funds, or return a check, personal check,  
24 did you actively try to pursue it? Because I  
25 knew it took a few weeks before -- and after,

1 subsequent to our --

2 A Because checks --

3 Q First State police interview, that --

4 A That I was in process of doing that?

5 Q Right.

6 A Ninety-something percent of the checks that come  
7 in from outside vendors or outside the  
8 organization go directly to Debra Stave for  
9 processing, accounting, then she sends them back  
10 down to Deena for deposit. So I had to follow  
11 up on mine, that I know I hadn't received a  
12 check yet. I didn't know if Debra had or not.

13 But as I said, there was an email to  
14 accounting on 1/7 that we should be expecting  
15 it, to accounting and HR that we should be  
16 expecting this check.

17 I hadn't heard whether or not we had  
18 received it, I had it as a follow-up item on  
19 mine. I followed up on the 19th to make sure  
20 that we had received it. Because I wasn't  
21 expecting that check to come to me. I was  
22 expecting it to go through normal, normal  
23 processing. 1/19, I inquired of accounting if  
24 the check was back yet. 1/20, I got a response  
25 from accounting. 1/21, I emailed O'Neil. 1/22,

1 the check was brought in, delivered.

2 I included you on the email to O'Neil, I  
3 included you on the email to accounting and HR  
4 as of 1/7, saying that we should expect a check  
5 back.

6 There was never, in my mind, there was never  
7 a question about whether or not there was a  
8 check coming back.

9 Q Just a moment. Looks like the 18th is when we,  
10 you initiated, you sent that first proposal out  
11 to the council for ratification. You sent,  
12 December 18, 2015 at 10:28 a.m. You sent an  
13 email to Patty Perry with an attachment, O'Neil  
14 Darden, Anthony Patrone, you CCed Jill. And  
15 this is in reference to the bonus spreadsheet  
16 updated 2015 incentive payout.

17 A Uh-huh (affirmative response). Which would have  
18 had O'Neil.

19 Q It's got O'Neil on it.

20 A Yes.

21 Q Am I right?

22 A Yes.

23 Q You remember that sheet?

24 A Yes.

25 Q Okay. This is December 18th. This is, let me

1 see the time, December 18 about 10:28 a.m.  
2 About -- it looks like Jill received it. She  
3 sent out an email, Jill Louviere, December 18,  
4 2015, at 10:58. Let's see what she has here.  
5 Email poll, she sent out an email poll. I guess  
6 they're trying to approve this resolution.

7 A Okay.

8 Q Do you understand that process? These are all  
9 council members. She sent it out to each  
10 council member to vote, take a vote, an email  
11 vote. And they will send a response on whether  
12 or not they support this amendment approve it or  
13 disapprove it.

14 A Okay. I follow you. I'm not aware of the  
15 process but to follow you.

16 Q I'm just telling you what's going on, that's  
17 10:58.

18 A Okay.

19 Q Okay. Obviously, there was some resistance.  
20 And I don't know if you, directly or indirectly  
21 or O'Neil shared some of that, what transpired  
22 on his end, that's what we're trying to figure  
23 out. At what point.

24 A No.

25 Q Because the original list, there was a rejection

1 of, on 10/18, that we're not going to approve  
2 this. With his name on there. By the council.

3 A Okay. So, my question, can you show me the  
4 document where that was relayed back to me?

5 Q Well I don't know. I mean, I don't know. I'm  
6 still sifting through --

7 A There is none.

8 Q Well that's why I say, you may not know. I don't  
9 know. That's my whole point. I'm not trying to  
10 --

11 A I guarantee you, there's no document that says  
12 don't pay. I guarantee it.

13 Q Okay.

14 A And that's exactly --

15 Q Well I --

16 A That's exactly my point through all of this. If  
17 there was discussion, which you say there is, I  
18 believe you when you say there is, but none of  
19 that was relayed back to me.

20 If it was relayed back to me at any time  
21 during this 2 1/2 week span, that check wouldn't  
22 have gotten cut.

23 Q Well, there was something relayed back to you.  
24 Because I see correspondence between you and  
25 O'Neil on the 7th.

1 A On the 7th, after he -- after it was already  
2 done.

3 Q Montie Spivey sent on the 7th, O'Neil Darden,  
4 CCed Anthony Patrone an updated version.

5 A An updated version with his name off of it  
6 because --

7 Q With his name off the list. So that means  
8 something had to be relayed to you.

9 A Yeah. My conversation with O'Neil that morning.  
10 We had already made arrangements to cut the  
11 check back. We made arrangements that morning  
12 to cut the check back.

13 MR. SAVOY:

14 What was he supposed to pay back?

15 A The net amount of his bonus.

16 MR. SAVOY:

17 Which was --

18 A You guys have the check. It would have been on  
19 the proposed list. It should have been three  
20 fourths of his salary times 10 percent.

21 MR. SAVOY:

22 5,700, huh?

23 A I don't know what the gross was.

24 BY MR. WASHINGTON:

25 Q Well the gross was 5700 and some odd dollars.



1 A Net was 44-something. I think I remember from  
2 bringing the check --

3 MR. SAVOY:

4 That's still going to leave the taxes.

5 A Well the taxes were voided out. That's why we  
6 had to void the transaction, to void the taxes  
7 out. I can't cut him a check for 4200 and have  
8 him pay me back 5700. He has to pay me back the  
9 net amount. To make the casino whole, I have to  
10 void the transaction.

11 BY MR. WASHINGTON:

12 Q Well, you shouldn't have done it until you  
13 received it, am I right?

14 A It's payable to -- from the tribe.

15 Q Well, I mean, it seems like that's backwards to  
16 me.

17 A No. Because the tax rules have to run correctly  
18 from payroll. So that transaction had to be  
19 voided before that period was closed out.  
20 Otherwise we'd have to pay the taxes, then try  
21 to get -- collect the taxes back.

22 Q You were approaching a deadline, and tax  
23 deadline, is what you're saying?

24 A Tax deadline.

25 Q Okay.

1 A So we voided the transaction back, if we don't  
2 have it by the end of the month, then it goes  
3 onto the books as receivable.

4 Q Uh-huh (affirmative response).

5 A I expected it back before the end of the month,  
6 it ended up coming back before the end of the  
7 month.

8 Q So you took -- you --

9 A Still to this day, when we close on the 31st,  
10 I'm going to have to list it as a receivable on  
11 the books. Because as of the 31st, the casino  
12 hasn't received it back. Does that make sense?  
13 Because you have the check.

14 I can't deposit it, I don't say -- I can't  
15 say I have the money. It's going onto the books  
16 as a receivable. In no aspect in there is there  
17 an intent to hide. In no form is there an  
18 intent, there's no intent there.

19 I'm working off the information that I was  
20 given and doing what I needed to do to  
21 accomplish the goal which I was told was  
22 approved.

23 If you can find some information that was  
24 relayed back to me before O'Neil stepped into my  
25 office on the 7th to say this should be paid, I

1 will give you my badge and offer my hands and  
2 you can take me to jail.

3 MR. SAVOY:

4 When you received a directive from  
5 Anthony Patrone to activate O'Neil to do the  
6 PAR --

7 A Uh-huh (affirmative response).

8 MR. SAVOY:

9 Move forward the PAR, what's the normal  
10 process from that point?

11 A The normal process for --

12 MR. SAVOY:

13 To reactivate an employee or to  
14 activate an employee. It goes to HR,  
15 correct?

16 A Yes. It goes to HR.

17 MR. SAVOY:

18 And who does the activation?

19 A HR.

20 MR. SAVOY:

21 I mean, who specifically? What person?

22 A I don't know. That's an HR function.

23 BY MR. WASHINGTON:

24 Q You don't know who you directed in HR?

25 A I didn't direct anybody. Anthony send out an

1 email authorizing it.

2 MR. SAVOY:

3 The email went to HR, it went to you,

4 or --

5 A It went to me and HR.

6 MR. SAVOY:

7 Okay. And how did he become active?

8 A You have a copy of it, it should be 12/29.

9 MR. SAVOY:

10 So how did O'Neil become --

11 A Actually, no, I had processed a different one.

12 This was my email to Anthony the day before.

13 O'Neil's bonus will be processed tomorrow.

14 MR. SAVOY:

15 When you received the email from  
16 Anthony authorizing the PAR, it went to you  
17 and to HR, how was O'Neil activated? Put  
18 back into the system as an employee? Who  
19 created that function? Who executed that?

20 A HR.

21 MR. SAVOY:

22 So HR activated him under the authority  
23 of who?

24 BY MR. WASHINGTON:

25 Q Was it you? Because my understanding, you were

1           involved with that process in HR in terms of  
2           signing documents or some aspect of it.  Didn't  
3           Linda bring some documents to you?

4       A     Yeah, she brought me the PAF.

5       Q     Right.

6       A     I signed the PAF off of authorization from  
7           Anthony.

8       Q     Yeah.  You signed it, not Anthony.

9       A     But --

10      Q     I'm going to tell you another thing.  Jolinda, I  
11           think, was the person who, I guess Anthony, when  
12           he sent the email, I don't know if Linda  
13           instructed her how it works, but she activated  
14           him following orders.  But I think she wrote at  
15           the bottom, as per Anthony Patrone.

16      A     Correct.

17      Q     Right.

18      A     As per Anthony Patrone.  Not as per Montie  
19           Spivey.

20      Q     It was brought to Montie Spivey to sign, because  
21           Linda refused to sign it.  Jolinda, I think  
22           refused.  And Linda --

23                   MR. SAVOY:

24                           HR director.

25                   BY MR. WASHINGTON:

1 Q Right. Who is the HR director, why didn't she  
2 sign it? They brought it to you. It was  
3 brought to you, not the HR director. I don't  
4 even think it requires your signature in terms  
5 of the paperwork, the document. Why didn't  
6 Linda sign it? She's the human resource  
7 director.

8 A I don't know.

9 Q Was it necessary for you to sign? Well, you  
10 signed it.

11 A Because of the conversation with HR. On  
12 Anthony's authorization, he was to be put back  
13 into the system so we could pay him. We can't  
14 pay him through payroll unless they're in the  
15 system.

16 I don't know if Linda was processing it or  
17 Jolinda was processing it, Linda brought up the  
18 document, said I need your signature on this to  
19 put him back in the system.

20 Q And you signed it. Not Anthony Patrone.

21 A And I signed it.

22 Q You signed it.

23 A On authorization from Anthony.

24 Q Validating, authorizing that transaction.

25 A Yes.

1 Q Human resource, to validate that transaction.

2 You signed it, not Anthony Patrone.

3 A Yes, I signed it on authorization from Anthony.

4 Q Why did you sign it?

5 A Because I'm on --

6 Q Well, I mean, I understand that but I'm not --

7 Sergeant, he's my -- Preston, Serge, Preston

8 Savoy, he's my supervisor. He's not going to

9 instruct me to go rob a bank or to go shoot

10 somebody -- unjustly.

11 A Nobody -- I didn't rob a bank or shoot somebody

12 unjustly.

13 MR. SAVOY:

14 But the point we're getting back to is,

15 you didn't have to sign that activation as

16 per Anthony Patrone. Linda is the HR

17 director. If she signs it on authorization

18 by Anthony Patrone, it's done. She don't

19 have to come to you for a signature.

20 She came to you for a signature because

21 she felt it was wrong and obviously, she

22 didn't sign it. Because had she signed as

23 an HR director, she would need your

24 signature. He would be activated. She

25 deferred that to you because she didn't want

1 to sign it.

2 BY MR. WASHINGTON:

3 Q Because she felt it was not right and was not  
4 legal and O'Neil was not entitled to a bonus.  
5 Why didn't you share that same sentiment, is the  
6 issue.

7 A Because I'm working --

8 Q Why didn't you object to it when Linda brought  
9 it up? Because it's almost like you knew about  
10 it and you could expect it to come to you.

11 MR. SAVOY:

12 Bring it to Anthony since he's  
13 authorized -- say look, Linda is not signing  
14 it as HR director, you authorized it, here,  
15 can you sign it? Does he sign anything,  
16 Anthony?

17 A Rarely.

18 BY MR. WASHINGTON:

19 Q Well you -- I mean --

20 MR. SAVOY:

21 Have you signed any other PARs for  
22 activating employees other than --

23 A Yes.

24 MR. SAVOY:

25 That's a normal procedure for you



1 typically? You sign --

2 A When they bring them to me.

3 BY MR. WASHINGTON:

4 Q And why would they have to bring them to you and  
5 not Linda?

6 A Because they need a, I think they needed a  
7 department outside of HR.

8 Q No, I'm saying in what scenarios, what type of  
9 -- because it looks like, what can you do that  
10 Linda can't do, I guess is what I'm asking in  
11 terms of signing these PARs?

12 A What can I do that Linda can't?

13 Q I mean, well in terms of the PARs, why would  
14 Linda need to defer signing, this -- her  
15 signature on a PAR, on an employee PAR whether  
16 they are being hired or terminated? I mean, why  
17 would she have to defer that to you?

18 A Because it would have gone to, more than likely  
19 because it would have been signed by that  
20 person's director or that person's manager.  
21 O'Neil reported through Anthony. I don't know  
22 if Anthony wasn't available --

23 Q Well --

24 A If Anthony is not available, people bring me  
25 stuff.

1 Q And you didn't think it was a problem although  
2 Linda --

3 A No because I had --

4 Q Jolinda, who are, I think a little less  
5 sophisticated than you are, and they had enough  
6 wisdom to suspect that something was not right  
7 but yet you're saying --

8 A Did they raise any concerns?

9 Q Who?

10 A Linda, Jolinda.

11 Q Well I mean, you're the big CFO. I mean, you're  
12 instructing these people too, I mean, first of  
13 all she brought it to you. Yes, she did raise  
14 some concern. Jolinda raised concern because  
15 she didn't sign it. I think she put as per  
16 Anthony Patrone on one of the PARs that I read.  
17 And Linda definitely objected because she  
18 refused to sign. She said, I'm going to give it  
19 to Montie and let him sign. Because I'm not  
20 signing, is what she told me. I mean, unless  
21 she's lying. Is that what you're implying?

22 A No. I'm saying if she had that concern, then it  
23 wasn't relayed. It was relayed -- okay, to do  
24 this that we discussed, we need this PAR. Can  
25 you sign it.

1 Q Well, I don't know. That's a good -- maybe we  
2 can bring Linda back in here to see what, you  
3 know, if she's being deceptive or whatever.

4 A I don't think it's a, I don't think it's a  
5 question of being deceptive or not but if he's  
6 bringing something for you to sign and he has  
7 objections and doesn't say them, that doesn't  
8 mean that you know that he has objections.

9 Q Well if I see the name -- if somebody brings me  
10 documents and say, okay --

11 A The only -- I signed one.

12 Q You signed one?

13 A One. I didn't sign both, I signed one.

14 Q He had two?

15 A To put him in, take him out.

16 Q And you signed both?

17 A No. I signed one.

18 Q Well who signed -- put him in?

19 A I'm not sure.

20 Q Well you signed to take him out or put him in,  
21 is what I'm --

22 A More than likely to put him in.

23 Q Put him in. Right. Well who signed to take him  
24 out?

25 A I don't know. That was probably the as per.

1 Q Yeah. That's probably, I think that's what it  
2 was, I think it was probably --

3 A That's probably the as per.

4 Q Right. Well why didn't you sign to take him  
5 out?

6 A Because I wasn't presented with a document.

7 Q And you just signed, you don't care, you don't  
8 read what you're signing?

9 A Yes. I read what I'm signing.

10 Q So you knew O'Neil was not a current employee.  
11 An active employee at the time. Well, you made  
12 him active, so I guess when it got to you, he  
13 was active.

14 A He was active for the sake of paying him his --

15 Q Right.

16 A -- the bonus. For nothing -- for no other  
17 reason than to pay him the bonus that was to my  
18 knowledge authorized by the council.

19 Q Well you have no --

20 A That --

21 Q -- facts to support that assertion?

22 A None other than the email telling me to put him  
23 on and the email of that document out and no  
24 documents coming back for 2 1/2 weeks until it  
25 was processed. I notified Anthony the day

1 before. The day before processing. So all the  
2 way up until the day before processing, I  
3 specifically asked him, I specifically told him  
4 O'Neil's bonus will be processed tomorrow along  
5 with the others that we talked about. At that  
6 point, if he knew of any objections, why  
7 wouldn't he have said that? Before it was  
8 processed.

9 Q Did you -- okay. Will say what you're saying is  
10 -- you're telling me the truth. Okay. Now,  
11 it's got to be some dialogue. I know you're  
12 privy to certain information, you know, you  
13 interact with Anthony and O'Neil and -- on a  
14 regular basis, I would imagine.

15 A Not O'Neil. Just in passing.

16 Q And what did Anthony say? Did he say or alluded  
17 to or did he mention anything about O'Neil's  
18 bonus or whether or not -- and all this process,  
19 whenever O'Neil relayed to you that he did not  
20 want the bonus, did you ever have any  
21 interaction with Anthony? What was his opinion  
22 about that? Because obviously someone wanted  
23 O'Neil to keep the bonus or O'Neil wanted to  
24 keep the bonus. Because he did not --

25 A By the time that there was a discussion about

1 O'Neil's bonus, it was already done.

2 Q Uh-huh (affirmative response). I understand  
3 that. I don't care what was done. I'm saying  
4 O'Neil seemingly had no desire to return that  
5 money. As far as I'm concerned. Because if he  
6 did, he would have returned it the day of or the  
7 day after. That would have been an urgency to  
8 return moneys that he was not entitled to,  
9 otherwise --

10 A I can't speak to his --

11 Q Well I'm just asking --

12 A I can't speak to his motive. All I can say is,  
13 my intentions, my understanding of the situation  
14 is well documented.

15 Q Well, no it's not.

16 A Yeah.

17 Q Well it is documented, you're right. It's  
18 documented --

19 A Because of the email to accounting and HR saying  
20 we should be expecting this check.

21 Q Well, you are telling people what to do.

22 A No.

23 Q Is what you're doing.

24 A No.

25 Q So, I mean, so I don't know who, what people --

1           it seems like you're talking to specific people  
2           who are part of the problem.  Because I see  
3           emails going to Patty Perry, I see them going to  
4           Anthony Patrone and O'Neil.  And maybe Jill.

5           Those people are, I mean, that's, that's a  
6           limited network.  But you're ordering people on  
7           this side to do things that are illegal and  
8           unethical and everything else, you know, putting  
9           somebody who is a non-employee into the system.  
10          No, you're going upstairs telling these people  
11          up here in accounting to put checks and send  
12          them, to wire checks to his account, and all  
13          this other kind of stuff, to give him a bonus  
14          that he's not entitled to.  I mean, you're  
15          telling these people to do this.

16        A     I'm facilitating it on direct orders.

17        Q     Okay.  So he told you basically to do whatever's  
18          necessary to give O'Neil that bonus?

19        A     Yes.

20        Q     Is that what he told you?  And you just, you're  
21          fearful?  Is that why you did it?  Are you  
22          intimidated by Mr. Patrone?

23        A     No.  Because until I walked into the state  
24          police, I wouldn't have known it was illegal,  
25          for one.  For two, both of my direct bosses

1           seemingly have no issue with it.  It's gone to  
2           the tribe, is gone to members at the tribe, it's  
3           going to --

4    Q    Well Patty Perry and -- you need to stop that,  
5           because I just showed you Patty Perry, it was an  
6           initial request proposal on the 18th, and when  
7           they sent the official, O'Neil's name was off  
8           that list and I think that was influenced by the  
9           tribal council.

10   A    And that was after the fact.

11   Q    I don't know.  I don't know if it was after or  
12           before.  Because, I mean, do you have any  
13           documentation that --

14   A    Yes.

15   Q    I mean, you sent an email, but it looks like it  
16           was around the same time.

17   A    1/7, there was a notification of rescinding for  
18           the council resolution.

19   Q    What time?  What time did that --

20   A    Sometime that morning after O'Neil came into my  
21           office, they asked me to update it.  O'Neil  
22           asked me to update it to show that it wasn't  
23           going to -- that the net effect of it wasn't  
24           going to be there.

25   Q    Why -- why did he want to do that?  If what he's



1           doing is legal and just, and appropriate, why  
2           would he bring -- why would he all of a sudden  
3           say, I don't want it anymore?

4       A     Why would -- why would I question that?

5       Q     I didn't ask you that. I'm asking you, why  
6           would he -- because you're saying, implying that  
7           --

8       A     Well for one --

9       Q     -- is illegal --

10      A     One --

11      Q     I mean, --

12      A     I can tell you, what one of my thoughts were at  
13           the time.

14      Q     Okay.

15      A     Well one of my thoughts was, well this is not  
16           going to end up -- it's going to end up going  
17           through 401(k) audit, it's going to end up going  
18           through -- if this is a -- because of a public  
19           or a voting thing, the information's going to  
20           get out there.

21      Q     Uh-huh (affirmative response). Is that we told  
22           him or --

23      A     No. This is my thoughts when he came to me.  
24           Well if I'm -- what I'm thinking is, I'm O'Neil,  
25           I'm the chairman of the tribe, I accept a bonus

1 from the casino even though it's -- it's  
2 authorized by the council, I accept it and maybe  
3 some people think it's -- maybe some people  
4 think it's wrong. Maybe some people are jealous  
5 that I got a bonus that was better than theirs.  
6 That information is going to end up getting out  
7 there so I'm just not going to take it. It's  
8 more headache than it's worth. It's going to  
9 cost me votes, it's going to cost me whatever.

10 Q That -- you have --

11 A That's --

12 Q -- speculation -- okay.

13 A This is just my speculation.

14 Q Okay.

15 A Just my speculation. But that's how I'm  
16 thinking about it.

17 Q Did you feel O'Neil in some way pressured you,  
18 or did you feel obligated to facilitate giving  
19 O'Neil that bonus? Because he's the chairman?

20 A No, I never discussed it with O'Neil. My orders  
21 came from Anthony.

22 Q But did you feel that you had to go out your way  
23 because it's the chairman, involves the chairman  
24 of the Chitimacha Tribe, did you feel obligated  
25 to try to make it happen? Or you would have

1           done it regardless if it was some housekeeping  
2           employee?

3       A     I think right is right, approved is approved.  
4           We've went back and corrected some of the table  
5           games people that didn't receive a bonus that  
6           should have. My orders were from Anthony on --

7       Q     Well, what if you wouldn't have followed his  
8           orders?

9       A     If I wouldn't have followed his orders?

10      Q     Yeah.

11      A     Then that's --

12      Q     But I think slavery ended a long time ago. I  
13           mean, you do have free will.

14      A     Well -- yeah, I do have free will, if I don't  
15           follow his orders, I get fired. I mean that's,  
16           if you don't follow your boss's orders, you get  
17           fired.

18      Q     Well no, not if it's an unlawful order.

19      A     I don't know it's an unlawful order.

20      Q     Well you know O'Neil --

21      A     I mean, that was one of the --

22      Q     Well Linda knew it. I mean, I understand what  
23           you're saying but --

24      A     That was one of the things from --

25      Q     Linda --

1 A -- from our first interview is, you said, well  
2 you're married to Ashley and she's tribal. You  
3 should know all the laws. Well, Ashley's  
4 married to me --

5 Q I don't think I said that.

6 A -- she doesn't know all --

7 Q I don't think I said that. I don't think I  
8 said it.

9 A But I don't think as a -- I wouldn't think as a  
10 position of a CFO for a casino that I should --  
11 when I was a controller for a publicly held  
12 company, I didn't know all the laws of  
13 Mississippi or the US.

14 Q Well, you don't need to know all the laws to  
15 know that -- I mean, I don't know if that's part  
16 of your job description, but I have to surmise  
17 that, well, maybe because Linda and Jolinda work  
18 in human resources, you know, that, maybe you're  
19 saying you're just oblivious to -- but I promise  
20 you, you had a conscious. And you have a --  
21 emotions and you can sense certain things. And  
22 --

23 A Yeah, a sense of --

24 Q We all know right from wrong. And we --

25 A Yeah, a sense -- if they went through with that,

1           that he was going to end up losing a bunch of  
2           votes over there.

3       Q     Losing a bunch of votes?

4       A     On the next election.

5       Q     Why?

6       A     Just from the talk. For the same reason that --

7       Q     You think people would be -- would disagree with  
8           it, is what you're saying?

9       A     Yeah. For the same reason that there was a  
10           discussion about the former chairman using a  
11           pasture to raise his horses or his cows and  
12           people thought it wasn't fair that he got to use  
13           that land to raise cows. So it ended up costing  
14           --

15                   MR. SAVOY:

16                           The election.

17       A     The election. But was it illegal? Did anybody  
18           think it was illegal?

19       BY MR. WASHINGTON:

20       Q     Just a moment, I want to -- Preston, you got  
21           something? I need to check something right  
22           quick before we --

23       A     In my head, I'm thinking, well, that's going to  
24           cost him some votes if he ends up accepting  
25           that. I didn't get -- in any of that 2 1/2

1 weeks, I don't get any form of -- any form of --

2 MR. SAVOY:

3 So to recap -- sorry.

4 A Okay. Go ahead.

5 MR. SAVOY:

6 To recap, the payroll, the second back  
7 run was January 4th, sometime between the  
8 4th and the 5th, that money was going to be  
9 deposited, direct deposited into O'Neil's  
10 account.

11 A On the 5th.

12 MR. SAVOY:

13 On the 5th. And he was aware of that?  
14 That conversation was had, that that check  
15 was going to hit back then?

16 A That was a conversation with Anthony.

17 MR. SAVOY:

18 With Anthony.

19 A Yes.

20 MR. SAVOY:

21 And O'Neil was privy to that? On that  
22 email or --

23 A No. That was a conversation with Anthony.

24 MR. SAVOY:

25 The 4th, so --

1 A Then it would be processed tomorrow.

2 MR. SAVOY:

3 I'm taking from this, O'Neil's aware  
4 via Anthony, through his email, that he's  
5 gonna, he should be expecting his money.  
6 Because they pretty much talk day to day, I  
7 imagine.

8 A That, I don't know.

9 MR. SAVOY:

10 That money hits his account, that money  
11 hits his account on the 5th of the 6th.  
12 Depending on his bank.

13 A Depending on his bank.

14 MR. SAVOY:

15 The bank's pay cycle.

16 A On the 6th or 7th.

17 MR. SAVOY:

18 Right.

19 BY MR. WASHINGTON:

20 Q Does O'Neil work for you?

21 A Does O'Neil work for me?

22 Q Yeah. Or did he work for you in the past?

23 A No, he worked for Anthony.

24 Q Okay. Whenever you rehired him, when you guys  
25 rehired him for this short period of time to pay

1           him his bonus, I assume you were his immediate  
2           supervisor? That may sound like a crazy  
3           question, but I see you did sign as a department  
4           manager. Is that your signature, sir?

5       A     Yes.

6       Q     You signed both sheets? The re-hire and the  
7           subsequent termination.

8       A     Did I sign -- okay. Okay. I was thinking of  
9           the --

10      Q     Yeah. So you signed both, you facilitated, you  
11           signed both sheets.

12      A     Okay.

13      Q     And you don't fill any culpability here?

14      A     Would it have happened if not for me? No.

15            Would it have happened around me? Yes. I  
16            believe that. If it wasn't facilitated through  
17            me, would it be facilitated through some other  
18            person here, yes.

19      Q     Who? Not too many, because you're pretty much  
20            the -- maybe Anthony. But I don't know who  
21            else. Well, I mean, you say that, but you have  
22            no proof. I don't know. I mean --

23                   MR. SAVOY:

24                            That being weird -- that being, Linda  
25                            brought it to you because it was weird for



1           him to be activated as an employee when he's  
2           not an employee, and he's not authorized to  
3           be an employee, so she brings it to you for  
4           a signature, by authority of Patrone, so --  
5           his office is right next door to you.

6                     Say, Anthony, can you sign this since  
7           you authorized it so I can bring this to HR  
8           to activate it? I mean, seeing that --

9   A       No, because --

10                    MR. SAVOY:

11                    -- it's unusual for him to be  
12           activated. So you have a non-employee being  
13           activated for the sole purpose of receiving  
14           funds that he didn't work for because he's  
15           been terminated.

16   A       No, because I'm working off of his  
17           authorization. He's authorizing us to put  
18           O'Neil in the PAF on 12/29. So I take that as  
19           authorization for me to sign that paper.

20   BY MR. WASHINGTON:

21   Q       Okay. You can take it -- but I take it as,  
22           there's some conspiracy here between you,  
23           O'Neil, and Anthony to give him bonus moneys, is  
24           how I take it. Because like I say, Linda, Linda  
25           didn't facilitate it because she didn't feel it

1 was right and she didn't care if Anthony ordered  
2 it or not.

3 She brought the paperwork to you to sign to  
4 activate O'Neil into the system -- or to approve  
5 the activation. Because Linda said she was not  
6 putting her signature on that document because  
7 she didn't feel that, she didn't want to be a  
8 part of that scheme. But yet you were adamant  
9 and, I mean, you didn't have any problem --

10 A I don't -- adamant?

11 Q Well, that's probably the wrong choice of words  
12 but you were, I mean, you didn't have any  
13 disagreements or any problem with signing the  
14 paperwork. Going upstairs, doing all the  
15 accounting, getting the direct deposit sent, and  
16 -- well I think you had to get them activated up  
17 here and accounting. So that a check can be  
18 dispersed or whatever, direct deposit.

19 A It's done through the system.

20 Q Yeah. So I mean, you didn't have a problem  
21 going through hoops to try to get that money to  
22 O'Neil Darden. So I mean, either you are that  
23 ignorant, which I don't think you are, or you're  
24 that submissive, which I don't think you are. I  
25 just find that hard to believe that someone of

1           your stature and education and position would  
2           allow \$5700 to -- you know, you lose everything  
3           because of that, that little amount of money. I  
4           mean --

5       A     Exactly.  So why -- why would I be trying to  
6           subvert the system for something that I didn't  
7           get?  I mean, that's exactly the point.

8           MR. SAVOY:

9                     Did you get a bonus check?

10       A    Yes, I got a bonus check.  Mine was 10 percent,  
11           like it should have been.

12           MR. SAVOY:

13                     So you got exactly what you were  
14           authorized?

15       A    I got exactly what I was authorized.  I didn't  
16           get any more, I got my 10 percent.  It wasn't  
17           like I got a \$25,000 check or a \$20,000 check or  
18           anything additional in my check to facilitate  
19           the -- so, where is -- where would be the intent  
20           on my side?

21       BY MR. WASHINGTON:

22       Q     Well, we'll make the determination, but I'm just  
23           trying to get you to see it from my perspective.

24       A     I do.  I --

25       Q     I'm not --

1 A I do.

2 Q I'm not trying to be accusatory, but I'm just --

3 A No. I see it for -- I see it from your  
4 perspective, but -- I do. Because the whole  
5 thing, you're right. I signed the paper, I  
6 facilitated the transaction. But I'm  
7 facilitating this transaction on orders for  
8 something that is unusual, but not unheard of.

9 Q Unheard of that a person, a tribal person --

10 A That a tribal member would be given some kind of  
11 --

12 Q A bonus.

13 MR. SAVOY:

14 But he's not just a tribal member, he's  
15 a council member.

16 BY MR. WASHINGTON:

17 Q Yeah, he's a council member.

18 MR. SAVOY:

19 There's a big difference. By  
20 ordinance.

21 BY MR. WASHINGTON:

22 Q And not -- tribal member, because I mean that's,  
23 you know, he is a tribal council person. He's  
24 the chairman of the tribal council.

25 A And for my sake, since I've been here, we've

1 never had a council person get elected and have  
2 to leave this place. So how is that typically  
3 done, I don't know.

4 Q That's irrelevant though. It's irrelevant. You  
5 have employees who leave the place. So it's no  
6 different. He's a non-employee. He resigned. So  
7 he's not entitled to bonus money, period.

8 A And the way it was described --

9 Q That's it.

10 A And the way --

11 Q I don't give a damn what position he took once  
12 he left here, he could become the President of  
13 United States. He cannot get a bonus, period.  
14 Because he's not -- you have to be an active  
15 employee. Otherwise, it makes no sense to have  
16 a bonus. I mean, you'd be given money all over  
17 the place if you can give it to the past or  
18 previous employees. I mean --

19 A Well from my perspective, the council can give  
20 it to whoever they want to.

21 Q But -- yeah. They can do a lot of stuff. But  
22 did they do it in this case?

23 A From my understanding, yes.

24 Q If they would, they'd be in violation of federal  
25 law.

1 A From my --

2 Q And they all would be probably brought up on  
3 charges.

4 A From my understanding --

5 Q So they can't do everything they want. They  
6 have to follow the Constitution and the United  
7 States law, is what they have to follow.

8 A Well --

9 Q They have to follow the state law, they have to  
10 follow the federal law.

11 A Okay.

12 Q And tribal codes and ordinances. And the  
13 Constitution. I'm sure you know that, huh?

14 A Well yeah, but --

15 Q They're not, they don't have immunity --

16 A I don't think there's a US law saying that the  
17 council can't authorize somebody for a bonus.

18 Q Well you --

19 A I'm not being a --

20 Q Well you --

21 A I'm seriously, seriously, seriously not --

22 Q Okay.

23 A -- being a smartass.

24 Q But you're speaking hypothetically. I don't, I  
25 mean, that's not reality. That's just you

1 hypothetically speaking. Yeah, if they wanted  
2 to do it, I'm sure they probably could.

3 A Okay.

4 Q But in this case, they did not do it.

5 A If they wanted O'Neil to have a bonus --

6 Q Yeah. They would have given it to him. But  
7 they did not want him to have a bonus. From my  
8 knowledge.

9 A Okay. And that's -- that's the --

10 Q And so therefore, he went to the alternative,  
11 which was you.

12 A This is the biggest question. I think this is  
13 the biggest question is, if they didn't want to,  
14 why didn't it get stopped in that 2 1/2 weeks?

15 Q Why didn't what get stopped?

16 A The authorization. Why didn't it get stopped in  
17 2 1/2 weeks?

18 Q Well, I mean, all I can do -- well the list was  
19 not active. I mean, I don't know if they had  
20 any idea what you guys were doing on this end.  
21 That's the whole point. I'm in the tribe, you  
22 know, it looks like --

23 A Well --

24 Q -- things are being done -- those are two  
25 separate entities.

1 A Obviously they know because --

2 Q Well I don't know if they knew. No, I don't  
3 think they knew you initiated a check on that  
4 end. They did not authorize you to do that.

5 A No, no, what I'm saying is, on 12 -- on 12/17,  
6 you showed me the email that -- that it was sent  
7 out for a vote on 12/17.

8 Q Right.

9 A So obviously they knew he was on the sheet.

10 Q Yeah. Now, I think if something -- whenever  
11 they met, I don't know. Because I think --

12 A Okay.

13 Q -- they meet a certain time of the year. Maybe  
14 the 7th, I think, when they had the official  
15 meeting. So I don't know how they --

16 A So if they decided at that point that he  
17 shouldn't get it --

18 Q It probably took the official resolution --

19 A Where was I told?

20 Q Say again.

21 A Where was I told?

22 Q Well, I don't know.

23 A That they decided that?

24 Q I have no idea. I know, all I know is what I  
25 see. And I know on the 7th, is when they issued



1 the final approval of bonus payout for 2015 and  
2 it did not include O'Neil's name. So -- so, I  
3 mean, I can't say when you were contacted or  
4 whether you are contacted by the tribe. I mean,  
5 it's so many different facets to the tribe, I  
6 don't know.

7 People meet at the barbershop, you know, the  
8 meet officially, they meet at the Walmart, you  
9 know, you meet at the casino. So, I don't know.  
10 I can't say that. Those are things we have to -  
11 - those are the answers we have to seek. That's  
12 why I said, if you have any documentation or  
13 emails or anything that can -- I'm not saying  
14 you're wrong in what you're saying. But the  
15 tribe, I know, is saying something different.  
16 So --

17 A And if it got denied from the tribe, show me  
18 where I was notified, and I wouldn't have done  
19 it. Up until the day before, I'm working under  
20 the guise that this was all approved, done,  
21 above board. I did what I was instructed to do  
22 to facilitate what I was told was a council  
23 wish.

24 Q Okay. Well we'll look at it. I still got, I'm  
25 going to take all this stuff home and I'm going

1 to sort it all out and -- because we've got so  
2 -- you see all these documents, that's only a  
3 portion of it. So, and I wanted to get you in  
4 here just to kind of give you an idea of where  
5 we're going with the investigation. But we'll  
6 look at all this information and we'll probably  
7 have to re-interview a few more people to -- and  
8 see what -- we're still waiting on minutes and  
9 things like that on the tribal side. So --

10 A Is there any evidence that Anthony was aware  
11 that it was going to be denied?

12 Q Say again.

13 A Are you allowed to tell me if there is any  
14 evidence that Anthony was aware that it was  
15 going to be denied?

16 Q Oh, I don't know. I don't know if Anthony was  
17 aware. I mean, I would assume O'Neil must've had  
18 a conversation --

19 A These discussions --

20 Q I haven't seen -- I haven't seen anything of  
21 that. Are you telling me he was aware of it?

22 A No. I wasn't aware of it --

23 MR. SAVOY:

24 Do you think he was aware of it?

25 A -- until I walked in here. So I'm wondering, at

1           this point, I'm wondering was Anthony aware of  
2           it sometime during this 2 1/2 weeks, and why --

3 BY MR. WASHINGTON:

4 Q       Well, I'm sure somebody relayed something, is  
5       what I'm saying. You know, that's why I say,  
6       did he relay, did O'Neil relay something to you  
7       or was it Anthony? You know what I'm saying,  
8       we've got to make that determination.

9           Who, I mean did he speak to you in reference  
10       to the denial on this side and so we said, well,  
11       I'll help you out, I'll facilitate it over here?  
12       Now, that could be Anthony. I don't know.  
13       Could be -- I don't know. That's what we've got  
14       to determine.

15           MR. SAVOY:

16           Well, you declined -- said he declined  
17       it on the 7th. You got notification saying  
18       that he declined it.

19 A       Yes.

20           MR. SAVOY:

21           And you have to pay it back. Was that  
22       relayed to Anthony, what would his take on  
23       that?

24 A       Was he going to pay us back, yes. It was due  
25       back in a check.

1 MR. SAVOY:

2 That's what Patrone told you?

3 A No, that's what I told Patrone --

4 MR. SAVOY:

5 And what was his response?

6 A Okay.

7 BY MR. WASHINGTON:

8 Q You think he may have told O'Neil he didn't have  
9 to pay it back? Or --

10 A I wouldn't -- I don't have any knowledge of  
11 that. I wouldn't have been a part of that. But  
12 the only thing I can say for me is, the  
13 documents that I'm providing establish, at least  
14 for the public eye, that if there was anything  
15 like that going on, that I wasn't aware of it.  
16 I'm fully expecting a check back.

17 MR. SAVOY:

18 If this same scenario was to play out  
19 again next December, how would you handle  
20 it? The same scenario. Patrone sends you a  
21 directive saying to activate O'Neil for  
22 another bonus. Or whoever the new -- if the  
23 same scenario was to play out again, how  
24 would you handle it?

25 A Now?

1 MR. SAVOY:

2 Yeah, now.

3 A To have the council issue that.

4 MR. SAVOY:

5 To issue you an email or issue the  
6 check?

7 A That -- well, that that's got to come from the  
8 entire council with --

9 MR. SAVOY:

10 So in hindsight, you want to see  
11 documentation from the council authorizing  
12 the payment of that check to O'Neil?

13 A Yeah.

14 MR. SAVOY:

15 You're not just going to go on  
16 Patrone's word?

17 A No. Not anymore. Not if his word's not any  
18 good.

19 MR. SAVOY:

20 So tomorrow, if he just -- give you  
21 another directive to reactivate O'Neil and  
22 cut him another check, says the council  
23 recanted and they decided they wanted to  
24 reissue him a new check for that bonus, how  
25 would you handle that?

1 A Knowing what I know now?

2 BY MR. WASHINGTON:

3 Q Right.

4 A That that's got to come from the council.

5 MR. SAVOY:

6 Okay. We're just seeing if we're  
7 tracking.

8 BY MR. WASHINGTON:

9 Q I mean I just -- it's just something's still --

10 A Up to that point, I would have had no -- up to  
11 that point, I wouldn't have had a mindset that  
12 Anthony is lying to me or Anthony is guiding me  
13 down a path that I shouldn't go down. Anthony  
14 has all the meetings with the council, Anthony  
15 has all the meetings over at the tribe. So, at  
16 that point, I would have trusted him that this  
17 came from the council.

18 MR. SAVOY:

19 I'm assuming going forward, today going  
20 forward --

21 A Well no, that --

22 MR. SAVOY:

23 -- you're going to probably want some  
24 documentation.

25 A That trust is --

1 MR. SAVOY:

2 Is questionable at least?

3 A He has burned that trust by having me brought in  
4 here twice now. I mean, I find it incredulous  
5 that, for something like this that was  
6 authorized and not -- all these people have all  
7 these issues, but nobody raised them to me, who  
8 would have been the one to stop it.

9 BY MR. WASHINGTON:

10 Q To stop what? What issues are you talking  
11 about?

12 A If O'Neil had issues, or the council had issues  
13 with O'Neil's check, or O'Neil had issues with  
14 O'Neil's check, or Anthony knew of issues with  
15 O'Neil's check.

16 Q Well, the council didn't have issues because the  
17 council never approved it. That's the whole  
18 problem, you guys facilitated that on this end.  
19 The council said no. And I have proof of that.  
20 And you have proof of that because they sent you  
21 a final list without O'Neil's name.

22 A After the fact.

23 Q They had nothing to do with the direct deposit,  
24 the council.

25 A After the fact.

1 Q What do you mean after the fact?

2 A Well the council didn't meet until --

3 Q I think the check was deposit -- no, that --

4 A The council would have met on the 7th.

5 Q Yeah, but they did not -- let's see.

6 A If the check was processed on the 5th, and the  
7 council doesn't approve it on the 7th, I can't  
8 do anything about that at that point.

9 Q Yeah, but so --

10 A Even if I --

11 Q Okay. Well, so Anthony told you to go ahead --  
12 that they approved it, is what you're saying?  
13 Once you submit it, what did Anthony tell you  
14 they approved it?

15 A I was told to add him to the list on 12/17. On  
16 --

17 Q Okay. 12/17, Anthony told you to add him to the  
18 list.

19 A On January 4th, I told him, it was getting  
20 processed the next day.

21 Q Okay. And then you did what? You submitted it?  
22 What day did you submit the list with his name  
23 on it to the tribe?

24 A 12/17.

25 Q Okay. And at what point -- okay. So we know on



1 the 4th or 5th is when you start to process.

2 A Processed on the 5th.

3 Q Uh-huh (affirmative response).

4 A After notification of Anthony on the 4th.

5 Processed on the 5th, hit the bank on the 6th or  
6 7th.

7 Q Uh-huh (affirmative response).

8 A The morning of the 7th, O'Neil says I changed my  
9 mind, I don't want it. O'Neil, it's too late,  
10 it's already at the bank. You'll have to pay  
11 us back for it.

12 Q Uh-huh (affirmative response).

13 A Okay. You know where to find me, I'll cut you a  
14 check back. Let me make sure it hits the account  
15 and I'll cut you a check back.

16 MR. SAVOY:

17 And you have a copy of the email from  
18 the list from the 17th that was sent, right?

19 A Yeah. It's been submitted.

20 BY MR. WASHINGTON:

21 Q Yeah. You --

22 A That's the one that Patty wrote back, hey,  
23 there's a wrong percentage on here.

24 MR. SAVOY:

25 For Anthony.

1 BY MR. WASHINGTON:

2 Q Yeah.

3 A For Anthony.

4 MR. SAVOY:

5 Nothing regarding O'Neil?

6 A No response regarding O'Neil.

7 BY MR. WASHINGTON:

8 Q Okay. So you never received a response, is what  
9 you're saying?

10 A Never received a response.

11 Q Response back, okaying that list?

12 A After that --

13 Q You assumed -- well you --

14 A With no response, Anthony's telling me  
15 everybody's okay with it.

16 Q Okay. I got you.

17 A Anthony's telling me --

18 Q Okay.

19 A -- before it got added, Anthony telling me  
20 everybody's okay with it. I added to the list. I  
21 don't get response. Well, there's a natural  
22 assumption there that everybody's okay with it.

23 Q Okay.

24 A So I continue on the process of trying to get it  
25 done.

1 Q I follow you.

2 A All the way up until -- all the way up until the  
3 day before.

4 Q There was a delay, I know, from --

5 A Yeah.

6 Q -- the 7th, is the council ratification.

7 A Right.

8 Q So I do know that there is a --

9 A We couldn't process it through payroll until the  
10 4th or 5th. Because we didn't add it into  
11 Anthony's batch. But it got process with the  
12 rest of the adjustments, of which there was some  
13 hosts and Shawn Rogers, because he complained  
14 that he thought his bonus should have been more.  
15 The council agreed with him and upped his bonus.  
16 It was tribal member exception. Another tribal  
17 member, that happened on the same day, was  
18 processed on the 5th.

19 MR. SAVOY:

20 Right. So that's why the system was  
21 pushed back, so they can cut the check. The  
22 second --

23 A Cut Anthony's.

24 MR. SAVOY:

25 Anthony's check.

1 A Yeah. Back in 12/21.

2 MR. SAVOY:

3 Uh-huh (affirmative response). And why  
4 didn't he take his check in December? In  
5 January, rather, in 2016? What was the  
6 reason, did he give, what was the reason for  
7 that?

8 A He --

9 MR. SAVOY:

10 Because initially, wanted in January --

11 A He emailed me --

12 MR. SAVOY:

13 Then he pushed it back --

14 A He email me on the 11th, December 11. I got the  
15 director list received from Anthony with  
16 amounts. I am told explicitly on that email not  
17 to cut his --

18 MR. SAVOY:

19 For December cycle?

20 A For that run with the directors. I'm told not  
21 to cut his. 12/20, I notified Anthony in email  
22 that any addition from that point, 12/17, O'Neil  
23 got added. 12/20, email to Anthony,  
24 notification to Anthony that any addition we  
25 need to wait to the 4th or 5th to be processed.

1           Because payroll is going through year end.

2           MR. SAVOY:

3                   Got you.

4   A       He responds, well, I want mine in 2015. So that  
5           facilitates the backup of the system, so we have  
6           to run his. We don't run the rest of them, we  
7           let the rest of them run on the 4th or 5th like  
8           they should have.

9   BY MR. WASHINGTON:

10   Q       Does it really matter? Because he's still going  
11           to have to, I mean, does that really matter?

12   A       No.

13   Q       To you, I'm sure it didn't matter. I mean, why  
14           would he want to move it back, because he's  
15           going to have to pay taxes either way.

16   A       Either way.

17   Q       That's why I don't see where --

18   A       I don't see where it benefitted him, I don't  
19           see where -- didn't benefit him or benefit him,  
20           he's going to have to pay taxes on it either  
21           way. Cause us some headache, but --

22   Q       Right.

23   A       -- he tells us, can you do this? We get  
24           together and say can we do this? Yes, we'd have  
25           to do this, this. He says, okay, move forward.

1           There's an email from him to Jolinda, hey, we're  
2           going to have to move the system back. Any of  
3           this, this, and this that you've done over the  
4           last day is going to have to be reentered.

5           So that happened on 12/21, he got processed.  
6           12/29, Anthony sends the authorization for the  
7           PAF in order to facilitate getting it done  
8           before the 4th or 5th. The 4th, email to  
9           Anthony processing tomorrow. Processed on the  
10          5th with Shawn Rogers and a couple of the hosts  
11          and some other ones. On the 7th, received  
12          notification from O'Neil that he is rescinding.  
13          I sent, immediately send out that morning an  
14          email to accounting and HR saying he's going to  
15          have to owe this back.

16                 MR. SAVOY:

17                         And a light just went off in my head.

18                         But yeah, I got you.

19    A           The light just went off in your head?

20                 MR. SAVOY:

21                         Just went on. Push back. That's fine,  
22                         but go ahead and proceed.

23    A           For -- push back to me?

24                 MR. SAVOY:

25                         No. Push back to the system so they

1           can change it to accommodate Anthony's  
2           check. Right. Because it would have to go  
3           on the next cycle on the 4th.

4    A    On the 4th or 5th.

5           MR. SAVOY:

6                   That would have been just prior to the  
7           council meeting on the 7th.

8    A    Right. So I have -- that email goes out on the  
9           7th to accounting and HR. Completely above the  
10          board. This is what happened, this is what we  
11          expect to do, we've got to void the transaction  
12          so we don't have to pay the taxes on it. He's  
13          going to cut us the check back for the net  
14          amount. Everybody equates to 0. It's over.

15                 19th, inquired of accounting if I got the  
16          check back. 20th, response from accounting, no  
17          we haven't. 21st, sent out an email to O'Neil -  
18          - hey, we don't have this check. 22nd, he  
19          brings a check in.

20                 From my, from my side of this, there is  
21          plenty of opportunity there at any point for  
22          someone to say, this wasn't approved. Because  
23          it's all above board. I didn't receive anything  
24          for doing this, this is part of normal  
25          operations. I get told, can we do this? Yes, we

1 would have to do this, this, and this. Do it.

2 I love my job. I love my job. There are  
3 certain aspects of my job that -- certain  
4 aspects of my job that I don't like.

5 BY MR. WASHINGTON:

6 Q Like what?

7 A Like being called in to answer for seven charges  
8 when -- I feel like the patsy in all this. Who  
9 goes down? The white guy.

10 Q No, not --

11 A You know what I'm saying? I --

12 Q That's not how we operate, I promise you. I may  
13 feel like I'm interrogating you, and that's part  
14 of what we're doing to try to ascertain  
15 information and stuff, but I promise you, we're  
16 going to look at it and be objective and fair,  
17 is all I can tell you.

18 A At the time that I made the decisions through  
19 this process, based on the information that I  
20 had of this process, if you look at it  
21 objectively, there is a pattern to it that says  
22 Montie is not trying to hide anything.

23 I'm notifying my people, I'm notifying the  
24 people that work for me, we are expecting this  
25 back. I'm notifying the tribe, hey, this is



1           what's going to happen. I am not -- I was  
2           raised by a sheriff's department -- by a  
3           sheriff's department officer. Dude, run my  
4           background. I'm squeaky. My first offense, I  
5           promise you, is not going to be getting somebody  
6           else money.

7       Q     Well --

8       A     You know what I mean?

9       Q     I see where you're coming from. I mean, but  
10          that's why I brought you --

11      A     I have a couple traffic violations, you can run  
12          my background -- obviously, but I have a couple  
13          traffic violations. But other than a couple  
14          traffic violations, my first offense is not  
15          going to be getting somebody else money. That's  
16          just crazy.

17      Q     Well I mean, I know, I mean, you say that.  
18          Because really, it's stupid and silly for me to  
19          be sitting here calling some of you guys in here  
20          and God knows, I mean, we've got to sit the  
21          chairman down here for \$5000. You know what I'm  
22          saying? So it's silly for the chairman to be  
23          seeking that stupid bonus check. If you really  
24          think about it. If you want to talk specifics.

25      A     Yeah.

1 Q You know what I'm saying?

2 A And all this over 5 grand. Come on.

3 Q And that's my whole -- you know. So I know, we  
4 feel the same way too, now.

5 A Okay.

6 Q But we have to investigate.

7 A I understand you have to do your due diligence,  
8 but seriously, the only thing I ask is that you  
9 look at it from my perspective and say, did this  
10 guy have any red flags thrown at him or any  
11 objections thrown at him whatsoever through the  
12 whole process.

13 Q Well, I got to look to see what would be your  
14 motive. You know, and did you get, you know --

15 A Doing what I'm told.

16 Q -- incentive. Yeah.

17 A doing what I'm -- I'm facilitating a  
18 transaction that I was told to see if I could  
19 facilitate.

20 Q And basically, did he -- whenever Linda -- I  
21 don't know if a directive was issued directly to  
22 Linda or to human resources or, did Anthony say,  
23 you know, accommodate Linda and the human  
24 resources or whatever to facilitate this  
25 process?

1 A I can tell you that. That was part of the email  
2 chain that I sent you.

3 Q Well you sent me a lot. A lot of people sent me  
4 a lot. But I've got to have time to get it and  
5 get it all --

6 A Yeah. Hold on. -Eal or -Ael?

7 Q Sorry? Oh, -Ael.

8 A Sorry, I always screw that up.

9 Q I mean, you've got to understand, your  
10 perspective is a little bit limited. Now, I've  
11 got the task of trying to bring all of this, you  
12 know what I'm saying, all of the stuff from all  
13 of these different entities, you know what I'm  
14 saying?

15 A I --

16 Q And put it all in the proper context. And all  
17 that. So I'm still in the process of putting it  
18 all together so we're not --

19 A I will tell you from -- from up front, did  
20 O'Neil get a check? Yes. At the time that he  
21 got a check, did I believe it was authorized?  
22 Yes.

23 Q Okay.

24 A Was under the understanding that --

25 Q Well, I'm going to interview other people, now.

1 A -- that he's going to --

2 Q I just want you to know, we're going to  
3 interview some of these other parties. And I  
4 don't know what, you know, we'll see if they're  
5 going to corroborate.

6 A I can't pull it up right off, but I have it as  
7 an email on 12/29.

8 Q Now if you sent it to me previously, I have it.

9 A Okay.

10 Q I have yours in a file, so --

11 A Okay.

12 Q I'll go over that.

13 A It would have been 12/29, Anthony authorization  
14 of PAF for O'Neil to Linda and myself.

15 Q Okay. And he sent it to you and CCed? Is he,  
16 was it directly to you and CCed to someone or  
17 was it sent directly --

18 A I --

19 Q Email or what?

20 A Yeah, it was an email to --

21 Q Well, I have it if you sent it.

22 A Yeah. To me and HR.

23 Q Okay. And you felt compelled and obligated to  
24 --

25 A Based on that email, yes.

1 Q And did he mention anything about approval in  
2 that email? Was he -- I think he may --

3 A I think he specifically said, I authorize you to  
4 --

5 Q Well no, I think I heard him say O'Neil was  
6 approved by the council. I think I did see  
7 that. So -- yeah. Okay. Well we've got it,  
8 we're going to put it together. I'm not going  
9 to put nothing on you that I don't think  
10 deserves to be on you, I promise you that. But  
11 I mean, I don't know, but like I said, you're  
12 telling me, we will look at the evidence. I  
13 don't know, he might say, No Montie is full of  
14 shit. I told Montie and Montie knew all about  
15 the conspiracy --

16 A Who said that?

17 Q I don't know. I'm saying when I get to O'Neil,  
18 he may say well Montie and I -- duck hunting  
19 somewhere, and this is where we came -- I mean,  
20 I don't know. I'm just saying -- you know, I'm  
21 not saying I don't believe you, but we got to  
22 interview all parties involved and then we'll --  
23 I mean, it makes sense. I mean, I'll look at it  
24 from your perspective. Don't get me wrong, in  
25 your position. So you're saying your supervisor

1            basically coerced you and told you, you know,  
2            basically directed you, I guess would be --

3        A        Directed. Not coerced, directed.

4        Q        Yeah, I would say coerced, but directed you to  
5            --

6        A        Directed to facilitate this.

7        Q        Right. And you are guilty of facilitating --

8        A        I am guilty of facilitating.

9        Q        The -- yeah. The process as directed. Well I  
10           guess you were under the pretense of following  
11           orders from your immediate -- is he your  
12           immediate supervisor or --

13      A        Uh-huh (affirmative response).

14      Q        Okay.

15      A        Straight line to Anthony, dotted line to Patty.

16      Q        Why did you move from here to there?

17      A        From here?

18      Q        Your office used to be --

19      A        Because he asked -- he asked me to when he first  
20           came?

21      Q        Why?

22      A        Because he wanted finance and marketing close to  
23           him.

24                    MR. SAVOY:

25                    He asked you or directed you to move up

1                   there?

2       A       Directed.

3       BY MR. WASHINGTON:

4       Q       So you didn't want to move?

5                   MR. SAVOY:

6                   You were comfortable down here because  
7                   that's --

8       A       That's where all my people are.

9                   MR. SAVOY:

10                   That's my --

11       A       New boss. New boss says move over here, you  
12               pack up and you move over there.

13                   MR. SAVOY:

14                   -- move over there.

15       BY MR. WASHINGTON:

16       Q       Okay. Well anything else you've got to share?  
17               Because, I mean, that's pretty much all -- I  
18               mean, I appreciate you coming in. Montie, I  
19               know we -- you know, it's a stressful situation.

20       A       Very.

21       Q       But --

22       A       Very.

23       Q       I mean, it's something that's necessary because  
24               like I say, you know, it was handed to us. And  
25               you're not the only one that's sitting there

1           uncomfortable. Because I mean, we've got --  
2           we've interviewed a lot of people and we're  
3           going to -- at some point, got to sit the  
4           chairman and the GM in here, so -- but I  
5           appreciate you, you know, the information that  
6           you presented. And we will consider everything.  
7           But can I get a copy of that list --

8                   MR. SAVOY:

9                            You can keep up your little notes so  
10                           you can --

11          BY MR. WASHINGTON:

12          Q        Yeah, you can keep --

13                   MR. SAVOY:

14                            -- good, but again, you're still  
15                            sequestered.

16          BY MR. WASHINGTON:

17          Q        I can make us a copy -- is this -- you want me,  
18                    can I make a copy and give it back or --

19          A        Yeah, that's fine.

20          Q        I mean, I'm sure you're gonna want a copy of it.

21          A        I have it.

22          Q        Okay.

23                   MR. SAVOY:

24                            Just keep that one, or you --

25          A        Yeah, you can keep it.



1 BY MR. WASHINGTON:

2 Q Okay. Well let me --

3 A I was just going through -- I was going through  
4 the email chain that I sent you and trying --  
5 because the last time I came in here, I came in  
6 here completely blind and -- I mean, I just --  
7 my jaw dropped when you called me and told me  
8 what it's about.

9 You know what I'm saying? My jaw dropped  
10 then and I'm not in a position where, going  
11 through the email chain to say, on this date, on  
12 this date to -- so that's why I went through the  
13 email chain.

14 Q Well I appreciate it. Do you have anything else  
15 to share before we end this interview?  
16 Hopefully we won't have to see you again but I  
17 can't promise you --

18 A How long do we expect this process?

19 Q Well, I mean, we're trying to wrap it up as soon  
20 --

21 MR. SAVOY:

22 We're working on this every day.

23 BY MR. WASHINGTON:

24 Q Yeah, we're doing it every day.

25 MR. SAVOY:

1 Priority 1.

2 BY MR. WASHINGTON:

3 Q Yeah.

4 MR. SAVOY:

5 As soon as we can -- we want to be  
6 thorough.

7 BY MR. WASHINGTON:

8 Q Yeah, I mean, we don't want to -- I mean, we  
9 can't of course -- we've got to uncover, you  
10 know, all stones, that type of deal. I mean, we  
11 don't want to rush through it, but yet, we still  
12 want people to -- but we have to be fair, too,  
13 you know. So we've got to look at it  
14 objectively and from you guys' perspective too.  
15 So, I mean, I'm glad you put a different spin on  
16 it. I'm now looking at it from your perspective,  
17 you know, and so, but we we'll get to the bottom  
18 of it.

19 A Okay.

20 Q And I appreciate it and like I say, we'll let  
21 you know if we need something else in the  
22 future.

23 A Okay.

24 Q But just go on and do what you normally do.

25 MR. SAVOY:

1                   Confidentially with --

2 BY MR. WASHINGTON:

3 Q     Yeah, it's all confidential. Please do not tell  
4       Anthony or -- because we have to interview him  
5       at some point so don't tell anybody about the  
6       nature of this, of what we discussed here. They  
7       probably already know something is going on. I  
8       mean, is he -- is he --

9                   MR. SAVOY:

10                  You see any changes --

11 BY MR. WASHINGTON:

12 Q     Is he directing you to talk once you leave here?

13 A     Is he directing me? No.

14 Q     Okay. That's why say, because if he is, let us  
15       know.

16 A     Okay.

17 Q     Yeah. I mean, because he can't --

18 A     I got back from my first interview, he said,  
19       quote/unquote, "is that about the O'Neil check"?  
20       Yes. That was it.

21 Q     Okay.

22 A     So yes, he is aware.

23 Q     Okay. Well, like I say, don't talk. If he tells  
24       you -- tell him he can call the state police if  
25       he's got some questions.

1 A Okay.

2 Q Okay. But -- we're gonna -- because I think  
3 it's a crime for that too. You know, so --  
4 impeding an investigation and that type of  
5 thing, so -- okay. Well, I appreciate it. We're  
6 going to end this conversation January 28, 2016.  
7 About -- time, 6:19 p.m.

8 (AUDIO CONCLUDED)

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