

Deposition of
Keith L. Harper
June 30, 2022

In re The Dia Kenshalo Abrams Trust



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Page 1

1 SUPERIOR COURT OF THE STATE OF CALIFORNIA
2 FOR THE COUNTY OF RIVERSIDE
3
4 In re the)Case No.
)PRIN2100297
5 DIA KENSHALO ABRAMS TRUST)
DATED DECEMBER 16, 2016)
6 _____)
))
7 CRISARA ABRAMS, an individual,)
))
8 Petitioner,)
))
9 vs.)
))
10 KEITH HARPER, an individual)
and as trustee; and DOES 1)
11 through 50, inclusive,)
))
12 Respondents.)
_____)
13
14
15 DEPOSITION OF KEITH L. HARPER
16 June 30, 2022
17 Conducted Remotely
18
19 Witness Location:
20 Palm Desert, California
21
22 Pages 1 - 216
23 Reported by:
24 Lisa O'Sullivan
25 CA CSR No. 7822
AZ CR No. 50952
RMR, CRR
Job No. 10102234

Page 2

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2
3 The deposition of Keith L. Harper, conducted
4 remotely with all participants appearing via
5 videoconference, with witness location stated as Palm
6 Desert, California, taken on behalf of the petitioner,
7 on Thursday, June 30, 2022, from 10:09 a.m. to 4:32 p.m.
8 Pacific Standard Time, before Lisa O'Sullivan,
9 California Certified Shorthand Reporter No. 7822,
10 Arizona Certified Reporter No. 50952, Registered Merit
11 Reporter, Certified Realtime Reporter.
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Page 3

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Page 4

1 TABLE OF CONTENTS
2
3 WITNESS: Keith L. Harper
4 EXAMINATION PAGE
5 By Mr. Owens 6
6
7
8 INDEX TO EXHIBITS
9 FOR THE PETITIONER
10 NUMBER DESCRIPTION PAGE
11 Exhibit 2 Various Chase Bank Records 137
12 Exhibit 4 Motion to Stay Foreclosure, 142
13 6-12-22
14 Exhibit 5 Residential Listing Agreement 154
15 Signed 3-16-20 and Related
16 Documents
17 Exhibit 6 Residential Listing Agreement 157
18 Signed 2-15-21 and Related
19 Documents
20 Exhibit 8 Chase Bank Statements for Account 161
21 Ending 8859
22 Exhibit 9 Chase Bank Statements for Account 164
23 Ending 2181
24 Exhibit 10 Trust Agreement, 12-16-16 191
25 Exhibit 11 Trust Restatement, 5-22-20 197

1	Exhibit 12	Uniform Statutory Form Power of Attorney	Page 5 202
2			
3	Exhibit 13	Verification Page for Petition, 6-11-19	203
4			
5	Exhibit 14	Civil Complaint Filed 12-9-20	167
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
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Page 7

1 A. I am on an iPad, yes.

2 **Q. Do you have anything pulled up on the iPad**

3 **screen other than the Zoom?**

4 **Mr. Harper, did you hear me?**

5 A. Yes. And I said no, I do not. I just see you.

6 **Q. Got it. Okay. What is your current residence**

7 **address?**

8 A. 58111 Bonita Vista Road.

9 **Q. Who lives there with you?**

10 A. Just me.

11 **Q. Has anyone lived there other than you in the**

12 **last two years?**

13 A. Nope.

14 **Q. Has anyone spent the night at that property**

15 **other than you over the last two years?**

16 A. We've had guests, yes.

17 **Q. Who was that?**

18 A. They're with Airbnb.

19 **Q. How many residences are there on that property?**

20 A. Five.

21 **Q. Five residences at that same address of 58111?**

22 A. Yes, that is correct.

23 **Q. We'll talk about the Airbnb later, but just so**

24 **I've got the list here, setting aside the Airbnb guests,**

25 **has anyone spent the night at that property at 58111**

Page 6

1 PROCEEDINGS

2 ---

3 KEITH L. HARPER,

4 having been first duly sworn or affirmed,

5 was examined and testified as follows:

6 EXAMINATION

7 BY MR. OWENS:

8 **Q. Good morning, Mr. Harper. My name is Matt**

9 **Owens. I represent Crisara Abrams and Clinton Abrams,**

10 **and I will be taking your deposition today.**

11 **Could you please state your full name for the**

12 **record and spell your last name.**

13 A. Keith L. Harper, H-A-R-P-E-R.

14 **Q. And where are you right now?**

15 A. I'm at my attorney's office.

16 **Q. Are you in the same room with your attorney?**

17 A. I am not.

18 **Q. Is there anyone in the room with you right now?**

19 A. No.

20 **Q. No?**

21 A. No.

22 **Q. Do you have any papers in front of you?**

23 A. No.

24 **Q. Are you -- it says "Dennis's iPad" on your**

25 **screen. Are you on an iPad right now?**

Page 8

1 **other than you over the last two years?**

2 A. I've had guests, yes.

3 **Q. What guests?**

4 MR. HEALEY: I object to the relevancy of it.

5 **Q. (BY MR. OWENS:) You can -- so your counsel may**

6 **have objections throughout the day. Unless he instructs**

7 **you not to answer, you can go ahead and answer the**

8 **question if you understand.**

9 **So the question is who were those guests?**

10 A. I don't remember my guests, who has been over

11 the last two years. They've been mostly friends and

12 associates of mine.

13 **Q. That have stayed over the night there?**

14 A. Yes.

15 **Q. Can you remember the names of any of them?**

16 A. Not without some thought.

17 **Q. Well, go ahead and think.**

18 A. Other than just our guests that we've had from

19 Airbnb and that, a daughter has stayed overnight. Her

20 name is Hayley.

21 **Q. You said that's your daughter?**

22 A. Yes.

23 **Q. Last name's Harper?**

24 A. Yep. No, Babcock.

25 **Q. I'm sorry. Could you spell it?**

Page 9

1 A. Babcock, B-A-B-C-O-C-K.
 2 **Q. Anyone else other than your daughter stay**
 3 **overnight there in the last two years?**
 4 A. No.
 5 **Q. I didn't catch the answer there if there was**
 6 **one.**
 7 A. Not that I recall.
 8 **Q. What about Diane Fedder? Has she stayed there**
 9 **in the last two years overnight?**
 10 A. She stayed there when we were doing the
 11 investigation of the property at Dia's disappearance.
 12 **Q. What's your best estimate of how many nights**
 13 **Diane Fedder stayed at the property?**
 14 A. Probably one night, and that was when we were
 15 organizing the search for her.
 16 **Q. What is your cell phone number?**
 17 A. (970) 325-0100.
 18 **Q. Who is your cell phone coverage provider?**
 19 A. Verizon.
 20 **Q. How many email addresses do you have?**
 21 A. Two.
 22 **Q. What are they?**
 23 A. KHarper54@gmail and Durangotang48@gmail.com.
 24 And the first one is out of Outlook, sorry.
 25 **Q. So the first one's KHarper54@outlook.com?**

Page 10

1 A. (Technical interference.)
 2 **Q. We didn't catch the answer.**
 3 A. That's correct.
 4 **Q. Mr. Harper, have you ever had your deposition**
 5 **taken before?**
 6 A. Yes.
 7 **Q. How many times?**
 8 A. Quite a few.
 9 **Q. When was the last time?**
 10 A. Probably 15 years ago.
 11 **Q. What was the nature of that case?**
 12 A. I was in law enforcement.
 13 **Q. What was the nature of the case in which you**
 14 **were deposed?**
 15 A. It had to deal with a parole violation.
 16 **Q. Were you a party to that case?**
 17 A. What's that?
 18 **Q. Were you a party or just a witness?**
 19 A. Witness.
 20 **Q. You say you've been deposed quite a few times.**
 21 **Do you have an estimate you can provide?**
 22 A. What do you mean? An estimate?
 23 **Q. How many times?**
 24 A. I probably sat on at least 15 to 20.
 25 **Q. Over those 15 to 20, are you referring to**

Page 11

1 **depositions where you were actually the person who was**
 2 **questioned?**
 3 A. I was a witness to a case.
 4 **Q. So in those 15 to 20 where you were a witness**
 5 **to a case, you actually had your deposition taken in**
 6 **those?**
 7 A. I had depositions taken as a witness to a case
 8 involved.
 9 **Q. All right. The confusion for me was I think**
 10 **you said you "sat in on." And so I was just trying to**
 11 **make sure, when you're giving me the 15 to 20 number,**
 12 **that estimate, that's actually you having your**
 13 **deposition taken as opposed to you sitting in on someone**
 14 **else's deposition. Is that true?**
 15 A. Correct.
 16 **Q. Since it's been a while, Mr. Harper, since**
 17 **you've had your deposition taken, I'll just quickly run**
 18 **through the ground rules for how a deposition works.**
 19 **Okay?**
 20 **So what's happening right now is all the words**
 21 **that are being spoken are being taken down by the court**
 22 **reporter. She's going to put them into a booklet form**
 23 **that we'll refer to as a transcript. You will have an**
 24 **opportunity to review that transcript once it's prepared**
 25 **by the court reporter.**

Page 12

1 **You will also have an opportunity to make**
 2 **changes to your testimony as reflected in that**
 3 **transcript. However, I should caution you that if you**
 4 **do make changes to the transcript after today, any**
 5 **counsel will be able to comment on those changes at the**
 6 **time of trial, and that could impact your credibility.**
 7 **Do you understand all that?**
 8 A. Yes, I do. And am I allowed to ask you
 9 questions?
 10 **Q. Not today.**
 11 **If you answer a question, Mr. Harper, we will**
 12 **assume that you understood the question. So it's**
 13 **important that if one of my questions is not clear, you**
 14 **just tell me that. Okay?**
 15 A. Correct. I understand.
 16 **Q. We're doing a good job so far of not talking**
 17 **over each other. It's important that we continue doing**
 18 **that because the court reporter can only take down one**
 19 **person speaking at a time.**
 20 **You can take breaks throughout today,**
 21 **Mr. Harper. My only request is that if there is a**
 22 **question pending, let's go ahead and get an answer to**
 23 **the question before we take a break.**
 24 **Is that fair?**
 25 A. Correct.

Page 13

1 Q. You're doing a good job of answering audibly.
 2 Just keep in mind that the court reporter can't take
 3 down head nods, and also, if you say things like
 4 "uh-huh" or "uh-uh," that's not going to be clear for
 5 the record. So just continue doing what you've been
 6 doing already, which is answering audibly. Okay?
 7 A. Yes.
 8 Q. You understand, Mr. Harper, that you are under
 9 oath now?
 10 A. Yes.
 11 Q. You understand that's the same oath that you
 12 would give if you were sitting in a court of law before
 13 a judge?
 14 A. Yes.
 15 Q. Is there any reason you can't give us your best
 16 testimony today?
 17 A. No. I think I'm capable.
 18 Q. You're not on, like -- for example, you're not
 19 on any sort of medication that would impair your ability
 20 to give accurate testimony today, right?
 21 I think you answered, but I didn't hear it.
 22 A. That answer was no, I am not.
 23 Q. Got it. And sorry to interrupt here, but I
 24 just want to make sure we have Mr. Healey.
 25 I think -- yeah. Sorry. I just didn't want to

Page 14

1 be asking Mr. Harper questions if you weren't there.
 2 But I did see that you were there, just slightly off
 3 camera, so I gotcha.
 4 Mr. Harper, have you ever been a party to a
 5 lawsuit before this one?
 6 A. No.
 7 Q. Do you ever recall filing a lawsuit in New
 8 Mexico over a dispute concerning some boots?
 9 A. That's one I filed, correct.
 10 Q. Other than that case, has there ever been
 11 another time when you filed a lawsuit?
 12 A. Not that I recall.
 13 Q. So you've only ever filed one lawsuit, and that
 14 was the one in New Mexico. Is that right?
 15 A. That was an attempt to get a refund on some
 16 products that were purchased for Dia.
 17 Q. Yeah. And we can talk about the nature of this
 18 case, but right now I'm just trying to make sure I have
 19 the list of all lawsuits you've ever filed. And from my
 20 understanding, that list is just one, right?
 21 A. That's all I remember at this moment in time.
 22 Q. And again setting aside this case, you don't
 23 recall ever being sued as a defendant in any lawsuit?
 24 A. Not that I'm aware.
 25 Q. What about criminal cases? Have you been a

Page 15

1 party to criminal cases?
 2 A. I was -- yeah.
 3 MR. HEALEY: I'm going to object. For
 4 clarification, he was in law enforcement, so there are
 5 plenty of those. You might want to be more specific.
 6 MR. OWENS: I thought I said "defendant," but
 7 if I didn't, let me ask it again.
 8 Q. Mr. Harper, have you ever been a defendant in a
 9 criminal lawsuit?
 10 I think we lost Mr. Harper here.
 11 THE REPORTER: Yeah, he looks frozen.
 12 MR. OWENS: Can you hear us, Keith? Can you
 13 hear us, Keith?
 14 THE WITNESS: I can hear you.
 15 MR. OWENS: All right. I think we have you
 16 back.
 17 Q. So, Mr. Harper, the question was have you been
 18 a defendant in any criminal lawsuit or proceeding?
 19 A. Not that I'm aware of.
 20 Q. Do you recall in Colorado ever being prosecuted
 21 for any allegations concerning sexual assault?
 22 A. I was never sued.
 23 Q. All right. So how about this? Have you ever
 24 been involved in any criminal proceeding where you were
 25 the target? So not you as law enforcement, but where

Page 16

1 you were --
 2 A. Yes.
 3 Q. Okay. How many times?
 4 A. Twice.
 5 Q. When was the first time?
 6 A. An allegation from a wife, but that has been
 7 expunged. I'll stand on that.
 8 Q. Whose wife?
 9 A. What's that?
 10 Q. You said "a wife." Are you talking about your
 11 ex-wife?
 12 A. Yes.
 13 Q. What was her name?
 14 A. Gena.
 15 Q. G-I-N-A?
 16 A. No, G-E-N-A.
 17 Q. Last name?
 18 A. Harper.
 19 Q. When did you marry Gena Harper?
 20 A. To the best of my knowledge, that would have
 21 been 2006, 2007.
 22 Q. How long did that marriage last?
 23 A. Oh, excuse me. I take that back. It would
 24 have been '96 or '97. Lasted seven years.
 25 Q. So the marriage ended in the early 2000s?

Page 17

1 A. Yes, I think 2002.

2 **Q. Did it end in divorce?**

3 A. Correct.

4 **Q. What allegation did Gena Harper make against**

5 **you that you were referring to earlier?**

6 A. It was a domestic abuse.

7 **Q. And you said it was expunged. Is that right?**

8 **I think we lost you again.**

9 MR. HEALEY: Maybe I'll go switch places with

10 him.

11 MR. OWENS: Yeah. You want to -- let's go off

12 the record, just take five minutes.

13 (Recess, 10:28 a.m. to 10:31 a.m.)

14 MR. OWENS: All right. Let's go back on the

15 record.

16 **Q. Mr. Harper, I was just asking you. You said**

17 **something about that domestic abuse allegation being**

18 **expunged. What did you mean by that?**

19 A. It has been expunged. It's -- it no

20 longer should be anything relevant with my case.

21 **Q. Just to make sure we're on the same page, what**

22 **do you mean when you say "expunged"?**

23 A. The court -- I filed a motion to have it

24 expunged. It has been expunged. It should no longer

25 exist on my record.

Page 18

1 **Q. After Gena Harper made that allegation, was**

2 **there some sort of trial or hearing?**

3 A. There was a hearing.

4 **Q. Did the judge make a ruling at that hearing?**

5 A. He did.

6 **Q. What was the ruling?**

7 A. That I complete a class.

8 **Q. Did you complete the class?**

9 A. Yes, I did.

10 **Q. Were you placed on probation?**

11 A. For the short time of the class, till the class

12 was completed.

13 **Q. Approximately how long did you end up on**

14 **probation?**

15 A. I don't remember.

16 **Q. More than six months?**

17 A. Right around there or there about. The class

18 was completed, and there was a fine that had to be paid.

19 I don't recollect how long that was. It was a long time

20 ago.

21 **Q. Do you recall how much the fine was?**

22 A. No, I do not remember.

23 **Q. What was the nature of the class?**

24 A. It was on domestic disputes and how to handle

25 them and how to correctly assess them.

Page 19

1 **Q. Did Gena make that allegation at some point in**

2 **the early 2000s?**

3 A. I would assume that's somewhat correct,

4 somewhere in that timeframe. It was before the divorce,

5 yes.

6 **Q. When did you apply or file a motion to have**

7 **that expunged?**

8 A. It would have been this year.

9 **Q. This year?**

10 A. Yes.

11 **Q. Did you have a hearing on that request to have**

12 **it expunged?**

13 A. Nope, it was granted.

14 **Q. Just on the papers, basically?**

15 A. Yep, correct.

16 **Q. Did you have a lawyer representing you in**

17 **connection with --**

18 A. No.

19 **Q. -- that request?**

20 A. I did not.

21 **Q. Where was that case pending?**

22 A. Durango, Colorado.

23 **Q. Okay. Tell me what was that second case you**

24 **were involved in where you were a defendant or target of**

25 **some sort of criminal proceeding.**

Page 20

1 A. It was a misdemeanor filed in Durango on an

2 unlawful contact.

3 **Q. When did that happen?**

4 A. I don't exactly remember the date.

5 **Q. Was it within the last five years?**

6 A. No.

7 **Q. Was it within --**

8 A. Probably -- it's probably 11 years now.

9 **Q. Who made the allegation in that case?**

10 A. I don't remember what her name was.

11 **Q. So one person or multiple people that made the**

12 **allegation?**

13 A. The case actually happened in 2010. There was

14 only one allegation. A year later, when it finally goes

15 to trial, there were three. One case was dismissed, two

16 were found guilty on a five-member jury and a judge who

17 was a Highway Patrolman.

18 **Q. So it ended up being three accusers at the time**

19 **of trial. Is that right?**

20 A. Correct.

21 **Q. Sounds like you prevailed on one of them, but**

22 **not on the other two. Is that right?**

23 A. Correct. And then an appeal was filed after

24 that that took a couple of years later.

25 **Q. You filed the appeal?**

<p style="text-align: right;">Page 21</p> <p>1 A. Yes.</p> <p>2 Q. Were you successful on the appeal?</p> <p>3 A. No, but there was some concerns that was</p> <p>4 addressed. It was the fact that it was a five-member</p> <p>5 jury and a sixth member is mandated, and the fact that</p> <p>6 the person in one offense never claimed that there was</p> <p>7 any physical contact, only verbal.</p> <p>8 Q. Were you represented by an attorney at that --</p> <p>9 A. Yes, I was.</p> <p>10 Q. -- jury trial?</p> <p>11 Sorry. Did you say yes?</p> <p>12 A. Yes.</p> <p>13 Q. Was that a public defender, or did you hire</p> <p>14 someone?</p> <p>15 A. I hired an attorney.</p> <p>16 Q. What were the -- what was the conviction or</p> <p>17 convictions?</p> <p>18 A. They were misdemeanor.</p> <p>19 Q. I think you said something like "unlawful</p> <p>20 contact." Is that what the actual charge was?</p> <p>21 A. Yes.</p> <p>22 Q. So you were convicted on two counts of unlawful</p> <p>23 contact. Is that right?</p> <p>24 A. Yes, correct.</p> <p>25 Q. Those two convictions or two counts that you</p>	<p style="text-align: right;">Page 23</p> <p>1 A. It was.</p> <p>2 Q. How long did you operate that Outlaw Tours</p> <p>3 company?</p> <p>4 A. 18 years.</p> <p>5 Q. When did you start?</p> <p>6 A. 1996, I believe.</p> <p>7 Q. So it continued operations up until right</p> <p>8 around 2014, somewhere in there?</p> <p>9 A. Still. We still operate an organization out of</p> <p>10 there.</p> <p>11 Q. Outlaw Tours is still operational?</p> <p>12 A. Yes. Well, it's under -- my son changed the</p> <p>13 name of it. He still operates it.</p> <p>14 Q. What's your son's name?</p> <p>15 A. Casey.</p> <p>16 Q. Casey Harper?</p> <p>17 A. Yes, correct.</p> <p>18 Q. C-A-S-E-Y?</p> <p>19 A. Yes.</p> <p>20 Q. What is the name that he uses for the company</p> <p>21 now?</p> <p>22 A. Outback Adventures.</p> <p>23 Q. What were the names of the two accusers?</p> <p>24 A. I don't remember.</p> <p>25 Q. Do you remember a first name of either of them?</p>
<p style="text-align: right;">Page 22</p> <p>1 were convicted on, were those from two separate events,</p> <p>2 or was that all stemming from one event?</p> <p>3 A. One basically event. It was -- they were both</p> <p>4 friends that attended a snowmobile activity that we did.</p> <p>5 Q. They were friends of yours, or they were</p> <p>6 friends of each other?</p> <p>7 A. They were friends together.</p> <p>8 Q. Okay. How did you first have contact with</p> <p>9 those people?</p> <p>10 A. They were referred on -- we had a contract with</p> <p>11 the train to provide snowmobile activities. They were</p> <p>12 referred by the train out of Durango.</p> <p>13 Q. What train are you referring to?</p> <p>14 A. Durango Silverton.</p> <p>15 Q. Durango Silver what?</p> <p>16 A. Silverton train.</p> <p>17 Q. So they were referred to you, and then what</p> <p>18 were you supposed to do? Give them some sort of tour?</p> <p>19 A. Correct.</p> <p>20 Q. Did you have a company that provided that</p> <p>21 service?</p> <p>22 A. Yes.</p> <p>23 Q. What was the name of your company?</p> <p>24 A. Outlaw Tours.</p> <p>25 Q. That was located in Durango, Colorado?</p>	<p style="text-align: right;">Page 24</p> <p>1 A. I do not.</p> <p>2 Q. Did you have any involvement with either of</p> <p>3 those persons outside of that one snowmobile tour?</p> <p>4 A. No.</p> <p>5 Q. They alleged that this unlawful contact</p> <p>6 occurred during the tour. Is that right?</p> <p>7 A. What's that?</p> <p>8 Q. The allegation that these two accusers made</p> <p>9 against you, I understand it had something to do with a</p> <p>10 snowmobile tour. My question is did they allege that</p> <p>11 the unlawful contact happened while they were on the</p> <p>12 tour?</p> <p>13 A. Yes. But you gotta realize the one did not</p> <p>14 surface till over a year ago, after we had sued the one,</p> <p>15 or attempted, were in the process of attempting to sue</p> <p>16 the one who had made the allegation.</p> <p>17 Q. But you were actually driving the snowmobile</p> <p>18 for these two people?</p> <p>19 A. Nope. The girl that was on the machine lost</p> <p>20 control of the machine and locked the machine down. My</p> <p>21 purpose was -- interacting with her was probably less</p> <p>22 than four seconds, and my purpose was to get her off the</p> <p>23 machine.</p> <p>24 Q. How many people ride on a snowmobile if they're</p> <p>25 on your tour with Outlaw?</p>

Page 25

1 A. One or two.

2 **Q. So you had a separate snowmobile that you were**

3 **riding on?**

4 A. No. Her machine had -- did not start, and I

5 had walked back. We had a whole group. I was the rear

6 guide. I had walked back to get her machine started. I

7 simply jumped on the machine. As she went forward, she

8 locked the machine down, and I came around and shut the

9 machine down and took her off the machine.

10 **Q. Did that whole incident occur before the tour**

11 **even really started?**

12 A. No. Hell no. This is halfway through the

13 tour. We're at the far end of the campground.

14 **Q. Did she complain right then and there, or did**

15 **she complain later?**

16 A. No, she did not. That charge did not -- like I

17 said, took a year to process before it ever came

18 forward.

19 **Q. As a result of the conviction in that case,**

20 **were you required to register as a sex offender?**

21 A. Yes, I was.

22 **Q. Have you registered in California?**

23 A. Yes, I have.

24 **Q. Have you registered in Colorado?**

25 A. Yes.

Page 26

1 **Q. You've mentioned -- well, let me withdraw that.**

2 **Have you made any effort to have those charges**

3 **expunged?**

4 A. Well, we've made a motion to dismiss them,

5 but -- what's that?

6 **Q. Oh, sorry. I didn't mean to cut you off. Go**

7 **ahead.**

8 A. Go ahead.

9 **Q. Is that motion still pending?**

10 A. The motion was continued because of the fact

11 that my appeal took two years and they did not count the

12 time that my appeal was on there. So I have to come

13 back in two years.

14 **Q. Two years. So you're talking about 2024?**

15 A. I think. It may be into the first part of 2025

16 because it happened in December or November. I can't

17 remember which one. Somewhere in there.

18 **Q. Have you made any other requests to not have to**

19 **register as a sex offender?**

20 A. Not that I remember.

21 **Q. So at least until 2024 or 2025, you're required**

22 **to register as a sex offender. Is that right?**

23 A. Correct.

24 **Q. You've mentioned once or twice that you were in**

25 **law enforcement. Can you tell me what your role was in**

Page 27

1 **law enforcement?**

2 A. What was my what?

3 **Q. Where did you work?**

4 A. I worked in the division of parole and

5 probation.

6 **Q. When was that?**

7 A. I retired in '96, I believe is when I retired,

8 and I had 20 years under law enforcement or corrections.

9 **Q. Is that 20 years all spent in law enforcement**

10 **in Colorado?**

11 A. No, it was in Utah.

12 **Q. Where in Utah?**

13 A. It was in more the Ogden and Salt Lake area.

14 **Q. Did you work for a prison or a jail, or who did**

15 **you work for?**

16 A. I worked for the division of corrections under

17 probation and parole and intensive supervision.

18 **Q. Division of corrections, is that under the**

19 **State of Utah? Is that affiliated with a county?**

20 A. It's associated with the state.

21 **Q. What was your job?**

22 A. I worked in intensive supervision.

23 **Q. Intensive supervision?**

24 A. Yes.

25 **Q. What does that mean?**

Page 28

1 A. That's those that are considered the most

2 dangerous parole or probation people. They were

3 required to have monitors, and they were required to

4 have pretty strong supervision.

5 **Q. So these would have been people who were no**

6 **longer in confinement, but still had to --**

7 A. Correct.

8 **Q. -- check in periodically with the probation or**

9 **parole officer?**

10 A. Correct.

11 **Q. Were you -- well, okay. Let me ask you this.**

12 **What was your day-to-day task or job description like**

13 **when you were dealing with these people?**

14 A. We had several. We did regular checks on them.

15 We had ankle monitors on them. Basically just providing

16 supervision for the State of Utah.

17 **Q. Did you go and do unannounced visits at their**

18 **residence?**

19 A. All the time.

20 **Q. So you were basically checking up on these**

21 **people to make sure they were on track?**

22 A. Correct.

23 **Q. When you say you retired after 20 years, does**

24 **that mean that that's when some sort of pension kicked**

25 **in or when you had completed your --**

<p style="text-align: right;">Page 29</p> <p>1 A. Correct.</p> <p>2 Q. -- term or?</p> <p>3 A. Yes.</p> <p>4 Q. So you would have worked for the State of Utah</p> <p>5 from roughly the mid-'70s to 1996. Is that right?</p> <p>6 A. Correct. I think I had 20 years, four months,</p> <p>7 and six days.</p> <p>8 Q. Did you ever work in any other law enforcement</p> <p>9 other than what you've just described?</p> <p>10 A. Corrections. I did work for youth corrections.</p> <p>11 I was the director of recreation.</p> <p>12 Q. Did you say youth corrections?</p> <p>13 A. Yes.</p> <p>14 Q. Where was that?</p> <p>15 A. Ogden, where the state industrial school was.</p> <p>16 Q. Did that overlap with that 20-year period, or</p> <p>17 was that after you retired from that 20-year period?</p> <p>18 A. It overlapped some time, yes.</p> <p>19 Q. What about any other law enforcement jobs?</p> <p>20 A. We worked with the strike force on a regular</p> <p>21 basis because of the fact that we had no-knock warrants</p> <p>22 that we could do. We could make searches at any time</p> <p>23 without ever receiving a warrant or a request.</p> <p>24 Q. What is strike force?</p> <p>25 A. They deal with drug enforcement. Most of our</p>	<p style="text-align: right;">Page 31</p> <p>1 lived in Durango for approximately six months and</p> <p>2 realized that it was an opportunity to actually do that</p> <p>3 kind of business.</p> <p>4 Q. Let me just back up a step. Where are you</p> <p>5 originally from?</p> <p>6 A. Idaho.</p> <p>7 Q. When did you first move to Utah?</p> <p>8 A. Probably '74.</p> <p>9 Q. Why did you move there in '74? Did you have,</p> <p>10 like, friends, family? Was it a job?</p> <p>11 A. No. I completed a master's degree program</p> <p>12 there.</p> <p>13 Q. In Utah?</p> <p>14 A. Yes.</p> <p>15 Q. What was the university or the school where you</p> <p>16 got the master's from?</p> <p>17 A. BYU.</p> <p>18 Q. What was the subject area for the master's?</p> <p>19 A. It was in physical therapy and physical</p> <p>20 education.</p> <p>21 Q. Where did you do your undergrad?</p> <p>22 A. In Idaho.</p> <p>23 Q. What was the school?</p> <p>24 A. Ricks College.</p> <p>25 Q. R-I-C-K-S?</p>
<p style="text-align: right;">Page 30</p> <p>1 people associated with intensive supervision were under</p> <p>2 drug cases.</p> <p>3 Q. Did you ever work for the DEA?</p> <p>4 A. Nope. I worked with them all the time.</p> <p>5 Q. So when you were doing this work with strike</p> <p>6 force or DEA, that was still through your role as the</p> <p>7 division of parole and probation for the State of Utah.</p> <p>8 Is that right?</p> <p>9 A. It was strictly probably under parole at that</p> <p>10 time.</p> <p>11 Q. So you were never separately employed by DEA or</p> <p>12 strike --</p> <p>13 A. No.</p> <p>14 Q. -- force, right?</p> <p>15 A. I was not. I worked with them on a continual</p> <p>16 basis, though.</p> <p>17 Q. What did you do for work after you retired from</p> <p>18 the State of Utah in 1996?</p> <p>19 A. Did outfitting business out of Durango,</p> <p>20 Colorado. We did -- we did Hummer tours. We did</p> <p>21 whitewater rafting. We did snowmobile tours. We did</p> <p>22 ziplines. We did ATV RZR tours and all that.</p> <p>23 Q. Why did you move to Colorado?</p> <p>24 A. Why did I move? The opportunity to start an</p> <p>25 outfit -- outfitting program was open in Durango. I had</p>	<p style="text-align: right;">Page 32</p> <p>1 A. R-I-C-K, yeah, apostrophe S. Ricks.</p> <p>2 Q. And you obtained a degree from Ricks?</p> <p>3 A. Yes, associate's.</p> <p>4 Q. What was that degree in?</p> <p>5 A. It was an associate's degree.</p> <p>6 Q. What was the subject area?</p> <p>7 A. General studies.</p> <p>8 Q. How long were you at Ricks?</p> <p>9 A. Two years.</p> <p>10 Q. Sorry. Did you say two? I couldn't hear.</p> <p>11 A. Two is correct.</p> <p>12 Q. Did you ever obtain a four-year undergrad</p> <p>13 degree from any school?</p> <p>14 A. Yep, Brigham Young University.</p> <p>15 Q. So you got the associate's degree from Ricks,</p> <p>16 then you went to BYU for your four-year degree?</p> <p>17 A. Yes. Completed my four-year degree there.</p> <p>18 Q. And what was --</p> <p>19 A. And then went on for my master's after that in</p> <p>20 recreational therapy.</p> <p>21 Q. Your undergrad degree from BYU, what was that</p> <p>22 one in?</p> <p>23 A. That was in physical education and physical</p> <p>24 therapy.</p> <p>25 Q. When did you -- what year did you get that</p>

<p style="text-align: right;">Page 33</p> <p>1 master's?</p> <p>2 A. '76, I believe.</p> <p>3 (David Gotfredson joins the proceedings.)</p> <p>4 Q. Where did you go to high school?</p> <p>5 A. A place called Oakley, Idaho.</p> <p>6 Q. What year did you graduate high school?</p> <p>7 A. I believe it was '67.</p> <p>8 Q. After you finished the master's at BYU, did you</p> <p>9 go on to get any further --</p> <p>10 A. Yep.</p> <p>11 Q. -- get any further education at any other</p> <p>12 point?</p> <p>13 A. I went and completed another master's from the</p> <p>14 University of Arizona.</p> <p>15 Q. When did you obtain that master's?</p> <p>16 A. Probably somewhere around '94.</p> <p>17 Q. What was the subject area?</p> <p>18 A. Guidance and counseling.</p> <p>19 Q. Had you retired at that point from the State of</p> <p>20 Utah?</p> <p>21 A. No, I was not. I was still employed.</p> <p>22 Q. Was that -- how long was that master's program</p> <p>23 at University of Arizona?</p> <p>24 A. It was for two years.</p> <p>25 Q. Were you physically --</p>	<p style="text-align: right;">Page 35</p> <p>1 A. Correct.</p> <p>2 Q. Any other training or education in the medical</p> <p>3 field?</p> <p>4 A. No.</p> <p>5 Q. All right. So I got -- I'm caught up with you</p> <p>6 now to the point where we've gone through your education</p> <p>7 and part of your work history, and now I'm at where</p> <p>8 you've moved to Colorado, okay, and started this company</p> <p>9 or started working at this outfitting company. So I</p> <p>10 want to talk to you about that.</p> <p>11 How did you become aware that there was an</p> <p>12 opportunity to take on that job?</p> <p>13 A. It was just a recreational center. And like I</p> <p>14 said, I had lived there six months when I was</p> <p>15 approximately 19 years of age, and so I was familiar</p> <p>16 with the area.</p> <p>17 Q. You just knew that you liked the area, so you</p> <p>18 moved back there after you had retired?</p> <p>19 A. Yeah.</p> <p>20 Q. And once you arrived, you realized there was</p> <p>21 this business opportunity to do basically a tour</p> <p>22 company. Is that right?</p> <p>23 A. I went there with that specific purpose.</p> <p>24 Q. With that purpose. Did you have a business</p> <p>25 partner, or were you doing this on your own?</p>
<p style="text-align: right;">Page 34</p> <p>1 A. I think I completed it in a year and a half,</p> <p>2 but it was a two-year program.</p> <p>3 Q. Were you on campus there, or did you do that</p> <p>4 online?</p> <p>5 A. No. It was off-campus on a whatever, an</p> <p>6 extension that they had.</p> <p>7 Q. Where was the extension?</p> <p>8 A. It was done in Utah.</p> <p>9 Q. So you were still in Utah working for the state</p> <p>10 in the corrections, but you were also --</p> <p>11 A. Yeah. They had a program in Ogden where you</p> <p>12 could attend, and it was -- well, there was a number of</p> <p>13 programs that they offered, but it was offered through</p> <p>14 an extension of theirs.</p> <p>15 Q. All right. And you actually attained that</p> <p>16 degree after completing that program?</p> <p>17 A. Yes, I did.</p> <p>18 Q. After that one, did you go on to obtain any</p> <p>19 other degrees?</p> <p>20 A. No.</p> <p>21 Q. Did you ever do any work in any medical field?</p> <p>22 A. I worked at a state mental hospital.</p> <p>23 Q. When did you do that?</p> <p>24 A. While I was going to school at BYU.</p> <p>25 Q. So early '70s, somewhere in there?</p>	<p style="text-align: right;">Page 36</p> <p>1 A. Did it on my own.</p> <p>2 Q. After you formed that or started that business,</p> <p>3 did you take on any employees?</p> <p>4 A. I had -- yeah, I had like 26 employees.</p> <p>5 Q. What types of staff did you have or employees</p> <p>6 did you have?</p> <p>7 A. Like I said, it depended on the type of</p> <p>8 program. We did several programs. We had -- like I</p> <p>9 told you, we had a whitewater rafting program, we had a</p> <p>10 Hummer tour program, we had ATVs and RZR's, and we had</p> <p>11 snowmobiles, sleigh rides, and zipline tours.</p> <p>12 Q. So your employees would be the ones actually</p> <p>13 going out and giving those tours. Is that right?</p> <p>14 A. Correct.</p> <p>15 Q. What was your role at the company?</p> <p>16 A. I was the owner and manager.</p> <p>17 Q. It sounds like, at least on some occasions, you</p> <p>18 went out and were participating in giving the tours. Is</p> <p>19 that right?</p> <p>20 A. Correct. Most of the time I stayed in the</p> <p>21 office, but yeah, there were times I went out and</p> <p>22 interacted. Yes.</p> <p>23 Q. And it sounds like you stopped being active in</p> <p>24 that business around 2014. Do I have that right?</p> <p>25 A. Maybe -- maybe 2012.</p>

<p style="text-align: right;">Page 37</p> <p>1 Q. Yeah, and that's okay. I'm just trying to get 2 your best estimate on these timeframes here. 3 So at some point you wind down your involvement 4 in the business, and then your son takes over, but he's 5 operating under a different name. Does that all sound 6 accurate? 7 A. Correct. 8 Q. And he's still operating it now? 9 A. Yes, he is. 10 Q. So after you got out of that business, did you 11 take on any further employment? 12 A. No. Basically I retired at that point. 13 Q. Did you stay in Durango? 14 A. Yeah. 15 Q. For how long? 16 A. Total in Durango? 17 Q. No. I'm focused now on after you're done 18 working at that Outlaw Tours. I didn't get there, but I 19 know at some point -- 20 A. I had a business in New Mexico until I -- the 21 last couple years in New Mexico. I had -- I still own a 22 storage complex. 23 Q. Where is that storage complex? 24 A. Farmington, New Mexico. 25 Q. How long have you owned that?</p>	<p style="text-align: right;">Page 39</p> <p>1 A. Yep. 2 Q. And you still own that now? 3 A. Correct. 4 Q. Focusing again on the time period after you got 5 out of Outlaw Tours, I'm looking for any other 6 businesses or employment that you had. Now, I 7 understand you were -- still have the New Mexico storage 8 business. Anything else that you were involved in on a 9 business standpoint after that time? 10 A. I did for a period of time meth mitigation, 11 where we went and cleaned up homes that were 12 contaminated with meth. 13 Q. Where did you do that? 14 A. Oh, I started in Utah and did some for a short 15 period of time out of Colorado. 16 Q. When did you first start doing that, meth 17 mitigation? 18 A. I'm thinking somewhere around 2002, 2004, 19 somewhere in there. 20 Q. And are you still involved in any sort of meth 21 mitigation business? 22 A. No. 23 Q. When did you stop being involved in that 24 business? 25 A. I was involved in it for two years and then</p>
<p style="text-align: right;">Page 38</p> <p>1 A. Probably around 16, 17 years. 2 Q. Are you the sole owner? 3 A. Yes, I am. 4 Q. Have you always been the sole owner since 5 you -- 6 A. Yes, I am. 7 Q. -- acquired your ownership? 8 A. Well, I had a financial partner that was in the 9 initial stages. 10 Q. Who was that person? 11 A. Scott Christiansen. 12 Q. Scott Christiansen? 13 A. Correct. 14 Q. That person live in Farmington, New Mexico? 15 A. No. He lives in Spanish Fork, Utah. He was 16 just a financial provider to get started. 17 Q. I'm sorry. I didn't catch the city in Utah. 18 A. Spanish Fork. 19 Q. So what did that business do? 20 A. It provides storage for RVs, for boats, and for 21 personal items. 22 Q. Do you also have storage lockers that, like, 23 close -- 24 A. Yep. 25 Q. -- down with a front gate?</p>	<p style="text-align: right;">Page 40</p> <p>1 decided that financially it wasn't something to 2 continue. 3 Q. What about any other business interests that 4 you've had after, let's say, 2012? 5 A. Nope. Probably stayed retired most of the 6 time. 7 Q. Does anyone help you run that storage unit in 8 New Mexico, or you do that on your own? 9 A. I do that on my own. I have an employee that 10 works there, but... 11 Q. Who is that employee? 12 A. Jason Martinez. 13 Q. Did you say Mason or Jason? 14 A. Jason. 15 Q. How long has Jason worked there? 16 A. Probably four or five years. 17 Q. All right. I'm going to shift gears and talk 18 about any preparation you may have done for today's 19 deposition. Before I ask you those questions, I want to 20 make clear I don't want to know anything that you talked 21 to your attorney, Dennis Healey, about. Okay? Because 22 that's all privileged. 23 So with that in mind, let me ask you did you 24 review any documents in preparation for today's 25 deposition?</p>

<p style="text-align: right;">Page 41</p> <p>1 A. No.</p> <p>2 Q. Did you have any discussions with anyone about</p> <p>3 your deposition other than with your attorney, Dennis</p> <p>4 Healey?</p> <p>5 A. No.</p> <p>6 Q. Did you do anything at all to prepare for</p> <p>7 today's deposition other than potentially talking to</p> <p>8 your attorney?</p> <p>9 A. Basically talking to the attorney.</p> <p>10 Q. When did you first move to California?</p> <p>11 A. Had to be somewhere around 2016.</p> <p>12 Q. What prompted that move?</p> <p>13 A. I started dating a girl, Dia Abrams.</p> <p>14 Q. And Dia Abrams lived in California at the time?</p> <p>15 A. Yep, she did.</p> <p>16 Q. How did you meet her?</p> <p>17 A. First online.</p> <p>18 Q. Was that through -- what was the website or</p> <p>19 app?</p> <p>20 A. I think it was, like, Farmers.</p> <p>21 Q. Farmers?</p> <p>22 A. Yeah.</p> <p>23 Q. So you met her online and then what? Started</p> <p>24 having messages exchanged back and forth?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 43</p> <p>1 you met Dia?</p> <p>2 A. Oh, prob -- I didn't stay very long. Maybe</p> <p>3 four months.</p> <p>4 Q. Okay. So you fly out to meet Dia that first</p> <p>5 time at some point between 2014 and 2016. How long did</p> <p>6 you stay during that visit?</p> <p>7 A. Four days.</p> <p>8 Q. You stayed at her house?</p> <p>9 A. Correct.</p> <p>10 Q. Would that have been the same address where you</p> <p>11 live now?</p> <p>12 A. Correct.</p> <p>13 Q. Do you know if she was in any other</p> <p>14 relationship at that time?</p> <p>15 A. Yep. I became aware of that, yes.</p> <p>16 Q. What did you become aware of?</p> <p>17 A. That she was married at the time.</p> <p>18 Q. To Clem Abrams?</p> <p>19 A. Correct.</p> <p>20 Q. When did you first --</p> <p>21 A. But they had been separated for a number of</p> <p>22 years.</p> <p>23 Q. When did you first become aware that she was</p> <p>24 married to Clem Abrams?</p> <p>25 A. Probably within the first three months of me</p>
<p style="text-align: right;">Page 42</p> <p>1 Q. And at some point the two of you decided to</p> <p>2 meet in person. Is that right?</p> <p>3 A. Yes, correct.</p> <p>4 Q. Where did you -- how did you first meet in</p> <p>5 person?</p> <p>6 A. I flew into Ontario, and Dia picked me up at</p> <p>7 that time.</p> <p>8 Q. Do you recall approximately when that was?</p> <p>9 A. I do not.</p> <p>10 Q. Sometime between 2014 and 2016?</p> <p>11 A. 20-what and 20-where? 2016, I heard that.</p> <p>12 What was your first deal?</p> <p>13 Q. The first one is -- I think you said earlier</p> <p>14 that you had basically retired somewhere between 2012</p> <p>15 and 2014. Is that right?</p> <p>16 A. Correct.</p> <p>17 Q. So I'm trying to pick up from basically that</p> <p>18 retirement time and ask you do you think you flew out to</p> <p>19 see Dia between 2014 and 2016?</p> <p>20 A. Yeah. I'm sure it had to be in that timeframe</p> <p>21 somewhere.</p> <p>22 Q. That Farmers website, that's some sort of</p> <p>23 dating app?</p> <p>24 A. Correct.</p> <p>25 Q. How long had you been on that website before</p>	<p style="text-align: right;">Page 44</p> <p>1 dating her.</p> <p>2 Q. Had you already met her in person by the time</p> <p>3 you learned of that fact?</p> <p>4 A. Yes.</p> <p>5 Q. So from what you just told us, it sounds like</p> <p>6 you started dating her at some point. How would you</p> <p>7 describe the nature of your relationship around that</p> <p>8 time after you had met her in person?</p> <p>9 A. I think we basically decided that we had</p> <p>10 interest in each other, and we made it a sole</p> <p>11 connection. I never dated outside of that.</p> <p>12 Q. So it became an exclusive relationship, where</p> <p>13 you were not dating anyone else?</p> <p>14 A. Correct.</p> <p>15 Q. Did you ever express any concerns to Dia about</p> <p>16 dating her when she was still married?</p> <p>17 A. She'd been separated for several years. She</p> <p>18 made that clear.</p> <p>19 Q. Did you have any concerns about dating a</p> <p>20 married woman?</p> <p>21 A. Nope.</p> <p>22 Q. Did she ever come to visit you in Colorado?</p> <p>23 A. Yep.</p> <p>24 Q. Approximately how many times?</p> <p>25 A. Probably three or four.</p>

Page 45

1 Q. Would that have been in that 2014 and 2016
 2 timeframe?
 3 A. Yes.
 4 Q. Did she stay at your house on those visits?
 5 A. I think we had a motor home. We stayed in the
 6 motor home.
 7 Q. You say, "We had a motor home." Do you mean
 8 that someone else lived there other than you?
 9 A. In the motor home?
 10 Q. Yeah. I may have just misunderstood. You
 11 said, "We had a motor home." Who did you mean when you
 12 said "we"?
 13 A. When we traveled to Colorado, we would use the
 14 motor home to travel in, and we'd hit all the local
 15 interest spots along the way.
 16 Q. Whose motor home?
 17 A. Mine.
 18 Q. Did you live in that motor home at the time you
 19 started dating Dia?
 20 A. I wouldn't say I lived in it, but we traveled
 21 quite a bit in it.
 22 Q. At the time you started dating Dia, did you own
 23 a residence?
 24 A. I've always owned residences.
 25 Q. So at the time you started dating Dia, what

Page 46

1 residence did you own?
 2 A. I owned one in Colorado and one in New Mexico.
 3 Q. What's the address of the Colorado one?
 4 A. 54 -- I mean 52, sorry. 52 Thompson Lane.
 5 Q. Is that in Durango?
 6 A. Correct.
 7 Q. What about the New Mexico residence?
 8 A. 4214 North Dustin.
 9 Q. Did you say 4214?
 10 A. 4214 is correct.
 11 Q. What's the city?
 12 A. Farming, New Mexico.
 13 Q. Farmington, New Mexico?
 14 A. Correct.
 15 Q. At some point did you move in with Dia?
 16 A. Yes.
 17 Q. When did that happen?
 18 A. I think 2015 and 2016.
 19 Q. How much time passed between when you first met
 20 Dia in person and when you moved in with her?
 21 A. It was a relatively short period of time.
 22 Q. Less than a year?
 23 A. Less than six months.
 24 Q. Did you guys have any discussions about her
 25 potentially coming to move in with you?

Page 47

1 A. Nope.
 2 Q. How did you decide that you would go live with
 3 her?
 4 A. We just agreed on it.
 5 Q. She asked you if you would?
 6 A. Yes.
 7 Q. Whose idea was it? How did it come up?
 8 A. I'm not sure. I think it was both of ours.
 9 Q. So the first time you moved to California is
 10 when you moved to live with Dia. Is that right?
 11 A. Correct.
 12 Q. After you moved in with her, did you stay there
 13 continuously until now?
 14 A. You know, off and on, yes. For the most part,
 15 yes. I mean, there were times I had to go back to New
 16 Mexico because I had construction deals under process.
 17 Q. Yeah, sure. So there would undoubtedly be
 18 trips and other obligations, but since the time that
 19 you --
 20 A. Yes.
 21 Q. -- moved in with Dia, did you --
 22 A. Yes. I stayed with her the entire time, yes.
 23 Q. So as soon as you moved in with her, you would
 24 consider that your primary residence remained that
 25 location where you live now?

Page 48

1 A. Other than the times that I would have to go
 2 back to take care of businesses that were in Colorado
 3 and New Mexico.
 4 Q. What's the longest period of time that you
 5 recall leaving that residence after you had moved in?
 6 A. Oh, there was times during construction periods
 7 I was gone for three months at a time.
 8 Q. Construction periods where?
 9 A. In New Mexico.
 10 Q. What kind of construction was going on?
 11 A. I was continuing to add onto the storage
 12 complex that I had.
 13 Q. So you had at least one stretch of time that
 14 was about three to four months when you were in New
 15 Mexico after you had moved in with Dia, right?
 16 A. There were -- we constructed three new
 17 facilities, so there was times that that extended more
 18 than one time.
 19 Q. Yeah, right, and I'm going to get there. But
 20 my first question was there was at least one time that
 21 was three to four months when you had gone to New
 22 Mexico, right?
 23 A. Probably no longer than three months.
 24 Q. Okay. How many other times do you recall
 25 leaving Dia's residence for, let's say, more than a

Page 49

1 month?

2 A. There was many times we were on trips together.

3 **Q. How many trips?**

4 A. A lot.

5 **Q. Do you have an estimate?**

6 A. No, I don't.

7 **Q. More than 10?**

8 A. Yes.

9 **Q. More than 20?**

10 A. Probably between 10 and 20.

11 **Q. Were any of those trips more than a month in**

12 **duration?**

13 A. No.

14 **Q. Do you recall -- other than this three-month**

15 **timeframe when you were doing the construction in New**

16 **Mexico, do you recall any other time when you were not**

17 **residing at Dia's residence for more than a month?**

18 A. Not that I can recall.

19 **Q. When you moved in with Dia, did you do any work**

20 **on any of her properties?**

21 A. All the time.

22 **Q. What did you do?**

23 A. I did mitigation.

24 **Q. What does that mean?**

25 A. That means that I more or less upgraded and

Page 50

1 developed her property.

2 **Q. Can you give me an example of something you**

3 **did?**

4 A. Oh, I cleared a lot of brush. I built dams. I

5 put reservoirs back together. I built bridges. I built

6 fences. A lot of things.

7 **Q. Did she have animals on any of her properties?**

8 A. Sure she did.

9 **Q. Did you do anything with respect to the**

10 **animals?**

11 A. Just as much as I could knowledgeably take care

12 of them.

13 **Q. Did you have any background or experience as a**

14 **property manager, rancher, anything like that?**

15 A. I own several rentals.

16 **Q. Do you own several rentals now?**

17 A. Yes.

18 **Q. Are you renting out the Colorado residence on**

19 **Thompson Lane?**

20 A. Yes.

21 **Q. Are you renting out the New Mexico residence on**

22 **North Dustin?**

23 A. Yes.

24 **Q. Do you have any other rental properties?**

25 A. Yes.

Page 51

1 **Q. Where are they located?**

2 A. New Mexico.

3 **Q. How many are there?**

4 A. Other than what I've already told you, three

5 others.

6 **Q. Do all three of those have tenants?**

7 A. Yes.

8 **Q. Are they single-family residences?**

9 A. Yes, they are.

10 **Q. Are any of the lots that you own that are**

11 **rentals larger than one acre in size?**

12 A. Colorado is.

13 **Q. How large is that property?**

14 A. Five acres.

15 **Q. Do you have any experience in growing**

16 **marijuana?**

17 A. No.

18 **Q. Did you ever grow marijuana on any of Dia's**

19 **properties?**

20 A. No.

21 **Q. Do you know if she was growing any marijuana on**

22 **any of her properties?**

23 A. You'd have to ask her.

24 **Q. You're not aware of --**

25 A. With her outside interests.

Page 52

1 **Q. Yeah. I'm just trying to get at your**

2 **knowledge. So are you aware of Dia ever growing any**

3 **marijuana on any of her properties?**

4 A. I don't think Dia ever grew any marijuana.

5 Personally, she never grew any marijuana. Whether she

6 had people that she rented to, properties, I know that

7 there was one that they did do some growth on.

8 **Q. Mr. Harper, did you ever serve in any branch of**

9 **the military?**

10 A. No.

11 **Q. Have you ever filed for bankruptcy?**

12 A. No.

13 **Q. Have any of the businesses that you've been an**

14 **owner of filed for bankruptcy?**

15 A. No.

16 **Q. How many times have you been married?**

17 A. Three.

18 **Q. Okay. I got one of them that we talked about**

19 **earlier. Let me start by just asking when's the first**

20 **time you got married?**

21 A. I think it was in 1974.

22 **Q. Who was your first wife?**

23 A. Her name was Corrine.

24 **Q. How do you spell that?**

25 A. C-O-R-R-I-N-E.

Page 53

1 **Q. What's her last name?**
 2 A. Harper, obviously, if I was married to her.
 3 **Q. Yeah. My wife would disagree with that**
 4 **assumption.**
 5 **What year did that marriage end?**
 6 A. I was married to her for 18 years.
 7 **Q. Who was your second wife?**
 8 A. Gena.
 9 **Q. Who was your third wife?**
 10 A. Kathy.
 11 **Q. I'm sorry. I didn't catch it.**
 12 A. Kathy.
 13 **Q. C-A-T-H-Y?**
 14 A. K-A-T-H-Y.
 15 **Q. Harper?**
 16 A. Correct.
 17 **Q. When did you marry Kathy?**
 18 A. I don't remember. I was married to her for
 19 seven or eight years, but I don't remember exactly when
 20 that was.
 21 **Q. You and Gena divorced in the early 2000s,**
 22 **right?**
 23 A. Yes, I'm pretty sure that's somewhat correct.
 24 **Q. So you would have married Kathy at some point**
 25 **either in the early 2000s or thereafter, right?**

Page 54

1 A. Correct.
 2 **Q. And you said you were married to her for seven**
 3 **or eight years?**
 4 A. I think seven.
 5 **Q. So you would have gotten -- well, how did that**
 6 **marriage end?**
 7 A. Divorce.
 8 **Q. Was that somewhere around 2010?**
 9 A. I think it was somewhere around 2011.
 10 **Q. Did you have any children with Corrine Harper?**
 11 A. Yes, I had four.
 12 **Q. What are their names?**
 13 A. Charlise, Casey, Camille, and Hayley.
 14 **Q. Did you have any children with Gena Harper?**
 15 A. Nope.
 16 **Q. Did you have any children with Kathy Harper?**
 17 A. No.
 18 **Q. After your marriage with Kathy ended, but**
 19 **before you started dating Dia, did you have any other**
 20 **serious relationships?**
 21 A. Nope.
 22 **Q. Did you end up dating anyone at all during that**
 23 **time period?**
 24 A. No, not after I met her.
 25 **Q. Did you go on any dates with other people that**

Page 55

1 **you met on that Farmers website?**
 2 A. No.
 3 **Q. Were you and Dia ever engaged to be married?**
 4 A. Yes.
 5 **Q. When did you become engaged?**
 6 A. It was about a year before she disappeared, so
 7 that would put it at 2019? That's just a rough guess.
 8 **Q. At some point in 2019, that's the best of your**
 9 **recollection?**
 10 A. Yes.
 11 **Q. Where -- did you propose to her, or did she**
 12 **propose to you?**
 13 A. No, I proposed to her.
 14 **Q. Where did that happen?**
 15 A. At the ranch.
 16 **Q. At the residence?**
 17 A. Yep, up on --
 18 **Q. Was anyone --**
 19 A. Up on Butterfly Peak.
 20 **Q. Butterfly what?**
 21 A. Peak.
 22 **Q. Is that a peak that has a view of the property**
 23 **or something?**
 24 A. Yes, it is. Also overlooks Lake Hemet.
 25 **Q. Was anyone present other than you and Dia?**

Page 56

1 A. No.
 2 **Q. Did you give her a ring?**
 3 A. Yes.
 4 **Q. Did she start wearing that ring after the**
 5 **proposal?**
 6 A. No. There was -- there was times that she
 7 would wear it. She was concerned because of the clause
 8 that she had been involved in a dispute with her
 9 children, that if she got remarried, that basically she
 10 would get nothing. And so there was a hesitance for us
 11 to move forward.
 12 **Q. Was it a diamond ring?**
 13 A. Yes.
 14 **Q. Did it have a gold band?**
 15 A. Yes.
 16 **Q. Where did you obtain the ring?**
 17 A. I think I bought it in Farmington, New Mexico.
 18 **Q. Did you buy it at some point in 2019, or did**
 19 **you already have the ring?**
 20 A. It was just prior to being engaged to her.
 21 **Q. Do you recall where you bought it in**
 22 **Farmington, New Mexico?**
 23 A. At a jewelry place.
 24 **Q. Do you recall the name of it?**
 25 A. I don't.

Page 57

1 **Q. You said she would wear the ring sometimes.**
 2 **What were the circumstances under which she would wear**
 3 **it?**
 4 A. When we would go out. When we would travel,
 5 she would wear the ring.
 6 **Q. When you say you'd go out, what do you mean by**
 7 **that?**
 8 A. When we'd travel or when -- it was basically
 9 whenever we would go out on dates or things, she would
 10 wear it.
 11 **Q. Did you tell anyone that the two of you were**
 12 **engaged?**
 13 A. No. We kept it somewhat (technical
 14 interference).
 15 **Q. You kept it somewhat?**
 16 A. Between me and her, because of her suit with
 17 the trust.
 18 **Q. Did you ever observe her telling anyone else**
 19 **that she was engaged to you?**
 20 A. I don't know. I don't know who she told.
 21 **Q. My question is did you observe her tell anyone?**
 22 A. No.
 23 **Q. And sitting here right now, you don't know one**
 24 **way or the other whether she told anyone?**
 25 A. No, I do not.

Page 58

1 **Q. What ended up happening with that ring?**
 2 A. I still have it.
 3 **Q. At the house?**
 4 A. Yes.
 5 **Q. Where did you locate it after her**
 6 **disappearance?**
 7 A. Where did I put the ring?
 8 **Q. Well, at some point she disappeared, in June of**
 9 **2020, right?**
 10 A. Correct.
 11 **Q. But she, sounds like, wasn't wearing the ring**
 12 **at that time, right? That's your understanding?**
 13 A. She was not, because it was in the safe.
 14 **Q. What safe?**
 15 A. In the bedroom. It was in the bedroom area.
 16 **Q. When did you go get or when did you go open the**
 17 **safe to verify that the ring was still in there?**
 18 A. I don't remember.
 19 **Q. Was it short in time after her disappearance?**
 20 A. I knew where it was. I didn't have to verify.
 21 I knew where it was.
 22 **Q. So if Dia went missing, you already would have**
 23 **known that she wouldn't be wearing the ring at that**
 24 **time. Is that what you're saying?**
 25 A. I knew where the ring was kept.

Page 59

1 **Q. At some point did you go looking into the safe**
 2 **and see that the ring was in fact still there?**
 3 A. I think I -- after her disappearance, I
 4 transferred it to the gun safe.
 5 **Q. When did you make that transfer?**
 6 A. Probably -- probably within the time she
 7 disappeared, because it was a more secure safe.
 8 **Q. You mean like within days of when she**
 9 **disappeared?**
 10 A. Yes, easily.
 11 **Q. What makes you say that the gun safe was a more**
 12 **secure safe than the one in the bedroom?**
 13 A. Because it was more secure than the bedroom
 14 one.
 15 **Q. How so?**
 16 A. It just has a combination lock that it just
 17 makes it secure, much more than the one that was in the
 18 bedroom.
 19 **Q. At the time Dia went missing, did anyone other**
 20 **than you and Dia have access to that bedroom safe?**
 21 A. To what safe? The bedroom safe?
 22 **Q. The bedroom safe.**
 23 A. No.
 24 **Q. Did that one have a combination lock on it?**
 25 A. Yes.

Page 60

1 **Q. At the time Dia went missing, did anyone other**
 2 **than you and Dia have access to the gun safe?**
 3 A. No.
 4 **Q. At the time Dia went missing, what else was in**
 5 **that bedroom safe other than the ring?**
 6 A. Paperwork.
 7 **Q. Anything else?**
 8 A. No.
 9 **Q. What kind of paperwork?**
 10 A. Documents that dealt with her trust, documents
 11 that dealt with her property, those kind of things.
 12 **Q. At the time Dia went missing, what was in the**
 13 **gun safe?**
 14 A. Guns.
 15 **Q. Anything else?**
 16 A. No.
 17 **Q. Sounds like Dia told you that she was separated**
 18 **from her husband Clem. Is that right?**
 19 A. Yep.
 20 **Q. Did she tell you anything else about the nature**
 21 **of her relationship with Clem?**
 22 A. No. Just that they had been separated for
 23 approximately 16 years.
 24 **Q. What was the number? I'm sorry. I didn't**
 25 **quite catch it.**

<p style="text-align: right;">Page 61</p> <p>1 A. I think she said 16. It had been a number of 2 years.</p> <p>3 Q. Did you ever meet Clem in person?</p> <p>4 A. Nope.</p> <p>5 Q. Did you ever talk to Clem?</p> <p>6 A. Nope.</p> <p>7 Q. Did you establish any sort of relationship with 8 any of Dia's friends?</p> <p>9 A. Yes.</p> <p>10 Q. Did you have a good relationship with any of 11 them?</p> <p>12 A. I don't know what "good" is. I was familiar 13 with who her friends were. I wouldn't say a good 14 relationship, no.</p> <p>15 Q. Based on your observation, who were Dia's 16 closest friends around the time she went missing?</p> <p>17 A. Julie, Julia, Jay. Those are the ones I 18 probably knew of the most.</p> <p>19 Q. So I have Julie, J-U-L-I-E. Is that right?</p> <p>20 A. J-, yes.</p> <p>21 Q. And then also Julia, J-U-L-I-A. Is that right?</p> <p>22 A. Yes, correct.</p> <p>23 Q. And then the third one you said was Jay, J-A-Y?</p> <p>24 A. Yep.</p> <p>25 Q. Can you think of any other close friends that</p>	<p style="text-align: right;">Page 63</p> <p>1 property to do something with the horses?</p> <p>2 A. Correct.</p> <p>3 Q. Which the idea was that she would go alone. Is 4 that right?</p> <p>5 A. Correct.</p> <p>6 Q. What was your plan for the rest of that day?</p> <p>7 A. I was mowing the meadow.</p> <p>8 Q. On what property?</p> <p>9 A. The residence.</p> <p>10 Q. Based on the normal flow of your days with Dia 11 around that time, when did you anticipate you would see 12 her next that day?</p> <p>13 A. For supper.</p> <p>14 Q. Back at the house?</p> <p>15 A. Yes.</p> <p>16 Q. So did you finish mowing, do some other stuff, 17 and then go back to the house for supper?</p> <p>18 A. I went back at approximately -- I was leaving 19 for Colorado the next day, and Dia was going to go with 20 me. And I came into the house at approximately 7:30, 21 after having completed the meadow.</p> <p>22 Q. So did it take you -- well, let me withdraw 23 that.</p> <p>24 So you had lunch with Dia around 2:30, right?</p> <p>25 A. Correct.</p>
<p style="text-align: right;">Page 62</p> <p>1 Dia had at the time she went missing?</p> <p>2 A. She had a lot of friends. She -- I just wasn't 3 real acquainted with them. I would see them on 4 occasion, but rarely.</p> <p>5 Q. When did you last see Dia?</p> <p>6 A. The day she disappeared.</p> <p>7 Q. When was that?</p> <p>8 A. June 6th, 2020.</p> <p>9 Q. What time of day was it when you saw her last?</p> <p>10 A. The last I saw her was approximately 2:20 or 11 2:30, when I had lunch with her.</p> <p>12 Q. Where were you when you had lunch?</p> <p>13 A. At the house.</p> <p>14 Q. Was anyone else present?</p> <p>15 A. No.</p> <p>16 Q. Do you know what Dia's plans were for the rest 17 of the day that day?</p> <p>18 A. She talked about going down and reining the 19 horses.</p> <p>20 Q. Where was that going to take place?</p> <p>21 A. Tool Box.</p> <p>22 Q. How far is that Tool Box property away from the 23 residence?</p> <p>24 A. Five. Approximately five miles.</p> <p>25 Q. She told you she was going to go to that</p>	<p style="text-align: right;">Page 64</p> <p>1 Q. Did you finish the lunch around 2:30, or start 2 it?</p> <p>3 A. We started at 2:00, finished right around 2:30.</p> <p>4 Q. After you finished the lunch, where did you go 5 next?</p> <p>6 A. To the meadow to complete the mowing.</p> <p>7 Q. And then did you stay on the property for that 8 next five hours completing mowing?</p> <p>9 A. Yes.</p> <p>10 Q. You never left the property at all?</p> <p>11 A. Never.</p> <p>12 Q. And then after you were done mowing the meadow, 13 you went back to the house around 7:30, true?</p> <p>14 A. Correct.</p> <p>15 Q. And you expected that Dia would be there by 16 then?</p> <p>17 A. Of course.</p> <p>18 Q. What did you do next after you realized she was 19 not there?</p> <p>20 A. I called her cell phone.</p> <p>21 Q. Did you see anyone else on the property when 22 you were mowing the meadow that afternoon into evening?</p> <p>23 A. Nope.</p> <p>24 Q. Did you talk to anyone during that roughly 25 five-hour time window?</p>

<p style="text-align: right;">Page 65</p> <p>1 A. No.</p> <p>2 Q. When you called Dia's cell phone, did it ring?</p> <p>3 A. Yes.</p> <p>4 Q. It didn't, like, go straight to voicemail, as</p> <p>5 far as you can recall?</p> <p>6 A. No. I could hear it ringing upstairs.</p> <p>7 Q. The phone was in the house?</p> <p>8 A. Yes.</p> <p>9 Q. What did you do next?</p> <p>10 A. I went upstairs to check to see if she was</p> <p>11 there.</p> <p>12 Q. And found the phone up there?</p> <p>13 A. Yes.</p> <p>14 Q. Did you find any of her other personal items</p> <p>15 upstairs?</p> <p>16 A. She has all kinds of personal items upstairs.</p> <p>17 Q. Around her phone?</p> <p>18 A. No. It was just -- it was plugged in next to</p> <p>19 the bed stand.</p> <p>20 Q. Plugged into the charger?</p> <p>21 A. Yep.</p> <p>22 Q. When she left the property to go to Tool Box,</p> <p>23 she would have taken a vehicle, right?</p> <p>24 A. Correct.</p> <p>25 Q. Did she actually take a vehicle?</p>	<p style="text-align: right;">Page 67</p> <p>1 A. Yes.</p> <p>2 Q. And you never saw the truck go by?</p> <p>3 A. No.</p> <p>4 Q. So in your mind, there's really no chance that</p> <p>5 she left the residence, went to Tool Box, and came back,</p> <p>6 right?</p> <p>7 A. No, she never did. She never left the</p> <p>8 residence.</p> <p>9 Q. When did you first realize that the truck was</p> <p>10 still there?</p> <p>11 A. After I had checked the phone and the house and</p> <p>12 could not find her.</p> <p>13 Q. So after you found the phone upstairs, did you</p> <p>14 start looking around for Dia?</p> <p>15 A. Yes, I did.</p> <p>16 Q. So you would have searched the entire inside of</p> <p>17 the house, right?</p> <p>18 A. Yes, plus all the properties outside.</p> <p>19 Q. So you went outside and searched outside as</p> <p>20 well?</p> <p>21 A. Exactly.</p> <p>22 Q. When you didn't find Dia, what did you do next?</p> <p>23 A. She had a highway patrolman that was living at</p> <p>24 Tool Box. He had just shortly moved to another</p> <p>25 location. Anyway, I had talked with him, and he said,</p>
<p style="text-align: right;">Page 66</p> <p>1 A. No, she did not. It was parked out back. We</p> <p>2 parked it out there because Clinton was threatening to</p> <p>3 come and take it.</p> <p>4 Q. You're talking about a truck. Is that right?</p> <p>5 A. Yep.</p> <p>6 Q. What kind of truck?</p> <p>7 A. What's that?</p> <p>8 Q. What kind of truck?</p> <p>9 A. It was a Ford 2006, I think, F-350.</p> <p>10 Q. So it was your expectation that when Dia was</p> <p>11 going to go to the Tool Box property, she would have</p> <p>12 taken that Ford truck, true?</p> <p>13 A. It was the only transportation she had.</p> <p>14 Q. So it was surprising to you to discover that</p> <p>15 the truck was still there, I imagine?</p> <p>16 A. Exactly.</p> <p>17 Q. Do you know if she ever left the property to go</p> <p>18 to Tool Box that day?</p> <p>19 A. No, she did not.</p> <p>20 Q. What makes you say she did not?</p> <p>21 A. Because I would have noticed the truck leaving</p> <p>22 the property.</p> <p>23 Q. So even though you were mowing the meadow,</p> <p>24 based on the way the property's configured, you would</p> <p>25 have seen the truck go by if she had left?</p>	<p style="text-align: right;">Page 68</p> <p>1 "Well, they're not going to do anything for almost three</p> <p>2 days because of the fact that that's their rule."</p> <p>3 And I wasn't sure that -- I wasn't sure where</p> <p>4 she was, so I was more concerned about searching the</p> <p>5 property, making sure that she wasn't trapped in a</p> <p>6 storage box or some other location. And it takes a</p> <p>7 while to search that property because there's a lot of</p> <p>8 structures on the property.</p> <p>9 Q. Who was that highway patrolman?</p> <p>10 A. I can't remember his name.</p> <p>11 Q. Was that the first person that you called after</p> <p>12 you had been searching for Dia?</p> <p>13 A. Correct.</p> <p>14 Q. You called that person because he would have</p> <p>15 been familiar with how long --</p> <p>16 A. No. I was just concerned if there had been any</p> <p>17 medical reports or anything. And he indicated that he</p> <p>18 hadn't heard of anything, and he also informed me it</p> <p>19 would be a while before they would actually consider her</p> <p>20 missing.</p> <p>21 Q. So the purpose for your call to this highway</p> <p>22 patrolman was to find out if, based on intel that he</p> <p>23 had, whether someone had reported some sort of medical</p> <p>24 emergency?</p> <p>25 A. Yes.</p>

Page 69

1 **Q. And he told you -- well, it sounds like you**
 2 **then had a conversation about the situation that Dia was**
 3 **missing, true?**
 4 A. Just basically I didn't know where she was. I
 5 did not know she was missing at the time. I was just
 6 concerned that there may have been a medical condition
 7 that I may have missed.
 8 **Q. And he told you during that call that if she**
 9 **was missing, the authorities wouldn't start searching**
 10 **for three days. Is that right?**
 11 A. Correct.
 12 **Q. Did you make any other phone calls that evening**
 13 **or that night?**
 14 A. We started making phone calls to people. Not
 15 that night, but in the next morning, we started making
 16 phone calls to neighbors and people that knew her, and
 17 started organizing a search of the ranch.
 18 **Q. Did you call to -- let's just focus on that**
 19 **night for a moment. Is the only phone call that you**
 20 **placed that night to -- was that to the highway**
 21 **patrolman?**
 22 A. I believe so.
 23 **Q. So it was your hope at that time that Dia would**
 24 **just reappear, and by the next morning, everything would**
 25 **be back to normal. Is that right?**

Page 70

1 A. Yes.
 2 **Q. So did you then sleep at the property that**
 3 **night?**
 4 A. I did.
 5 **Q. That morning, she was not back, true?**
 6 A. Then I went back. I then drove down to
 7 Tool Box, making sure that she hadn't left with a friend
 8 of hers or something and stayed down to that property,
 9 and I checked that property.
 10 Then I went over to the highway patrolman and
 11 notified him that she had not come home that night, and
 12 he said, "Well, then I would call the sheriff's office
 13 and at least put them on notice."
 14 **Q. Did you call the sheriff's office at that time?**
 15 A. Yes, I did.
 16 **Q. Did they tell you they were going to take any**
 17 **action?**
 18 A. They said they wouldn't take any action for
 19 three days because most people return in that period of
 20 time.
 21 **Q. Did you express any frustration to them?**
 22 A. Well, sure. Absolutely.
 23 **Q. So it sounds like you drove to the Tool Box**
 24 **property. Did you drive to any of Dia's other**
 25 **properties?**

Page 71

1 A. No.
 2 **Q. How many properties are there?**
 3 A. She talked only about going to Tool Box. I
 4 thought maybe Julia or somebody had picked her up and
 5 transferred her down there, and because she had
 6 forgotten her phone, maybe she obviously wasn't able to
 7 respond. So I went and checked that property out before
 8 I called the sheriff's office.
 9 **Q. Did Dia own any other properties in the area at**
 10 **the time?**
 11 A. Yeah.
 12 **Q. What were those properties?**
 13 A. Sky High.
 14 **Q. Is that the only other one?**
 15 A. Yep.
 16 **Q. Why didn't you go to that one?**
 17 A. Because she wouldn't have gone there. She had
 18 horses down to the other property and would have to have
 19 reason to go down there.
 20 **Q. Horses at the Tool Box property?**
 21 A. Correct.
 22 **Q. But not at Sky High?**
 23 A. No.
 24 **Q. Okay. So the sheriff tells you nothing's going**
 25 **to happen for three days. It sounds like you then**

Page 72

1 **started organizing your own search party. Is that**
 2 **right?**
 3 A. We did a -- we did three days of search of the
 4 property.
 5 **Q. When you say "we," who are you referring to?**
 6 A. Friends and relatives. Not -- well, Clinton
 7 was involved. He eventually got there. There was --
 8 she had a list of people who she played a game called
 9 bunco. They had phone numbers attached. We called all
 10 those. We called Pine Springs Ranch. They brought all
 11 their staff over. We called the Zen Center that knew
 12 her. They brought all their staff. We had
 13 approximately I would say 23 to 27 people that we did
 14 the search of the properties for three days.
 15 **Q. Was Diana Fedder included within those people?**
 16 A. Yes. She was on the bunco list. I'd met Diane
 17 Fedder on Memorial Day during the sale that she had with
 18 Dia. That was the first time I had met her.
 19 **Q. Memorial Day 2020?**
 20 A. Yep.
 21 **Q. Did anyone stay with you at the property that**
 22 **Saturday night, June 6th?**
 23 A. I don't think anybody stayed until the next
 24 day, and I asked -- because of the amount of search and
 25 coordination, I asked Diane to stay on the property, and

<p style="text-align: right;">Page 73</p> <p>1 because we were starting the search early the next 2 morning. But that would have been the second day she 3 was -- disappeared.</p> <p>4 Q. Did you ask anyone else to stay on the property 5 that --</p> <p>6 A. No.</p> <p>7 Q. No?</p> <p>8 A. No.</p> <p>9 Q. Why did you ask Diane to stay there?</p> <p>10 A. Because she was organizing -- she was in charge 11 of the organization of the search, and I felt it was 12 necessary for her to be there.</p> <p>13 Q. Where did she live at the time?</p> <p>14 A. She lived over by the Tool Box property.</p> <p>15 Q. Where did Ms. Fedder sleep that night when she 16 stayed over at the property?</p> <p>17 A. She stayed at one of the -- I think she stayed 18 at the trapper's cabin, but I don't remember. There was 19 a lot of shit going on.</p> <p>20 Q. This is one of the other -- so earlier you said 21 at that property there were approximately five 22 residences, I think you said?</p> <p>23 A. Yes.</p> <p>24 Q. So was the trapper's cabin one of those five?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 75</p> <p>1 Q. Did she give you some indication that that 2 matter of concern would have taken longer than 30 3 minutes to discuss?</p> <p>4 A. No. She had discussed that she was concerned 5 that Clinton issued a -- she was fearful that Clinton 6 would be -- was involved in a situation that would take 7 her life or make her disappear. That's part of the 8 reason we were going to Colorado, to displace her, to 9 give her a better living situation where she would not 10 have to worry.</p> <p>11 Q. Did she tell you what caused her to worry about 12 Clinton?</p> <p>13 A. She had told six of her friends that she 14 believed that Clinton had issued an order for her 15 extermination.</p> <p>16 Q. An order to whom?</p> <p>17 A. To whoever he would trust. I don't know. I'm 18 not Clinton's person.</p> <p>19 Q. Who were those six friends?</p> <p>20 A. Jay, Julie, Diane Fedder, Julia. There was a 21 person that was buying -- that had put an intent to buy 22 her Tool Box property. She had mentioned to her that 23 she thought Clinton would be involved in her 24 disappearance, and if she disappeared, it would be 25 Clinton who did it. And there was some other friends on</p>
<p style="text-align: right;">Page 74</p> <p>1 Q. So Ms. Fedder did not stay in the same 2 structure where you stayed that night, correct?</p> <p>3 A. Absolutely not.</p> <p>4 Q. Going back to your last conversation with Dia 5 that lunch that you had, anything unusual come up during 6 that conversation that sticks out in your mind?</p> <p>7 A. She indicated that she wanted to talk to me, 8 that she had a matter of concern that she wanted to make 9 me aware of. And I told her that we were leaving for 10 Colorado the next day, and I said if it can be held till 11 I finish the meadow, because it's going to take me till 12 dark to finish the meadow, that if we could talk, or we 13 would have all the next day to talk as we traveled.</p> <p>14 Q. So she told you she had a matter of concern to 15 discuss, but she did not identify what that matter was?</p> <p>16 A. No.</p> <p>17 Q. You asked her to hold that matter of concern 18 until later?</p> <p>19 A. Correct.</p> <p>20 Q. Approximately how long was your lunch with Dia 21 that day?</p> <p>22 A. Half-hour.</p> <p>23 Q. Do you recall anything else you discussed 24 during that lunch?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 76</p> <p>1 her bunco list, and I don't remember their names 2 offhand.</p> <p>3 Q. So Dia told you that she had communicated to 4 six of her friends --</p> <p>5 A. Yes.</p> <p>6 Q. -- that Clinton had issued some sort of order, 7 right?</p> <p>8 A. Well, there was concern that he had issued an 9 order. I'm not saying he had. I'm saying concern that 10 he had issued an order for her disappearance.</p> <p>11 Q. Did you hear her tell that information to any 12 of her friends?</p> <p>13 A. Yes.</p> <p>14 Q. Who did you hear her say that to?</p> <p>15 A. She said it to Julie. She said it to Julia. I 16 heard her tell Jay that she had concern for his -- her 17 disappearance.</p> <p>18 Q. Okay. You were present when Dia told Julie 19 that she had a concerns about her dis --</p> <p>20 A. I heard her talking. I heard her talking on 21 the phone to Julie and Julia.</p> <p>22 Q. Let's do one at a time. So you heard her -- 23 you heard Dia talking on the phone to Julie about a 24 concern of her disappearance that was associated with 25 Clinton. Is that correct?</p>

Page 77

1 A. In the last two to three weeks of her life, she
 2 was on high note that there was things under way.
 3 **Q. Just trying to confirm some of this**
 4 **information. So I think I heard you say you heard Dia**
 5 **on the phone with Julie and that in that conversation**
 6 **Dia said something about --**
 7 A. You know, I -- there had been several
 8 conversations with Julia. Julia was over all the time.
 9 Whether that happened on a phone conversation -- I think
 10 I heard her on the phone with Julie, saying that she
 11 felt threatened by Clinton.
 12 **Q. You heard Dia -- okay. You heard Dia say that**
 13 **to Julie?**
 14 A. I believe that's correct, yes.
 15 **Q. Did you also hear --**
 16 A. It's a long time. A lot of things passed
 17 underwater by then. When, where. But I know of six
 18 friends that she had told that concern to.
 19 **Q. So that's what I'm trying to drill down to, and**
 20 **I know it's been a while.**
 21 A. And I'm not sure the days, the events, or when
 22 or how. I just remember over the time, I've heard her
 23 tell her friends that she was concerned about Clinton's
 24 involvement.
 25 **Q. So I get that you're making that big, broad**

Page 78

1 **statement. Now I'm trying to drill down into it. Okay?**
 2 A. And I don't remember exact times or dates or
 3 how.
 4 **Q. No one's asking you an exact time or date. I'm**
 5 **asking you do you ever at any point in time recall**
 6 **hearing Dia say to Julie that she was concerned Clinton**
 7 **might cause her disappearance?**
 8 A. Yes.
 9 **Q. Do you recall at any point in time Dia saying**
 10 **to Julia --**
 11 A. Yes.
 12 **Q. -- that she had concern Clinton might cause her**
 13 **disappearance?**
 14 A. Yes.
 15 **Q. Do you recall Dia ever saying to Jay that Dia**
 16 **had concerns Clinton might cause her disappearance?**
 17 A. I knew -- I knew that Jay knew. I don't
 18 remember her actually saying or heard her tell Jay
 19 anything.
 20 **Q. Okay.**
 21 A. But I knew Jay knew.
 22 **Q. All right. And how did you know that Jay knew?**
 23 A. Jay has told me that.
 24 **Q. What did Jay tell you in that regard?**
 25 A. Just that she had -- that she had mentioned a

Page 79

1 concern for Clinton.
 2 **Q. So okay. Other than Julie and Julia, setting**
 3 **those two aside, did you ever personally hear Dia say to**
 4 **anyone else that she had a concern that Clinton might**
 5 **cause her disappearance?**
 6 A. No. But I've, you know, I've known of other
 7 people who have mentioned that they knew. Her real
 8 estate agent knew as well. I don't know when she was
 9 told, but she confirmed that as well.
 10 **Q. Who is that?**
 11 A. Star Evans.
 12 **Q. What did Star tell you about that topic?**
 13 A. That she had said it multiple times to her that
 14 she was concerned about Clinton.
 15 **Q. Star told you --**
 16 A. Yes.
 17 **Q. -- that Dia had told Star that Dia had concerns**
 18 **Clinton would cause her disappearance?**
 19 A. Yep.
 20 **Q. Did anyone else ever communicate to you that**
 21 **Dia had told them that?**
 22 A. Not that I recall.
 23 **Q. Did I hear you say that part of the reason you**
 24 **were going to Colorado was related to the Clinton**
 25 **concern?**

Page 80

1 A. Yes.
 2 **Q. Was there any other reason why you were going**
 3 **to Colorado?**
 4 A. No. For her safety.
 5 **Q. How long were you planning to be in Colorado?**
 6 A. I don't know if we had set a timeframe. There
 7 was a chance that she would be staying in Colorado or
 8 Farmington for a while until matters cleared up, and she
 9 was left fearful of that a retaliation was in process.
 10 **Q. Retaliation from what?**
 11 A. Her filing the trust.
 12 **Q. What do you mean by that?**
 13 A. Her challenge of the trust.
 14 **Q. Some sort of legal proceeding concerning a**
 15 **trust?**
 16 A. The trust that she had filed against the family
 17 trust.
 18 **Q. Do you know what trust that is, the family**
 19 **trust?**
 20 A. Yeah. Yeah, it's the one that Clinton now
 21 supervises.
 22 **Q. But not Dia's trust?**
 23 A. Not Dia's trust.
 24 **Q. So it was your understanding that this concern**
 25 **about Clinton flowed from some filing that Dia had made**

Page 81

1 in connection with the family trust. Is that right?

2 A. Correct.

3 **Q. Do you know what Dia was seeking to accomplish**

4 **through that filing?**

5 A. She was filing to challenge the trust, that she

6 was entitled to a portion of that trust because she had

7 been married for 35 years to Clem.

8 **Q. And she felt that Clinton was so upset about**

9 **that that he was going to do something violent? Is that**

10 **what you're saying?**

11 A. Correct.

12 **Q. Did you ever reach out to Clinton to have a**

13 **conversation about that?**

14 A. Nope. But I heard Clinton talk to her on

15 several occasions.

16 **Q. By phone, in person, or both?**

17 A. On phone.

18 **Q. So you didn't reach out to Clinton to talk**

19 **about this topic because you --**

20 A. I talked to Clinton -- I talked to Clinton when

21 he arrived at the search, for the search for her, about

22 my concerns of what he -- why he -- why she felt

23 threatened about him.

24 **Q. Is that the first time you had a conversation**

25 **with Clinton on that topic?**

Page 82

1 A. With Clinton, yes.

2 **Q. Why didn't you call him before the**

3 **disappearance?**

4 A. You know, I had only met Clinton on a couple of

5 occasions. I didn't feel confident in discussing

6 anything with Clinton.

7 **Q. I mean, you're -- I'm just trying to**

8 **understand, because we're talking about -- based on your**

9 **testimony, we're talking about a threat being made**

10 **against your fiancée that you took so seriously you were**

11 **going to leave the state with her, but you never**

12 **actually reached out to the person that allegedly made**

13 **the threat, and I'm just trying to understand why not.**

14 A. That was -- that was her son. I felt that that

15 was a confidential issue between her and him. And no, I

16 did not reach out to him until he actually arrived on

17 the ranch, and then I had a conversation with him.

18 **Q. So am I hearing correctly that you didn't reach**

19 **out to Clinton because --**

20 A. No.

21 **Q. -- it was basically a family affair you were**

22 **trying to stay out of?**

23 A. I didn't know him well enough to know what his

24 intent was. I did not want to prejudge him when I did

25 not know that much about Clinton.

Page 83

1 **Q. All right. So let's go to the day when you did**

2 **talk to him when he shows up on that Sunday. What did**

3 **you express to him that day?**

4 A. My concern --

5 **Q. Concern about what?**

6 A. -- that he was involved.

7 **Q. Your concern was based on what?**

8 A. What's that?

9 **Q. What was that concern based on?**

10 A. What Dia had told me.

11 **Q. Anything other than what --**

12 A. And conversations that I heard between him and

13 her.

14 **Q. Anything else lead you to conclude that Clinton**

15 **may have been involved?**

16 A. Oh, there was -- we did a -- after she had been

17 gone a year, we bring in an organization called Find Me.

18 They're an organization that finds a high percentage of

19 people that disappear. And within five weeks, they had

20 put together the who, the when, the where, and her GPS

21 location of where her body was.

22 **Q. I'm sorry. Hold on. I want to get to that.**

23 **But before we go there, I'm still back in time when you**

24 **had this conversation with Clinton on that Sunday when**

25 **he comes to the property.**

Page 84

1 **You had expressed to Clinton some concern that**

2 **he may have been involved, right?**

3 A. Yes.

4 **Q. Okay. At that time -- I'm just trying to**

5 **figure out. At that time your concern about his**

6 **involvement was based on conversations that you had with**

7 **Dia and overheard that Dia had with Clinton, Julie, and**

8 **Julia. Was your concern based on anything else?**

9 A. No, just hearsay.

10 **Q. Hearsay from whom?**

11 A. From Dia and who she had talked to.

12 **Q. The same people we've talked about earlier,**

13 **right?**

14 A. Yes.

15 **Q. Okay. Now, I want to get to this Find Me**

16 **thing, but we've been going about two hours, and I want**

17 **to give our court reporter a break. So can we go off**

18 **the record?**

19 A. Sure.

20 (Recess, 12:16 p.m. to 1:07 p.m.)

21 MR. OWENS: Okay. Back on the record.

22 **Q. Okay, Mr. Harper. Couple things that I forgot**

23 **to ask you when we were going through your background.**

24 **So did you ever serve any jail time for any of those**

25 **criminal charges we talked about?**

Page 85

1 A. Yeah, by choice.

2 **Q. So --**

3 A. I chose not to do probation or to pay their

4 court costs, and so I did -- ultimately when I

5 completed, I did about just a little less than nine

6 months.

7 **Q. So let's talk about the allegation from your**

8 **ex-wife, Gena.**

9 A. No, I never did any time whatsoever.

10 **Q. Hold on. Just let me ask the question first.**

11 MR. HEALEY: Just a second. I'm going to put

12 an objection on the record on all of this testimony with

13 regard to the jail in that it's immaterial, and there

14 are no felonies involved, and therefore it should not be

15 pertinent to this case. So you can continue.

16 **Q. (BY MR. OWENS:) Mr. Harper, did you plead**

17 **guilty to the allegation made by Gena?**

18 A. I plead no contest.

19 **Q. You did not plead guilty to third-degree**

20 **assault?**

21 A. No. No contest.

22 **Q. If there's a --**

23 A. She was in the hospital on a suicide watch.

24 **Q. So if there's a court document out there that**

25 **says you plead guilty to third-degree assault, that**

Page 86

1 **would be inaccurate?**

2 A. I plead a no-contest.

3 **Q. Okay. Did Gena obtain a restraining order**

4 **against you?**

5 A. There was a restraining order during the time

6 that it was under court, yeah. It was withdrawn later.

7 That was placed in before any court hearing.

8 **Q. So at some point in time, Gena got a**

9 **restraining order against you, correct?**

10 A. You know, this has been expunged, so why are we

11 going anywhere? I will object to that.

12 **Q. Are you going to answer the question?**

13 A. I'm going to object to the fact that it's

14 expunged and did not enter any part of this discussion.

15 **Q. I understand you're objecting. Are you going**

16 **to answer my question?**

17 MR. HEALEY: Wait a minute. Just a minute.

18 Keith, I put an objection on the record --

19 THE WITNESS: Okay.

20 MR. HEALEY: -- that the court will rule on.

21 You can go ahead, and you can answer his questions.

22 THE WITNESS: All right.

23 **Q. (BY MR. OWENS:) I'm going to be -- I'll tell**

24 **you this, Mr. Harper. I'm trying to be done with this**

25 **whole category in the next two or three minutes. I just**

Page 87

1 **need to confirm jail time, if any. So I assure you I**

2 **don't want to spend a bunch of time on this.**

3 A. I spent no jail time.

4 **Q. Okay. No jail time in connection with the Gena**

5 **charge, true?**

6 A. Correct.

7 **Q. All right. Snowmobile incident. Any jail time**

8 **there?**

9 A. I already expressed that to you.

10 **Q. Well, I didn't catch it so --**

11 A. I did nine months for choice that I would not

12 do probation or pay their court cost. I was innocent of

13 the charge. I told the judge that, and he said, "The

14 only other option I have is to assess a jail sentence."

15 I completed a jail sentence for that offense, yes.

16 **Q. So I understand you're saying you were**

17 **innocent, but the court convicted you on those two**

18 **counts, correct?**

19 A. They did, but there was errors in the

20 conviction.

21 **Q. Okay. And then you served nine months in jail**

22 **associated with those counts?**

23 A. Yes.

24 **Q. Did you ever have any criminal charge related**

25 **to illegally operating Outlaw Tours on federal land?**

Page 88

1 A. I had -- I had an outfitting business. I had

2 purchased permits that I had paid for in the amount of

3 somewhere around \$275,000 for those permits. Because of

4 that conviction, they pulled those permits without a

5 hearing. And so our contesting of the fact was, first,

6 we were on a road that was Silverton. The forest

7 service contracted with Silverton for the rides to use

8 the road. They did not own it. And so that's where our

9 objection came. But yes, I did.

10 **Q. There was some sort of criminal charge brought**

11 **about operating illegally on federal land. Is that**

12 **right?**

13 A. Well, there was nothing illegal about what I

14 was doing. I was running on the permits that I had been

15 issued, and they were under contesting from the fact

16 that there had never been a hearing granted in those.

17 **Q. Did you ever serve any jail time in connection**

18 **with that issue?**

19 A. It ran concurrent with the time that I did.

20 **Q. How much jail time were you given in connection**

21 **with that issue?**

22 A. I believe it was eight weeks.

23 **Q. Do you recall what the actual charge was?**

24 A. It was operating without permits, and I had

25 permits in the area that I was there.

Page 89

1 **Q. Operating without permits on federal land?**
 2 A. Yeah, but it wasn't federal land. It was
 3 Silverton County land.
 4 **Q. I get you've got your view on it. I'm just**
 5 **trying to figure out what the charge was. Was the**
 6 **charge that you were operating without permits on**
 7 **federal land?**
 8 A. That was the charge, yes.
 9 **Q. All right. So in total, how much jail time**
 10 **have you spent over the course of your life?**
 11 A. Probably right at about nine or ten months.
 12 **Q. All right. Let's go back to the discussion we**
 13 **were having before we took our lunch break.**
 14 **So you were telling me something about bringing**
 15 **in a company called Find Me to assist in searching for**
 16 **Dia. Is that right?**
 17 A. Exactly.
 18 **Q. How did you come about locating that company?**
 19 A. I did researches on people who find lost
 20 people, and the number one company in the nation is Find
 21 Me. I contacted them and worked through them with
 22 giving them information.
 23 They were kind enough to give us a spot,
 24 because they had several before Dia, and Kelly Snyder,
 25 who is the director, authorized an early -- when he had

Page 90

1 a vacancy, he brought her in, and they did a research on
 2 Dia.
 3 **Q. You located that company through online**
 4 **research?**
 5 A. Yes.
 6 **Q. Kelly Snyder, how do you spell that last name?**
 7 A. S-N-Y-D-E-R.
 8 **Q. You located that company about a year after**
 9 **Dia's disappearance. Is that right?**
 10 A. Exactly. After -- I always believed that Dia
 11 was not dead, that she would contact us. After a year
 12 and there had been no contact, then we went with the
 13 other route of trying to find out where -- first of all,
 14 if she was alive, where she was; second of all, if she
 15 was dead, who was involved and to what extent and how we
 16 could find her body.
 17 **Q. So what did you ask the Find Me company to do?**
 18 A. To do the search. Find out what had happened
 19 with her and where she was located.
 20 **Q. And what did they do, if you know?**
 21 A. They came out with a report that identified the
 22 who, the when, the where, and what the GPS location of
 23 her body was.
 24 THE REPORTER: Excuse me. We seem to have lost
 25 Mr. Healey.

Page 91

1 MR. OWENS: Oh. Well, he's pretty important,
 2 so why don't we take a break, wait on him.
 3 (Discussion off the record.)
 4 MR. OWENS: Mr. Healey, do we have you back?
 5 MR. HEALEY: I'm back. I was out in the cloud,
 6 I guess.
 7 MR. OWENS: All right. So back on the record.
 8 **Q. Mr. Harper, you were telling us that Find Me**
 9 **had come out with a report. And I want to ask you about**
 10 **the report, but before we get there, what did that**
 11 **company or its representatives do in terms of searching**
 12 **for Dia or researching her disappearance before they**
 13 **issued their report?**
 14 A. They do a total investigation into the case,
 15 and when they have knowledge of what went on, then they
 16 issue a final report. That report took them about five
 17 weeks, it took Riverside, and they still have no idea
 18 what has happened with Dia.
 19 **Q. Did anyone from Find Me interview witnesses?**
 20 A. I'm sure they made contact. I do not know who
 21 they contacted.
 22 **Q. Did they physically come out to the property?**
 23 A. No.
 24 **Q. Do you know if they spoke with the police or**
 25 **any authorities?**

Page 92

1 A. Yes, they did. Once their report was done, the
 2 lead investigator, Lorero, was contacted, and he was
 3 given the report.
 4 The thing that he said kind of bothered him was
 5 that he had attempted to call them for almost two and a
 6 half weeks, and he said, "People who know our
 7 organization call us right back." They did not get a
 8 report till almost two and a half, three weeks after
 9 they had attempted to notify Riverside. So Lorero has
 10 the report.
 11 **Q. Okay. All right. So, Mr. Harper, you've**
 12 **actually had a chance to review a copy of that report?**
 13 A. No, it was confidential. It went to Riverside.
 14 I was told basically the information that it contained,
 15 but I did not actually see the report. It was given to
 16 Lorero with Riverside sheriff's office.
 17 **Q. So did you ever pay the Find Me company for**
 18 **their services?**
 19 A. They don't charge.
 20 **Q. It's like a nonprofit or something?**
 21 A. Yes, it is.
 22 **Q. So they did this investigation at your request,**
 23 **but they didn't actually share the report with you?**
 24 A. I was given information of what the report
 25 contained. I never saw the report.

Page 93

1 **Q. Who gave you the information about what the**
 2 **report contained?**
 3 A. The director.
 4 **Q. Kelly Snyder?**
 5 A. Yes.
 6 **Q. Is that in a phone call you had?**
 7 A. Yes.
 8 **Q. To your knowledge, did the Find Me company**
 9 **release that report to anyone other than the Riverside**
 10 **Sheriff's Department?**
 11 A. Riverside only. Usually the sheriff's office
 12 will then invite them into their investigation.
 13 Riverside never did do that.
 14 **Q. How do you know that?**
 15 A. What's that?
 16 **Q. How do you know what Riverside Sheriff's --**
 17 **A. Because I have talked to Kelly after the fact.**
 18 He said he was surprised that they never contacted him,
 19 because he had the relevant information of where she
 20 was.
 21 **Q. So you were saying that the report contains the**
 22 **who, when, and where.**
 23 A. And why.
 24 **Q. So let's go through -- and the why. Okay.**
 25 **What do you mean when you say the report had the who?**

Page 94

1 A. They have individuals that they identified.
 2 **Q. Identified for what purpose?**
 3 A. For the purpose of solving the case of who
 4 murdered her.
 5 **Q. When you say they identified individuals, do**
 6 **you mean they identified witnesses, they identified the**
 7 **perpetrator? What do you mean?**
 8 A. They identified who the killer was, I believe.
 9 They identified where she was and the cause of her
 10 death, how she died.
 11 **Q. Who was the killer that they identified?**
 12 A. You'd have to read the report. I don't
 13 remember the name.
 14 **Q. You don't remember the name of the killer in**
 15 **the report?**
 16 A. No. I never saw the report.
 17 **Q. But you --**
 18 A. I heard that they have identified a name. I
 19 have not seen it. I've also heard that they identified
 20 her worker as involved in the case.
 21 **Q. Mr. Snyder, the director of Find Me, told you**
 22 **the contents of the report, correct?**
 23 A. Told me what it contained. He did not give me
 24 specific names of those involved. I would think what
 25 those facts were, and that's what the facts were. I

Page 95

1 never received a name, although -- I'm just simply going
 2 to stop there.
 3 **Q. Okay. So your understanding is that report**
 4 **identifies a killer, true?**
 5 A. Yes.
 6 **Q. But you don't know the name of the killer**
 7 **reflected --**
 8 A. I do not.
 9 **Q. -- in the report?**
 10 A. I believe now I know, but I did not know then.
 11 **Q. Why do you say you know now?**
 12 A. Just because I do.
 13 **Q. Just because what?**
 14 A. Because of information I have received after
 15 the fact.
 16 **Q. Did anyone ever tell you who was identified as**
 17 **the killer in that report?**
 18 A. No.
 19 **Q. Did you ask Mr. Snyder to tell you that**
 20 **information?**
 21 A. No. He told me that it was classified --
 22 **Q. Why not?**
 23 A. -- that he had to give it to Riverside.
 24 **Q. Where is this company based out of?**
 25 A. Phoenix, Arizona.

Page 96

1 **Q. And you found the company online?**
 2 A. Yes.
 3 **Q. You're sure it's called Find Me?**
 4 A. FindMe.org.
 5 **Q. Okay. Did anyone -- so you said that the**
 6 **report also provided the when. What do you mean by**
 7 **that?**
 8 A. When it occurred. I believe that it would
 9 point to the fact of the day she disappeared, since
 10 we're talking about her death.
 11 **Q. Okay. Why don't we start at a high level.**
 12 **What's your understanding of what the report says about**
 13 **Dia's disappearance?**
 14 A. I already told you.
 15 **Q. You haven't really told me anything.**
 16 A. I have told you the when -- that it identified
 17 the when, the where, the who, and the how. You wrote
 18 that down. So that's what I was basically informed.
 19 **Q. Okay. But you don't know the when; you just**
 20 **know the report identifies the when, true?**
 21 A. Correct.
 22 **Q. Do you know the where?**
 23 A. Yes.
 24 **Q. Okay. What does the report say about --**
 25 A. I don't know what the report says. I told you

Page 97

1 I have not seen the report or read the report. I have
 2 talked with people who have worked with that
 3 organization. I know that it was at the ranch.
 4 **Q. So you don't know the specifics of the contents**
 5 **of the report. Is that right?**
 6 A. Exactly.
 7 **Q. You said that the report provides the GPS**
 8 **location of Dia's body. Is that right?**
 9 A. Yes.
 10 **Q. Has anyone ever shared that location with you?**
 11 A. Yes.
 12 **Q. Okay. Who told you the location?**
 13 A. Kelly Snyder.
 14 **Q. What did he tell you about the location?**
 15 A. He gave me the GPS location.
 16 **Q. And what is that location?**
 17 A. Comes into Hemet Lake.
 18 **Q. Did he tell you how he arrived at that**
 19 **location?**
 20 A. What they do is they -- they're 82 percent of
 21 the high-end law enforcements in the nation. They also
 22 work with psychics to look, see, and know the event that
 23 occurred. Many of them work with court systems in
 24 bringing the final conclusion of the conviction to the
 25 individual that is responsible.

Page 98

1 **Q. Do you know if anyone ever searched the Hemet**
 2 **Lake?**
 3 A. Yes, they did.
 4 **Q. Who searched?**
 5 A. The sheriff's office. I observed the search.
 6 **Q. When did that search occur?**
 7 A. Would have occurred the middle of November.
 8 **Q. 2020?**
 9 A. 2021.
 10 **Q. November of 2021?**
 11 A. Yes.
 12 **Q. And that search obviously did not yield Dia's**
 13 **body, right?**
 14 A. They did a search. They did one dive. The
 15 dive was from the shore, went out 40 feet, stayed 20
 16 minutes. Information that I have come to believe, I am
 17 going to remain quiet on that at the time.
 18 **Q. So you believe the search that was done**
 19 **November 2021 was insufficient?**
 20 A. Yes.
 21 **Q. Do you believe, sitting here now, that Dia's**
 22 **body is still in the lake?**
 23 A. No. I believe she was moved, given information
 24 from the sheriff's office.
 25 **Q. You believe at some point Dia's body was in the**

Page 99

1 **lake?**
 2 A. Yes.
 3 **Q. And we're talking about Lake Hemet?**
 4 A. Yes, without question.
 5 **Q. And you think that the body was moved at some**
 6 **point?**
 7 A. Yes, just prior to the search.
 8 **Q. Just prior to the search that occurred in**
 9 **November 2021?**
 10 A. Yes.
 11 **Q. Who do you believe moved the body?**
 12 A. Those that were responsible for her death.
 13 **Q. And who do you believe that to be?**
 14 A. You know, I'm not at liberty to give that
 15 information at this point. I know that the sheriff's
 16 office has the name, and they have never interviewed the
 17 individual, ever, yet they know who he is, they know
 18 where he lives. He lives in La Jolla, approximately 22
 19 miles from Clinton.
 20 **Q. So the name of that person, Mr. Harper, I**
 21 **believe --**
 22 A. Sheriff's office. Call them. They'll give you
 23 the name. It's on the report.
 24 **Q. Okay. Let me just get my statement and**
 25 **question out.**

Page 100

1 **So my view is that is discoverable information**
 2 **in this case. Your attorney so far is not even**
 3 **objecting to that question. It's certainly something**
 4 **that I think a judge would give me if I file a motion on**
 5 **it, which I really don't want to do. So what's the**
 6 **basis for not giving me the name?**
 7 A. Because I think it will eventually come out.
 8 The sheriff's office has it. Tell them to give you the
 9 report. They'll -- order that.
 10 **Q. None of that really matters. What matters is**
 11 **you have an obligation under the California Discovery**
 12 **Act to give me the name if I'm asking for it at a**
 13 **deposition, and I certainly do think it is discoverable**
 14 **information because that could be a witness in our case.**
 15 MR. HEALEY: The problem is the information he
 16 has is speculative and basically hearsay.
 17 MR. OWENS: Okay. We're not at trial, though,
 18 so I'll take hearsay.
 19 MR. HEALEY: The document that the sheriffs
 20 have, you know, is the best evidence for it.
 21 MR. OWENS: Those might be trial objections.
 22 Hearsay, that's a trial objection. It's not an
 23 objection to the discoverability of the name at a
 24 deposition. We all know the standard for relevance is
 25 pretty low for discovery purposes, and if I have to file

Page 101

1 a discovery motion on this, I think we know what the
 2 outcome's going to be. It's just going to take time and
 3 money.
 4 THE WITNESS: The name is Patrick Griffith.
 5 He's 52 years old. He lives 22 miles from Clinton. All
 6 of his information was found almost on the ranch
 7 property. His camping supplies, his medical reports
 8 were all found there where he camped.
 9 **Q. (BY MR. OWENS:) So what was the last name?**
 10 **Griffin, G-R-I-F-F-I-N?**
 11 A. I believe.
 12 **Q. So he actually has some stuff on the property.**
 13 **Is that right?**
 14 A. Just off of the property.
 15 **Q. He camped there?**
 16 A. He did.
 17 **Q. How did he -- did he know Dia?**
 18 A. I have no idea of his connection with Dia. I
 19 think he was brought in to do the job that he did.
 20 **Q. What's that job?**
 21 A. To kill Dia.
 22 **Q. Who do you think brought him in for that**
 23 **purpose?**
 24 A. Not going there.
 25 **Q. Do you have any belief as to who --**

Page 102

1 A. Yes. Sure I do.
 2 **Q. Okay. What's your belief in that regard?**
 3 A. That Clinton Abrams did.
 4 **Q. That Clinton Abrams brought in this Patrick**
 5 **Griffin person to kill Dia? That's your belief?**
 6 A. Yes, I do.
 7 **Q. And what's the basis for that belief?**
 8 A. Just on the information that he was present and
 9 at the location of the ranch and that they had failed to
 10 even follow through on any investigation on him.
 11 **Q. How do you know that the authorities didn't**
 12 **ever investigate that person?**
 13 A. Because of your Channel 8 guy that's watching.
 14 He went to the home and verified with the mother that
 15 there had been no investigation into this gentleman or
 16 the whereabouts of Dia or if he had taken her life.
 17 **Q. Verified with what mother? Who's the mother?**
 18 A. The mother -- I don't remember. I don't know
 19 her name. It's the mother of Griffith, of Patrick.
 20 **Q. Griffith or Griffin?**
 21 A. Griffin, yeah. Griffin, I believe, I-N.
 22 **Q. How do you know -- yeah, okay. Sorry. I**
 23 **didn't mean to interrupt there.**
 24 **How do you know that person camped near the**
 25 **property?**

Page 103

1 A. Because all of these materials and his ID is
 2 there.
 3 **Q. So tell me what was located on or near the**
 4 **property that belonged to that person.**
 5 A. There was a medical prescription record of all
 6 the prescriptions that he took, and his name, his
 7 address, his telephone number was all on there, plus
 8 camping supplies that he had.
 9 **Q. Who discovered those items on the property or**
 10 **near the property?**
 11 A. You'd have to ask the sheriff's department.
 12 They were turned over to the sheriff's.
 13 **Q. So it wasn't you that found that stuff?**
 14 A. What's that?
 15 **Q. It wasn't you that found that stuff?**
 16 A. No, it was not. It was found during the
 17 search.
 18 **Q. And when you say "during the search," do you**
 19 **mean like in the days after Dia's disappearance?**
 20 A. Correct.
 21 **Q. When did you first learn that Patrick Griffin**
 22 **was a person of interest or at least in your mind a**
 23 **person of interest?**
 24 A. After the material -- after the stuff -- after
 25 the evidence was found on -- less than 40 yards from the

Page 104

1 property.
 2 **Q. Can you describe for me where that stuff was**
 3 **found in relation to the property?**
 4 A. I wasn't the one that found it, so I could be
 5 inaccurate. I think it was by the Y in the road.
 6 **Q. Have you ever tried to contact this Patrick**
 7 **Griffin person?**
 8 A. No. Why would I?
 9 **Q. Did Dia ever carry a gun with her when she**
 10 **was --**
 11 A. Yes, she did.
 12 **Q. -- around the property?**
 13 A. Yes. And the last week, we were both armed.
 14 **Q. Do you know if she was carrying a gun with her**
 15 **that day that you saw her for the last time?**
 16 A. No, I do not.
 17 **Q. You don't know --**
 18 A. What's that?
 19 **Q. You don't know one way or the other?**
 20 A. I do not know if she was wearing -- she had a
 21 wind jacket with the revolver in there. I have some
 22 questions whether Clinton has that revolver or her AR --
 23 I mean her AK-47.
 24 **Q. But she would typically carry a revolver with**
 25 **her if she was carrying a gun?**

Page 105

1 A. Yes.

2 **Q. Okay. And did that revolver go missing after**

3 **her disappearance?**

4 A. Yes, it did. But it was also after Clinton

5 left the property, too.

6 **Q. So you believe Clinton took it?**

7 A. I believe that he has her AK, and I think he

8 has the pistol as well.

9 **Q. Did she ever carry a gun in her vehicle?**

10 A. When she would go to the range, yes, of course.

11 **Q. Did anyone search her vehicle after she went**

12 **missing?**

13 A. Yep, Diane Fedder.

14 **Q. Who was it?**

15 A. Diane Fedder found a .38.

16 **Q. What happened with that --**

17 A. She had just come back from the range a few

18 days before she disappeared.

19 **Q. So the revolver you were describing earlier, is**

20 **that a gun that's different from this .38?**

21 A. Yes. The one she carries is a .22. Looks like

22 a Luger.

23 **Q. So after Ms. Fedder found that .38, what**

24 **happened with it next?**

25 A. She reported it to the sheriff's office. It

Page 106

1 was later turned over to me.

2 **Q. Do you still have it?**

3 A. Yes, I do.

4 **Q. What other guns did Dia own?**

5 A. I know she owned, you know, a shotgun. Some,

6 like, hunting rifles. I think she had a .44.

7 **Q. Did anything go missing other than the**

8 **revolver and the --**

9 A. Almost all of her guns ended up missing.

10 **Q. Which ones remain? I know we got the .38. Do**

11 **you still have any of her other guns?**

12 A. Nope.

13 **Q. When did they go missing?**

14 A. Sometime during the search.

15 **Q. So if the search was done, the only time --**

16 A. It could -- it could have been that she may

17 have attempted to pawn the weapons prior to her

18 departure. I don't know. I'm not -- I know that they

19 were in the safe two weeks before she disappeared. I

20 don't know where they are today.

21 **Q. When you say "the safe," you mean the gun safe,**

22 **not the bedroom safe, right?**

23 A. Correct.

24 **Q. So after the search was done, is it accurate to**

25 **say the only gun that you found that was still on the**

Page 107

1 property was the .38?

2 A. Correct.

3 **Q. And I know that was not a good question because**

4 **I understand Ms. Fedder's the one that found that,**

5 **forwarded it to the sheriff, who ultimately gave it to**

6 **you. I get all that. But that's the only gun that**

7 **you're aware of that was still around after the search,**

8 **right?**

9 A. Yeah. I had -- yeah. Clinton had the property

10 for a couple of days before it was turned over to us.

11 **Q. What do you mean by "us"?**

12 A. He had control of the property until it was

13 turned over to us.

14 **Q. So we were talking earlier about the Saturday**

15 **she went missing, and then we had gotten started on the**

16 **next Sunday and the search that was done then. Are you**

17 **saying that at some point Clinton took over exclusive**

18 **control of the property?**

19 A. Yes, he did.

20 **Q. When did that happen?**

21 A. Probably two days before we took over.

22 **Q. Okay. That Sunday, there was a big search that**

23 **happened, right?**

24 A. Sunday, Monday -- I think it went on for four

25 days. They then maintained some security for another

Page 108

1 couple of days, and then it was -- all the keys and

2 everything was turned over to Clinton.

3 **Q. So that search went on for about four days, and**

4 **then at some point did you leave California?**

5 A. Yes.

6 **Q. Where did you go?**

7 A. I went to Arizona. I have some property there.

8 There was a tax issue that was going on, and I left to

9 go take care of that.

10 **Q. How long were you gone?**

11 A. I was only planning on being gone a half a day,

12 but they closed the ranch down. They told us that they

13 were closing the ranch down and that there would be

14 no one allowed on the property after that.

15 **Q. So you were only planning to drive to Arizona**

16 **and deal with your issue and then drive back all in the**

17 **same day?**

18 A. Exactly. I was going to be back that evening.

19 **Q. And then so what ended up actually happening?**

20 A. I actually at that point, when they had then

21 notified that the ranch was closed and no one was being

22 allowed on the property, I then went to New Mexico, to

23 my storage facility.

24 **Q. Who notified you that the ranch had been**

25 **closed?**

Page 109

1 A. They had told me before that the ranch was
 2 going to be closed once the search began. Diane Fedder
 3 notified me that everyone had been ordered off of the
 4 ranch and that it was under their total control. Nobody
 5 was being allowed on the ranch. So there was a
 6 verification there from Diane.

7 **Q. Did Ms. Fedder tell you who had issued that**
 8 **order?**

9 A. Obviously, the sheriff's office.

10 **Q. How long did you stay in New Mexico at that**
 11 **time?**

12 A. I was there for probably right at seven days.

13 **Q. And did you return back to California after**
 14 **that?**

15 A. Yes. Once I found out that the property had
 16 been turned over to Clinton and his sister is when we --
 17 I started the journey back.

18 **Q. So from the time you left California to the**
 19 **time you got back to California, how much time passed?**

20 A. One day.

21 **Q. In total, you were only gone one day?**

22 A. No. I said I was gone for a week before I was
 23 given notice that they had opened the ranch back open
 24 and given the control to Clinton and his sister Crisara.

25 **Q. And my question was how much time passed**

Page 110

1 **between when you left California and when you returned**
 2 **to California?**

3 A. Seven days, I believe. May have been eight, if
 4 you consider my day driving.

5 **Q. Do you recall anything about Dia trying to hire**
 6 **a window cleaner around the time of her disappearance?**

7 A. Nope.

8 **Q. Doesn't ring a bell at all?**

9 A. Not at all.

10 **Q. Who took on the job of feeding the animals**
 11 **after Dia went missing?**

12 A. The only person who was allowed on the property
 13 was Isidro Garcia.

14 **Q. You were undoubtedly interviewed by law**
 15 **enforcement in connection with the disappearance, right?**

16 A. Absolutely.

17 **Q. Approximately how many times did you talk to**
 18 **law enforcement about the disappearance?**

19 A. One time.

20 **Q. Who was the officer?**

21 A. Lorero.

22 **Q. Were you ever served with a search warrant?**

23 A. Yes, obviously.

24 **Q. What did the authorities search of yours?**

25 A. Motor home, storage building, and my residence

Page 111

1 in Durango.

2 **Q. The storage building, that's the one in New**
 3 **Mexico?**

4 A. Correct.

5 **Q. Did they also search your phone?**

6 A. They took my phone.

7 **Q. How long did they have your phone?**

8 A. They still have my phone.

9 **Q. So they never gave it back?**

10 A. What's that?

11 **Q. Did they ever give it back, between the time**
 12 **they took it and now?**

13 A. No. They've never -- they've never given it
 14 back. They've never given anything back.

15 **Q. Where was your motor home when they searched**
 16 **it?**

17 A. It was at the storage center.

18 **Q. In New Mexico?**

19 A. Correct.

20 **Q. Did they have local authorities, like local New**
 21 **Mexico authorities search it, or how did that work?**

22 A. No. Lorero came in, flew in.

23 **Q. Did the authorities ever tell you what, if**
 24 **anything, of interest they found on your phone?**

25 A. They didn't find anything.

Page 112

1 **Q. I'm assuming you asked for your phone back,**
 2 **right?**

3 A. I've never asked for it back. I bought
 4 another.

5 **Q. Ah, okay. Have the authorities taken any of**
 6 **your other personal items?**

7 A. Such as what?

8 **Q. Well, anything. I mean, they took your phone.**
 9 **Like, did they take anything else that belonged to you?**

10 A. Well, they take surveillance cameras. They
 11 took those from the house, and they took them from the
 12 storage center as well.

13 **Q. Anything else they've taken?**

14 A. Not that I can think of. I'm sure there was a
 15 lot of items taken, but they didn't list half of them.
 16 That was one of the concerns we had with the papers that
 17 they left, because we -- they didn't even include the
 18 surveillance equipment on -- that I was aware of. But
 19 there were several items that were taken that they never
 20 did list.

21 **Q. Have the authorities ever done or said anything**
 22 **to give you an indication that they were looking at you**
 23 **as a potential perpetrator?**

24 A. I think the last person that ever sees an
 25 individual, they always suspect.

Page 113

1 **Q. So you felt like they were looking at you as a**
 2 **potential perpetrator?**
 3 A. I've been in law enforcement. I know that they
 4 look at the boyfriend, they look at the last one who saw
 5 them, yeah. It's all part of the picture until they
 6 rule that part of the picture as being incomplete or
 7 done.
 8 **Q. Is it your understanding that the authorities**
 9 **searched all of Dia's properties?**
 10 A. Yes.
 11 **Q. And then at some point in sounds like the fall**
 12 **of 2021, it's your understanding they searched Lake**
 13 **Hemet, right?**
 14 A. Yes, they did.
 15 **Q. They also searched your storage unit in New**
 16 **Mexico and your residence in Colorado, right?**
 17 A. Yes.
 18 **Q. Do you know of anywhere else that the**
 19 **authorities may have searched?**
 20 A. Not that I'm aware of. I had two vehicles, a
 21 truck also, but they turned that over relatively
 22 quickly.
 23 **Q. They gave you the truck back?**
 24 A. Yes. Part of the reason it took me seven days
 25 to get back, for one.

Page 114

1 **Q. Did Dia have any jewelry on the property at the**
 2 **time she went missing?**
 3 A. She always has jewelry. Yes.
 4 **Q. Did any of that go missing after her**
 5 **disappearance?**
 6 A. Not that I'm aware of.
 7 **Q. Where did you -- did you put that all in the**
 8 **safe, or what did you do with it?**
 9 A. They were in the safe or they were in drawers.
 10 I know nothing about jewelry, but Dia had a lot of
 11 jewelry.
 12 **Q. Let's talk about who came to help with the**
 13 **search. It sounds like Clinton showed up on that**
 14 **Sunday. Is that right?**
 15 A. Correct.
 16 **Q. Did he actually help with the search?**
 17 A. No, he did not. He actually handed out
 18 brochures.
 19 **Q. What kind of brochures?**
 20 A. Pictures of Dia, what she looked like, that she
 21 was missing, anyone with information, the reward that
 22 was put out for her.
 23 **Q. Did Crisara come out to the property?**
 24 A. Absolutely not.
 25 **Q. Did someone named Sally Imel come out to the**

Page 115

1 **property?**
 2 A. Who?
 3 **Q. Sally Imel, I-M-E-L.**
 4 A. Name's not familiar to me.
 5 **Q. What about Ronnie Imel?**
 6 A. Not familiar to me. Not that -- I mean, we
 7 had, like I said, 26 people searching. I did not know
 8 all of them.
 9 **Q. Who do you recall being there, just sitting**
 10 **here right now? Do you have --**
 11 A. All the staff, all the staff of Pine Acres --
 12 Pine Springs, I mean, excuse me -- and all of the Zen
 13 Center and the friends that we called on the list of
 14 where she went to -- she went once a week to a game
 15 night, and we called all of those on that list, if they
 16 would come and assist in the search.
 17 **Q. Did you find her purse on the property after**
 18 **she went missing?**
 19 A. Yes.
 20 **Q. Where was that?**
 21 A. It was in the kitchen.
 22 **Q. Was her wallet also in the kitchen?**
 23 A. Yes, in the purse.
 24 **Q. Did Dia have a dog?**
 25 A. Yes.

Page 116

1 **Q. Where was the dog when Dia went missing?**
 2 A. The dog was with me. Her name is Ruby.
 3 **Q. The dog was with you when you were mowing the**
 4 **meadow?**
 5 A. Yes.
 6 **Q. Did you ever see any signs of forced entry at**
 7 **that property?**
 8 A. I don't think it was forced entry at all. I
 9 think they were waiting outside for her.
 10 **Q. Who do you think was waiting outside?**
 11 A. Those that killed her.
 12 **Q. This Griffin person?**
 13 A. Griffin. And I don't know how much Isidro was
 14 involved, but I believe Isidro was involved in her -- at
 15 least giving the facts of her whereabouts, where she
 16 came, where she went, and what time they could look for
 17 her.
 18 **Q. What makes you say Isidro was involved?**
 19 A. Because of when Find Me did the search on them,
 20 they were -- they focused in on him.
 21 **Q. And Mr. Snyder told you that?**
 22 A. What's that?
 23 **Q. That Kelly Snyder person told you that?**
 24 A. No. I knew by the questions they were asking,
 25 who they were asking about.

<p style="text-align: right;">Page 117</p> <p>1 Q. Was there anyone else that you thought was 2 involved in Dia's disappearance? 3 A. No. I think it was a hired kill. 4 Q. Did Dia ever have any sort of falling-out with 5 Isidro that you're aware of? 6 A. No. 7 Q. Why do you think Isidro would be involved in 8 something like that? 9 A. Because of the money involved. I think he was 10 paid off. 11 Q. Did you ever have any conversations with Isidro 12 after Dia went missing? 13 A. I have. 14 Q. Have you ever tried to question him about 15 whether he was involved? 16 A. No. I've tried to stay out of that area. I've 17 asked him questions on -- when he showed up at the 18 search, he was intoxicated. He has received -- he 19 bought a new truck shortly thereafter. He -- anyway, 20 when he was asked to search, he said, "No, I will not 21 search for her. She will come back." So he was 22 defiant, he was drunk, and no, he did not participate in 23 the actual search, even though he was there. 24 Q. Do you know if there were signs of any sort of 25 struggle inside the house, like blood or anything like</p>	<p style="text-align: right;">Page 119</p> <p>1 estimate of how many notes that she wrote? 2 A. I don't. 3 Q. More than five? 4 A. I don't know. I would hope that Riverside has 5 a contact that she would have made with them about the 6 threat on her life. 7 Q. And when you asked her to go report her 8 concerns or the threat to the authorities, what was her 9 response back to you? 10 A. She said that they wouldn't believe her, 11 especially with her son involved. 12 Q. Did she ever express to you any concerns about 13 Isidro? 14 A. No, she did not. 15 Q. Did she ever express any concerns to you about 16 this Griffin person? 17 A. She didn't know Griffin. Nobody knows Griffin. 18 Griffin just comes and has stuff there on or near the 19 ranch. That's the only reason we know he was there. 20 There may have been a sight on him the day before. 21 We're still trying to verify that. 22 Q. Did you and Dia ever discuss her wealth or her 23 assets? 24 A. No, not really. 25 Q. But you knew she owned a few properties, right?</p>
<p style="text-align: right;">Page 118</p> <p>1 that? 2 A. I believe it was all done outside. 3 Q. Do you know if Dia left any sort of note? 4 A. She did. She left several notes. She was 5 asked to sign notes saying that her life was being 6 threatened, and she was asked to contact Riverside and 7 give them the information that she was under threat. 8 Q. Who asked her to do that? 9 A. I did, for one. Julia asked her. I know at 10 least those two incidences. 11 Q. So you said "several notes." Do you have an 12 estimate of how many? 13 A. I don't know. I know that -- I know Riverside 14 had collected some, and I know Clinton turned one in 15 while he was -- the property was under his control. 16 Q. Did you actually find those notes around the 17 house? 18 A. I knew -- I watched her write one of them. 19 Q. What did that one say, the one you watched her 20 write? 21 A. That her life was in danger. 22 Q. When did she first start writing those notes 23 expressing that concern? 24 A. Three weeks before she started to disappear. 25 Q. During that three-week period, do you have an</p>	<p style="text-align: right;">Page 120</p> <p>1 A. Well, obviously. I was with her for a number 2 of years, obviously. 3 Q. Did you ever have -- before she went missing, 4 did you ever have any idea of her net worth? 5 A. No. Didn't matter to me. 6 Q. Did you ever tell her anything about your net 7 worth? 8 A. I don't think it mattered to her. 9 Q. Yeah, no. And that's fine. I'm just trying to 10 make sure you never actually had a conversation on that 11 topic. 12 A. No, I never had a conversation. It wasn't 13 important. We didn't like each other because of our 14 assets. 15 Q. Before she went missing, did you know where she 16 had her bank accounts? 17 A. Yes. We had a combined bank account. 18 Q. Had a joint account? 19 A. Yes. 20 Q. Did you know whether she had a safe deposit 21 box? 22 A. Yes. 23 Q. You were aware that she had one? 24 A. Yes. 25 Q. Was that a joint safe deposit box or --</p>

<p style="text-align: right;">Page 121</p> <p>1 A. Yes.</p> <p>2 Q. -- just hers?</p> <p>3 A. Yes. It's a joint.</p> <p>4 Q. Do you know what she kept in that safe deposit</p> <p>5 box, if anything?</p> <p>6 A. Yes.</p> <p>7 Q. What did she keep in there?</p> <p>8 A. Jewelry.</p> <p>9 Q. Anything else?</p> <p>10 A. We both had funds in there.</p> <p>11 Q. Like physical cash?</p> <p>12 A. Yes.</p> <p>13 Q. Where was that safe deposit box?</p> <p>14 A. Chase Bank.</p> <p>15 Q. What branch?</p> <p>16 A. The one on 111, Palm Desert.</p> <p>17 Q. Do you know if Dia had any other safe deposit</p> <p>18 boxes?</p> <p>19 A. She did not.</p> <p>20 Q. Did she ever complain to you about having any</p> <p>21 sort of financial trouble?</p> <p>22 A. Having what?</p> <p>23 Q. Any sort of financial trouble, difficulty,</p> <p>24 debts, anything like that.</p> <p>25 A. She had extreme financial. Her son cut her off</p>	<p style="text-align: right;">Page 123</p> <p>1 truck, her only form of transportation.</p> <p>2 Q. So is it your understanding that at some point</p> <p>3 Clinton and Crisara took some action that resulted in</p> <p>4 Dia getting zero dollars from the trust?</p> <p>5 A. Yes. It's in writing, filed by her attorneys.</p> <p>6 Q. So --</p> <p>7 A. Because she would receive nothing coming</p> <p>8 forward.</p> <p>9 Q. So it wasn't just like a monthly distribution</p> <p>10 was being reduced; it was that literally the payments</p> <p>11 were going to go to zero. Is that right?</p> <p>12 A. Exactly.</p> <p>13 Q. Did you assist Dia in any respect with that</p> <p>14 lawsuit that was going on over the trust?</p> <p>15 A. No.</p> <p>16 Q. Did you ever review any of her --</p> <p>17 A. It was strictly -- what's that?</p> <p>18 Q. Sorry. I didn't mean to interrupt.</p> <p>19 A. No. Give me -- give me that statement one more</p> <p>20 time.</p> <p>21 Q. I was just going to ask did you ever review any</p> <p>22 of the pleadings?</p> <p>23 A. The proceedings on it? Yes.</p> <p>24 Q. What do you recall reading?</p> <p>25 A. The dispute that they were making against her.</p>
<p style="text-align: right;">Page 122</p> <p>1 financially of every penny. She was codependent on that</p> <p>2 money that came. She was never allowed to work. Yes,</p> <p>3 she had financial issues. None of her properties where</p> <p>4 being paid for, for well over six months. That was her</p> <p>5 son and her daughter that enforced that rule.</p> <p>6 Q. When you say she was codependent on the money,</p> <p>7 what do you mean by that?</p> <p>8 A. The only money she had. She had no other.</p> <p>9 Q. Do you know if she ever had a job or any sort</p> <p>10 of --</p> <p>11 A. She worked part-time at a restaurant, but that</p> <p>12 was a short time.</p> <p>13 Q. Do you know if her properties were generating</p> <p>14 any rental income at the time she went missing?</p> <p>15 A. One property only.</p> <p>16 Q. Is it your understanding --</p> <p>17 A. She was receiving approximately 15,000 a month</p> <p>18 when they cut her off.</p> <p>19 Q. When who cut her off?</p> <p>20 A. Clinton and Crisara.</p> <p>21 Q. Cut her off from what?</p> <p>22 A. Their financial support of her from the trust.</p> <p>23 She had a part interest in a marital trust, and her</p> <p>24 husband funded her care of properties and provided an</p> <p>25 income for her. All that was taken away, plus her</p>	<p style="text-align: right;">Page 124</p> <p>1 Q. Did you have any discussions with her lawyer</p> <p>2 that was helping her with that case?</p> <p>3 A. Yes. Tara Burd, yes.</p> <p>4 Q. Did you ever hire a private investigator to</p> <p>5 look for Dia?</p> <p>6 A. Yes.</p> <p>7 Q. When did you do that?</p> <p>8 A. Shortly after her disappearance.</p> <p>9 Q. Who did you hire?</p> <p>10 A. I don't have his name in front of me.</p> <p>11 Q. Did that person end up giving you any useful</p> <p>12 information?</p> <p>13 A. We believe that she may have been seen the day</p> <p>14 after the search, after she disappeared, that she was</p> <p>15 possibly seen on Sunday by a fireman who claimed that he</p> <p>16 saw her while walking his dog on Saunders Meadow. There</p> <p>17 was a van. He was suspicious of the van being parked</p> <p>18 there. He took pictures of the van. We had plate</p> <p>19 numbers that we went on.</p> <p>20 They were contacted in her -- to ask if they</p> <p>21 knew Dia, and it was interesting because they're from</p> <p>22 La Jolla -- not La Jolla. Laguna Beach. They were from</p> <p>23 Laguna Beach. It was a girl who was 34. Her mother is</p> <p>24 from La Jolla and was a year younger than Dia, which</p> <p>25 brought in some concerns that maybe Dia had called them</p>

Page 125

1 for a ride because she feared for her life.
 2 And when they contacted -- the investigator
 3 contacted them, they made a statement that she had
 4 looked familiar. They either saw her on the trail or
 5 they saw her in Idyllwild.
 6 **Q. And did you report all that information to the**
 7 **authorities?**
 8 A. Absolutely. Did they ever investigate it? No.
 9 **Q. Would it be fair to say, Mr. Harper, that you**
 10 **were disappointed with the efforts made by the**
 11 **authorities?**
 12 A. Without a question. I think they've been paid
 13 off, to be honest with you.
 14 **Q. Who do you think --**
 15 A. What's that?
 16 **Q. Who do you think's paid them off?**
 17 A. I think Clinton paid them off.
 18 **Q. And do you have any --**
 19 A. I don't have any proof of that, but I think it
 20 will come out in time.
 21 It's funny that they turn -- when they get the
 22 information on her search, they take almost four months
 23 before they do the search. This is the number one
 24 individual that's missing, and they take four months
 25 once they get that information to actually set a dive to

Page 126

1 go look for her? Like, really? That's not even
 2 acceptable. What are they waiting for, if it's not for
 3 information that she has been moved before they do the
 4 search?
 5 **Q. After Dia went missing, did you make efforts to**
 6 **try to generate some income from her properties?**
 7 A. No, absolutely not. I have not -- all of her
 8 properties and finances have been froze, so there's no
 9 way you could generate anything, period. So there was
 10 no way of gaining any advantage from that, period.
 11 **Q. You weren't able to access her bank accounts**
 12 **after she went missing?**
 13 A. Absolutely not. They were froze.
 14 **Q. What about Airbnb rentals on the property?**
 15 A. What about them?
 16 **Q. After she went missing, did you facilitate any**
 17 **tenants coming to stay at your properties --**
 18 A. Absolutely, but all that money was covered by
 19 Diane Fedder. I never saw a penny of that.
 20 **Q. So we'll go through a little bit of that, but**
 21 **let me just start with the Diane Fedder piece. So any**
 22 **income that came in through vacation rentals, all that**
 23 **went to Diane Fedder?**
 24 A. Absolutely.
 25 **Q. Do you know what she did with the money?**

Page 127

1 A. She has an accounting of it.
 2 **Q. Has she shared that accounting with you?**
 3 A. Yes. I require every two weeks for her to
 4 account for the funds.
 5 **Q. Is that like an Excel spreadsheet, or what is**
 6 **that?**
 7 A. Yes.
 8 **Q. Would you be willing to share that document?**
 9 A. You could ask Diana. She would be the one that
 10 would give the consent on that.
 11 **Q. Did you ever receive a copy of it, like in hard**
 12 **copy or by email?**
 13 A. Yes, I have.
 14 **Q. When was the last time you received one of**
 15 **those accountings from Diana?**
 16 A. After the Airbnb was disbursed.
 17 **Q. Are you still doing the Airbnb now?**
 18 A. We do -- we do offer some space for overnights,
 19 yes.
 20 **Q. Who manages that?**
 21 A. What's that?
 22 **Q. You said "we." I just want to ask who manages**
 23 **it?**
 24 A. We just got registered, and we really haven't
 25 even launched it. We've had a couple of guests that

Page 128

1 have seen her sign, and they have stayed with us for a
 2 couple of nights.
 3 **Q. When you say "we," who are you referring to?**
 4 A. Me and the horses, I guess. I don't know.
 5 **Q. Okay. There's not another person involved?**
 6 A. No, there's not another person.
 7 **Q. Have you hosted weddings on --**
 8 A. Yes.
 9 **Q. -- Dia's property?**
 10 A. We have.
 11 **Q. Approximately how many?**
 12 A. How many weddings?
 13 **Q. Yeah.**
 14 A. Two.
 15 **Q. When was the last one?**
 16 A. October.
 17 **Q. Are you still trying to rent the properties out**
 18 **for weddings?**
 19 A. We will eventually get started on that. We're
 20 not currently offering the properties at this point.
 21 We're doing advertising and a bunch of other things
 22 before we launch, and there's a number of repairs that
 23 need to be made to the ranch before we proceed forward.
 24 **Q. You have some active listings online, right?**
 25 A. Yeah.

Page 129

1 Q. On WeddingWire.com --

2 A. Yep.

3 Q. -- or some --

4 A. Yep.

5 Q. Okay. So the property is currently listed as

6 available for weddings on WeddingWire.com?

7 A. Yes.

8 Q. And is it also on TheKnot.com?

9 A. Yes.

10 Q. So if you have someone call you up today and

11 say, "I want to have a wedding on the property," you

12 would consider that?

13 A. Correct.

14 Q. Do you have an estimate of how much money in

15 total you received from those two weddings?

16 A. Yeah.

17 Q. What's the estimate?

18 A. 20,000.

19 Q. Do you have an estimate of how much you've

20 received in total from the Airbnb?

21 A. From what?

22 Q. From the Airbnb.

23 A. I do not know that. Diane would know that.

24 Q. Do you know if it's more than 100,000?

25 A. No, I do not believe it is.

Page 130

1 Q. Did any Airbnb tenants ever complain about you

2 after they stayed there?

3 A. Not that I'm aware of. We had 25 five-star

4 ratings.

5 Q. Did you ever see any negative reviews on the

6 Airbnb?

7 A. No, I have not.

8 Q. Do you recall a group of five guys coming down

9 from LA in September of 2020?

10 A. No.

11 Q. You don't recall someone named Jeff writing a

12 lengthy negative review about you?

13 A. Nope. What was the negative report?

14 Q. You don't recall this Jeff person saying that

15 you had made racist comments to him while he was staying

16 there?

17 A. Racist? There was never any racist comments.

18 There's a story that is told with connection with a

19 ranch that I grew up on, and we referred to that

20 individual as a Black person, which nowadays is racial.

21 African American is the proper name to give. In our

22 time, he was a Black man. That was the only racial

23 statement ever made.

24 Q. So you told a tenant the story of what happened

25 with that person?

Page 131

1 A. Yes.

2 Q. This Black man or African American person?

3 A. Yes.

4 Q. What was that story?

5 A. It dealt with the cattle and sheep wars that

6 went on in our area.

7 Q. And some rancher actually shot and killed that

8 African American person. Is that right?

9 A. Yes, he did.

10 Q. And you told that story to one of the Airbnb

11 tenants?

12 A. Yeah. We were talking about old times. We

13 were talking about the movie Yellowstone, yeah, and I

14 just shared that story. And that dated back to my

15 grandfather's time.

16 Q. Did you tell that tenant that if things were

17 handled now the way that they were handled back then, we

18 wouldn't have a Black Lives Matter movement?

19 A. I would have never said that.

20 Q. Are you aware --

21 A. What's that?

22 Q. -- of a tenant ever saying --

23 A. No, I never said that. Never said that.

24 Q. Okay. Let me just finish my question. Are you

25 aware of any Airbnb tenant ever posting a comment in

Page 132

1 which an Airbnb tenant claimed that you said that?

2 A. No. I don't remember anything less than a

3 five-star rating. What was the rating that he gave us?

4 Q. Have you paid any mortgages on any of Dia's

5 properties since she went missing?

6 A. Yes. And in that question, I would ask you if

7 your staff has altered any of the mortgages that we deal

8 with.

9 Q. Which properties have you paid mortgages on?

10 A. How come you don't answer my questions?

11 Q. Mr. Harper, you're wasting time. It's not my

12 deposition.

13 A. Oh. Well, there will be. I have paid them

14 on -- I have paid them on Sky High. I've paid Sky High

15 off entirely, and I have the ranch almost paid off in

16 full.

17 Q. There's no longer a mortgage on Sky High?

18 A. No.

19 Q. You paid it in full?

20 A. Yes.

21 Q. When did you make the last payment?

22 A. Right about probably August of 2020.

23 Q. Did you pay from your personal funds?

24 A. Yes, I did.

25 Q. Approximately how much of your personal funds

Page 133

1 **did you use toward the Sky High mortgage?**
 2 A. Without taxes and all the other catchup and all
 3 that other bullshit, just to pay the property off was
 4 just approximately under 25,000.
 5 **Q. Okay. On the ranch, you said that's almost**
 6 **paid in full. Is that right?**
 7 A. Almost.
 8 **Q. How much have you paid toward the mortgage on**
 9 **the ranch?**
 10 A. Approximately 200,000.
 11 **Q. From your personal funds?**
 12 A. Yes.
 13 **Q. What about the Tool Box property? Is there a**
 14 **mortgage on that one?**
 15 A. There is a mortgage. And when Clinton was
 16 here, I talked with Clinton about that. He said --
 17 Clinton informed me -- he said, "That property is so far
 18 underwater that it would be to your advantage to let it
 19 go." We looked at what we could save. We could save
 20 Sky High, and we could save the ranch. The rest of it
 21 we could not.
 22 **Q. Have you made any --**
 23 A. But we did have a sale, two cash offers on it,
 24 in which Clinton and Crisara both, and your -- the
 25 attorneys involved, waylaid those sales. They couldn't

Page 134

1 be sold.
 2 **Q. Have you made any payments toward the mortgage**
 3 **on the Tool Box property?**
 4 A. I have told you that already. No.
 5 **Q. And you have no intention of making any**
 6 **payments on the mortgage on the Tool Box property,**
 7 **right?**
 8 A. It's underwater. Why would I?
 9 **Q. Since Dia's disappearance, have you made any**
 10 **payments toward any of her other financial obligations?**
 11 A. Almost all of them.
 12 **Q. What have you paid?**
 13 A. I've paid her phone bills. I've paid credit
 14 cards. I have paid all the utilities, all the repairs,
 15 the upkeeps, the damage from the floods that was caused
 16 in February of 2018. All of those.
 17 **Q. You paid --**
 18 A. That's hundreds of thousands put into that
 19 ranch.
 20 **Q. You paid all of that from your personal funds?**
 21 A. Yes, I did.
 22 **Q. Since Dia's disappearance, have you sold off**
 23 **any of her assets?**
 24 A. No.
 25 **Q. Did you have an estate sale or a garage sale or**

Page 135

1 **anything like that?**
 2 A. Nope, I did not.
 3 **Q. Do you know if Diane Fedder did?**
 4 A. On Memorial Day. I told you that earlier. On
 5 Memorial Day was the only day I met her, and that was
 6 the only sale that was there. And Dia had authorized
 7 whatever was there to be sold.
 8 **Q. What about since Dia's disappearance? Are you**
 9 **aware of Diane Fedder selling off any of Dia's assets?**
 10 A. No, absolutely not.
 11 **Q. So let's talk about when you met Ms. Fedder on**
 12 **that Memorial Day. That was in 2020, correct?**
 13 A. Correct.
 14 **Q. How was she introduced to you?**
 15 A. She was part of that game group that she went
 16 to every week, a friend. And they were sharing Diane's
 17 property, because it was near the road, for the sale of
 18 assets.
 19 **Q. So was it your understanding that Ms. Fedder**
 20 **was in the bunko group with Dia?**
 21 A. She was, without a question.
 22 **Q. Okay. Where were you physically when you first**
 23 **met Ms. Fedder?**
 24 A. I was delivering supplies that Dia had prepared
 25 for the sale.

Page 136

1 **Q. Where did you deliver those supplies?**
 2 A. Where did I go for the supplies?
 3 **Q. You said "delivering supplies." Where did you**
 4 **deliver those?**
 5 A. I delivered it to Diane Fedder's address.
 6 **Q. Her residence?**
 7 A. Yes.
 8 **Q. Is anyone living at that Sky High property now?**
 9 A. It was rented probably three or four months
 10 back.
 11 **Q. Is it vacant now?**
 12 A. No, it's not vacant.
 13 **Q. So you started renting it three or four months**
 14 **back? Is that what you said?**
 15 A. It dates back. I don't remember when we
 16 started renting it, but we did start to rent it.
 17 **Q. Do you pay the property taxes on that property?**
 18 A. Yes, I do.
 19 **Q. You pay the insurance on that property?**
 20 A. I do.
 21 **Q. And you pay the property taxes and insurance on**
 22 **the ranch?**
 23 A. Yes.
 24 **Q. Let me show you an exhibit. All right. So can**
 25 **you see this letter here, Mr. Harper?**

Page 137

1 A. Yep.

2 **Q. Okay. So I'll mark as Exhibit 2 the six-page**

3 **document. It has a few component parts. It was all**

4 **produced by you sort of together, so I've kept it**

5 **together.**

6 (Exhibit 2 is marked for identification and

7 attached hereto.)

8 **Q. So looks like on page 1 here, we've got a**

9 **letter from Chase about the loan on the ranch. Do you**

10 **see that?**

11 A. Yep.

12 **Q. Okay. And Chase was reaching out to make, I**

13 **guess, Dia aware, but by virtue of the fact that it was**

14 **you there, make you aware, that the loan was past due.**

15 **Is that right?**

16 A. You know what's interesting? We've never

17 missed a payment, and we are, at this current price,

18 over 200,000 ahead in payments, but Clinton's attorney

19 moved in and made changes to the trust. We have

20 information that confirms that. You deny it or won't

21 talk about it, but we already have the information on

22 the loan, that you have made changes to it.

23 **Q. What changes are you referring to?**

24 A. Why don't you tell me.

25 MR. HEALEY: Don't get argumentative.

Page 138

1 **Q. (BY MR. OWENS:) Are you talking about changing**

2 **the balance owed on a loan? Is that what you're talking**

3 **about?**

4 A. I'm talking about changing the mortgage, how

5 it's paid, how much is paid, all the way around on the

6 ranch.

7 **Q. Your understanding is that either I or someone**

8 **in my firm or my clients --**

9 A. Or Clinton --

10 **Q. Hold on.**

11 A. -- and his other attorneys.

12 MR. HEALEY: Wait a minute. Don't interrupt

13 him. Wait till he finishes.

14 **Q. (BY MR. OWENS:) We've gotta get a clean record**

15 **here, Mr. Harper, so let me understand. Are you saying**

16 **that you believe that someone in my firm or one of my**

17 **clients has the authority to change the balance due on a**

18 **loan through Chase?**

19 A. It has been changed.

20 **Q. Has been changed in what way?**

21 A. That the payments have been increased by six

22 times, by six times, and the fact that -- the payments

23 that are now going into the account to pay off the ranch

24 is being separated into a separate account and not going

25 towards the ranch.

Page 139

1 **Q. What's your understanding of how on earth my**

2 **clients would be able to tell Chase what the balance is**

3 **on the loan?**

4 A. Because I have been told that by Chase.

5 **Q. Okay. So Chase will just change the amount due**

6 **if my clients ask them to do that?**

7 A. No. There is a legal document that was filed

8 on the mortgage.

9 **Q. What's that legal document?**

10 A. What's that?

11 **Q. What is the legal document you're referring to?**

12 A. I have not seen it, but it comes from Clinton.

13 **Q. So this letter appears to have been addressed**

14 **to Dia. So do you open mail that comes to Dia?**

15 A. Absolutely. I'm aware of that letter. That's

16 what started our investigation on what was going on with

17 the mortgage, because we have paid every single month

18 the amount that they have demanded. And now we are

19 enhanced by six times the payment amount, and yet all

20 the payments we make go into a separate account without

21 being reported.

22 **Q. All right. Anyway, I need to move on here.**

23 **I'm not tracking with what you're saying, but that's**

24 **okay.**

25 **Let me go to page 3 of Exhibit 2. This is a**

Page 140

1 **similar letter related to the Tool Box property. Do you**

2 **see that?**

3 A. Yep.

4 **Q. Are you also getting notice from Chase about**

5 **delinquent mortgage payments on the Tool Box --**

6 A. We don't ever -- we don't ever get notices from

7 Chase, period.

8 **Q. Mr. Harper, if you keep talking over me, we're**

9 **not going to have a good --**

10 A. Okay. I apologize.

11 **Q. -- transcript.**

12 A. Go ahead.

13 **Q. The question is do you receive notices from**

14 **Chase telling you that the loan on the Tool Box property**

15 **is past due?**

16 A. No.

17 **Q. Okay. Does Dia receive those notices?**

18 A. We have received one notice.

19 **Q. Is this the one notice that we're looking at**

20 **here, page 3 of Exhibit 2?**

21 A. I would -- I would say that that looks

22 familiar, yes.

23 **Q. Okay. Other than this letter we're looking at**

24 **here on Exhibit 2, you don't recall seeing any other**

25 **notice from Chase about a delinquent --**

Page 141

1 A. No, never.

2 **Q. -- loan on Tool Box?**

3 A. Never.

4 **Q. Okay. Sitting here today, do you believe the**

5 **loan is paid up on the Tool Box property?**

6 A. If I told you I haven't made it and I'm the

7 only one making it, who else would make payments?

8 MR. HEALEY: Don't argue. Answer the question.

9 A. No.

10 **Q. (BY MR. OWENS:) Okay. If we can go to page 5**

11 **of Exhibit 2. It looks like there is some sort of**

12 **record of a payment and a check. Do these look familiar**

13 **to you?**

14 A. Yep.

15 **Q. Okay. What are we looking at here? Can you**

16 **describe this for me?**

17 A. These are payments being made through Chase

18 Bank on the ranch property.

19 **Q. And you made the payments?**

20 A. Yes.

21 **Q. From your personal funds?**

22 A. Yes. It does --

23 **Q. All right. I'm sorry?**

24 A. I said it does show that.

25 **Q. Okay. I'm on page 6 of Exhibit 2. We have**

Page 142

1 **here another Chase transaction summary document. Do you**

2 **see this?**

3 A. Yep.

4 **Q. Is this another mortgage payment that you made?**

5 A. Yes.

6 **Q. Let's go to Exhibit 4. Exhibit 4 is going to**

7 **be a three-page document that relates to a motion for**

8 **stay of foreclosure. The date on it at the top of**

9 **page 1 is June 12, 2022.**

10 (Exhibit 4 is marked for identification and

11 attached hereto.)

12 **Q. Have you seen --**

13 A. Yep.

14 **Q. Have you seen this before, Mr. Harper?**

15 A. Yes.

16 **Q. What is this?**

17 A. It's a motion to stay foreclosure until we can

18 work out why Chase does not have an accurate record of

19 payments.

20 **Q. Did you file this motion?**

21 A. With the court?

22 **Q. Yeah. Do you know who filed this motion?**

23 A. It was I. It says my name up at the top.

24 **Q. All right. Do you have an attorney**

25 **representing you in connection with this motion?**

Page 143

1 A. I have one that I work with, yes.

2 **Q. Is that Dennis Healey or someone else?**

3 A. There's another attorney involved.

4 MR. OWENS: Mr. Healey, are you comfortable

5 with me asking him questions on this?

6 MR. HEALEY: Yeah, I don't have any problem

7 with it.

8 MR. OWENS: Okay. I'm just going to ask some

9 foundation stuff just to make sure I understand.

10 **Q. All right. So I'm on page 1 of Exhibit 4,**

11 **Mr. Harper, and what I see here, there's paragraphs.**

12 **Each one has -- it's "Stipulation 1," "Stipulation 2,"**

13 **and so forth.**

14 **Do you see that?**

15 A. Yep.

16 **Q. Did you actually provide the information that**

17 **went into this document?**

18 A. Yes.

19 **Q. Okay. So Stipulation 1, it says, "Renters**

20 **whose monetary means has supported the mortgage have**

21 **been adversely affected by COVID-19, having lost their**

22 **jobs during the pandemic, thereby creating inability to**

23 **pay the rent due."**

24 **Do you see that?**

25 A. Yep.

Page 144

1 **Q. Did you provide that information?**

2 MR. HEALEY: I would think it would be

3 protected by attorney-client privilege. I'm not aware

4 of it, but it hasn't been filed with the court, to my

5 knowledge, or with anybody.

6 MR. OWENS: That's fair.

7 **Q. Mr. Harper, to your knowledge, has this**

8 **document we're looking at here been filed with the**

9 **court?**

10 A. Did it get filed with the court? No, it has

11 not yet.

12 **Q. Is it going to be filed with the court?**

13 A. I don't -- I'll wait for my attorney's

14 advisement on that. It's to give notice of what our

15 intent is if it continues to foreclosure.

16 **Q. Okay. So this document's dated June 12. Are**

17 **you telling me that this is a draft version?**

18 A. It's what was submitted to Chase to let them

19 know what our intent was.

20 **Q. All right. So you, through your attorney,**

21 **provided this document to Chase, but you've not filed it**

22 **with the court yet. Is that true?**

23 A. Correct.

24 **Q. Okay. So page 2. Down at the bottom, there's**

25 **a signature block for you, but it's not signed. Why is**

<p style="text-align: right;">Page 145</p> <p>1 it not signed?</p> <p>2 A. I probably forgot.</p> <p>3 Q. Okay. But do you stand by the statements that</p> <p>4 you're making here on page 2?</p> <p>5 A. Read it to me because I can't see it.</p> <p>6 Q. Yeah, take your time. Do you need me to blow</p> <p>7 it up? I can zoom in.</p> <p>8 A. Yeah.</p> <p>9 Q. And take your time if you need to look at it.</p> <p>10 A. "Chase Bank has frozen all aspects of the</p> <p>11 checking and security deposit." Yes, they have.</p> <p>12 "Chase also has enhanced the mortgage without</p> <p>13 notice and cause and justification, and even upon</p> <p>14 repetitive requests. Chase Bank has also refused to</p> <p>15 offer any refinance options as pursued by the trust.</p> <p>16 Chase Bank has also allowed three -- a third party to</p> <p>17 alter the conditions of the existing loan without</p> <p>18 consent or notifications and creating an act of fraud</p> <p>19 and deception." Yes, I do believe that.</p> <p>20 "I am seeking a hearing on the matter, based on</p> <p>21 the above information and facts, and asking that the</p> <p>22 court halt all action of foreclosure on the property</p> <p>23 stated, asking for a retribution for any or -- present</p> <p>24 or future losses brought about by the action of Chase</p> <p>25 Bank mortgage department on their attempted foreclosure</p>	<p style="text-align: right;">Page 147</p> <p>1 received a statement or an intended foreclosure on that</p> <p>2 property other than those two letters that have come</p> <p>3 forward.</p> <p>4 Q. Okay. What about other mail? So setting aside</p> <p>5 Chase, do you typically open the mail that comes to that</p> <p>6 property?</p> <p>7 A. Yes.</p> <p>8 Q. Next sentence, it says, "Chase Bank has frozen</p> <p>9 all assets on all checking and security deposits held by</p> <p>10 Keith Harper and," then there's a typo, "Dia Abrams to</p> <p>11 the excess of \$350,000."</p> <p>12 A. Correct.</p> <p>13 Q. Did Dia have over 350,000 in this account?</p> <p>14 A. Collectively. Collectively, we do.</p> <p>15 Q. What do you mean by "collectively"?</p> <p>16 A. That means her and I both have that amount of</p> <p>17 funds in there.</p> <p>18 Q. Do you have some account or accounts at Chase</p> <p>19 in your name alone that has been frozen?</p> <p>20 A. Yes.</p> <p>21 Q. How many accounts?</p> <p>22 A. One and the security deposits.</p> <p>23 Q. Security deposits for what?</p> <p>24 A. The boxes that Dia and I have together.</p> <p>25 Q. Do you have a joint account with the Chase</p>
<p style="text-align: right;">Page 146</p> <p>1 of said property." Yes, I do still stand by that.</p> <p>2 Q. Okay. Has Chase told you that they plan to</p> <p>3 foreclose on that property?</p> <p>4 A. You've showed me letters of their warning of</p> <p>5 foreclosure.</p> <p>6 Q. And in response to those letters, what you've</p> <p>7 done so far is you've sent this document we're looking</p> <p>8 at here to Chase's representatives, but you've not yet</p> <p>9 filed it. Is that right?</p> <p>10 A. Correct.</p> <p>11 Q. Are you now just waiting on a response from</p> <p>12 Chase?</p> <p>13 A. Yes, and a hearing.</p> <p>14 Q. So on page 2, if we look at that second</p> <p>15 paragraph down, it says, "Having been the trustee and</p> <p>16 the caregiver of the property for the past year and a</p> <p>17 half and recipient of all legal proceeding and mail sent</p> <p>18 to said property."</p> <p>19 Do you see that part?</p> <p>20 A. Yep.</p> <p>21 Q. Have you been actually receiving all the mail</p> <p>22 that goes to that property?</p> <p>23 A. We have not received anything other than the</p> <p>24 letters that you have posted. There's two letters that</p> <p>25 we received in the last two years. We have never</p>	<p style="text-align: right;">Page 148</p> <p>1 Bank?</p> <p>2 A. Yes.</p> <p>3 Q. Is that frozen as well?</p> <p>4 A. Yes.</p> <p>5 Q. Is that one or multiple accounts?</p> <p>6 A. One.</p> <p>7 Q. Next sentence, you say, "Chase has enhanced the</p> <p>8 mortgage without notice." Do you know the amount by</p> <p>9 which you believe the mortgage was enhanced?</p> <p>10 A. It was enhanced by \$5,000 a month.</p> <p>11 Q. When did that enhancement occur?</p> <p>12 A. When you showed the letter of the date it was</p> <p>13 sent.</p> <p>14 Q. You're talking about back on Exhibit 2, if we</p> <p>15 look up --</p> <p>16 A. I would say yes, that one.</p> <p>17 Q. So this letter from Chase is September 2nd,</p> <p>18 2021. You believe that's when the mortgage was</p> <p>19 enhanced?</p> <p>20 A. Yes. Well, it goes back before then. It took</p> <p>21 us -- it took us some notification. When I would go to</p> <p>22 make the payment, they would tell me, "It's not a</p> <p>23 complete payment."</p> <p>24 And I says, "What do you mean? It's the same</p> <p>25 payment we have paid off and on for the last two years."</p>

Page 149

1 And they said, "Well, it currently is
 2 inaccurate."
 3 So when I called Chase and I talked with them,
 4 they told me that the mortgage had been enhanced by
 5 attorneys of Clinton to over \$5,000 a month.
 6 **Q. Do you know if the enhancement has anything to**
 7 **do with an adjustable interest rate?**
 8 A. No.
 9 **Q. You don't have -- so you don't know anything**
 10 **about --**
 11 A. How can --
 12 MR. HEALEY: Let him finish.
 13 THE WITNESS: I'm not going to say anything.
 14 **Q. (BY MR. OWENS:) Do you know anything about why**
 15 **the mortgage was enhanced, other than your belief that**
 16 **it had something to do with Clinton and his attorneys?**
 17 A. There would be no reason without notification.
 18 When you raise a mortgage, you must notify those
 19 involved that the mortgage is being raised in interest
 20 or amount of payment. That must come in a certified
 21 letter to those who are involved with the trust. There
 22 has been none.
 23 **Q. Okay. So Chase has given you zero reason why**
 24 **the mortgage was increased?**
 25 A. Exactly.

Page 150

1 **Q. It also says, "Chase has refused to offer**
 2 **refinance options." Have you requested that Chase allow**
 3 **you to do that?**
 4 A. We asked, and this started clear back with
 5 the -- we went in and asked for the ability to refinance
 6 the loan, and they declined it, not based on anything
 7 other than the fact that -- I can't remember right now.
 8 But yeah, I was with Dia when we went in and asked to
 9 refinance, and I have been back three times after that
 10 to ask for refinance options.
 11 **Q. Last sentence in that paragraph. "Chase Bank**
 12 **has also allowed a third party to alter the condition of**
 13 **the existing loan." What do you mean by that?**
 14 A. Attorneys representing Clinton and Crisara.
 15 **Q. What evidence do you have that that actually**
 16 **occurred?**
 17 A. Because I was told that by Chase.
 18 **Q. Who told you that from Chase?**
 19 A. One of the administrators.
 20 **Q. When did that occur?**
 21 A. That happened a number of months ago.
 22 **Q. Was that by phone or in person?**
 23 A. By phone.
 24 **Q. Anyone ever tell you that in writing from**
 25 **Chase?**

Page 151

1 A. No, but it was on the phone. And they also
 2 told me that all the payments being made into the
 3 current mortgage is going into a separate account and
 4 not being accounted towards the diminishing of the loan.
 5 **Q. Do you have an understanding of what they mean**
 6 **by that?**
 7 A. Yeah, it's going -- it's not being accounted.
 8 There was a change in the mortgage done by the attorneys
 9 of Clinton and Crisara and that that has caused the
 10 changes in the current mortgage payments and why the
 11 funds are not going into the account.
 12 **Q. Have you told Chase Bank that you are the**
 13 **trustee of Dia's trust?**
 14 A. Yes, without question.
 15 **Q. Do you believe that to be the case?**
 16 A. Yes. I believe what they are telling me, yes.
 17 **Q. Do you believe that you are currently the**
 18 **trustee of Dia's trust?**
 19 A. Yes.
 20 **Q. Okay. Next paragraph down, you say, "I am**
 21 **seeking a hearing on this matter." So that's what**
 22 **you're asking for, is you want a hearing?**
 23 A. I want a hearing, and I want facts of why they
 24 have done what they did.
 25 **Q. In the meantime, are you paying the mortgage or**

Page 152

1 **not paying the mortgage?**
 2 A. I have always paid the mortgage, and I will
 3 continue to pay the mortgage.
 4 **Q. On the ranch property?**
 5 A. Correct.
 6 **Q. When we say "ranch," I think you and I both**
 7 **know what we're talking about, but just for the record,**
 8 **you're talking about 58111 Bonita Vista Road?**
 9 A. Correct. I've paid over 200,000 towards the
 10 mortgage in two years.
 11 **Q. So I'm ready to go to the next exhibit, but I**
 12 **think we should take a break here. Let's go off the**
 13 **record.**
 14 (Recess, 2:44 p.m. to 2:59 p.m.)
 15 MR. OWENS: All right. Let's go back on the
 16 record.
 17 **Q. Mr. Harper, on that Sky High property that's**
 18 **now being rented out, where are you depositing the money**
 19 **from the rent?**
 20 A. Where am I depositing it? In the bank with
 21 Hemet. Why? It's in Hemet.
 22 **Q. Is it called the Bank of Hemet? Is that what**
 23 **you said?**
 24 A. Yes.
 25 **Q. Do you have an account that's titled in the**

Page 153

1 name of Dia's trust?
 2 A. No.
 3 **Q. Who is the owner on the account that you're**
 4 **depositing the rent money into?**
 5 A. I am.
 6 **Q. Anyone a joint owner on that account?**
 7 A. What's that?
 8 **Q. Is there a joint owner on the account?**
 9 A. No.
 10 MR. HEALEY: Well, it's a trust account for the
 11 trust.
 12 THE WITNESS: Right. It's only -- it's only
 13 her documents that we -- and bills that we pay from
 14 that.
 15 **Q. (BY MR. OWENS:) But the title on the account**
 16 **is your name, not the trust, right?**
 17 A. Yes. It may be under Bonita Vista Ranch. I'd
 18 have to check. It was originally listed in there, and
 19 we had to make a change. I'm not sure how they
 20 transferred it.
 21 **Q. Let me ask about the ranch. That's a big**
 22 **property, right? Over 100 acres?**
 23 A. Yes.
 24 **Q. Do you have any -- sorry. I didn't hear if**
 25 **someone said something.**

Page 154

1 **Okay. Do you have anyone that helps you manage**
 2 **that property?**
 3 A. No.
 4 **Q. Now, the Tool Box property, does that have a**
 5 **tenant now?**
 6 A. No. We closed it down after threats of
 7 bankruptcy.
 8 **Q. What do you mean, you closed it down?**
 9 A. We closed it, locked it up.
 10 **Q. Is your plan for that property just to let it**
 11 **go to foreclosure?**
 12 A. Yes.
 13 **Q. Because you're not spending any more time on**
 14 **that property?**
 15 A. Exactly.
 16 **Q. So I assume you're not paying property taxes,**
 17 **insurance, anything like that on that property?**
 18 A. No.
 19 **Q. Let me show you an exhibit I'll mark as**
 20 **Exhibit 5. This is a 36-page document. It's a**
 21 **residential listing agreement.**
 22 (Exhibit 5 is marked for identification and
 23 attached hereto.)
 24 A. I'm aware of that.
 25 **Q. Okay. You've seen this document before?**

Page 155

1 A. Yes.
 2 **Q. Is this something that Dia signed and --**
 3 A. Yes, that's Dia's signature. Yes.
 4 **Q. Okay. And was she trying to sell one of the**
 5 **properties through this agreement?**
 6 A. Yes.
 7 **Q. Which property was she trying to sell?**
 8 A. Tool Box.
 9 **Q. And this Realtor here, Star Evans, is that the**
 10 **same Realtor you mentioned earlier?**
 11 A. Yes.
 12 **Q. You had some conversations with Star Evans, it**
 13 **sounded like?**
 14 A. Yes.
 15 **Q. Did you have any involvement with trying to**
 16 **sell this property after Dia went missing?**
 17 A. Yes.
 18 **Q. What did you do in that regard?**
 19 A. We had it for sale. We had two cash offers on
 20 the property. Your client and attorneys closed the
 21 sale.
 22 **Q. And how do you know that?**
 23 A. Because I was told by Star.
 24 **Q. Did Star tell you what my clients or my firm**
 25 **did to block the sale?**

Page 156

1 A. No. There's a threatening phone call from you
 2 that she has recorded.
 3 **Q. From me personally?**
 4 A. Yes.
 5 **Q. So whatever my phone call was, that's what**
 6 **blocked the sale?**
 7 A. No. It was what cumulatively was done to block
 8 the sale by your firm and by Clinton and Crisara.
 9 **Q. Okay. What did -- what else happened other**
 10 **than that phone call, if you know?**
 11 A. Well, the fact that they called and sent
 12 investigators out to the owners to tell them that the
 13 children did not want the property sold and that they
 14 would be in trouble if they proceeded to buy the
 15 property.
 16 **Q. What investigators are you talking about?**
 17 A. Clinton's. Ones that Clinton hired.
 18 **Q. Do you know who that was?**
 19 A. Yes, I know who they are.
 20 **Q. Who are they?**
 21 A. I don't know their names, but I know I have met
 22 them.
 23 **Q. Okay. Are you talking about someone outside of**
 24 **my firm now?**
 25 A. Yes, investigators.

Page 157

1 **Q. All right. Let's look at the next exhibit,**
 2 **which would be Exhibit 6. Here we've got a 25-page**
 3 **document.**
 4 (Exhibit 6 is marked for identification and
 5 attached hereto.)
 6 **Q. And this one appears to also be for the**
 7 **Tool Box property?**
 8 A. It is.
 9 **Q. But this one has your initials and signature,**
 10 **right?**
 11 A. Correct, because it is after Dia's
 12 disappearance and after the offer of a cash settlement.
 13 **Q. So if we look at page 18, is that your**
 14 **signature down there, "Keith Harper, power of attorney"?**
 15 A. It is.
 16 **Q. Okay. So you were signing this document**
 17 **through the power of attorney you had for Dia?**
 18 A. Yes.
 19 **Q. This was an effort to sell the Tool Box**
 20 **property?**
 21 A. Yes.
 22 **Q. Did you use the power of attorney to enter into**
 23 **any other financial transactions after Dia went missing?**
 24 A. Nope. This is the only property we have
 25 attempted to sell.

Page 158

1 **Q. What about trying to open up or access any bank**
 2 **accounts using the power of attorney?**
 3 A. Nope.
 4 **Q. So we've now talked about -- well, here. Let**
 5 **me stop sharing my screen.**
 6 **We've now talked about three properties: the**
 7 **ranch, Sky High, and Tool Box. Did Dia own any other**
 8 **real estate at the time she went missing?**
 9 A. She owned a piece of property that was sold
 10 before she went disappearing. She was paid 200,000,
 11 blank piece of land located just to the south of
 12 Tool Box property. When the sale went through, the
 13 State of California confiscated the funds for her
 14 husband's past debt.
 15 **Q. Did they confiscate the entirety of that**
 16 **200,000?**
 17 A. The entire amount. And he wrote her a contract
 18 agreeing to pay her back for that that was never paid.
 19 MR. HEALEY: Who was "he"?
 20 THE WITNESS: Clinton. I mean, not Clinton.
 21 Clem. Sorry.
 22 **Q. (BY MR. OWENS:) How close in time did that**
 23 **happen in the lead-up to her disappearance?**
 24 A. It was -- all that happened just prior -- just
 25 before Clem's death.

Page 159

1 **Q. So we're back in 2018 you're talking about?**
 2 A. Yes.
 3 **Q. So is it your understanding that Dia netted**
 4 **zero dollars from the sale of that property?**
 5 A. Zero.
 6 **Q. All right. What about at the time she went**
 7 **missing? Are you aware of any other real estate she may**
 8 **have owned?**
 9 A. Any other what?
 10 **Q. Any other real estate other than the three**
 11 **properties we've already talked about?**
 12 A. She tried to sell Tool Box. She had an offer
 13 on that. It just didn't go through. Financially it
 14 didn't clear.
 15 **Q. That's the same Tool Box property we've already**
 16 **talked about, right?**
 17 A. Not Tool Box. Sky High.
 18 **Q. She owned one or two properties at Sky High?**
 19 A. One.
 20 **Q. Okay. So all I'm trying to do right now is**
 21 **make sure I've got the list of properties that you're**
 22 **aware of that Dia owned at the time she went missing. I**
 23 **know we've got the ranch, I know we've got Sky High, I**
 24 **know we've got Tool Box. Are you aware of any others?**
 25 A. There's pieces of property that form the

Page 160

1 general ranch. I think there's like three other
 2 properties that form the 119 acres that exist in the
 3 total amount of the ranch, but they're all accumulated
 4 under the ranch.
 5 **Q. Okay. And putting those all in one umbrella --**
 6 **and I understand exactly what you're explaining -- just**
 7 **to make sure I've got it, you're not aware of any other**
 8 **properties?**
 9 A. No.
 10 **Q. Okay. Do you know if the bank is in the**
 11 **process of foreclosing on Tool Box?**
 12 A. No. We've asked for a hearing on that and have
 13 not been given a hearing on that property as well.
 14 **Q. Okay. So you've asked for a hearing on**
 15 **foreclosure for both the ranch and for Tool Box?**
 16 A. Yes.
 17 **Q. You're not aware of a hearing being set yet on**
 18 **either of those properties?**
 19 A. Chase does not contact us. We get nothing
 20 unless it's negative and they're threatening.
 21 **Q. I'm just trying to make sure. You're not aware**
 22 **of any upcoming hearing on --**
 23 A. No.
 24 **Q. -- either of those? Okay.**
 25 A. I am not.

<p style="text-align: right;">Page 161</p> <p>1 Q. All right. Let me show you another exhibit. 2 Give me one second to open what I'll mark as Exhibit 8. 3 (Exhibit 8 is marked for identification and 4 attached hereto.) 5 Q. All right, Mr. Harper. Do you now see a Chase 6 Bank statement in front of you? 7 A. I do. 8 Q. All right. So I'm going to mark as Exhibit 8 a 9 12-page document. This is a collection of bank 10 statements on this Chase account ending in 8859. 11 A. Which property? 12 Q. It's not a property. It's just a bank 13 statement for a bank account. At least, that's my 14 interpretation of it. 15 A. All right. Yeah, I understand that now. 16 Q. Okay. And what I've done here, just so we can 17 do this a little more quickly, is I've put statements 18 for several months all combined into one exhibit. Okay? 19 So it goes from May of 2020 all the way down to May of 20 2022, and I've just marked those as -- and I don't think 21 we have a statement for every month, but I've put 22 together the ones where we do have statements. 23 A. Okay. 24 Q. So I just want to start with page 1. It looks 25 like the statement's going to Dia Abrams, PO Box 1 in</p>	<p style="text-align: right;">Page 163</p> <p>1 A. I filled out a form. 2 Q. Do you recall whether you were added onto this 3 account before Dia went missing? 4 A. I think it was before. 5 Q. Do you still have access to this account? 6 A. Yes. 7 Q. Is this one of the ones that's been frozen? 8 A. Correct, anything with Chase's name. Anything 9 with the Chase name on it is frozen. 10 Q. So you're able to get the statements, but 11 you're not able to conduct transactions on this account. 12 Is that right? 13 A. Correct. 14 Q. Have you ever deposited any of your own money 15 into this bank account? 16 A. Nope. 17 Q. On page 2, if you look under "transaction 18 details," it looks like there's some deposits from 19 Airbnb. Do you see that? 20 A. Yep. 21 Q. Would that have been from -- well, let me just 22 ask you. What property do you think that Airbnb money 23 came from? 24 A. I don't know. It would probably be the ranch. 25 Q. If you get income from a wedding or any Airbnb</p>
<p style="text-align: right;">Page 162</p> <p>1 Mountain Center. Do you see that? 2 A. Yes. 3 Q. Is that a PO box that Dia used to use before 4 she went missing? 5 A. One we currently use. 6 Q. Is that a joint PO box that both of you use? 7 A. Yes. 8 Q. When did you start using that PO box? 9 A. Probably over six years ago. 10 Q. Did Dia have it before you started using it, or 11 did you -- 12 A. Yes. 13 Q. -- guys get -- 14 A. No, she had it before. 15 Q. All right. I'm going to page 2 of Exhibit 8. 16 Now I'm on the June and July of 2020 statement. If you 17 look up there, it says, "Dia Abrams or Keith Harper, 18 POA." 19 Do you see that? 20 A. Yep. 21 Q. So at some point did you present to Chase your 22 power-of-attorney document? 23 A. Yes. 24 Q. Did you fill out a form with Chase, or did you 25 just give them your power of attorney? Do you remember?</p>	<p style="text-align: right;">Page 164</p> <p>1 over the next few months, do you have an account where 2 you're planning to put those funds? 3 A. Yes. 4 Q. Are you planning to put it in this account 5 we're looking at or somewhere else? 6 A. It goes into that account. It can never come 7 out. That makes it an unuseful account. 8 Q. So is it your plan, then, if you get income 9 from a wedding or Airbnb, to put those funds in that 10 Bank of Hemet account? 11 A. Yes. That basically is Dia's account. 12 Q. So if we go to the end -- let's see. Page 12 13 of Exhibit 8, this is May of 2022, so just last month. 14 There is about 36,000, 37,000 dollars in the account, 15 somewhere in there. 16 Is it your understanding those funds are still 17 in the account? 18 A. Yes, they are. There's no way of getting them 19 out. 20 Q. Okay. Let me go to the next exhibit. 21 Okay. Mr. Harper, I'll mark as Exhibit 9 22 another collection of bank statements from Chase. This 23 is a 10-page document. This is for the account ending 24 in 2181. 25 (Exhibit 9 is marked for identification and</p>

Page 165

1 attached hereto.)

2 **Q. Is that coming through to you on your screen?**

3 A. I think so.

4 **Q. Same thing on this one. You're listed as POA**

5 **together with Dia. Do you see that?**

6 A. Yep.

7 **Q. So is this the same situation where, for this**

8 **account, you're able to get the statement, but you're**

9 **not able to actually conduct transactions within this**

10 **account?**

11 A. Yes.

12 **Q. This one's frozen too?**

13 A. Yes.

14 **Q. Do you believe that you presented Chase with**

15 **your power of attorney or filled out whatever that**

16 **power-of-attorney form was with Chase to get added to**

17 **this account at the same time you were added to the**

18 **other account, Exhibit 8?**

19 A. At some point we had to do that. I know that.

20 We had to show the power of attorney in order -- you

21 know, at one time they were not frozen, but they later

22 became frozen, and I know that they had requested that I

23 bring in the power of attorney because I was on the

24 listing and Dia was missing.

25 **Q. Do you recall approximately how long after Dia**

Page 166

1 **went missing that the bank accounts were frozen?**

2 A. Probably a week. Maybe -- no. It was after

3 the main search, so it would go maybe as long as three

4 weeks, but not much -- I mean, pretty quickly after her

5 disappearance.

6 **Q. If we go to page 10, this is a May 22**

7 **statement. Looks like there was about \$20,000 in there.**

8 **Do you see that?**

9 A. Yes.

10 **Q. Is it your understanding that money is still in**

11 **the account now?**

12 A. Yeah. Without question, it's there.

13 **Q. Other than these two accounts we just looked at**

14 **here, do you know if Dia had any other accounts at Chase**

15 **Bank?**

16 A. Not that I'm aware.

17 **Q. Do you know if Dia had any accounts at any**

18 **other banks at the time she went missing?**

19 A. There may have been one down in San Diego that

20 she used a while back. I don't remember what the name

21 was. It may have been where Clem deposited her funds,

22 and I don't remember all that.

23 **Q. Have you made any effort to identify that**

24 **account since she went missing?**

25 A. Not really. Been focused on paying the bills.

Page 167

1 **Q. Have you tried to gain access to any other bank**

2 **accounts since Dia went missing?**

3 A. No.

4 **Q. All right. Let me go to the next exhibit,**

5 **which I'll mark as Exhibit 14. This is a one-page**

6 **document. It's a civil complaint filed on looks like**

7 **December 9, 2020, in New Mexico.**

8 (Exhibit 14 is marked for identification

9 and attached hereto.)

10 A. It was in New Mexico. Yeah, I'm aware of that.

11 **Q. Okay. You recognize this document?**

12 A. Yes.

13 **Q. Is that your signature at the bottom?**

14 A. It is.

15 **Q. And you filed this civil complaint, right?**

16 A. Correct.

17 **Q. And you filed it using your power of attorney**

18 **for Dia. Is that right?**

19 A. Yeah. It was a birthday gift meant for Dia,

20 and when I asked where it should be filed, they said

21 where did the transaction occur, and I said in New

22 Mexico. The store is out of Scottsdale, Arizona, so

23 that's where we filed.

24 It was an attempt to recover, because we got

25 the merchandise, we sent it back to the store asking it

Page 168

1 to be refunded, and he chose not to refund it.

2 **Q. You say "he." Do you mean Greg Swan?**

3 A. Yes.

4 **Q. It looks like at the bottom down here, you**

5 **listed your address as Aztec, New Mexico. Do you see**

6 **that?**

7 A. That's the storage center.

8 **Q. That's where your storage unit business is?**

9 A. Yes.

10 **Q. So this is your business address we're looking**

11 **at?**

12 A. Correct.

13 **Q. What ultimately happened with the civil**

14 **complaint?**

15 A. It was dismissed based on lack of -- that it

16 lacked jurisdiction over the case. They felt that it

17 should go back to Scottsdale because it was an

18 independent store and that she ordered from basically a

19 catalog in order to do it. It doesn't matter who gave

20 the money or where the money came from.

21 **Q. Did you have an attorney advise you on this**

22 **particular case?**

23 A. No.

24 **Q. It looks like it's on some sort of form here,**

25 **if I look at the footer. How did you go about locating**

Page 169

1 that form?
 2 A. I went to the courthouse and asked them for the
 3 proper documents to file a complaint -- I mean, a civil
 4 action against Greg Swan because of the failure -- after
 5 we had returned the merchandise, why he did not refund
 6 the money.
 7 **Q. You asked the court clerk to help you use**
 8 **the -- select the right form?**
 9 A. Yes.
 10 **Q. So you actually returned this merchandise,**
 11 **then? That's what you're saying?**
 12 A. Yes. It came in the mail to the address
 13 probably five days after her birthday was on July 6th.
 14 It was to be a gift for her. So it came approximately I
 15 would say -- well, I was gone for a period of time. I
 16 would say approximately two, three weeks after she went
 17 missing.
 18 **Q. So you ordered the stuff before she went**
 19 **missing, but it didn't arrive until after she was**
 20 **missing. Is that right?**
 21 A. Correct.
 22 **Q. Did you ever refile this in any other state?**
 23 A. Nope.
 24 **Q. You just sort of let it go at that time when it**
 25 **was dismissed?**

Page 170

1 A. Yeah.
 2 **Q. Did you file any other lawsuits on Dia's behalf**
 3 **as power of attorney?**
 4 A. No, this is the only one.
 5 **Q. Is Chase Bank the only bank that you've ever**
 6 **presented the power of attorney to?**
 7 A. Yes.
 8 **Q. Let me talk to you a little bit more about**
 9 **Ms. Fedder. After you met her on that Memorial Day in**
 10 **2020, how would you describe your relationship with her**
 11 **between that time until the time that Dia went missing?**
 12 A. You know, she was good with the Airbnb. She
 13 paid the bills. During those beginning days, I don't
 14 know how I could have done it all without her.
 15 **Q. Were you friends with Ms. Fedder before --**
 16 A. I didn't know her.
 17 **Q. -- Dia went missing?**
 18 **You only knew her from having met her that one**
 19 **time --**
 20 A. One time, yeah.
 21 **Q. -- on Memorial Day?**
 22 A. Correct.
 23 MR. HEALEY: Let him finish his question. The
 24 court reporter can't cover the two of you.
 25 **Q. (BY MR. OWENS:) What was your understanding of**

Page 171

1 **Ms. Fedder's relationship with Dia?**
 2 A. Friends.
 3 **Q. Is that someone that Dia socialized with**
 4 **frequently?**
 5 A. She didn't socialize with a lot of people other
 6 than the bunko nights. That was her connection with
 7 friends.
 8 **Q. Do you know if Dia ever socialized with**
 9 **Ms. Fedder outside the bunko nights?**
 10 A. Dia spent most of her time with me. I kind of
 11 under -- unless I was gone, she was with me all the
 12 time.
 13 **Q. So you're not aware of if Dia socialized with**
 14 **Ms. Fedder outside of the bunko nights?**
 15 A. Nope.
 16 **Q. Do you know Ms. Fedder had a background in law**
 17 **enforcement?**
 18 A. Yes.
 19 **Q. What's your understanding of her law**
 20 **enforcement background?**
 21 A. Secret Service, based out of Palm Springs.
 22 **Q. When did you first learn that?**
 23 A. Probably weeks into working with her.
 24 **Q. After Dia went missing?**
 25 A. Yes.

Page 172

1 **Q. And we talked about Ms. Fedder helping with the**
 2 **search after Dia went missing, and I understand that she**
 3 **found that gun. Did she also find a gold ring?**
 4 A. Not to my awareness.
 5 **Q. Do you know if she found any of Dia's jewelry?**
 6 A. I don't know if we were ever looking for
 7 jewelry.
 8 **Q. Did you ever have any discussions with**
 9 **Ms. Fedder about Dia's estate-planning documents?**
 10 A. Her what?
 11 **Q. Her estate-planning documents, like her will or**
 12 **her trust.**
 13 A. Once we found out that we were in it together,
 14 then yeah, we discussed a lot of things about the trust.
 15 **Q. When did you first find out you were in it**
 16 **together?**
 17 A. When I returned seven days after being in New
 18 Mexico. That's what brought me back, was I had learned
 19 that I was the power of attorney and trustee for her.
 20 **Q. And how did you learn that?**
 21 A. I think -- I think Fedder told me. She
 22 informed me.
 23 **Q. How did she know?**
 24 A. Somebody had informed her.
 25 **Q. Do you know who?**

Page 173

1 A. I don't.

2 **Q. Did she say that she had a copy of the**

3 **document?**

4 A. She has one. She did have one. I know that.

5 **Q. At the time that she -- well, let me ask you**

6 **this. When she informed you that you were involved in**

7 **some way as a power of attorney and/or trust, did she**

8 **tell you that she actually had the documents, or did she**

9 **say someone had just told her that?**

10 A. No, she actually had documents.

11 **Q. Did she tell you where she had located the**

12 **documents?**

13 A. At the house.

14 **Q. Did she say where in the house?**

15 A. I assume it was the safe, but I'm guessing.

16 **Q. Did Ms. Fedder have access to the safe after**

17 **Dia went missing?**

18 A. The safe was left open in the bedroom.

19 **Q. Left open by whom?**

20 A. What's that?

21 **Q. Did you leave it open?**

22 A. I'm not sure how it got open, to be honest with

23 you. I assume that Clinton and Crisara opened it.

24 **Q. And is it your understanding that with the safe**

25 **open, Ms. Fedder was able to access the documents that**

Page 174

1 **were inside the safe?**

2 A. She'd come up with it somewhere. I'm not sure

3 where she got it. You'd have to ask her.

4 **Q. All right. So yeah, that's fair. So the first**

5 **time you learned that you were named as a power of**

6 **attorney in the trust, that's when -- Ms. Fedder told**

7 **you that when you were out of California, in New Mexico?**

8 A. Yeah. She said, "You need to get your ass back

9 here and take care of business."

10 **Q. Okay. And did you come back at that time?**

11 A. Yes.

12 **Q. So when is the first time you saw the**

13 **power-of-attorney document?**

14 A. I think from Fedder.

15 **Q. Did you see the trust document that same time?**

16 A. Yes.

17 **Q. Where did you see those documents for the first**

18 **time?**

19 A. I think she had them with her in her car.

20 **Q. At the ranch or where?**

21 A. Well, that's where we did the search from.

22 When I returned, we talked. I know we had several

23 meetings on how we were to conduct business, and we

24 wanted to do it correctly.

25 **Q. Did you ever, like, sit down and go through the**

Page 175

1 **documents with Ms. Fedder?**

2 A. Yes.

3 **Q. When did that first occur?**

4 A. Right after I got back.

5 **Q. Was that at the ranch?**

6 A. Yes.

7 **Q. Had Dia told you at any point in time that you**

8 **were named as trustee of her trust?**

9 A. No.

10 **Q. Did she tell you at any point in time that you**

11 **were named as a beneficiary under her trust?**

12 A. No.

13 **Q. Did she talk to you at all about her trust at**

14 **any point?**

15 A. She took me through in the last two weeks. She

16 took me through and showed me the things in the safe.

17 And I said, "Why do I need to know these things?"

18 And she said, "Because I feel that my life is

19 being threatened, and you need to know where this stuff

20 is." And she went out and bought all kinds of food and

21 things for the animals. She knew she was going

22 somewhere.

23 **Q. Did she tell you at that time that her trust**

24 **was in the safe?**

25 A. Her trust was what?

Page 176

1 **Q. In the safe.**

2 A. I don't remember her ever telling me where

3 the trust was. I think she alluded that the trust was

4 in the safe. I think I remember her saying that.

5 **Q. Did you ever have any discussions with Dia**

6 **about the contents of her trust?**

7 A. No.

8 **Q. Did you ever have any discussions with Dia**

9 **about the contents of her power-of-attorney document?**

10 A. No.

11 **Q. So after you and Ms. Fedder went over the**

12 **documents upon your return, you and she met to take on**

13 **your role as trustee and power of attorney?**

14 A. Is that when I took it on?

15 **Q. Yeah, I guess that's a better question. Is**

16 **that when you took it on?**

17 A. I took it on when she called and said, "You

18 need to get your ass back here. Clinton and Crisara is

19 at the house. They're changing all the locks. You are

20 the power of attorney. You need to bring a stop to

21 that."

22 I said -- I then ordered her to go to the house

23 and confront Crisara and Clinton and to bring a

24 resolution to what was going on at the ranch, and they

25 also had hit Tool Box.

Page 177

1 **Q. So Ms. Fedder went and told Clinton and Crisara**
 2 **that, "Hey, you guys gotta stand down because" --**
 3 A. Exactly, yeah.
 4 **Q. -- "Mr. Harper is named as the power of**
 5 **attorney." Is that right?**
 6 A. Correct.
 7 **Q. And then when you returned, you did take on the**
 8 **role as trustee and power of attorney?**
 9 A. Yes.
 10 **Q. Did you go meet with Mr. Healey at that time?**
 11 A. Yes.
 12 **Q. How much time --**
 13 A. Shortly thereafter. What's that?
 14 **Q. Shortly thereafter?**
 15 A. Yeah.
 16 **Q. When did Mr. Healey first start -- well, let me**
 17 **withdraw that.**
 18 **When did Mr. Healey become your attorney?**
 19 A. After I asked him to.
 20 **Q. When did that occur?**
 21 A. Shortly after.
 22 **Q. Shortly after what?**
 23 A. I had realized I was the trustee and the power
 24 of attorney.
 25 **Q. Did you and Ms. Fedder go and have a meeting**

Page 178

1 **with Mr. Healey at his office at some point?**
 2 A. Yes, we did.
 3 **Q. How long was that meeting?**
 4 A. Oh, I think we met for a half-hour. We just
 5 had --
 6 **Q. What was the purpose --**
 7 A. What's that?
 8 **Q. I'm sorry. I didn't mean to interrupt. Go**
 9 **ahead.**
 10 A. We discussed what --
 11 MR. HEALEY: Wait, wait, wait. What we
 12 discussed is attorney-client privilege. Don't answer
 13 questions on that.
 14 THE WITNESS: Okay.
 15 MR. OWENS: So I think what we heard was
 16 Ms. Fedder was present for that meeting, true?
 17 THE WITNESS: Yes.
 18 MR. OWENS: Okay. So privilege is broken by
 19 her presence. I don't think that conversation is
 20 privileged.
 21 MR. HEALEY: Well, my conversation with my
 22 clients here is.
 23 MR. OWENS: I'm sorry, Mr. Healey. I can't
 24 quite make out what you're saying.
 25 MR. HEALEY: The privilege is good with my

Page 179

1 clients here.
 2 MR. OWENS: Yeah. But if you had a third
 3 party, not your client, in the room, there's no
 4 attorney-client privilege.
 5 MR. HEALEY: Not necessarily, if she was there
 6 for legal advice too.
 7 MR. OWENS: You also, Mr. Healey, testified as
 8 to that conversation at your deposition. You didn't
 9 assert attorney-client privilege.
 10 MR. HEALEY: Well, okay. Let's just get this
 11 thing over. I'll object, but --
 12 MR. OWENS: Yeah. I'll ask the question, then.
 13 If you need to object and instruct him not to answer,
 14 you know, everybody will do what they need to do.
 15 **Q. So let me just ask you this, Mr. Harper. What**
 16 **was the purpose of that meeting?**
 17 A. To learn our roles.
 18 **Q. Do you recall anything specific that you said**
 19 **or asked during that meeting?**
 20 A. I think the only thing I -- really was on my
 21 mind is if we had the power to sell Tool Box.
 22 **Q. And did you walk out of that meeting with**
 23 **guidance on that topic?**
 24 A. Yes.
 25 **Q. Did you walk out of that meeting with guidance**

Page 180

1 **on any other topic?**
 2 A. Not that I recall.
 3 **Q. When you left that meeting, what was**
 4 **Ms. Fedder's role, if any, supposed to be going forward?**
 5 A. I just think we needed understanding of what
 6 our roles were. None of us had served in those
 7 capacities.
 8 **Q. And so did you understand at that time that you**
 9 **were supposed to be the primary and then Ms. Fedder**
 10 **would be secondary? Does that --**
 11 A. Yes.
 12 **Q. -- sound right to you?**
 13 **Okay. So is it fair to say Ms. Fedder was**
 14 **taking your lead at that point?**
 15 A. Taking my lead. How could she take my lead?
 16 **Q. I'm trying to figure out who was in charge.**
 17 **After that meeting, were you in charge or Ms. Fedder in**
 18 **charge?**
 19 A. I was.
 20 **Q. Okay. Got it. Did you ever have any**
 21 **discussions with Dia about her wishes with respect to**
 22 **how her assets would pass upon her death?**
 23 A. I never thought I would ever see her dead.
 24 **Q. So that's a no?**
 25 A. No.

Page 181

1 Q. Did you ever have any discussions with Dia
 2 about who she would want her trustee to be after she
 3 passed?
 4 A. No. I knew she did not want her children to
 5 have anything, period.
 6 Q. How do you know that?
 7 A. Because I've known her over the time, and I
 8 know that document that she changed, taking Crisara off
 9 of the deal, and that was on like December 12th of I
 10 think 2018. She crosses Crisara off and said that she
 11 wanted me to witness her signature and her initial.
 12 Q. All right. So I'm going to get to that very
 13 soon, but right now let me just stick with one more
 14 question here. Did you have discussions with Dia about
 15 her wishes as to who would be her power of attorney if
 16 she ever needed one?
 17 A. Nope.
 18 Q. You know the name Jodi Newkirk, right?
 19 A. Yep.
 20 Q. How did you know that person?
 21 A. She worked at the ranch about four hours a day.
 22 Q. She was like an employee?
 23 A. Yep.
 24 Q. Did you ever have any sort of friendship
 25 relationship with her?

Page 182

1 A. Nope.
 2 Q. Did you ever have any romantic relationship
 3 with her?
 4 A. No.
 5 Q. Have you had any sort of romantic relationship
 6 with anyone since Dia went missing?
 7 A. No.
 8 Q. Ms. Newkirk died on the property, right, at the
 9 ranch?
 10 A. She did.
 11 Q. Do you know how she died?
 12 A. ATV rollover.
 13 Q. Are you the person that found her?
 14 A. Yes.
 15 Q. What's your understanding of how that ATV
 16 rollover occurred?
 17 A. You know, I did tours for over 20 years. I've
 18 seen it all. I think she rode it sidesaddle. I think
 19 what she did, she was looking for something standing up.
 20 I think she stepped off the machine, the machine starts
 21 up her leg, and I think she pulls the machine over on
 22 top of her.
 23 Q. And you're surmising that based on sort of like
 24 where she landed or what?
 25 A. Yes, on how she was trapped underneath.

Page 183

1 Q. Did you actually --
 2 A. That's almost the exact accident happened with
 3 a 12-year-old.
 4 Q. Were you around when she fell off, or were
 5 you --
 6 A. No.
 7 Q. -- somewhere else on the property?
 8 A. No. I was working on a case for her to get her
 9 horse returned.
 10 Q. Were you within earshot of her?
 11 A. No.
 12 Q. Was anyone else at the property at that time?
 13 A. No.
 14 Q. Why was she riding the ATV around?
 15 A. Trying to find a Christmas tree to take home.
 16 Q. You were the person that reported that accident
 17 to the authorities?
 18 A. Correct.
 19 Q. Do you know if the authorities ever suspected
 20 any foul play?
 21 A. I don't know what they suspected. They -- I
 22 know that they left her body exposed for 17 hours in the
 23 elements. We had almost 11 inches of rain that day.
 24 Q. Do you know if it was investigated as a
 25 homicide?

Page 184

1 A. I know that they were looking at options if
 2 there had been something other than an accident that had
 3 occurred.
 4 Q. How do you know that?
 5 A. Because I would talk to Lorero, who informed
 6 me.
 7 Q. Did he provide any details other than what you
 8 just said?
 9 A. All I can report is what I saw.
 10 Q. Did you attend Ms. Newkirk's funeral?
 11 A. Absolutely.
 12 Q. Did anyone express to you that they didn't
 13 think you were welcome there?
 14 A. No, never. Never, ever.
 15 Q. Have you heard --
 16 A. In fact, it was one of her husbands that
 17 invited me to be there.
 18 Q. Have you heard any reports after the fact about
 19 anyone being unhappy that you attended?
 20 A. Oh, I listened to the news report from old
 21 David.
 22 Q. Have you heard anything outside of any -- of
 23 news sources?
 24 A. Nope.
 25 Q. What was your understanding of Dia's

<p style="text-align: right;">Page 185</p> <p>1 relationship with Crisara?</p> <p>2 A. It was distressed.</p> <p>3 Q. What do you mean by "distressed"?</p> <p>4 A. Crisara would never stand up for her. She</p> <p>5 always would bow back and allow Clinton to make the</p> <p>6 decisions.</p> <p>7 Q. Do you know if Dia was close with Crisara?</p> <p>8 A. You know, I think she wanted to be, but the</p> <p>9 fact that Crisara would never step forward and assist</p> <p>10 her was probably the angering point with Crisara.</p> <p>11 Q. Can you think of an example of a time when</p> <p>12 Crisara didn't step forward for Dia and Dia got --</p> <p>13 A. Every situation that occurred, Crisara would</p> <p>14 step back.</p> <p>15 Q. Can you give me one example?</p> <p>16 A. When the trust was filed, she had conversations</p> <p>17 with Crisara, and Crisara sided with Clinton every time</p> <p>18 against her.</p> <p>19 Q. Yeah. So I just don't have all this</p> <p>20 background, Mr. Harper. So can you -- what's an example</p> <p>21 of what happened in connection with that trust filing</p> <p>22 you're talking about where Crisara didn't back up Dia?</p> <p>23 A. When she filed, she thought that Crisara would</p> <p>24 stand up for her and said, you know, "Our mom deserves</p> <p>25 something. She cannot be given nothing." And the</p>	<p style="text-align: right;">Page 187</p> <p>1 the time that they came to take her truck.</p> <p>2 Q. Did Crisara --</p> <p>3 A. Never came to the ranch.</p> <p>4 Q. So in the time that you were in a relationship</p> <p>5 with Dia, Crisara never came out to Dia's property?</p> <p>6 A. Never.</p> <p>7 Q. In the time that you were in a relationship</p> <p>8 with Dia, did Dia ever go to see Crisara in La Jolla?</p> <p>9 A. Yes.</p> <p>10 Q. Did Dia ever ask you to go with her?</p> <p>11 A. No. She -- when she was going with Crisara,</p> <p>12 she says, you know, "We need the one-on-one time," and</p> <p>13 so she chose to go it alone with her.</p> <p>14 Q. Did you ever express to Dia any desire to meet</p> <p>15 her daughter?</p> <p>16 A. Yes.</p> <p>17 Q. And what was Dia's response?</p> <p>18 A. She said, "There will come a time, but not</p> <p>19 now."</p> <p>20 Q. Did you ever express to Dia a desire to meet</p> <p>21 Clinton?</p> <p>22 A. I've met Clinton before. I've met Clinton on</p> <p>23 two or three times.</p> <p>24 Q. Yeah, but I'm asking did you ever say to Dia,</p> <p>25 like, "Hey, we've been dating for a while. I want to</p>
<p style="text-align: right;">Page 186</p> <p>1 choices. During the choice of cutting her off, taking</p> <p>2 her truck, cutting her off, she stepped away from Dia</p> <p>3 and went with Clinton, even to the financial ruin of</p> <p>4 their mother.</p> <p>5 Q. So what you're describing now is what we were</p> <p>6 talking about earlier where at some point Dia no longer</p> <p>7 got any money from that family trust? That's what</p> <p>8 you're talking about?</p> <p>9 A. Exactly.</p> <p>10 Q. And Dia wanted Crisara to basically have her</p> <p>11 back on that issue?</p> <p>12 A. Yes.</p> <p>13 Q. That's what you're saying? Okay.</p> <p>14 A. And she stepped away from her every time.</p> <p>15 Q. Have you ever met Crisara?</p> <p>16 A. Yes.</p> <p>17 Q. When did you first meet?</p> <p>18 A. You know, I'm trying to recall whether I met --</p> <p>19 I think I met her when they were taking her truck. I</p> <p>20 think she was at the residence, the ranch, when they</p> <p>21 were attempting to take her truck away. But I had heard</p> <p>22 her on the phone with her mother numerous times.</p> <p>23 Q. So you believe that you met Crisara before Dia</p> <p>24 went missing?</p> <p>25 A. I don't believe I met Crisara at all. Only at</p>	<p style="text-align: right;">Page 188</p> <p>1 meet your son Clinton"?</p> <p>2 A. Clinton came out to the ranch while we were</p> <p>3 dating. I saw him twice at the ranch.</p> <p>4 Q. Is that early on in the relationship?</p> <p>5 A. Yes.</p> <p>6 Q. What was your understanding of Dia's</p> <p>7 relationship with Clinton?</p> <p>8 A. It was not good. He never treated her with any</p> <p>9 respect any time that they were on the phone. Never</p> <p>10 calls her "Mother." Never calls her anything that would</p> <p>11 relate to being respectful to her. He always put her</p> <p>12 down.</p> <p>13 Q. What about those times that he came out to the</p> <p>14 ranch when you were, you know, early days in your</p> <p>15 relationship with Dia? What was the purpose for Clinton</p> <p>16 coming out?</p> <p>17 A. Oh, he'd come out. You know, we had the -- we</p> <p>18 had the flood in 2018, February 14th, and we had severe</p> <p>19 damage, and she had asked Clinton to come to the ranch</p> <p>20 to evaluate the damage and to help pay for the repairs.</p> <p>21 Clinton refused to pay anything. He said, "You're lucky</p> <p>22 you get to eat. If you have something to eat, you</p> <p>23 shouldn't be complaining. Your property is nothing."</p> <p>24 Q. What was the purpose of Clinton coming out to</p> <p>25 the ranch?</p>

Page 189

1 A. Because he needed the money to make the repairs
2 to the ranch. We had 17-foot holes and bridges washed
3 out, dams washed out. We were going around on
4 four-wheelers -- I mean RZR's because it was the only way
5 to get through and back out of the ranch. We had a car
6 parked down by Lake Hemet that we rented so we would
7 have transportation. That's how severe the damage was.

**8 Q. Do you know how often Dia communicated with
9 Crisara in the last year of her life?**

10 A. I would say at least twice a month. She'd go
11 down and pay for her hair to be cut. For her birthday,
12 she would take her out to lunch.

13 Q. Who would pay for whose lunch?

14 A. Dia would always pay for it.

15 Q. Dia would pay for the haircut too?

16 A. Yes.

**17 Q. How often was Dia communicating with Clinton in
18 the last year before she went missing?**

19 A. Almost every other day.

20 Q. On the phone?

21 A. Yes.

**22 Q. So help me understand that. You said the
23 relationship was not good, but it sounds like they were
24 talking to each other a lot, right?**

25 A. They were talking, but it wasn't nice. She was

Page 190

1 always -- he was always cutting expenses on her, even
2 down to medical expenses, and she would call and say,
3 "You cannot cut my medical expenses out." He'd say,
4 "Oh, it's just -- you're just showing that."

5 And she would send him bills all the time
6 showing that they weren't being paid and that she was
7 being canceled. But that went on for feed for the
8 animals and for the property that needed repaired.
9 There was a constant battle between those two.

**10 Q. When Dia and Clinton were talking on the phone
11 almost every other day, did they talk about anything
12 other than finances?**

13 A. Not really.

**14 Q. Do you recall them ever talking about anything
15 other than finances?**

16 A. No. She was always short on funds. She was
17 always trying to get Clinton to keep up with the
18 payments that her husband had generated for her.

**19 Q. Did Dia ever talk to you about what was going
20 on generally in Crisara's life?**

21 A. Yeah, she did. She did.

**22 Q. How often would she bring up Crisara as a topic
23 of conversation?**

24 A. Oh, you know, I knew -- I knew a lot about
25 Crisara from the conversations. I just didn't know

Page 191

1 Crisara. There was a lot of times she talked about
2 Crisara.

3 Q. Did she talk about Clinton a lot?

4 A. Not in a nice way.

**5 Q. What did she say about Clinton that was not in
6 a nice way?**

7 A. That he was trying to control the trust and
8 that she was fearful that he would take her life.

**9 Q. Do you recall Dia ever talking to you about
10 what was going on in Clinton's life with respect to
11 family, activities, anything like that?**

12 A. Yeah. I knew that he'd gotten married in Vegas
13 and he had a daughter. I had met his girlfriend one
14 time. She came out and basically stayed on her phone
15 the entire time. Didn't even come in and say hi to Dia.

**16 Q. All right. Let me go to the next exhibit. All
17 right. I'm going to mark as Exhibit 10 Dia's earlier
18 trust document from back in --**

19 A. 2016?

**20 Q. Yeah. I'm just flipping to the end to show you
21 the date. It's taking a second to load here.**

22 A. Yep.

23 Q. Yeah, December 16, 2016.

24 (Exhibit 10 is marked for identification
25 and attached hereto.)

Page 192

**1 Q. Okay. So do you recognize this document,
2 Mr. Harper?**

3 A. Yes, I do.

**4 Q. When is the first time you believe you saw this
5 document?**

6 A. I've seen it several times.

**7 Q. Did you see it at any point while Dia was --
8 before Dia went missing?**

9 A. Yes, absolutely.

10 Q. When did you see it before Dia went missing?

11 A. I don't remember the dates. I have seen it
12 more than once.

**13 Q. What was the -- what were the circumstances
14 under which you saw this document before Dia went
15 missing?**

16 A. One was when she was crossing off Crisara's
17 name and she wanted a witness to that name being crossed
18 off and her signature.

**19 Q. Did Dia have this document physically in the
20 house at the ranch?**

21 A. Yes.

22 Q. Was it in a safe?

23 A. Yes.

**24 Q. Do you know if Dia had gotten an attorney
25 involved in helping draft this document?**

<p style="text-align: right;">Page 193</p> <p>1 A. Yes.</p> <p>2 Q. Do you know who that was?</p> <p>3 A. I don't remember, but I know there was an</p> <p>4 attorney involved.</p> <p>5 Q. Do you know if the attorney was in San Diego?</p> <p>6 A. You know, I knew all that stuff, but that's</p> <p>7 been a long time. I can't remember.</p> <p>8 Q. All right. You don't recall any details of who</p> <p>9 the attorney was. Is that right?</p> <p>10 A. No.</p> <p>11 Q. Okay. I'm going to go to the handwriting that</p> <p>12 I think you're referring to. So if I go -- I'm on</p> <p>13 Exhibit 10, page 2. If you go down near the bottom.</p> <p>14 A. Yes.</p> <p>15 Q. Under article 3, subparagraph B, Crisara's name</p> <p>16 is crossed out, and then there's some interlineations.</p> <p>17 Do you see that?</p> <p>18 A. Yep.</p> <p>19 Q. What do you think is written above Crisara's</p> <p>20 crossed-out name?</p> <p>21 A. Dia's initials.</p> <p>22 Q. And do you believe that to be Dia's</p> <p>23 handwriting?</p> <p>24 A. Without a question. I watched her do it.</p> <p>25 Q. So all the handwriting that we're looking at on</p>	<p style="text-align: right;">Page 195</p> <p>1 Q. Do you recall whether it was an employee or a</p> <p>2 friend?</p> <p>3 A. Friend.</p> <p>4 Q. So this paragraph we're looking at here talks</p> <p>5 about the trustee. So originally it looks like Crisara</p> <p>6 was trustee.</p> <p>7 A. Correct.</p> <p>8 Q. And then Dia crossed it out. Did you have</p> <p>9 discussions with Dia about why she was removing Crisara</p> <p>10 as trustee?</p> <p>11 A. Basically states the same thing, that her</p> <p>12 daughter, when she could have stood up for her, always</p> <p>13 went against her. And, you know, Clinton was verbal.</p> <p>14 She was more passive in her rejection of her.</p> <p>15 Q. Did she -- did Dia tell you who she would want</p> <p>16 to be trustee instead of Crisara?</p> <p>17 A. I think it was written in the document that</p> <p>18 there was a trainer that she worked with that I thought</p> <p>19 was going to be the trustee, if I remember the document</p> <p>20 correctly.</p> <p>21 Q. Do you recall that person's name?</p> <p>22 A. No, it's been too long. It starts with R, I</p> <p>23 think.</p> <p>24 Q. I'm going to flip over to page 4. There's more</p> <p>25 handwriting here down at the bottom.</p>
<p style="text-align: right;">Page 194</p> <p>1 page 2 here, that was Dia's?</p> <p>2 A. Yes.</p> <p>3 Q. Where were you guys when you watched her write</p> <p>4 this?</p> <p>5 A. We were at the kitchen table.</p> <p>6 Q. Was anyone else present?</p> <p>7 A. There was -- I think there was another guy who</p> <p>8 witnessed it as well, but I don't -- I don't remember if</p> <p>9 it was the same time. What I -- what I do remember is</p> <p>10 she declares the day, because that's the death of her</p> <p>11 husband. She speaks about it being Independence Day and</p> <p>12 the first time that she could really make her own</p> <p>13 choices. Little did she know what would follow.</p> <p>14 Q. Did she actually make these changes on December</p> <p>15 12th, 2018 or --</p> <p>16 A. Yes, she did. On December 12th, she made them.</p> <p>17 She calls it Independence Day.</p> <p>18 Q. Do you recall who the other person was that was</p> <p>19 there when she wrote --</p> <p>20 A. It's been a while. I would have to rethink</p> <p>21 that.</p> <p>22 Q. Do you recall whether -- sorry. I didn't mean</p> <p>23 to cut you off.</p> <p>24 A. No. I was going to say it's been a while.</p> <p>25 I'll have to rethink it.</p>	<p style="text-align: right;">Page 196</p> <p>1 A. Yeah.</p> <p>2 Q. Is that also Dia's handwriting?</p> <p>3 A. Dia's handwriting, initials, and date that she</p> <p>4 signs it.</p> <p>5 Q. And you were there to witness it?</p> <p>6 A. Yes.</p> <p>7 Q. So this provision changes actual distributions.</p> <p>8 So it looks like it used to go to Crisara, and then she</p> <p>9 crossed it out. Did you have discussions with Dia about</p> <p>10 why she made that change?</p> <p>11 A. Same thing I've already told you. Same change</p> <p>12 from the first page.</p> <p>13 Q. In other words, she didn't go through this with</p> <p>14 you and say, "I'm changing the trustee for this, the</p> <p>15 following reason, but I'm changing the beneficiary for a</p> <p>16 different reason"? It was all the same?</p> <p>17 A. It was basically the same, that Crisara would</p> <p>18 never stand for her, always stood against her.</p> <p>19 Q. All right. Page 5, we have some more</p> <p>20 handwriting here. Is that also Dia's handwriting?</p> <p>21 A. Yes, it is.</p> <p>22 Q. And you witnessed that as well?</p> <p>23 A. Yes.</p> <p>24 Q. So if we look at page 5, paragraph C, it says,</p> <p>25 "Trustor leaves a gift of \$5,000 to Isidro Garcia." Do</p>

Page 197

1 you see that?

2 A. Yep.

3 **Q. Did you ever have any discussions with Dia**

4 **about leaving any money to Isidro?**

5 A. That was her choice.

6 **Q. So you didn't have discussions about that issue**

7 **with her?**

8 A. No.

9 **Q. Next one down, \$5,000 to Victor Valentino?**

10 A. Oh, that's the -- that's the trainer right

11 there. That's who I think the trust was to go to if

12 Crisara failed.

13 **Q. You have some memory that Dia, at least at one**

14 **point in time, wanted Victor to be the next trustee?**

15 A. Yes.

16 **Q. Did you ever discuss with Dia this \$5,000 gift**

17 **to Victor?**

18 A. Didn't matter to me.

19 **Q. So no?**

20 A. No.

21 **Q. Okay. Let me go to the next exhibit, which**

22 **will be 11. So Exhibit 11 is a 20-page document. This**

23 **is the trust restatement that was done on May 22 of**

24 **2020.**

25 (Exhibit 11 is marked for identification)

Page 198

1 and attached hereto.)

2 **Q. Do you recognize this document, Mr. Harper?**

3 A. Yes, I do. Been over it several times.

4 **Q. When is the first time you saw this document?**

5 A. Like I told you, when I -- what's her name?

6 Who's the --

7 MR. HEALEY: Diane Fedder.

8 THE WITNESS: Oh, Diane Fedder.

9 **Q. (BY MR. OWENS:) So I just want to make sure I**

10 **got this right. Exhibit 10, the 2016 trust, you had**

11 **seen that one before Dia went missing, true?**

12 A. Yes.

13 **Q. But you had not seen Exhibit 11 --**

14 A. I know she had changed it. She told me that

15 she was changing her trust, and she told me she was

16 meeting with her attorney. I just didn't ask any

17 questions about that. I figured it was her personal

18 business.

19 **Q. She didn't tell you the nature of the changes?**

20 A. No.

21 **Q. She didn't tell you anything about changing**

22 **beneficiaries?**

23 A. Nope.

24 **Q. And you didn't see or ask to see the document?**

25 A. Nope. I knew where it was. I just never

Page 199

1 looked at it. I figured that I would be long gone

2 before she.

3 **Q. So if we look at the bottom of page 1, it has**

4 **Dennis Healey's information there?**

5 A. Yes.

6 **Q. And is it your understanding that Mr. Healey**

7 **drafted this document?**

8 A. Yes.

9 **Q. Do you know how Dia found Mr. Healey?**

10 A. You'd have to ask him. I don't know. I'm sure

11 it was on referral. That's what most of her attorneys

12 were.

13 **Q. Did Dia ever ask you for a referral to an**

14 **attorney?**

15 A. I didn't know any here.

16 **Q. Sorry. You didn't know any?**

17 A. I didn't know any in Palm Desert. I have some

18 great ones in Durango and Farmington, but none here.

19 **Q. So sitting here right now, you have no idea how**

20 **Dia got connected with Mr. Healey. Is that right?**

21 A. No. I'm sure it was on a referral. Do you

22 know?

23 **Q. And you didn't drive her to her appointment**

24 **with Mr. Healey?**

25 A. Nope.

Page 200

1 **Q. Did she tell you the day when she was going to**

2 **update her trust?**

3 A. Yes.

4 **Q. So you knew she was going to meet with an**

5 **attorney on May 22nd; you just didn't know who?**

6 A. Didn't matter to me.

7 **Q. I just want to make sure I got it. So you knew**

8 **she was going to meet with an attorney, but you didn't**

9 **know who the attorney was, correct?**

10 A. Correct.

11 **Q. Did you make any suggestion to Dia about what**

12 **changes she should make in her trust?**

13 A. No. Didn't matter to me.

14 **Q. And then she never reported back to you what**

15 **changes that she had, in fact, made?**

16 A. No. I think, given time, she would have, but

17 her course of action was to prep everything because

18 she -- it was almost like she knew the end was coming.

19 She was busier than she's ever been, in the last two

20 weeks of her life.

21 **Q. If we look at page 2 of Exhibit 11, down at**

22 **article 1.2, the second alternate trustee there is Diana**

23 **Fedder. Do you see that?**

24 A. Yep.

25 **Q. Were you surprised at all to learn that Dia had**

<p style="text-align: right;">Page 201</p> <p>1 named Ms. Fedder as an alternate trustee?</p> <p>2 A. I thought she would name somebody that I was</p> <p>3 familiar with since I had to work with her. I'd only</p> <p>4 met Diana the one time, so I didn't realize why she</p> <p>5 would choose Diane Fedder. I realized after the fact</p> <p>6 that she's a girl that gets things done, so I kind of</p> <p>7 understood that. I wish I had her now, to be honest</p> <p>8 with you.</p> <p>9 Q. Did Dia ever ask you whether you would be</p> <p>10 willing to serve as successor trustee of her trust?</p> <p>11 A. No. I probably would have declined.</p> <p>12 Q. All right. So I'm on the 18th page of the PDF,</p> <p>13 but the page number on the document is 17. It's a</p> <p>14 Schedule A here. Do you see this?</p> <p>15 A. Yeah.</p> <p>16 Q. So I see the four properties, and I think we've</p> <p>17 talked about these properties already.</p> <p>18 A. Yep.</p> <p>19 Q. I see a checking account at Chase. We haven't</p> <p>20 talked about a 2006 Lexus. Did Dia have a Lexus at the</p> <p>21 time she went missing?</p> <p>22 A. Yeah, but it didn't run.</p> <p>23 Q. What happened with that Lexus?</p> <p>24 A. It's still parked where she parked it, in back</p> <p>25 of the house.</p>	<p style="text-align: right;">Page 203</p> <p>1 A. Nope.</p> <p>2 Q. And you never saw this while she was -- before</p> <p>3 she went missing, right?</p> <p>4 A. No. I didn't see that till after I was</p> <p>5 notified of being the power of attorney.</p> <p>6 Q. Did Dia ever ask you at any point if you'd be</p> <p>7 willing to be named as a power of attorney?</p> <p>8 A. Nope.</p> <p>9 Q. Okay. Let me go to the next exhibit, 13. This</p> <p>10 is just the signature page from a petition. Does that</p> <p>11 look to be Dia's signature to you?</p> <p>12 MR. HEALEY: For clarification, what's that --</p> <p>13 THE WITNESS: What's it attached to?</p> <p>14 MR. OWENS: It's a petition filed in that trust</p> <p>15 case you've been talking about.</p> <p>16 MR. HEALEY: The San Diego case?</p> <p>17 THE WITNESS: Oh, the San Diego case?</p> <p>18 MR. OWENS: Right.</p> <p>19 (Exhibit 13 is marked for identification</p> <p>20 and attached hereto.)</p> <p>21 Q. (BY MR. OWENS:) All I really want to know --</p> <p>22 and if you don't have an opinion, that's fine too, but I</p> <p>23 just want to know does that look like --</p> <p>24 A. No, that -- I've seen that signature before.</p> <p>25 Q. Okay. That's not your signature, is it?</p>
<p style="text-align: right;">Page 202</p> <p>1 Q. Are you aware of any other assets that Dia may</p> <p>2 have owned, either directly or through her trust, other</p> <p>3 than the ones listed here and that we've already</p> <p>4 discussed today?</p> <p>5 A. Not that I'm aware.</p> <p>6 MR. OWENS: All right. I'm close to done, but</p> <p>7 I want to take a short break for our court reporter, if</p> <p>8 that's all right with folks.</p> <p>9 THE WITNESS: Can we just finish up?</p> <p>10 MR. OWENS: It's hard to keep going on and on.</p> <p>11 I mean, just like five minutes would be helpful.</p> <p>12 THE WITNESS: All right.</p> <p>13 THE REPORTER: Thank you.</p> <p>14 (Recess, 4:09 p.m. to 4:17 p.m.)</p> <p>15 MR. OWENS: Okay. Let's go back on the record.</p> <p>16 Q. Mr. Harper, I'm just going to show you quickly</p> <p>17 the power-of-attorney document. So I'll mark as</p> <p>18 Exhibit 12 a three-page document that is a power of</p> <p>19 attorney.</p> <p>20 (Exhibit 12 is marked for identification</p> <p>21 and attached hereto.)</p> <p>22 Q. Have you seen this before?</p> <p>23 A. Yes.</p> <p>24 Q. You've never had any discussions with Dia about</p> <p>25 this document, right?</p>	<p style="text-align: right;">Page 204</p> <p>1 A. No. Hell no. That's hers.</p> <p>2 Q. Have you ever signed Dia's name on any papers?</p> <p>3 A. Nope, not without the power of attorney.</p> <p>4 Q. Did Dia ever ask you to sign her name on any</p> <p>5 papers?</p> <p>6 A. No.</p> <p>7 Q. Did you ever observe any sort of mental decline</p> <p>8 in Dia at any point?</p> <p>9 A. No. Probably one of the brightest women I've</p> <p>10 ever known.</p> <p>11 Q. Did she have any, like, memory issues or --</p> <p>12 A. Never.</p> <p>13 Q. -- confusion?</p> <p>14 A. Not for a moment on her. In fact, she was</p> <p>15 probably as specific and directed as any woman I've ever</p> <p>16 been around.</p> <p>17 MR. HEALEY: Wait till he finishes his</p> <p>18 question.</p> <p>19 Q. (BY MR. OWENS:) Do you know if she was</p> <p>20 diagnosed with suffering from depression at any point?</p> <p>21 A. Nope.</p> <p>22 Q. Do you know if she was on any prescription</p> <p>23 medications for depression?</p> <p>24 A. Not that I was ever aware of. For injuries to</p> <p>25 her back, yes.</p>

Page 205

1 **Q. When did that back injury occur?**
 2 A. It occurred a number of years. She lived with
 3 it for a number of years before she ever went into
 4 surgery.
 5 **Q. When did she have the surgery?**
 6 A. I missed that. I think 2018.
 7 **Q. Where did she go for that surgery?**
 8 A. San Diego.
 9 **Q. Did she then have to stay at some sort of**
 10 **outpatient recovery clinic, something like that?**
 11 A. She had some real complications while she came
 12 out of surgery. She -- when she was recovering, the
 13 only person in the room was Clinton. She believed that
 14 she was slipped a drug by Clinton that was intended to
 15 take her life, and she went into severe coma for three,
 16 four days before she actually came out. No one brought
 17 her. She had to have a neighbor bring her and her
 18 neighbor take her back home.
 19 **Q. She told you this information about the drug**
 20 **being slipped?**
 21 A. Yes.
 22 **Q. Did she report that to any authorities?**
 23 A. She reported it to the doctor. And she had
 24 been in a coma for three to four days, and whatever test
 25 he said that would be administered, it would be probably

Page 206

1 out of her system by then. But she went immediately
 2 into a coma.
 3 **Q. Do you know if she ever reported that to any**
 4 **law enforcement?**
 5 A. I don't know.
 6 **Q. What neighbor are you talking about that**
 7 **brought her there?**
 8 A. I don't -- she just said that she had to call a
 9 neighbor to take her to the hospital, that her own
 10 children were not available to help her. And when it
 11 came time to release her, it may have been Julia, but I
 12 don't remember for sure, I think picked her up and
 13 brought her home.
 14 **Q. So do you know who took Dia in for the back**
 15 **surgery?**
 16 A. I do not.
 17 **Q. If Clinton were to say that he took her in for**
 18 **the back surgery, you would dispute that?**
 19 A. He did not. She told me that none of her
 20 children were available to take her in for back surgery.
 21 She had to have her neighbor take her, and only Clinton
 22 was in the recovery room. That's the only time she saw
 23 any family member.
 24 **Q. Why didn't you take her in for surgery?**
 25 A. Because I wasn't in state at the time.

Page 207

1 **Q. Where were you?**
 2 A. I was in New Mexico.
 3 **Q. What were you doing there?**
 4 A. Building.
 5 **Q. How long did she stay -- well, let me withdraw**
 6 **that.**
 7 **From the time that she went in for the surgery**
 8 **to the time that she was able to come back home, how**
 9 **much time passed?**
 10 A. I think it was close to a week passed before
 11 she was -- it could have gone -- I know she went into a
 12 rehab center for a while, and I don't know how long that
 13 took. I know the initial surgery and the fact that she
 14 was in a coma was nearly a week by the time of her
 15 recovery and out of that. And then she went into a
 16 rehab center to make sure that she was capable of going
 17 home. I don't know how long that took. I don't
 18 remember.
 19 **Q. And you didn't go see her at all during that**
 20 **approximately one-week period?**
 21 A. I was under construction. When I'm in
 22 construction, I have to stay there until the
 23 construction is done.
 24 **Q. After that back surgery, she was prescribed**
 25 **prescription medication for pain?**

Page 208

1 A. Yes, she was.
 2 **Q. Did she stay on that medication all the way up**
 3 **until when she went missing?**
 4 A. She -- I wouldn't say she took it regularly.
 5 She took it to avoid pain. I saw a number of her
 6 prescriptions that kind of stacked up because she would
 7 only take it -- only in severe pain would she take the
 8 prescription.
 9 **Q. When's the last time you recall her going to**
 10 **get a prescription filled for a pain medication?**
 11 A. I watched it every month.
 12 **Q. What were the pain medications she was taking?**
 13 A. I don't remember all of it.
 14 **Q. Did the medications ever seem to impact her**
 15 **cognitive functioning?**
 16 A. She never took them enough to affect her
 17 cognitive thinking. She'd take it rarely. I don't
 18 remember Dia ever being impaired.
 19 **Q. She ever seem groggy or tired from the meds?**
 20 A. Nope. Nope. She had -- she had migraines, and
 21 she would lay down for an hour or two because of the
 22 migraines. That's the only thing I ever heard her
 23 complain about.
 24 **Q. All right. I've just got a few questions about**
 25 **making sure we've identified all the witnesses here. Do**

Page 209

1 you know if Dia had a CPA?

2 A. The CPA was in the trust of the children. He's

3 the one that would pay most of her bills.

4 Q. Do you know that person's name?

5 A. I don't offhand.

6 Q. What about a financial planner or an investment

7 advisor, anything like that?

8 A. Nope.

9 Q. And in terms of attorneys, we know she was

10 represented by Mr. Healey for the trust document, and we

11 know that she was represented by Tara Burd in connection

12 with that trust litigation case. Are you aware of any

13 other attorneys that she had any interaction with?

14 A. She was -- she was going to let go of Tara

15 Burd, and she found one here in Palm Desert, but -- I

16 think that attorney was a very strong attorney, but I

17 think she was involved in a car accident, and that took

18 her life.

19 Q. The car accident attorney, is that the one in

20 the desert or that's Tara Burd?

21 A. In the desert, not Tara.

22 Q. So then Dia decided to stick with Tara Burd.

23 Is that right?

24 A. She was -- if she would have continued with the

25 trust, she would have retired Tara and gone to this new

Page 210

1 attorney.

2 Q. Did you ever have any discussions with Tara

3 Burd about Dia's wishes with respect to how her assets

4 would pass upon her death?

5 A. No, that was never the discussion. The

6 discussion was on how to best defend her rights to the

7 trust.

8 Q. Do you know of a neighbor Dia had by the name

9 of Carmen?

10 A. Carmen is the director of Pine Springs.

11 Q. Was that person involved in the search?

12 A. She had her whole staff involved.

13 Q. And I asked you earlier, I think, about Sally

14 Imel, and you didn't know who that was. Is that right?

15 A. The name does not ring familiar, not that I did

16 not know her. It sounds like somebody that was in the

17 bunko game thing.

18 Q. And same thing with Ronnie Imel? That doesn't

19 ring a bell?

20 A. There was like a veterans deal that I think

21 they were over, and I think we went there for a dinner

22 at one time.

23 Q. Went where for a dinner?

24 A. At these people's house. That sounds familiar,

25 but I don't remember. But if it was, he was in charge

Page 211

1 of a veterans association.

2 Q. So it was a veterans association?

3 A. Correct.

4 Q. And you think you may have gone to dinner at

5 the Imels' residence one time?

6 A. I don't know. I can't say that for sure, sure.

7 I do not know the name. I'm assuming. It's a familiar

8 name; I just don't know how it relates.

9 Q. Are you still in contact with all of your

10 children?

11 A. Yes.

12 Q. Have you discussed with your children the

13 nature of this lawsuit?

14 A. Yes.

15 Q. Okay. Have you discussed with your children

16 that -- well, let me withdraw that.

17 Have you discussed with any of your children

18 Dia's wishes with respect to how her assets would pass

19 upon death?

20 A. Don't think that's ever come up.

21 Q. Going back to this back surgery, just a couple

22 other questions on that. Do you know if Crisara took

23 her mom into the back surgery?

24 A. Crisara was not available.

25 Q. Do you know if Crisara was around when Dia got

Page 212

1 out of the back surgery?

2 A. Was not available.

3 Q. Do you know if Crisara was around for that

4 approximately one week in time when Dia was recovering

5 from the surgery?

6 A. She recovered at Tool Box, and she -- to my

7 knowledge, there was never any of her children that came

8 to visit her, but I was in New Mexico at the time.

9 Q. But Dia told you that neither of her children

10 were around to take her in for the surgery?

11 A. Correct.

12 MR. OWENS: All right. That's all the

13 questions I've got.

14 MR. HEALEY: I don't have any.

15 MR. OWENS: All right. So let's just go per

16 code on the transcript and go off the record.

17 MR. HEALEY: Stipulate to that.

18 (Time noted: 4:32 p.m.)

19

20

21

22

23

24

25

Page 213

1 REPORTER CERTIFICATION

2

3 I, the undersigned certified shorthand reporter

4 licensed in the States of California and Arizona, do

5 hereby certify:

6 That the foregoing deposition of Keith L. Harper was

7 taken remotely before me at the date and time therein

8 set forth, at which time the witness was put under oath

9 or affirmation by me;

10 That the foregoing pages constitute a full, true,

11 and accurate transcript of all proceedings had in the

12 matter.

13 I further certify that I am not related to nor

14 employed by any of the parties hereto and have no

15 interest in the outcome of the action.

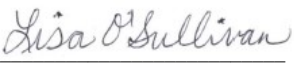
16 In witness whereof, I have subscribed my name this

17 date: July 13, 2022.

18

19

20

21 

22 Lisa O'Sullivan

23 CA CSR No. 7822

24 AZ CR No. 50952

25 RMR, CRR

Page 214

1 DECLARATION UNDER PENALTY OF PERJURY

2 Case Name: In re The Dia Kenshalo Abrams Trust

3 Date of Deposition: 06/30/2022

4 Job No.: 10102234

5

6 I, KEITH L. HARPER, hereby certify

7 under penalty of perjury under the laws of the State of

8 _____ that the foregoing is true and correct.

9 Executed this _____ day of

10 _____, 2022, at _____.

11

12

13 _____

14 KEITH L. HARPER

15

16 NOTARIZATION (If Required)

17 State of _____

18 County of _____

19 Subscribed and sworn to (or affirmed) before me on

20 this _____ day of _____, 20____,

21 by _____, proved to me on the

22 basis of satisfactory evidence to be the person

23 who appeared before me.

24 Signature: _____ (Seal)

25

Page 215

1 DEPOSITION ERRATA SHEET

2 Case Name: In re The Dia Kenshalo Abrams Trust

3 Name of Witness: Keith L. Harper

4 Date of Deposition: 06/30/2022

5 Job No.: 10102234

6 Reason Codes: 1. To clarify the record.

7 2. To conform to the facts.

8 3. To correct transcription errors.

9

10 Page _____ Line _____ Reason _____

11 From _____ to _____

12 Page _____ Line _____ Reason _____

13 From _____ to _____

14 Page _____ Line _____ Reason _____

15 From _____ to _____

16 Page _____ Line _____ Reason _____

17 From _____ to _____

18 Page _____ Line _____ Reason _____

19 From _____ to _____

20 Page _____ Line _____ Reason _____

21 From _____ to _____

22 Page _____ Line _____ Reason _____

23 From _____ to _____

24 Page _____ Line _____ Reason _____

25 From _____ to _____

Page 216

1 DEPOSITION ERRATA SHEET

2 Page _____ Line _____ Reason _____

3 From _____ to _____

4 Page _____ Line _____ Reason _____

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6 Page _____ Line _____ Reason _____

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15 From _____ to _____

16 Page _____ Line _____ Reason _____

17 From _____ to _____

18 Page _____ Line _____ Reason _____

19 From _____ to _____

20 Page _____ Line _____ Reason _____

21 From _____ to _____

22 _____ Subject to the above changes, I certify that the

23 transcript is true and correct

24 _____ No changes have been made. I certify that the

25 transcript is true and correct.

KEITH L. HARPER

Exhibits	1	17-foot 189:2	2011 54:9
EX 002 - HARPER, K 4:11 137:2,6 139:25 140:20,24 141:11,25 148:14	1 137:8 142:9 143:10, 12,19 161:24,25 199:3	18 23:4 53:6 157:13	2012 36:25 40:4 42:14
EX 004 - HARPER, K 4:12 142:6,10 143:10	1.2 200:22 10 49:7,10 166:6 191:17,24 193:13 198:10	18th 201:12	2014 23:8 36:24 42:10,15,19 43:5 45:1
EX 005 - HARPER, K 4:14 154:20,22	10-page 164:23	19 35:15	2015 46:18
EX 006 - HARPER, K 4:17 157:2,4	100 153:22	1974 52:21	2016 41:11 42:10,11, 19 43:5 45:1 46:18 191:19,23 198:10
EX 008 - HARPER, K 4:20 161:2,3,8 162:15 164:13 165:18	100,000 129:24	1:07 84:20	2018 134:16 159:1 181:10 188:18 194:15 205:6
EX 009 - HARPER, K 4:22 164:21,25	10:28 17:13	2	2019 55:7,8 56:18
EX 010 - HARPER, K 4:24 191:17,24 193:13 198:10	10:31 17:13	2 137:2,6 139:25 140:20,24 141:11,25 143:12 144:24 145:4 146:14 148:14 162:15 163:17 193:13 194:1 200:21	2020 58:9 62:8 72:19 98:8 130:9 132:22 135:12 161:19 162:16 167:7 170:10 197:24
EX 011 - HARPER, K 4:25 197:22,25 198:13 200:21	11 20:8 183:23 197:22,25 198:13 200:21	20 10:24,25 11:4,11 27:8,9 28:23 29:6 49:9,10 98:15 182:17	2021 98:9,10,19 99:9 113:12 148:18
EX 012 - HARPER, K 5:1 202:18,20	111 121:16	20,000 129:18	2022 142:9 161:20 164:13
EX 013 - HARPER, K 5:3 203:19	119 160:2	20-page 197:22	2024 26:14,21
EX 014 - HARPER, K 5:5 167:5,8	12 142:9 144:16 164:12 202:18,20	20-what 42:11	2025 26:15,21
\$	12-page 161:9	20-where 42:11	2181 164:24
\$20,000 166:7	12-year-old 183:3	20-year 29:16,17	22 99:18 101:5 105:21 166:6 197:23
\$275,000 88:3	12:16 84:20	200,000 133:10 137:18 152:9 158:10,16	22nd 200:5
\$350,000 147:11	12th 181:9 194:15,16	2000s 16:25 19:2 53:21,25	23 72:13
\$5,000 148:10 149:5 196:25 197:9,16	13 203:9,19	2002 17:1 39:18	25 130:3
	14 167:5,8	2004 39:18	25,000 133:4
	14th 188:18	2006 16:21 66:9 201:20	25-page 157:2
	15 10:10,24,25 11:4, 11	2007 16:21	26 36:4 115:7
	15,000 122:17	2010 20:13 54:8	27 72:13
	16 38:1 60:23 61:1 191:23		2:00 64:3

<p>2:20 62:10</p> <p>2:30 62:11 63:24 64:1,3</p> <p>2:44 152:14</p> <p>2:59 152:14</p> <p>2nd 148:17</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3 139:25 140:20 193:15</p> <p>30 75:2</p> <p>34 124:23</p> <p>35 81:7</p> <p>350,000 147:13</p> <p>36,000 164:14</p> <p>36-page 154:20</p> <p>37,000 164:14</p> <p>38 105:15,20,23 106:10 107:1</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 142:6,10 143:10 195:24</p> <p>40 98:15 103:25</p> <p>4214 46:8,9,10</p> <p>44 106:6</p> <p>4:09 202:14</p> <p>4:17 202:14</p> <p>4:32 212:18</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5 141:10 154:20,22 196:19,24</p>	<p>52 46:4 101:5</p> <p>54 46:4</p> <p>58111 7:8,21,25 152:8</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 141:25 157:2,4</p> <p>67 33:7</p> <p>6th 62:8 72:22 169:13</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>70s 34:25</p> <p>74 31:8,9</p> <p>76 33:2</p> <p>7:30 63:20 64:13</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 102:13 161:2,3,8 162:15 164:13 165:18</p> <p>82 97:20</p> <p>8859 161:10</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 164:21,25 167:7</p> <p>94 33:16</p> <p>96 16:24 27:7</p> <p>97 16:24</p> <p>970 325-0100 9:17</p> <hr/> <p style="text-align: center;">A</p> <hr/> <p>a.m. 17:13</p>	<p>ability 13:19 150:5</p> <p>Abrams 6:9 41:13,14 43:18,24 102:3,4 147:10 161:25 162:17</p> <p>absolutely 70:22 74:3 110:16 114:24 125:8 126:7,13,18,24 135:10 139:15 184:11 192:9</p> <p>abuse 17:6,17</p> <p>acceptable 126:2</p> <p>access 59:20 60:2 126:11 158:1 163:5 167:1 173:16,25</p> <p>accident 183:2,16 184:2 209:17,19</p> <p>accomplish 81:3</p> <p>account 120:17,18 127:4 138:23,24 139:20 147:13,18,25 151:3,11 152:25 153:3,6,8,10,15 161:10,13 163:3,5, 11,15 164:1,4,6,7, 10,11,14,17,23 165:8,10,17,18 166:11,24 201:19</p> <p>accounted 151:4,7</p> <p>accounting 127:1,2</p> <p>accountings 127:15</p> <p>accounts 120:16 126:11 147:18,21 148:5 158:2 166:1, 13,14,17 167:2</p> <p>accumulated 160:3</p> <p>accurate 13:20 37:6 106:24 142:18</p> <p>accusers 20:18 23:23</p>	<p>24:8</p> <p>acquainted 62:3</p> <p>acquired 38:7</p> <p>acre 51:11</p> <p>acres 51:14 115:11 153:22 160:2</p> <p>act 100:12 145:18</p> <p>action 70:17,18 123:3 145:22,24 169:4 200:17</p> <p>active 36:23 128:24</p> <p>activities 22:11 191:11</p> <p>activity 22:4</p> <p>actual 21:20 88:23 117:23 196:7</p> <p>add 48:11</p> <p>added 163:2 165:16, 17</p> <p>address 7:7,21 43:10 46:3 103:7 136:5 168:5,10 169:12</p> <p>addressed 21:4 139:13</p> <p>addresses 9:20</p> <p>adjustable 149:7</p> <p>administered 205:25</p> <p>administrators 150:19</p> <p>advantage 126:10 133:18</p> <p>Adventures 23:22</p> <p>adversely 143:21</p> <p>advertising 128:21</p> <p>advice 179:6</p>
---	---	--	--

advise 168:21	allegedly 82:12	133:4,10 165:25	211:7
advisement 144:14	allowed 12:8 108:14, 22 109:5 110:12	169:14,16 207:20	assumption 53:4
advisor 209:7	122:2 145:16 150:12	212:4	assure 87:1
affair 82:21	alluded 176:3	AR 104:22	attached 72:9 137:7 142:11 154:23 157:5 161:4 165:1 167:9 191:25 198:1 202:21 203:13,20
affect 208:16	alter 145:17 150:12	area 27:13 31:18 32:6 33:17 35:16,17 58:15 71:9 88:25 117:16 131:6	attained 34:15
affected 143:21	altered 132:7	argue 141:8	attempt 14:15 167:24
affiliated 27:19	alternate 200:22 201:1	argumentative 137:25	attempted 24:15 92:5,9 106:17 145:25 157:25
affirmed 6:4	American 130:21 131:2,8	Arizona 33:14,23 95:25 108:7,15 167:22	attempting 24:15 186:21
African 130:21 131:2, 8	amount 72:24 88:2 139:5,18,19 147:16 148:8 149:20 158:17 160:3	armed 104:13	attend 34:12 184:10
afternoon 64:22	and/or 173:7	arrive 169:19	attended 22:4 184:19
age 35:15	angering 185:10	arrived 35:20 81:21 82:16 97:18	attorney 6:16 21:8,15 40:21 41:3,8,9 100:2 137:18 142:24 143:3 144:20 157:14,17,22 158:2 162:25 165:15,20,23 167:17 168:21 170:3,6 172:19 173:7 174:6 176:13,20 177:5,8, 18,24 181:15 192:24 193:4,5,9 198:16 199:14 200:5,8,9 202:19 203:5,7 204:3 209:16,19 210:1
agent 79:8	animals 50:7,10 110:10 175:21 190:8	article 193:15 200:22	
agreed 47:4	ankle 28:15	aspects 145:10	
agreeing 158:18	answering 13:1,6	ass 174:8 176:18	
agreement 154:21 155:5	anticipate 63:11	assault 15:21 85:20, 25	
ahead 8:7,17 12:22 26:7,8 86:21 137:18 140:12 178:9	apologize 140:10	assert 179:9	
Airbnb 7:18,23,24 8:19 126:14 127:16, 17 129:20,22 130:1, 6 131:10,25 132:1 163:19,22,25 164:9 170:12	apostrophe 32:1	assess 18:25 87:14	
AK 105:7	app 41:19 42:23	assets 119:23 120:14 134:23 135:9,18 147:9 180:22 202:1 210:3 211:18	
AK-47 104:23	appeal 20:23,25 21:2 26:11,12	assist 89:15 115:16 123:13 185:9	
alive 90:14	appears 139:13 157:6	associate's 32:3,5,15	
allegation 16:6 17:4, 17 18:1 19:1 20:9, 12,14 24:8,16 85:7, 17	apply 19:6	associates 8:12	
allegations 15:21	appointment 199:23	association 211:1,2	
allege 24:10	approximately 18:13 31:1 35:15 42:8 44:24 60:23 62:10, 24 63:18,20 72:13 73:21 74:20 99:18 110:17 122:17 128:11 132:25	assume 12:12 19:3 154:16 173:15,23	
alleged 24:5		assuming 112:1	

boxes 121:18 147:24	37:4,10,20 38:19	cameras 112:10	catchup 133:2
boyfriend 113:4	39:8,9,21,24 40:3	Camille 54:13	category 86:25
branch 52:8 121:15	88:1 168:8,10 174:9, 23 198:18	camped 101:8,15 102:24	cattle 131:5
break 12:23 84:17 89:13 91:2 152:12 202:7	businesses 39:6 48:2 52:13	campground 25:13	caught 35:5
breaks 12:20	Butterfly 55:19,20	camping 101:7 103:8	caused 75:11 134:15 151:9
bridges 50:5 189:2	buy 56:18 75:21 156:14	campus 34:3	caution 12:3
Brigham 32:14	buying 75:21	canceled 190:7	cell 9:16,18 64:20 65:2
brightest 204:9	BYU 31:17 32:16,21 33:8 34:24	capable 13:17 207:16	center 35:13 72:11 111:17 112:12 115:13 162:1 168:7 207:12,16
bring 83:17 165:23 176:20,23 190:22 205:17		capacities 180:7	
bringing 89:14 97:24	C	car 174:19 189:5 209:17,19	
broad 77:25	C-A-S-E-Y 23:18	cards 134:14	certified 149:20
brochures 114:18,19	C-A-T-H-Y 53:13	care 48:2 50:11 108:9 122:24 174:9	challenge 80:13 81:5
broken 178:18	C-O-R-R-I-N-E 52:25	caregiver 146:16	chance 67:4 80:7 92:12
brought 72:10,12 88:10 90:1 101:19, 22 102:4 124:25 145:24 172:18 205:16 206:7,13	cabin 73:18,24	Carmen 210:9,10	change 138:17 139:5 151:8 153:19 196:10,11
brush 50:4	California 25:22 41:10,14 47:9 100:11 108:4 109:13,18,19 110:1, 2 158:13 174:7	carries 105:21	changed 23:12 138:19,20 181:8 198:14
building 110:25 111:2 207:4	call 68:21 69:8,18,19 70:12,14 82:2 92:5,7 93:6 99:22 129:10 156:1,5,10 190:2 206:8	carry 104:9,24 105:9	changing 138:1,4 176:19 196:14,15 198:15,21
built 50:4,5	called 33:5 64:20 65:2 68:11,14 71:8 72:8,9,10,11 83:17 89:15 96:3 115:13, 15 124:25 149:3 152:22 156:11 176:17	carrying 104:14,25	Channel 102:13
bullshit 133:3	calls 69:12,14,16 188:10 194:17	case 10:11,13,16 11:3,5,7 14:10,18,22 17:20 19:21,23 20:9, 13,15 25:19 85:15 91:14 94:3,20 100:2, 14 124:2 151:15 168:16,22 183:8 203:15,16,17 209:12	charge 21:20 25:16 73:10 87:5,13,24 88:10,23 89:5,6,8 92:19 180:16,17,18 210:25
bunch 87:2 128:21	camera 14:3	cases 14:25 15:1 30:2	charger 65:20
bunco 72:9,16 76:1		Casey 23:15,16 54:13	charges 26:2 84:25
bunko 135:20 171:6, 9,14 210:17		cash 121:11 133:23 155:19 157:12	Charlise 54:13
Burd 124:3 209:11, 15,20,22 210:3		catalog 168:19	Chase 121:14 137:9, 12 138:18 139:2,4,5 140:4,7,14,25
busier 200:19		catch 9:5 10:2 38:17 53:11 60:25 87:10	
business 30:19 31:3 35:21,24 36:2,24			

141:17 142:1,18 144:18,21 145:10, 12,14,16,24 146:2, 12 147:5,8,18,25 148:7,17 149:3,23 150:1,2,11,17,18,25 151:12 160:19 161:5,10 162:21,24 163:9 164:22 165:14,16 166:14 170:5 201:19 Chase's 146:8 163:8 check 28:8 65:10 141:12 153:18 checked 67:11 70:9 71:7 checking 28:20 145:11 147:9 201:19 checks 28:14 children 54:10,14,16 56:9 156:13 181:4 206:10,20 209:2 211:10,12,15,17 212:7,9 choice 85:1 87:11 186:1 197:5 choices 186:1 194:13 choose 201:5 chose 85:3 168:1 187:13 Christiansen 38:11, 12 Christmas 183:15 circumstances 57:2 192:13 city 38:17 46:11 civil 167:6,15 168:13 169:3 claimed 21:6 124:15	132:1 clarification 15:4 203:12 class 18:7,8,11,17,23 classified 95:21 clause 56:7 clean 138:14 cleaned 39:11 cleaner 110:6 clear 12:13 13:4 40:20 44:18 150:4 159:14 cleared 50:4 80:8 Clem 43:18,24 60:18, 21 61:3,5 81:7 158:21 166:21 Clem's 158:25 clerk 169:7 client 155:20 179:3 clients 138:8,17 139:2,6 155:24 178:22 179:1 clinic 205:10 Clinton 6:9 66:2 72:6 75:5,12,14,23,25 76:6,25 77:11 78:6, 12,16 79:1,4,14,18, 24 80:20,25 81:8,12, 14,18,20,25 82:1,4, 6,19,25 83:14,24 84:1,7 99:19 101:5 102:3,4 104:22 105:4,6 107:9,17 108:2 109:16,24 114:13 118:14 122:20 123:3 125:17 133:15,16,17,24 138:9 139:12 149:5, 16 150:14 151:9	156:8,17 158:20 173:23 176:18,23 177:1 185:5,17 186:3 187:21,22 188:1,2,7,15,19,21, 24 189:17 190:10,17 191:3,5 195:13 205:13,14 206:17,21 Clinton's 75:18 77:23 137:18 156:17 191:10 close 38:23 61:25 158:22 185:7 202:6 207:10 closed 108:12,21,25 109:2 154:6,8,9 155:20 closest 61:16 closing 108:13 cloud 91:5 code 212:16 codependent 122:1,6 cognitive 208:15,17 collected 118:14 collection 161:9 164:22 collectively 147:14, 15 College 31:24 Colorado 15:20 19:22 22:25 25:24 27:10 30:20,23 35:8 39:15 44:22 45:13 46:2,3 48:2 50:18 51:12 63:19 74:10 75:8 79:24 80:3,5,7 113:16 coma 205:15,24 206:2 207:14	combination 59:16, 24 combined 120:17 161:18 comfortable 143:4 comment 12:5 131:25 comments 130:15,17 communicate 79:20 communicated 76:3 189:8 communicating 189:17 company 22:20,23 23:3,20 35:8,9,22 36:15 89:15,18,20 90:3,8,17 91:11 92:17 93:8 95:24 96:1 complain 25:14,15 121:20 130:1 208:23 complaining 188:23 complaint 167:6,15 168:14 169:3 complete 18:7,8 64:6 148:23 completed 18:12,18 28:25 31:11 32:17 33:13 34:1 63:21 85:5 87:15 completing 34:16 64:8 complex 37:22,23 48:12 complications 205:11 component 137:3 concern 74:8,14,17
--	--	--	--

75:2 76:8,9,16,24 77:18 78:12 79:1,4, 25 80:24 83:4,5,7,9 84:1,5,8 118:23	142:25 171:6 185:21 209:11	18 109:4,24 118:15 191:7	163:8,13 167:16 168:12 169:21 170:22 177:6 183:18 195:7 200:9,10 211:3 212:11
concerned 56:7 68:4, 16 69:6 75:4 77:23 78:6 79:14	consent 127:10 145:18	conversation 69:2 74:4,6 77:5,9 81:13, 24 82:17 83:24 120:10,12 178:19,21 179:8 190:23	corrections 27:8,16, 18 29:10,12 34:10
concerns 21:3 44:15, 19 76:19 78:16 79:17 81:22 112:16 119:8,12,15 124:25	considered 28:1	conversations 77:8 83:12 84:6 117:11 155:12 185:16 190:25	correctly 18:25 82:18 174:24 195:20
conclude 83:14	constant 190:9	convicted 21:22 22:1 87:17	Corrine 52:23 54:10
conclusion 97:24	constructed 48:16	conviction 21:16 25:19 87:20 88:4 97:24	cost 87:12
concurrent 88:19	construction 47:16 48:6,8,10 49:15 207:21,22,23	convictions 21:17,25	costs 85:4
condition 69:6 150:12	contact 20:2 21:7,20, 23 22:8 24:5,11 90:11,12 91:20 104:6 118:6 119:5 160:19 211:9	coordination 72:25	counsel 8:5 12:5
conditions 145:17	contacted 89:21 91:21 92:2 93:18 124:20 125:2,3	copy 92:12 127:11,12 173:2	counseling 33:18
conduct 163:11 165:9 174:23	contained 92:14,25 93:2 94:23	correct 7:22 10:3 11:15 12:15,25 14:9 17:3 19:3,15 20:20, 23 21:24 22:19 23:17 26:23 28:7,10, 22 29:1,6 32:11 35:1 36:14,20 37:7 38:13 39:3 41:25 42:3,16, 24 43:9,12,19 44:14 46:6,10,14 47:11 53:16,23 54:1 58:10 61:22 63:2,5,25 64:14 65:24 68:13 69:11 71:21 74:2,19 76:25 77:14 81:2,11 86:9 87:6,18 94:22 96:21 103:20 106:23 107:2 111:4,19 114:15 129:13 135:12,13 144:23 146:10 147:12 152:5,9 157:11	count 26:11
confident 82:5	contaminated 39:12		counts 21:22,25 87:18,22
confidential 82:15 92:13	contents 94:22 97:4 176:6,9		county 27:19 89:3
configured 66:24	contest 85:18,21		couple 20:24 37:21 82:4 84:22 107:10 108:1 127:25 128:2 211:21
confinement 28:6	contesting 88:5,15		court 11:21,25 12:18 13:2,12 17:23 84:17 85:4,24 86:6,7,20 87:12,17 97:23 142:21 144:4,9,10, 12,22 145:22 169:7 170:24 202:7
confirm 77:3 87:1	continual 30:15		courthouse 169:2
confirmed 79:9	continue 12:17 13:5 40:2 85:15 152:3		cover 170:24
confirms 137:20	continued 23:7 26:10 209:24		coverage 9:18
confiscate 158:15	continues 144:15		covered 126:18
confiscated 158:13	continuing 48:11		COVID-19 143:21
confront 176:23	continuously 47:13		CPA 209:1,2
confusion 11:9 204:13	contract 22:10 158:17		creating 143:22 145:18
connected 199:20	contracted 88:7		
connection 19:17 44:11 81:1 87:4 88:17,20 101:18 110:15 130:18	control 24:20 107:12,		

credibility 12:6	dangerous 28:2	42:12 108:16 132:7 181:9 210:20	demanded 139:18
credit 134:13	dark 74:12		Dennis 40:21 41:3 143:2 199:4
criminal 14:25 15:1,9, 18,24 19:25 84:25 87:24 88:10	date 20:4 78:4 142:8 148:12 191:21 196:3	dealing 28:13	Dennis's 6:24
Crisara 6:9 109:24 114:23 122:20 123:3 133:24 150:14 151:9 156:8 173:23 176:18,23 177:1 181:8,10 185:1,4,7, 9,10,12,13,17,22,23 186:10,15,23,25 187:2,5,8,11 189:9 190:22,25 191:1,2 195:5,9,16 196:8,17 197:12 211:22,24,25 212:3	dated 44:11 131:14 144:16	dealt 60:10,11 131:5	deny 137:20
Crisara's 190:20 192:16 193:15,19	dates 54:25 57:9 78:2 136:15 192:11	death 94:10 96:10 99:12 158:25 180:22 194:10 210:4 211:19	department 93:10 103:11 145:25
crossed 192:17 193:16 195:8 196:9	dating 41:13 42:23 44:1,6,13,16,19 45:19,22,25 54:19, 22 187:25 188:3	debt 158:14	departure 106:18
crossed-out 193:20	daughter 8:19,21 9:2 122:5 187:15 191:13 195:12	debts 121:24	depended 36:7
crosses 181:10	david 33:3 184:21	December 26:16 167:7 181:9 191:23 194:14,16	deposed 10:14,20
crossing 192:16	day 8:6 62:6,9,17 63:6,12,19 66:18 72:17,19,24 73:2 74:10,13,21 83:1,3 96:9 104:15 108:11, 17 109:20,21 110:4 119:20 124:13 135:4,5,12 170:9,21 181:21 183:23 189:19 190:11 194:10,11,17 200:1	deception 145:19	deposit 120:20,25 121:4,13,17 145:11
cumulatively 156:7	day-to-day 28:12	decide 47:2	deposited 163:14 166:21
current 7:6 137:17 151:3,10	days 29:7 43:7 59:8 63:10 68:2 69:10 70:19 71:25 72:3,14 77:21 103:19 105:18 107:10,21,25 108:1, 3 109:12 110:3 113:24 169:13 170:13 172:17 188:14 205:16,24	decided 40:1 42:1 44:9 209:22	depositing 152:18,20 153:4
cut 26:6 121:25 122:18,19,21 189:11 190:3 194:23	DEA 30:3,6,11	decisions 185:6	deposition 6:10 10:4 11:5,13,14,17,18 40:19,25 41:3,7 100:13,24 132:12 179:8
cutting 186:1,2 190:1	dead 90:11,15 180:23	declares 194:10	depositions 11:1,7
<hr/> D <hr/>	deal 10:15 29:25	decline 204:7	deposits 147:9,22,23 163:18
damage 134:15 188:19,20 189:7		declined 150:6 201:11	depression 204:20, 23
dams 50:4 189:3		defend 210:6	describe 44:7 104:2 141:16 170:10
danger 118:21		defendant 14:23 15:6,8,18 19:24	describing 105:19 186:5
		defender 21:13	description 28:12
		defiant 117:22	desert 121:16 199:17 209:15,20,21
		degree 31:11 32:2,4, 5,13,15,16,17,21 34:16	deserves 185:24
		degrees 34:19	desire 187:14,20
		delinquent 140:5,25	details 163:18 184:7 193:8
		deliver 136:1,4	
		delivered 136:5	
		delivering 135:24 136:3	

developed 50:1	199:9,13,20 200:11, 25 201:9,20 202:1, 24 203:6 204:4,8 206:14 208:18 209:1,22 210:8 211:25 212:4,9	directed 204:15	discussing 82:5
Dia 14:16 41:13,14 42:6,19 43:1,4 44:15 45:19,22,25 46:15, 20 47:10,21 48:15 49:19 52:2,4 54:19 55:3,25 58:22 59:19, 20 60:1,2,4,12,17 62:1,5 63:10,19,24 64:15 66:10 67:14, 22 68:12 69:2,23 71:9 72:18 74:4,20 76:3,18,23 77:4,6,12 78:6,9,15 79:3,17,21 80:25 81:3 83:10 84:7,11 89:16,24 90:2,10 91:12,18 101:17,18,21 102:5, 16 104:9 106:4 110:5,11 114:1,10, 20 115:24 116:1 117:4,12 118:3 119:22 121:17 123:4,13 124:5,21, 24,25 126:5 135:6, 20,24 137:13 139:14 140:17 147:10,13,24 150:8 155:2,16 157:17,23 158:7 159:3,22 161:25 162:3,10,17 163:3 165:5,24,25 166:14, 17 167:2,18,19 170:11,17 171:1,3,8, 10,13,24 172:2 173:17 175:7 176:5, 8 180:21 181:1,14 182:6 185:7,12,22 186:2,6,10,23 187:5, 8,10,14,20,24 188:15 189:8,14,15, 17 190:10,19 191:9, 15 192:7,8,10,14,19, 24 195:8,9,15 196:9 197:3,13,16 198:11	Dia's 9:11 48:25 49:17 51:18 61:8,15 62:16 65:2 70:24 80:22,23 90:9 96:13 97:8 98:12,21,25 103:19 113:9 117:2 128:9 132:4 134:9, 22 135:8,9 151:13, 18 153:1 155:3 157:11 164:11 170:2 172:5,9 184:25 187:5,17 188:6 191:17 193:21,22 194:1 196:2,3,20 203:11 204:2 210:3 211:18	directly 202:2	discussion 86:14 89:12 91:3 210:5,6
	diagnosed 204:20	director 29:11 89:25 93:3 94:21 210:10	discussions 41:2 46:24 124:1 172:8 176:5,8 180:21 181:1,14 195:9 196:9 197:3,6 202:24 210:2
	diamond 56:12	dis 76:19	dismiss 26:4
	Diana 72:15 127:9,15 200:22 201:4	disagree 53:3	dismissed 20:15 168:15 169:25
	Diane 9:8,13 72:16,25 73:9 75:20 105:13, 15 109:2,6 126:19, 21,23 129:23 135:3, 9 136:5 198:7,8 201:5	disappear 75:7 83:19 118:24	displace 75:8
	Diane's 135:16	disappearance 9:11 58:6,19 59:3 75:24 76:10,17,24 78:7,13, 16 79:5,18 82:3 90:9 91:12 96:13 103:19 105:3 110:6,15,18 114:5 117:2 124:8 134:9,22 135:8 157:12 158:23 166:5	dispute 14:8 56:8 123:25 206:18
	died 94:10 182:8,11	disappeared 55:6 58:8 59:7,9 62:6 73:3 75:24 96:9 105:18 106:19 124:14	disputes 18:24
	Diego 166:19 193:5 203:16,17 205:8	disappearing 158:10	distressed 185:2,3
	difficulty 121:23	disappointed 125:10	distribution 123:9
	diminishing 151:4	disbursed 127:16	distributions 196:7
	dinner 210:21,23 211:4	discover 66:14	dive 98:14,15 125:25
		discoverability 100:23	division 27:4,16,18 30:7
		discoverable 100:1, 13	divorce 17:2 19:4 54:7
		discovered 103:9	divorced 53:21
		discovery 100:11,25 101:1	doctor 205:23
		discuss 74:15 75:3 119:22 197:16	document 85:24 100:19 127:8 137:3 139:7,9,11 142:1,7 143:17 144:8,21 146:7 154:20,25 157:3,16 161:9 162:22 164:23 167:6,11 173:3 174:13,15 176:9 181:8 191:18 192:1, 5,14,19,25 195:17, 19 197:22 198:2,4, 24 199:7 201:13
		discussed 74:23 75:4 172:14 178:10,12 202:4 211:12,15,17	

202:17,18,25 209:10		108:19	event 22:2,3 97:22
document's 144:16	E	ending 161:10 164:23	events 22:1 77:21
documents 40:24	earlier 17:5 42:13	enforced 122:5	eventually 72:7 100:7
60:10 153:13 169:3	52:19 73:20 84:12	enforcement 10:12	128:19
172:9,11 173:8,10,	105:19 107:14 135:4	15:4,25 26:25 27:1,	evidence 100:20
12,25 174:17 175:1	155:10 186:6 191:17	8,9 29:8,19,25	103:25 150:15
176:12	210:13	110:15,18 113:3	ex-wife 16:11 85:8
dog 115:24 116:1,2,3	early 16:25 19:2	171:17,20 206:4	exact 78:2,4 183:2
124:16	34:25 53:21,25 73:1	enforcements 97:21	EXAMINATION 6:6
dollars 123:4 159:4	89:25 188:4,14	engaged 55:3,5 56:20	examined 6:5
164:14	earshot 183:10	57:12,19	Excel 127:5
domestic 17:6,17	earth 139:1	enhanced 139:19	excess 147:11
18:24	easily 59:10	145:12 148:7,9,10,	exchanged 41:24
draft 144:17 192:25	eat 188:22	19 149:4,15	exclusive 44:12
drafted 199:7	education 31:20	enhancement 148:11	107:17
drawers 114:9	32:23 33:11 35:2,6	149:6	excuse 16:23 90:24
drill 77:19 78:1	effort 26:2 157:19	enter 86:14 157:22	115:12
drive 70:24 108:15,16	166:23	entire 47:22 67:16	exhibit 136:24 137:2,
199:23	efforts 125:10 126:5	158:17 191:15	6 139:25 140:20,24
driving 24:17 110:4	elements 183:23	entirety 158:15	141:11,25 142:6,10
drove 70:6,23	else's 11:14	entitled 81:6	143:10 148:14
drug 29:25 30:2	email 9:20 127:12	entry 116:6,8	152:11 154:19,20,22
205:14,19	emergency 68:24	equipment 112:18	157:1,2,4 161:1,2,3,
drunk 117:22	employed 30:11	errors 87:19	8,18 162:15 164:13,
due 137:14 138:17	33:21	establish 61:7	20,21,25 165:18
139:5 140:15 143:23	employee 40:9,11	estate 79:8 134:25	167:4,5,8 191:16,17,
duly 6:4	181:22 195:1	158:8 159:7,10	24 193:13 197:21,
Durango 19:22 20:1	employees 36:3,4,5,	estate-planning	22,25 198:10,13
22:12,14,15,25	12	172:9,11	200:21 202:18,20
30:19,25 31:1 37:13,	employment 37:11	estimate 9:12 10:21,	203:9,19
16 46:5 111:1	39:6	22 11:12 37:2 49:5	exist 17:25 160:2
199:18	end 17:2 18:13 25:13	118:12 119:1	existing 145:17
Durangotang48@	53:5 54:6,22 124:11	129:14,17,19	150:13
gmail.com. 9:23	164:12 191:20	evaluate 188:20	expectation 66:10
duration 49:12	200:18	Evans 79:11 155:9,12	expected 64:15
Dustin 46:8 50:22	ended 16:25 20:18	evening 64:22 69:12	expenses 190:1,2,3
	54:18 58:1 106:9	108:18	experience 50:13
			51:15

explaining 160:6	falling-out 117:4	fell 183:4	89:15,19,20 90:13, 16,17,18 91:8,19 92:17 93:8 94:21 96:3 111:25 115:17 116:19 118:16 172:3,15 183:15
exposed 183:22	familiar 35:15 61:12 68:15 115:4,6 125:4 140:22 141:12 201:3 210:15,24 211:7	felonies 85:14	Findme.org. 96:4
express 44:15 70:21 83:3 119:12,15 184:12 187:14,20	family 31:10 80:16,18 81:1 82:21 186:7 191:11 206:23	felt 73:11 77:11 81:8, 22 82:14 113:1 168:16	finds 83:18
expressed 84:1 87:9	Farmers 41:20,21 42:22 55:1	fences 50:6	fine 18:18,21 120:9 203:22
expressing 118:23	Farming 46:12	fiancee 82:10	finish 63:16 64:1 74:11,12 131:24 149:12 170:23 202:9
expunged 16:7 17:7, 18,19,22,24 19:7,12 26:3 86:10,14	Farmington 37:24 38:14 46:13 56:17, 22 80:8 199:18	field 34:21 35:3	finished 33:8 64:3,4
extended 48:17	feared 125:1	figure 84:5 89:5 180:16	finishes 138:13 204:17
extension 34:6,7,14	Fearful 75:5 80:9 191:8	figured 198:17 199:1	fireman 124:15
extent 90:15	February 134:16 188:18	file 19:6 100:4,25 142:20 169:3 170:2	firm 138:8,16 155:24 156:8,24
extermination 75:15	Fedder 9:8,13 72:15, 17 73:15 74:1 75:20 105:13,15,23 109:2, 7 126:19,21,23 135:3,9,11,19,23 170:9,15 171:9,14, 16 172:1,9,21 173:16,25 174:6,14 175:1 176:11 177:1, 25 178:16 180:9,13, 17 198:7,8 200:23 201:1,5	filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	five-hour 64:25
extreme 121:25	Fedder's 107:4 136:5 171:1 180:4	filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	five-member 20:16 21:4
<hr/> F <hr/>	federal 87:25 88:11 89:1,2,7	filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	five-star 130:3 132:3
F-350 66:9	feed 190:7	filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	flew 42:6,18 111:22
facilitate 126:16	feeding 110:10	filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	flip 195:24
facilities 48:17	feel 82:5 175:18	filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	flipping 191:20
facility 108:23	feet 98:15	filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	flood 188:18
fact 21:4,5 26:10 29:21 44:3 59:2 68:2 86:13 88:5,15 93:17 95:15 96:9 137:13 138:22 150:7 156:11 184:16,18 185:9 200:15 201:5 204:14 207:13		filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	floods 134:15
facts 94:25 116:15 145:21 151:23		filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	flow 63:10
failed 102:9 197:12		filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	flowed 80:25
failure 169:4		filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	fly 43:4
fair 12:24 125:9 144:6 174:4 180:13		filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	focus 69:18
fall 113:11		filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	focused 37:17 116:20 166:25
		filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	Focusing 39:4
		filed 14:9,11,13,19 17:23 20:1,23,25 52:11,14 80:16 123:5 139:7 142:22 144:4,8,10,12,21 146:9 167:6,15,17, 20,23 185:16,23 203:14	folks 202:8

follow 102:10 194:13	four-year 32:12,16,17	G-R-I-F-F-I-N 101:10	giving 11:11 36:13,18 89:22 100:6 116:15 124:11
food 175:20	fraud 145:18	gain 167:1	gold 56:14 172:3
footer 168:25	frequently 171:4	gaining 126:10	good 6:8 12:16 13:1 61:10,12,13 107:3 140:9 170:12 178:25 188:8 189:23
force 29:20,24 30:6, 14	friend 70:7 135:16 195:2,3	game 72:8 115:14 135:15 210:17	gotcha 14:3
forced 116:6,8	friends 8:11 22:4,5,6, 7 31:10 61:8,13,16, 25 62:2 72:6 75:13, 19,25 76:4,12 77:18, 23 115:13 170:15 171:2,7	garage 134:25	Gotfredson 33:3
Ford 66:9,12	friendship 181:24	Garcia 110:13 196:25	gotta 24:13 138:14 177:2
foreclose 146:3	front 6:22 38:25 124:10 161:6	gate 38:25	GPS 83:20 90:22 97:7,15
foreclosing 160:11	froze 126:8,13	gave 93:1 97:15 107:5 111:9 113:23 132:3 168:19	graduate 33:6
foreclosure 142:8,17 144:15 145:22,25 146:5 147:1 154:11 160:15	frozen 15:11 145:10 147:8,19 148:3 163:7,9 165:12,21, 22 166:1	gears 40:17	grandfather's 131:15
forest 88:6	frustration 70:21	Gena 16:14,19 17:4 18:1 19:1 53:8,21 54:14 85:8,17 86:3,8 87:4	granted 19:13 88:16
forgot 84:22 145:2	full 6:11 132:16,19 133:6	general 32:7 160:1	great 199:18
forgotten 71:6	functioning 208:15	generally 190:20	Greg 168:2 169:4
Fork 38:15,18	funded 122:24	generate 126:6,9	grew 52:4,5 130:19
form 11:22 123:1 159:25 160:2 162:24 163:1 165:16 168:24 169:1,8	funds 121:10 127:4 132:23,25 133:11 134:20 141:21 147:17 151:11 158:13 164:2,9,16 166:21 190:16	generated 190:18	Griffin 101:10 102:5, 20,21 103:21 104:7 116:12,13 119:16, 17,18
formed 36:2	funeral 184:10	generating 122:13	Griffith 101:4 102:19, 20
forward 25:7,18 56:11 123:8 128:23 147:3 180:4 185:9, 12	funny 125:21	gentleman 102:15	groggy 208:19
forwarded 107:5	future 145:24	get all 107:6	ground 11:18
foul 183:20		gift 167:19 169:14 196:25 197:16	group 25:5 130:8 135:15,20
found 20:16 65:12 67:13 96:1 101:6,8 103:13,15,16,25 104:3,4 105:15,23 106:25 107:4 109:15 111:24 172:3,5,13 182:13 199:9 209:15		girl 24:19 41:13 124:23 201:6	grow 51:18
foundation 143:9	G	girlfriend 191:13	growing 51:15,21 52:2
four-wheelers 189:4	G-E-N-A 16:16	give 13:12,15,20 22:18 50:2 56:2 75:1,9 84:17 89:23 94:23 95:23 99:14, 22 100:4,8,12 111:11 112:22 118:7 123:19 127:10 130:21 144:14 161:2 162:25 185:15	growth 52:7
	G-I-N-A 16:15		guess 55:7 91:6 128:4 137:13 176:15

guessing 173:15	158:23	Healey's 199:4	high-end 97:21
guests 7:16,24 8:2,3, 9,10,18 127:25	happened 20:13 24:11 26:16 77:9 90:18 91:18 105:16, 24 107:23 130:24 150:21 156:9 158:24 168:13 183:2 185:21 201:23	hear 7:4 13:21 15:12, 13,14 32:10 65:6 76:11,14 77:15 79:3, 23 153:24	highway 20:17 67:23 68:9,21 69:20 70:10
guidance 33:18 179:23,25		heard 42:11 68:18 76:16,20,22,23 77:4, 10,12,22 78:18 81:14 83:12 94:18, 19 178:15 184:15, 18,22 186:21 208:22	hire 21:13 110:5 124:4,9
guide 25:6	happening 11:20 58:1 108:19	hearing 18:2,3,4 19:11 78:6 82:18 86:7 88:5,16 145:20 146:13 151:21,22,23 160:12,13,14,17,22	hired 21:15 117:3 156:17
guilty 20:16 85:17,19, 25	hard 127:11 202:10	hearsay 84:9,10 100:16,18,22	history 35:7
gun 59:4,11 60:2,13 104:9,14,25 105:9, 20 106:21,25 107:6 172:3	Harper 6:3,8,13 7:4 8:23 10:4 11:16 12:11,21 13:8 14:1,4 15:8,10,17 16:18,19 17:4,16 18:1 23:16 52:8 53:2,15 54:10, 14,16 84:22 85:16 86:24 91:8 92:11 99:20 125:9 132:11 136:25 138:15 140:8 142:14 143:11 144:7 147:10 152:17 157:14 161:5 162:17 164:21 177:4 179:15 185:20 192:2 198:2 202:16	held 74:10 147:9	hit 45:14 176:25
guns 60:14 106:4,9, 11		Hell 25:12 204:1	hold 74:17 83:22 85:10 138:10
guy 102:13 194:7		helpful 202:11	holes 189:2
guys 46:24 130:8 162:13 177:2 194:3		helping 124:2 172:1 192:25	home 45:5,6,7,9,11, 14,16,18 70:11 102:14 110:25 111:15 183:15 205:18 206:13 207:8,17
<hr/> H <hr/>		helps 154:1	homes 39:11
H-A-R-P-E-R 6:13	head 13:3	Hemet 55:24 97:17 98:1 99:3 113:13 152:21,22 164:10 189:6	homicide 183:25
hair 189:11	Healey 8:20 54:13	hereto 137:7 142:11 154:23 157:5 161:4 165:1 167:9 191:25 198:1 202:21 203:20	honest 125:13 173:22 201:7
haircut 189:15		hesitance 56:10	hope 69:23 119:4
half 34:1 92:6,8 108:11 112:15 146:17	head 13:3	Hey 177:2 187:25	horse 183:9
half-hour 74:22 178:4	Healey 8:4 13:24 15:3 17:9 40:21 41:4 85:11 86:17,20 90:25 91:4,5 100:15, 19 137:25 138:12 141:8 143:2,4,6 144:2 149:12 153:10 158:19 170:23 177:10,16,18 178:1, 11,21,23,25 179:5,7, 10 198:7 199:6,9,20, 24 203:12,16 204:17 209:10 212:14,17	high 33:4,6 71:13,22 77:2 83:18 96:11 132:14,17 133:1,20 136:8 152:17 158:7 159:17,18,23	horses 62:19 63:1 71:18,20 128:4
halfway 25:12			hospital 34:22 85:23 206:9
halt 145:22			hosted 128:7
handed 114:17			hour 208:21
handle 18:24			hours 64:8 84:16 181:21 183:22
handled 131:17			house 43:8 45:4 58:3 62:13 63:14,17,20 64:13 65:7 67:11,17 112:11 117:25 118:17 173:13,14 176:19,22 192:20
handwriting 193:11, 23,25 195:25 196:2, 3,20			
happen 20:3 46:17 55:14 71:25 107:20			

201:25 210:24	immediately 206:1	126:3 137:20,21	interests 40:3 51:25
Hummer 30:20 36:10	impact 12:6 208:14	143:16 144:1 145:21	interference 10:1
hundreds 134:18	impair 13:19	199:4 205:19	57:14
hunting 106:6	impaired 208:18	informed 68:18 96:18	interlineations
husband 60:18	important 12:13,17	133:17 172:22,24	193:16
122:24 190:18	91:1 120:13	173:6 184:5	interpretation 161:14
194:11	inability 143:22	initial 38:9 181:11	interrupt 13:23
husband's 158:14	inaccurate 86:1	207:13	102:23 123:18
husbands 184:16	104:5 149:2	initials 157:9 193:21	138:12 178:8
	inches 183:23	196:3	interview 91:19
I	incidences 118:10	injuries 204:24	interviewed 99:16
	incident 25:10 87:7	injury 205:1	110:14
I-M-E-L 115:3	include 112:17	innocent 87:12,17	intoxicated 117:18
I-N 102:21	included 72:15	inside 67:16 117:25	introduced 135:14
ID 103:1	income 122:14,25	174:1	investigate 102:12
Idaho 31:6,22 33:5	126:6,22 163:25	instruct 179:13	125:8
idea 47:7 63:3 91:17	164:8	instructs 8:6	investigated 183:24
101:18 120:4 199:19	incomplete 113:6	insufficient 98:19	investigation 9:11
identification 137:6	increased 138:21	insurance 136:19,21	91:14 92:22 93:12
142:10 154:22 157:4	149:24	154:17	102:10,15 139:16
161:3 164:25 167:8	Independence	intel 68:22	investigator 92:2
191:24 197:25	194:11,17	intended 147:1	124:4 125:2
202:20 203:19	independent 168:18	205:14	investigators 156:12,
identified 90:21 94:1,	indication 75:1	intensive 27:17,22,23	16,25
2,5,6,8,9,11,18,19	112:22	30:1	investment 209:6
95:16 96:16 208:25	individual 97:25	intent 75:21 82:24	invite 93:12
identifies 95:4 96:20	99:17 112:25 125:24	144:15,19	invited 184:17
identify 74:15 166:23	130:20	intention 134:5	involved 11:8 15:24
Idyllwild 125:5	individuals 94:1,5	interacted 36:22	19:24 39:8,20,23,25
illegal 88:13	industrial 29:15	interacting 24:21	56:8 72:7 75:6,23
illegally 87:25 88:11	information 76:11	interaction 209:13	83:6,15 84:2 85:14
imagine 66:15	77:4 89:22 92:14,24	interest 44:10 45:15	90:15 94:20,24
Imel 114:25 115:3,5	93:1,19 95:14,20	103:22,23 111:24	116:14,18 117:2,7,9,
210:14,18	98:16,23 99:15	122:23 149:7,19	15 119:11 128:5
Imels' 211:5	100:1,14,15 101:6	interesting 124:21	133:25 143:3
immaterial 85:13	102:8 114:21 118:7	137:16	149:19,21 173:6
	124:12 125:6,22,25		192:25 193:4 209:17
			210:11,12

involvement 24:2 37:3 77:24 84:6 155:15	122:9	keys 108:1	lake 27:13 55:24 97:17 98:2,22 99:1,3 113:12 189:6
ipad 6:24,25 7:1,2	jobs 29:19 143:22	KHARPER54@GMAIL 9:23	land 87:25 88:11 89:1,2,3,7 158:11
Isidro 110:13 116:13, 14,18 117:5,7,11 119:13 196:25 197:4	Jodi 181:18	KHARPER54@ OUTLOOK.COM 9:25	landed 182:24
issue 82:15 88:18,21 91:16 108:8,16 186:11 197:6	joins 33:3	kicked 28:24	Lane 46:4 50:19
issued 75:5,14 76:6, 8,10 88:15 91:13 109:7	joint 120:18,25 121:3 147:25 153:6,8 162:6	kill 101:21 102:5 117:3	large 51:13
issues 122:3 204:11	Jolla 99:18 124:22,24 187:8	killed 116:11 131:7	larger 51:11
items 38:21 65:14,16 103:9 112:6,15,19	journey 109:17	killer 94:8,11,14 95:4, 6,17	Lasted 16:24
J	judge 13:13 18:4 20:16 87:13 100:4	kind 31:3 48:10 60:9, 11 66:6,8 89:23 92:4 114:19 171:10 201:6 208:6	launch 128:22
J- 61:20	Julia 61:17,21 71:4 75:20 76:15,21 77:8 78:10 79:2 84:8 118:9 206:11	kinds 65:16 175:20	launched 127:25
J-A-Y 61:23	Julie 61:17,19 75:20 76:15,18,21,23 77:5, 10,13 78:6 79:2 84:7	kitchen 115:21,22 194:5	law 10:12 13:12 15:4, 25 26:25 27:1,8,9 29:8,19 97:21 110:14,18 113:3 171:16,19 206:4
J-U-L-I-A 61:21	July 162:16 169:13	knew 35:17 58:20,21, 25 61:18 69:16 72:11 78:17,21,22 79:7,8 116:24 118:18 119:25 124:21 170:18 175:21 181:4 190:24 191:12 193:6 198:25 200:4,7,18	lawsuit 14:5,7,11,13, 23 15:9,18 123:14 211:13
J-U-L-I-E 61:19	jumped 25:7	knowledge 16:20 52:2 91:15 93:8 144:5,7 212:7	lawsuits 14:19 170:2
jacket 104:21	June 58:8 62:8 72:22 142:9 144:16 162:16	knowledgeably 50:11	lawyer 19:16 124:1
jail 27:14 84:24 85:13 87:1,3,4,7,14,15,21 88:17,20 89:9	jurisdiction 168:16	L	lay 208:21
Jason 40:12,13,14,15	jury 20:16 21:5,10	La 99:18 124:22,24 130:9 187:8	lead 83:14 92:2 180:14,15
Jay 61:17,23 75:20 76:16 78:15,17,18, 21,22,23,24	justification 145:13		lead-up 158:23
Jeff 130:11,14	K		learn 103:21 171:22 172:20 179:17 200:25
jewelry 56:23 114:1, 3,10,11 121:8 172:5, 7	K-A-T-H-Y 53:14		learned 44:3 172:18 174:5
job 12:16 13:1 27:21 28:12 31:10 35:12 101:19,20 110:10	Kathy 53:10,12,17,24 54:16,18		leave 82:11 108:4 173:21
	Keith 6:3,13 15:12,13 86:18 147:10 157:14 162:17		leaves 196:25
	Kelly 89:24 90:6 93:4, 17 97:13 116:23	lack 168:15	leaving 48:5,25 63:18 66:21 74:9 197:4
		lacked 168:16	left 64:10 65:22
		Laguna 124:22,23	

66:17,25 67:5,7 70:7 80:9 105:5 108:8 109:18 110:1 112:17 118:3,4 173:18,19 180:3 183:22	205:2	looked 114:20 125:4 133:19 166:13 199:1	maintained 107:25
leg 182:21	lives 7:9 38:15 99:18 101:5 131:18	Lorero 92:2,9,16 110:21 111:22 184:5	make 11:11 12:1,4 13:24 14:18 17:4,21 18:4 19:1 28:21 29:22 40:20 59:5 69:12 74:8 75:7 120:10 126:5 132:21 137:12,14 139:20 141:7 143:9 148:22 153:19 159:21 160:7,21 178:24 185:5 189:1 194:12, 14 198:9 200:7,11, 12 207:16
legal 80:14 139:7,9, 11 146:17 179:6	load 191:21	losses 145:24	makes 59:11,17 66:20 116:18 164:7
lengthy 130:12	loan 137:9,14,22 138:2,18 139:3 140:14 141:2,5 145:17 150:6,13 151:4	lost 15:10 17:8 24:19 89:19 90:24 143:21	making 68:5 69:14,15 70:7 77:25 123:25 134:5 141:7 145:4 208:25
letter 136:25 137:9 139:13,15 140:1,23 148:12,17 149:21	local 45:14 111:20	lot 49:4 50:4,6 62:2 68:7 73:19 77:16 112:15 114:10 171:5 172:14 189:24 190:24 191:1,3	man 130:22 131:2
letters 146:4,6,24 147:2	locate 58:5	lots 51:10	manage 154:1
level 96:11	located 22:25 51:1 90:3,8,19 103:3 158:11 173:11	low 100:25	manager 36:16 50:14
Lexus 201:20,23	locating 89:18 168:25	lucky 188:21	manages 127:20,22
liberty 99:14	location 47:25 67:25 68:6 83:21 90:22 97:8,10,12,14,15,16, 19 102:9	Luger 105:22	mandated 21:5
life 75:7 77:1 89:10 102:16 118:5,21 119:6 125:1 175:18 189:9 190:20 191:8, 10 200:20 205:15 209:18	lock 59:16,24	lunch 62:11,12 63:24 64:1,4 74:5,20,24 89:13 189:12,13	marijuana 51:16,18, 21 52:3,4,5
list 7:24 14:19,20 72:8,16 76:1 112:15, 20 115:13,15 159:21	locked 24:20 25:8 154:9	<hr/> M <hr/>	marital 122:23
listed 129:5 153:18 165:4 168:5 202:3	lockers 38:22	machine 24:19,20,23 25:4,6,7,8,9 182:20, 21	mark 137:2 154:19 161:2,8 164:21 167:5 191:17 202:17
listened 184:20	locks 176:19	made 18:1 20:9,11 24:8,16 26:2,4,18 44:10,18 80:25 82:9, 12 85:17 91:20 119:5 125:3,10 128:23 130:15,23 133:22 134:2,9 137:19,22 141:6,17, 19 142:4 151:2 166:23 194:16 196:10 200:15	marked 137:6 142:10 154:22 157:4 161:3, 20 164:25 167:8 191:24 197:25 202:20 203:19
listing 154:21 165:24	long 16:22 18:13,19 23:2 32:8 33:22 37:15,25 40:15 42:25 43:2,5 68:15 74:20 77:16 80:5 108:10 109:10 111:7 165:25 166:3 178:3 193:7 195:22 199:1 207:5,12,17	mail 139:14 146:17, 21 147:4,5 169:12	marriage 16:22,25 53:5 54:6,18
listings 128:24	longer 17:20,24 28:6 48:23 75:2 132:17 186:6	main 166:3	married 43:17,24 44:16,20 52:16,20
literally 123:10	longest 48:4		
litigation 209:12			
live 38:14 43:11 45:18 47:2,10,25 73:13			
lived 7:11 31:1 35:14 41:14 45:8,20 73:14			

53:2,6,18,24 54:2 55:3 81:7 191:12	meeting 177:25 178:3,16 179:16,19, 22,25 180:3,17 198:16	101:5	money 101:3 117:9 122:2,6,8 126:18,25 129:14 152:18 153:4 163:14,22 166:10 168:20 169:6 186:7 189:1 197:4
marry 16:19 53:17	meetings 174:23	military 52:9	monitors 28:3,15
Martinez 40:12	member 21:5 206:23	mind 13:2 40:23 67:4 74:6 103:22 179:21	month 49:1,11,17 122:17 139:17 148:10 149:5 161:21 164:13 189:10 208:11
Mason 40:13	Memorial 72:17,19 135:4,5,12 170:9,21	mine 8:12 45:17	monthly 123:9
master's 31:11,16,18 32:19 33:1,8,13,15, 22	memory 197:13 204:11	minute 86:17 138:12	months 18:16 29:6 31:1 35:14 43:3,25 46:23 48:7,14,21,23 85:6 87:11,21 89:11 122:4 125:22,24 136:9,13 150:21 161:18 164:1
material 103:24	mental 34:22 204:7	minutes 17:12 75:3 86:25 98:16 202:11	morning 6:8 69:15,24 70:5 73:2
materials 103:1	mentioned 26:1,24 75:22 78:25 79:7 155:10	misdeemeanor 20:1 21:18	mortgage 132:17 133:1,8,14,15 134:2, 6 138:4 139:8,17 140:5 142:4 143:20 145:12,25 148:8,9, 18 149:4,15,18,19, 24 151:3,8,10,25 152:1,2,3,10
Matt 6:8	merchandise 167:25 169:5,10	missed 69:7 137:17 205:6	mortgages 132:4,7,9
matter 74:8,14,15,17 75:2 120:5 131:18 145:20 151:21 168:19 197:18 200:6,13	messages 41:24	missing 58:22 59:19 60:1,4,12 61:16 62:1 68:20 69:3,5,9 105:2,12 106:7,9,13 107:15 110:11 114:2,4,21 115:18 116:1 117:12 120:3, 15 122:14 125:24 126:5,12,16 132:5 155:16 157:23 158:8 159:7,22 162:4 163:3 165:24 166:1, 18,24 167:2 169:17, 19,20 170:11,17 171:24 172:2 173:17 182:6 186:24 189:18 192:8,10,15 198:11 201:21 203:3 208:3	mother 102:14,17,18, 19 124:23 186:4,22 188:10
mattered 120:8	met 41:23 43:1 44:2,8 46:19 54:24 55:1 72:16,18 82:4 135:5, 11,23 156:21 170:9, 18 176:12 178:4 186:15,18,19,23,25 187:22 191:13 201:4	misunderstood 45:10	motion 17:23 19:6 26:4,9,10 100:4 101:1 142:7,17,20, 22,25
matters 80:8 100:10	meth 39:10,12,16,20	mitigation 39:10,17, 21 49:23	motor 45:5,6,7,9,11, 14,16,18 110:25 111:15
meadow 63:7,21 64:6,12,22 66:23 74:11,12 116:4 124:16	Mexico 14:8,14 37:20,21,24 38:14 39:7 40:8 46:2,7,12, 13 47:16 48:3,9,15, 22 49:16 50:21 51:2 56:17,22 108:22 109:10 111:3,18,21 113:16 167:7,10,22 168:5 172:18 174:7 207:2 212:8	mom 185:24 211:23	
means 49:25 143:20 147:16	mid-'70s 29:5	moment 14:21 69:19 204:14	
meant 167:19	middle 98:7	Monday 107:24	
meantime 151:25	migraines 208:20,22	monetary 143:20	
medical 34:21 35:2 68:17,23 69:6 101:7 103:5 190:2,3	miles 62:24 99:19		
medication 13:19 207:25 208:2,10			
medications 204:23 208:12,14			
meds 208:19			
meet 41:16 42:2,4 43:4 61:3 177:10 186:17 187:14,20 188:1 200:4,8			

Mountain 162:1	net 120:4,6	November 26:16 98:7,10,19 99:9	occur 25:10 98:6 148:11 150:20 167:21 175:3 177:20 205:1
move 30:23,24 31:7,9 41:10,12 46:15,25 56:11 139:22	netted 159:3	nowadays 130:20	occurred 24:6 96:8 97:23 98:7 99:8 150:16 182:16 184:3 185:13 205:2
moved 35:8,18 46:20 47:9,10,12,21,23 48:5,15 49:19 67:24 98:23 99:5,11 126:3 137:19	Newkirk 181:18 182:8	number 9:16 11:11 34:12 43:21 60:24 61:1 89:20 103:7 120:1 125:23 128:22 150:21 201:13 205:2,3 208:5	October 128:16
movement 131:18	Newkirk's 184:10	numbers 72:9 124:19	off-campus 34:5
movie 131:13	news 184:20,23	numerous 186:22	offender 25:20 26:19, 22
mowing 63:7,16 64:6, 8,12,22 66:23 116:3	nice 189:25 191:4,6	<hr/> O <hr/>	offense 21:6 87:15
multiple 20:11 79:13 148:5	night 7:14,25 8:13 9:14 69:13,15,19,20 70:3,11 72:22 73:15 74:2 115:15	Oakley 33:5	offer 127:18 145:15 150:1 157:12 159:12
murdered 94:4	nights 9:12 128:2 171:6,9,14	oath 13:9,11	offered 34:13
<hr/> N <hr/>	no-contest 86:2	object 8:4 15:3 86:11, 13 179:11,13	offering 128:20
name's 8:23 115:4	no-knock 29:21	objecting 86:15 100:3	offers 133:23 155:19
named 114:25 130:11 174:5 175:8,11 177:4 201:1 203:7	nods 13:3	objection 85:12 86:18 88:9 100:22, 23	offhand 76:2 209:5
names 8:15 23:23 54:12 76:1 94:24 156:21	nonprofit 92:20	objections 8:6 100:21	office 6:15 36:21 70:12,14 71:8 92:16 93:11 98:5,24 99:16, 22 100:8 105:25 109:9 178:1
nation 89:20 97:21	normal 63:10 69:25	obligation 100:11	officer 28:9 110:20
nature 10:11,13 14:17 18:23 44:7 60:20 198:19 211:13	North 46:8 50:22	obligations 47:18 134:10	Ogden 27:13 29:15 34:11
necessarily 179:5	note 77:2 118:3	observation 61:15	one's 9:25 78:4 165:12
needed 180:5 181:16 189:1 190:8	noted 212:18	observe 57:18,21 204:7	one-on-one 187:12
negative 130:5,12,13 160:20	notes 118:4,5,11,16, 22 119:1	observed 98:5	one-page 167:5
neighbor 205:17,18 206:6,9,21 210:8	nothing's 71:24	obtain 32:12 33:15 34:18 56:16 86:3	one-week 207:20
neighbors 69:16	notice 70:13 109:23 140:4,18,19,25 144:14 145:13 148:8	obtained 32:2	online 34:4 41:17,23 90:3 96:1 128:24
	noticed 66:21	occasion 62:4	Ontario 42:6
	notices 140:6,13,17	occasions 36:17 81:15 82:5	open 30:25 58:16 109:23 139:14 147:5
	notification 148:21 149:17		
	notifications 145:18		
	notified 70:11 108:21,24 109:3 203:5		
	notify 92:9 149:18		

158:1 161:2 173:18, 19,21,22,25	24:25 37:18 39:5 87:25	125:12,16,17 132:4, 9,13,14,15,19 133:6, 8 134:12,13,14,17, 20 138:5 139:17 141:5 148:25 152:2, 9 158:10,18 170:13 190:6	109:19,25 181:3 207:9,10
opened 109:23 173:23	Outlook 9:24	pain 207:25 208:5,7, 10,12	passive 195:14
operate 23:2,9	outpatient 205:10	Palm 121:16 171:21 199:17 209:15	past 137:14 140:15 146:16 158:14
operates 23:13	overheard 84:7	pandemic 143:22	Patrick 101:4 102:4, 19 103:21 104:6
operating 37:5,8 87:25 88:11,24 89:1, 6	overlap 29:16	papers 6:22 19:14 112:16 204:2,5	patrolman 20:17 67:23 68:9,22 69:21 70:10
operational 23:11	overlapped 29:18	paperwork 60:6,9	pawn 106:17
operations 23:7	overlooks 55:24	paragraph 146:15 150:11 151:20 195:4 196:24	pay 85:3 87:12 92:17 132:23 133:3 136:17,19,21 138:23 143:23 152:3 153:13 158:18 188:20,21 189:11,13,14,15 209:3
opinion 203:22	overnight 8:19 9:3,9	paragraphs 143:11	paying 151:25 152:1 154:16 166:25
opportunity 11:24 12:1 30:24 31:2 35:12,21	overnights 127:18	parked 66:1,2 124:17 189:6 201:24	payment 132:21 137:17 139:19 141:12 142:4 148:22,23,25 149:20
opposed 11:13	owed 138:2	parole 10:15 27:4,17 28:2,9 30:7,9	payments 123:10 134:2,6,10 137:18 138:21,22 139:20 140:5 141:7,17,19 142:19 151:2,10 190:18
option 87:14	Owens 6:7,9 8:5 15:6, 12,15 17:11,14 84:21 85:16 86:23 91:1,4,7 100:17,21 101:9 138:1,14 141:10 143:4,8 144:6 149:14 152:15 153:15 158:22 170:25 178:15,18,23 179:2,7,12 198:9 202:6,10,15 203:14, 18,21 204:19 212:12,15	part 26:15 35:7 47:14 75:7 79:23 86:14 113:5,6,24 122:23 135:15 146:19	PDF 201:12
options 145:15 150:2,10 184:1	owned 37:25 45:24 46:2 106:5 119:25 158:9 159:8,18,22 202:2	part-time 122:11	peak 55:19,21,22
order 75:14,16 76:6, 9,10 86:3,5,9 100:9 109:8 165:20 168:19	owner 36:16 38:2,4 52:14 153:3,6,8	participate 117:22	pending 12:22 19:21 26:9
ordered 109:3 168:18 169:18 176:22	owners 156:12	participating 36:18	penny 122:1 126:19
organization 23:9 73:11 83:17,18 92:7 97:3	ownership 38:7	partner 35:25 38:8	pension 28:24
organizing 9:15 69:17 72:1 73:10		parts 137:3	people 20:11 22:9 24:18,24 28:2,5,13, 21 30:1 52:6 54:25
originally 31:5 153:18 195:5		party 10:16,18 14:4 15:1 72:1 145:16 150:12 179:3	
Outback 23:22		pass 180:22 210:4 211:18	
outcome's 101:2		passed 46:19 77:16	
outfit 30:25			
outfitting 30:19,25 35:9 88:1	p.m. 84:20 152:14 202:14 212:18		
Outlaw 22:24 23:2,11	paid 18:18 88:2 117:10 122:4		
	P		

69:14,16 70:19 72:8, 13,15 79:7 83:19 84:12 89:19,20 92:6 97:2 115:7 171:5	personally 52:5 79:3 156:3	planner 209:6	158:2 162:25 165:15,20,23 167:17 170:3,6 172:19 173:7 174:5 176:13, 20 177:4,8,23 179:21 181:15 202:18 203:5,7 204:3
people's 210:24	persons 24:3	planning 80:5 108:11,15 164:2,4	power-of-attorney 162:22 165:16 174:13 176:9 202:17
percent 97:20	pertinent 85:15	plans 62:16	prejudge 82:24
percentage 83:18	petition 203:10,14	plate 124:18	prep 200:17
period 29:16,17 39:4, 10,15 46:21 48:4 54:23 70:19 118:25 126:9,10 140:7 169:15 181:5 207:20	Phoenix 95:25	play 183:20	preparation 40:18,24
periodically 28:8	phone 9:16,18 64:20 65:2,7,12,17 67:11, 13 69:12,14,16,19 71:6 72:9 76:21,23 77:5,9,10 81:16,17 93:6 111:5,6,7,8,24 112:1,8 134:13 150:22,23 151:1 156:1,5,10 186:22 188:9 189:20 190:10 191:14	played 72:8	prepare 41:6
periods 48:6,8	physical 21:7 31:19 32:23 121:11	plead 85:16,18,19,25 86:2	prepared 11:24 135:24
permits 88:2,3,4,14, 24,25 89:1,6	physically 33:25 91:22 135:22 192:19	pleadings 123:22	prescribed 207:24
perpetrator 94:7 112:23 113:2	pick 42:17	plenty 15:5	prescription 103:5 204:22 207:25 208:8,10
person 11:1 12:19 20:11 21:6 38:10,14 42:2,5 44:2,8 46:20 61:3 68:11,14 75:18, 21 81:16 82:12 99:20 102:5,12,24 103:4,22,23 104:7 110:12 112:24 116:12,23 119:16 124:11 128:5,6 130:14,20,25 131:2, 8 150:22 181:20 182:13 183:16 194:18 205:13 210:11	picked 42:6 71:4 206:12	plugged 65:18,20	prescriptions 103:6 208:6
person's 195:21 209:4	picture 113:5,6	PO 161:25 162:3,6,8	presence 178:19
personal 38:21 65:14,16 112:6 132:23,25 133:11 134:20 141:21 198:17	pictures 114:20 124:18	POA 162:18 165:4	present 55:25 62:14 76:18 102:8 145:23 162:21 178:16 194:6
	piece 126:21 158:9, 11	point 19:1 33:12,19 35:6 37:3,12,19 42:1 43:5 44:6 46:15 53:24 55:8 56:18 58:8 59:1 78:5,9 86:8 96:9 98:25 99:6,15 107:17 108:4,20 113:11 123:2 128:20 162:21 165:19 175:7,10,14 178:1 180:14 185:10 186:6 192:7 197:14 203:6 204:8,20	presented 165:14 170:6
	pieces 159:25	police 91:24	pretty 28:4 53:23 91:1 100:25 166:4
	Pine 72:10 115:11,12 210:10	portion 81:6	prevailed 20:21
	pistol 105:8	possibly 124:15	price 137:17
	place 33:5 56:23 62:20	posted 146:24	primary 47:24 180:9
	places 17:9	posting 131:25	prior 56:20 99:7,8 106:17 158:24
	plan 63:6 146:2 154:10 164:8	potential 112:23 113:2	prison 27:14
		potentially 41:7 46:25	
		power 157:14,17,22	

private 124:4	201:16,17	122:24 144:21	questioned 11:2
privilege 144:3 178:12,18,25 179:4, 9	property 7:14,19,25 9:11,13 50:1,14 51:13 55:22 60:11 62:22 63:1,8 64:7, 10,21 65:22 66:11, 17,22 68:5,7,8 70:2, 8,9,24 71:7,18,20 72:4,21,25 73:4,14, 16,21 75:22 83:25 91:22 101:7,12,14 102:25 103:4,9,10 104:1,3,12 105:5 107:1,9,12,18 108:7, 14,22 109:15 110:12 114:1,23 115:1,17 116:7 118:15 122:15 126:14 128:9 129:5, 11 133:3,13,17 134:3,6 135:17 136:8,17,19,21 140:1,14 141:5,18 145:22 146:1,3,16, 18,22 147:2,6 152:4, 17 153:22 154:2,4, 10,14,16,17 155:7, 16,20 156:13,15 157:7,20,24 158:9, 12 159:4,15,25 160:13 161:11,12 163:22 182:8 183:7, 12 187:5 188:23 190:8	provider 9:18 38:16 providing 28:15 provision 196:7 psychics 97:22 public 21:13 pulled 7:2 88:4 pulls 182:21 purchased 14:16 88:2 purpose 24:21,22 35:23,24 68:21 94:2, 3 101:23 178:6 179:16 188:15,24 purposes 100:25 purse 115:17,23 pursued 145:15 put 11:22 50:5 55:7 58:7 70:13 75:21 83:20 85:11 86:18 114:7,22 134:18 161:17,21 164:2,4,9 188:11 putting 160:5	questions 12:9,13 14:1 40:19 86:21 104:22 116:24 117:17 132:10 143:5 178:13 198:17 208:24 211:22 212:13 quickly 11:17 113:22 161:17 166:4 202:16 quiet 98:17
prob 43:2			<hr/> R <hr/>
probation 18:10,14 27:5,17 28:2,8 30:7 85:3 87:12			R-I-C-K 32:1
problem 100:15 143:6			R-I-C-K-S 31:25
proceed 128:23			racial 130:20,22
proceeded 156:14			racist 130:15,17
proceeding 15:18,24 19:25 80:14 146:17			rafting 30:21 36:9
proceedings 33:3 123:23			rain 183:23
process 24:15 25:17 47:16 80:9 160:11			raise 149:18
produced 137:4			raised 149:19
products 14:16			ran 88:19
program 30:25 31:11 33:22 34:2,11,16 36:8,9,10			ranch 55:15 69:17 72:10 82:17 97:3 101:6 102:9 108:12, 13,21,24 109:1,4,5, 23 119:19 128:23 130:19 132:15 133:5,9,20 134:19 136:22 137:9 138:6, 23,25 141:18 152:4, 6 153:17,21 158:7 159:23 160:1,3,4,15 163:24 174:20 175:5 176:24 181:21 182:9 186:20 187:3 188:2, 3,14,19,25 189:2,5 192:20
programs 34:13 36:8			
prompted 41:12			<hr/> Q <hr/>
proof 125:19	property's 66:24	question 8:8,9 12:11, 12,22,23 15:17 24:10 48:20 57:21 85:10 86:12,16 99:4, 25 100:3 107:3 109:25 117:14 125:12 131:24 132:6 135:21 140:13 141:8 151:14 166:12 170:23 176:15 179:12 181:14 193:24 204:18	
proper 130:21 169:3	proposal 56:5		
properties 49:20 50:7,24 51:19,22 52:3,6 67:18 70:25 71:2,9,12 72:14 113:9 119:25 122:3, 13,24 126:6,8,17 128:17,20 132:5,9 155:5 158:6 159:11, 18,21 160:2,8,18	propose 55:11,12 proposed 55:13 prosecuted 15:20 protected 144:3 provide 10:21 22:11 143:16 144:1 184:7 provided 22:20 96:6		

rancher 50:14 131:7	receive 123:7 127:11 140:13,17	referring 10:25 17:5 22:13 72:5 128:3 137:23 139:11 193:12	release 93:9 206:11
range 105:10,17	received 95:1,14 117:18 127:14 129:15,20 140:18 146:23,25 147:1	refile 169:22	relevance 100:24
rarely 62:4 208:17	receiving 29:23 122:17 146:21	refinance 145:15 150:2,5,9,10	relevancy 8:4
rate 149:7	recess 17:13 84:20 152:14 202:14	reflected 12:2 95:7	relevant 17:20 93:19
rating 132:3	recipient 146:17	refund 14:15 168:1 169:5	remain 98:17 106:10
ratings 130:4	recognize 167:11 192:1 198:2	refunded 168:1	remained 47:24
reach 81:12,18 82:16, 18	recollect 18:19	refused 145:14 150:1 188:21	remarried 56:9
reached 82:12	recollection 55:9	regard 78:24 85:13 102:2 155:18	remember 8:10,15 14:21 18:15,22 20:4, 10 23:24,25 26:17, 20 53:18,19 58:18 68:10 73:18 76:1 77:22 78:2,18 94:13, 14 102:18 132:2 136:15 150:7 162:25 166:20,22 176:2,4 192:11 193:3,7 194:8,9 195:19 206:12 207:18 208:13,18 210:25
reaching 137:12	record 6:12 13:5 17:12,15,25 84:18, 21 85:12 86:18 91:3, 7 103:5 138:14 141:12 142:18 152:7,13,16 202:15 212:16	register 25:20 26:19, 22	removing 195:9
read 94:12 97:1 145:5	recorded 156:2	registered 25:22,24 127:24	rent 128:17 136:16 143:23 152:19 153:4
reading 123:24	recover 167:24	regular 28:14 29:20	rental 50:24 122:14
ready 152:11	recovered 212:6	regularly 208:4	rentals 50:15,16 51:11 126:14,22
real 62:3 79:7 158:8 159:7,10 205:11	recovering 205:12 212:4	rehab 207:12,16	rented 52:6 136:9 152:18 189:6
realize 24:13 67:9 201:4	recovery 205:10 206:22 207:15	reining 62:18	Renters 143:19
realized 31:2 35:20 64:18 177:23 201:5	recreation 29:11	rejection 195:14	renting 50:18,21 136:13,16
Realtor 155:9,10	recreational 32:20 35:13	relate 188:11	repaired 190:8
reappear 69:24	reduced 123:10	related 79:24 87:24 140:1	repairs 128:22 134:14 188:20 189:1
rear 25:5	refer 11:23	relates 142:7 211:8	repetitive 145:14
reason 13:15 71:19 75:8 79:23 80:2 113:24 119:19 149:17,23 196:15,16	referral 199:11,13,21	relationship 43:14 44:7,12 60:21 61:7, 10,14 170:10 171:1 181:25 182:2,5 185:1 187:4,7 188:4, 7,15 189:23	report 90:21 91:9,10, 13,16 92:1,3,8,10, 12,15,23,24,25 93:2,
recall 9:7 14:7,12,23 15:20 18:21 42:8 48:5,24 49:14,16,18 56:21,24 65:5 74:23 78:5,9,15 79:22 88:23 110:5 115:9 123:24 130:8,11,14 140:24 163:2 165:25 179:18 180:2 186:18 190:14 191:9 193:8 194:18,22 195:1,21 208:9	referred 22:10,12,17 130:19	relationships 54:20	
		relatives 72:6	

9,21,25 94:12,15,16, 22 95:3,9,17 96:6, 12,20,24,25 97:1,5,7 99:23 100:9 119:7 125:6 130:13 184:9, 20 205:22	21 55:16 62:23 63:9 67:5,8 110:25 113:16 136:6 186:20 211:5	177:7 183:9	rough 55:7
reported 68:23 105:25 139:21 183:16 200:14 205:23 206:3	residences 7:19,21 45:24 51:8 73:22	review 11:24 40:24 92:12 123:16,21 130:12	roughly 29:5 64:24
reporter 11:22,25 12:18 13:2 15:11 84:17 90:24 170:24 202:7,13	residential 154:21	reviews 130:5	route 90:13
reports 68:17 101:7 184:18	residing 49:17	revolver 104:21,22, 24 105:2,19 106:8	Ruby 116:2
represent 6:9	resolution 176:24	reward 114:21	ruin 186:3
representatives 91:11 146:8	respect 50:9 123:13 180:21 188:9 191:10 210:3 211:18	Ricks 31:24 32:1,2,8, 15	rule 68:2 86:20 113:6 122:5
represented 21:8 209:10,11	respectful 188:11	ride 24:24 125:1	rules 11:18
representing 19:16 142:25 150:14	respond 71:7	rides 36:11 88:7	ruling 18:4,6
request 12:21 19:11, 19 29:23 92:22	response 119:9 146:6,11 187:17	riding 25:3 183:14	run 11:17 40:7 201:22
requested 150:2 165:22	responsible 97:25 99:12	rifles 106:6	running 88:14
requests 26:18 145:14	rest 62:16 63:6 133:20	rights 210:6	RVS 38:20
require 127:3	restatement 197:23	ring 56:2,4,12,16,19 57:1,5 58:1,7,11,17, 23,25 59:2 60:5 65:2 110:8 172:3 210:15, 19	RZR 30:22
required 25:20 26:21 28:3	restaurant 122:11	ringing 65:6	RZRS 36:10 189:4
research 90:1,4	restraining 86:3,5,9	Riverside 91:17 92:9, 13,16 93:9,11,13,16 95:23 118:6,13 119:4	<hr/> S <hr/>
researches 89:19	result 25:19	road 7:8 88:6,8 104:5 135:17 152:8	S-N-Y-D-E-R 90:7
researching 91:12	resulted 123:3	road 7:8 88:6,8 104:5 135:17 152:8	safe 58:13,14,17 59:1,4,7,11,12,20, 21,22 60:2,5,13 106:19,21,22 114:8, 9 120:20,25 121:4, 13,17 173:15,16,18, 24 174:1 175:16,24 176:1,4 192:22
reservoirs 50:5	retaliation 80:9,10	rode 182:18	safety 80:4
residence 7:6 28:18 45:23 46:1,7 47:24 48:5,25 49:17 50:18,	rethink 194:20,25	role 26:25 30:6 36:15 176:13 177:8 180:4	sale 72:17 133:23 134:25 135:6,17,25 155:19,21,25 156:6, 8 158:12 159:4
	retired 27:7 28:23 29:17 30:17 33:19 35:18 37:12 40:5 42:14 209:25	roles 179:17 180:6	sales 133:25
	retirement 42:18	rollover 182:12,16	Sally 114:25 115:3 210:13
	retribution 145:23	romantic 182:2,5	Salt 27:13
	return 70:19 109:13 176:12	Ronnie 115:5 210:18	San 166:19 193:5 203:16,17 205:8
	returned 110:1 169:5, 10 172:17 174:22	room 6:16,18 179:3 205:13 206:22	

sat 10:24 11:10	security 107:25 145:11 147:9,22,23	share 92:23 127:8	sight 119:20
Saturday 72:22 107:14	seeking 81:3 145:20 151:21	shared 97:10 127:2 131:14	sign 118:5 128:1 204:4
Saunders 124:16	sees 112:24	sharing 135:16 158:5	signature 144:25 155:3 157:9,14 167:13 181:11 192:18 203:10,11, 24,25
save 133:19,20	select 169:8	She'd 44:17 174:2 189:10 208:17	signed 144:25 145:1 155:2 204:2
Schedule 201:14	sell 155:4,7,16 157:19,25 159:12 179:21	sheep 131:5	signing 157:16
school 29:15 31:15, 23 32:13 33:4,6 34:24	selling 135:9	sheriff 71:24 107:5	signs 116:6 117:24 196:4
Scott 38:11,12	send 190:5	sheriff's 70:12,14 71:8 92:16 93:10,11, 16 98:5,24 99:15,22 100:8 103:11,12 105:25 109:9	Silver 22:15
Scottsdale 167:22 168:17	sentence 87:14,15 147:8 148:7 150:11	sheriffs 100:19	Silverton 22:14,16 88:6,7 89:3
screen 6:25 7:3 158:5 165:2	separate 22:1 25:2 138:24 139:20 151:3	shift 40:17	similar 140:1
search 9:15 68:7 69:17 72:1,3,14,24 73:1,11 81:21 90:18 98:5,6,12,14,18 99:7,8 103:17,18 105:11 106:14,15,24 107:7,16,22 108:3 109:2 110:22,24 111:5,21 114:13,16 115:16 116:19 117:18,20,21,23 124:14 125:22,23 126:4 166:3 172:2 174:21 210:11	separated 43:21 44:17 60:17,22 138:24	shit 73:19	simply 25:7 95:1
searched 67:16,19 98:1,4 111:15 113:9, 12,15,19	separately 30:11	shore 98:15	single 139:17
searches 29:22	September 130:9 148:17	short 18:11 39:14 46:21 58:19 122:12 190:16 202:7	single-family 51:8
searching 68:4,12 69:9 89:15 91:11 115:7	serve 52:8 84:24 88:17 201:10	shortly 67:24 117:19 124:8 177:13,14,21, 22	sister 109:16,24
secondary 180:10	served 87:21 110:22 180:6	shot 131:7	sit 174:25
seconds 24:22	service 22:21 88:7 171:21	shotgun 106:5	sitting 11:13 13:12 57:23 98:21 115:9 141:4 199:19
Secret 171:21	services 92:18	show 136:24 141:24 154:19 161:1 165:20 191:20 202:16	situation 69:2 75:6,9 165:7 185:13
secure 59:7,12,13,17	set 80:6 125:25 160:17	showed 114:13 117:17 146:4 148:12 175:16	six-page 137:2
	setting 7:24 14:22 79:2 147:4	showing 190:4,6	sixth 21:5
	settlement 157:12	shows 83:2	size 51:11
	severe 188:18 189:7 205:15 208:7	shut 25:8	Sky 71:13,22 132:14, 17 133:1,20 136:8 152:17 158:7 159:17,18,23
	sex 25:20 26:19,22	sided 185:17	sleep 70:2 73:15
	sexual 15:21	sidesaddle 182:18	sleigh 36:11

slightly 14:2	space 127:18	64:1 67:14 69:9	98:15 128:1 130:2
slipped 205:14,20	Spanish 38:15,18	96:11 118:22 126:21	191:14
snowmobile 22:4,11 24:3,10,17,24 25:2 30:21 87:7	speaking 12:19	136:16 161:24 162:8	staying 80:7 130:15
snowmobiles 36:11	speaks 194:11	177:16	stemming 22:2
Snyder 89:24 90:6 93:4 94:21 95:19 97:13 116:21,23	specific 15:5 35:23 94:24 179:18 204:15	started 25:6,11 35:8, 9 36:2 38:16 39:14 41:13,23 44:6 45:19, 22,25 54:19 64:3 69:14,15,17 72:1 107:15 109:17 118:24 128:19 136:13,16 139:16 150:4 162:10	step 31:4 185:9,12,14
socialize 171:5	specifics 97:4	starting 73:1	stepped 182:20 186:2,14
socialized 171:3,8,13	speculative 100:16	starts 182:20 195:22	stick 181:13 209:22
sold 134:1,22 135:7 156:13 158:9	spell 6:12 8:25 52:24 90:6	state 6:11 27:19,20 28:16 29:4,15 30:7, 18 33:19 34:9,22 82:11 158:13 169:22 206:25	sticks 74:6
sole 38:2,4 44:10	spend 87:2	stated 145:23	Stipulate 212:17
solving 94:3	spending 154:13	statement 78:1 99:24 123:19 125:3 130:23 147:1 161:6,13,21 162:16 165:8 166:7	Stipulation 143:12,19
son 23:12 37:4 82:14 119:11 121:25 122:5 188:1	spent 7:14,25 27:9 87:3 89:10 171:10	statement's 161:25	stood 195:12 196:18
son's 23:14	spoke 91:24	statements 145:3 161:10,17,22 163:10 164:22	stop 39:23 95:2 158:5 176:20
sort 13:19 18:2 19:25 22:18 28:24 39:20 42:22 61:7 68:23 76:6 80:14 88:10 117:4,24 118:3 121:21,23 122:9 137:4 141:11 168:24 169:24 181:24 182:5,23 204:7 205:9	spoken 11:21	states 195:11	stopped 36:23
sound 37:5 180:12	spot 89:23	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	storage 37:22,23 38:20,22 39:7 40:7 48:11 68:6 108:23 110:25 111:2,17 112:12 113:15 168:7,8
sounded 155:13	spots 45:15	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	store 167:22,25 168:18
sounds 20:21 36:17, 23 44:5 58:11 60:17 69:1 70:23 71:25 113:11 114:13 189:23 210:16,24	spreadsheet 127:5	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	story 130:18,24 131:4,10,14
sources 184:23	Springs 72:10 115:12 171:21 210:10	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	straight 65:4
south 158:11	stacked 208:6	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	stretch 48:13
	staff 36:5 72:11,12 115:11 132:7 210:12	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	strictly 30:9 123:17
	stages 38:9	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	strike 29:20,24 30:5, 12
	stand 16:7 65:19 145:3 146:1 177:2 185:4,24 196:18	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	strong 28:4 209:16
	standard 100:24	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	structure 74:2
	standing 182:19	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	structures 68:8
	standpoint 39:9	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	struggle 117:25
	Star 79:11,12,15,17 155:9,12,23,24	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	studies 32:7
	start 23:5 25:4 30:24 39:16 52:19 56:4	stay 9:2 37:13 43:2,6 45:4 47:12 64:7 72:21,25 73:4,9 74:1 82:22 109:10 117:16 126:17 142:8,17 205:9 207:5,22 208:2	

stuff 63:16 101:12 103:13,15,24 104:2 119:18 143:9 169:18 175:19 193:6	surmising 182:23	talking 12:16 16:10 26:14 41:7,9 66:4 76:20,23 82:8,9 96:10 99:3 107:14 131:12,13 138:1,2,4 140:8 148:14 152:7, 8 156:16,23 159:1 185:22 186:6,8 189:24,25 190:10,14 191:9 203:15 206:6	24
subject 31:18 32:6 33:17	surprised 93:18 200:25	talks 195:4	thing 84:16 92:4 165:4 179:11,20 195:11 196:11 208:22 210:17,18
submitted 144:18	surprising 66:14	Tara 124:3 209:11,14, 20,21,22,25 210:2	things 13:3 50:6 57:9 60:11 77:2,16 84:22 128:21 131:16 172:14 175:16,17,21 201:6
subparagraph 193:15	surveillance 112:10, 18	target 15:25 19:24	think's 125:16
successful 21:2	suspect 112:25	task 28:12	thinking 39:18 208:17
successor 201:10	suspected 183:19,21	tax 108:8	third-degree 85:19, 25
sue 24:15	suspicious 124:17	taxes 133:2 136:17, 21 154:16	Thompson 46:4 50:19
sued 14:23 15:22 24:14	Swan 168:2 169:4	technical 10:1 57:13	thought 8:16 15:6 71:4 75:23 117:1 180:23 185:23 195:18 201:2
suffering 204:20	switch 17:9	telephone 103:7	thousands 134:18
suggestion 200:11	sworn 6:4	telling 57:18 89:14 91:8 140:14 144:17 151:16 176:2	threat 82:9,13 118:7 119:6,8
suicide 85:23	system 206:1	tells 71:24	threatened 77:11 81:23 118:6 175:19
suit 57:16	systems 97:23	ten 89:11	threatening 66:2 156:1 160:20
summary 142:1	T	tenant 130:24 131:16, 22,25 132:1 154:5	threats 154:6
Sunday 83:2,24 107:16,22,24 114:14 124:15	table 194:5	tenants 51:6 126:17 130:1 131:11	three-month 49:14
supervises 80:21	takes 37:4 68:6	term 29:2	three-page 142:7 202:18
supervision 27:17, 22,23 28:4,16 30:1	taking 6:10 180:14,15 181:8 186:1,19 191:21 208:12	terms 91:11 209:9	three-week 118:25
supper 63:13,17	talk 7:23 14:17 35:10 40:17 61:5 64:24 74:7,12,13 81:14,18 83:2 85:7 110:17 114:12 135:11 137:21 170:8 175:13 184:5 190:11,19 191:3	test 205:24	till 18:11 24:14 74:10, 11 92:8 138:13 203:4 204:17
supplies 101:7 103:8 135:24 136:1,2,3	talked 40:20 52:18 62:18 67:25 71:3 81:20 84:11,12,25 93:17 97:2 133:16 149:3 158:4,6 159:11,16 172:1 174:22 191:1 201:17,20	testified 6:5 179:7	time 10:9 12:6,19 14:11,21 16:5 18:11, 19 20:18 26:12
support 122:22		testimony 12:2 13:16,20 82:9 85:12	
supported 143:20		Theknot.com 129:8	
supposed 22:18 180:4,9		therapy 31:19 32:20,	
surface 24:14			
surgery 205:4,5,7,12 206:15,18,20,24 207:7,13,24 211:21, 23 212:1,5,10			

28:19 29:18,22 30:4, 10 36:20 39:4,9,10, 15 40:6 41:14 42:7, 18 43:5,14,17 44:2,8 45:18,22,25 46:19, 21 47:9,18,22 48:4, 7,13,18,20 49:16,21 52:20 54:23 58:12, 19,24 59:6,19 60:1, 4,12 61:16 62:1,9 63:11 64:25 69:5,23 70:14,20 71:10 72:18 73:13 76:22 77:8,16,22 78:4,5,9 81:24 83:23 84:4,5, 24 85:9 86:5,8 87:1, 2,3,4,7 88:17,19,20 89:9 98:17 101:2 104:15 106:15 109:11,18,19,25 110:6,19 111:11 114:2 116:16 122:12,14 123:20 125:20 127:14 130:22 131:15 132:11 145:6,9 154:13 158:8,22 159:6,22 165:17,21 166:18 169:15,24 170:11,19,20 171:10,12 173:5 174:5,10,12,15,18 175:7,10,23 177:10, 12 180:8 181:7 183:12 185:11,17 186:14 187:1,4,7,12, 18 188:9 190:5 191:14,15 192:4 193:7 194:9,12 197:14 198:4 200:16 201:4,21 206:11,22, 25 207:7,8,9,14 208:9 210:22 211:5 212:4,8,18 timeframe 19:4 42:20	45:2 49:15 80:6 timeframes 37:2 times 10:7,20,23 16:3 36:21 44:24 47:15 48:1,6,17,24 49:2 52:16 56:6 78:2 79:13 110:17 131:12 138:22 139:19 150:9 186:22 187:23 188:13 191:1 192:6 198:3 tired 208:19 title 153:15 titled 152:25 today 6:10 12:4,10,20 13:16,20 106:20 129:10 141:4 202:4 today's 40:18,24 41:7 told 36:9 44:5 51:4 57:20,24 60:17 62:25 69:1,8 74:9,14 75:13 76:3,18 77:18 78:23 79:9,15,17,21 83:10 87:13 92:14 94:21,23 95:21 96:14,15,16,25 97:12 108:12 109:1 116:21,23 130:18,24 131:10 134:4 135:4 139:4 141:6 146:2 149:4 150:17,18 151:2,12 155:23 172:21 173:9 174:6 175:7 177:1 196:11 198:5,14,15 205:19 206:19 212:9 Tool 62:21,22 65:22 66:11,18 67:5,24 70:7,23 71:3,20 73:14 75:22 133:13 134:3,6 140:1,5,14 141:2,5 154:4 155:8	157:7,19 158:7,12 159:12,15,17,24 160:11,15 176:25 179:21 212:6 top 142:8,23 182:22 topic 79:12 81:19,25 120:11 179:23 180:1 190:22 total 37:16 89:9 91:14 109:4,21 129:15,20 160:3 tour 22:18 24:3,6,10, 12,25 25:10,13 35:21 36:10 tours 22:24 23:2,11 30:20,21,22 36:11, 13,18 37:18 39:5 87:25 182:17 track 28:21 tracking 139:23 trail 125:4 train 22:11,12,13,16 trainer 195:18 197:10 training 35:2 transaction 142:1 163:17 167:21 transactions 157:23 163:11 165:9 transcript 11:23,24 12:3,4 140:11 212:16 transfer 59:5 transferred 59:4 71:5 153:20 transportation 66:13 123:1 189:7 trapped 68:5 182:25	trapper's 73:18,24 travel 45:14 57:4,8 traveled 45:13,20 74:13 treated 188:8 tree 183:15 trial 12:6 18:2 20:15, 19 21:10 100:17,21, 22 trips 47:18 49:2,3,11 trouble 121:21,23 156:14 truck 66:4,6,8,12,15, 21,25 67:2,9 113:21, 23 117:19 123:1 186:2,19,21 187:1 true 11:14 64:13 66:12 69:3 70:5 87:5 95:4 96:20 144:22 178:16 198:11 trust 57:17 60:10 75:17 80:11,13,15, 16,17,18,19,22,23 81:1,5,6 122:22,23 123:4,14 137:19 145:15 149:21 151:13,18 153:1,10, 11,16 172:12,14 173:7 174:6,15 175:8,11,13,23,25 176:3,6 185:16,21 186:7 191:7,18 197:11,23 198:10,15 200:2,12 201:10 202:2 203:14 209:2, 10,12,25 210:7 trustee 146:15 151:13,18 172:19 175:8 176:13 177:8, 23 181:2 195:5,6,10, 16,19 196:14 197:14
---	--	--	--

<p>200:22 201:1,10</p> <p>Trustor 196:25</p> <p>turn 125:21</p> <p>turned 103:12 106:1 107:10,13 108:2 109:16 113:21 118:14</p> <p>two-year 34:2</p> <p>type 36:7</p> <p>types 36:5</p> <p>typically 104:24 147:5</p> <p>typo 147:10</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>uh-huh 13:4</p> <p>uh-uh 13:4</p> <p>ultimately 85:4 107:5 168:13</p> <p>umbrella 160:5</p> <p>unannounced 28:17</p> <p>undergrad 31:21 32:12,21</p> <p>underneath 182:25</p> <p>understand 8:8 12:7, 15 13:8,11 24:9 39:7 82:8,13 86:15 87:16 107:4 138:15 143:9 160:6 161:15 172:2 180:8 189:22</p> <p>understanding 14:20 58:12 80:24 95:3 96:12 113:8,12 122:16 123:2 135:19 138:7 139:1 151:5 159:3 164:16 166:10 170:25 171:19</p>	<p>173:24 180:5 182:15 184:25 188:6 199:6</p> <p>understood 12:12 201:7</p> <p>underwater 77:17 133:18 134:8</p> <p>undoubtedly 47:17 110:14</p> <p>unhappy 184:19</p> <p>unit 40:7 113:15 168:8</p> <p>university 31:15 32:14 33:14,23</p> <p>unlawful 20:2 21:19, 22 24:5,11</p> <p>unuseful 164:7</p> <p>unusual 74:5</p> <p>upcoming 160:22</p> <p>update 200:2</p> <p>upgraded 49:25</p> <p>upkeeps 134:15</p> <p>upset 81:8</p> <p>upstairs 65:6,10,15, 16 67:13</p> <p>Utah 27:11,12,19 28:16 29:4 30:7,18 31:7,13 33:20 34:8,9 38:15,17 39:14</p> <p>utilities 134:14</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vacancy 90:1</p> <p>vacant 136:11,12</p> <p>vacation 126:22</p> <p>Valentino 197:9</p>	<p>van 124:17,18</p> <p>Vegas 191:12</p> <p>vehicle 65:23,25 105:9,11</p> <p>vehicles 113:20</p> <p>verbal 21:7 195:13</p> <p>verification 109:6</p> <p>verified 102:14,17</p> <p>verify 58:17,20 119:21</p> <p>Verizon 9:19</p> <p>version 144:17</p> <p>veterans 210:20 211:1,2</p> <p>Victor 197:9,14,17</p> <p>view 55:22 89:4 100:1</p> <p>violation 10:15</p> <p>violent 81:9</p> <p>virtue 137:13</p> <p>visit 43:6 44:22 212:8</p> <p>visits 28:17 45:4</p> <p>Vista 7:8 152:8 153:17</p> <p>voicemail 65:4</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 86:17 91:2 138:12,13 144:13 178:11 204:17</p> <p>waiting 116:9,10 126:2 146:11</p> <p>walk 179:22,25</p> <p>walked 25:5,6</p> <p>walking 124:16</p>	<p>wallet also 115:22</p> <p>wanted 74:7,8 174:24 181:11 185:8 186:10 192:17 197:14</p> <p>warning 146:4</p> <p>warrant 29:23 110:22</p> <p>warrants 29:21</p> <p>wars 131:5</p> <p>washed 189:2,3</p> <p>wasting 132:11</p> <p>watch 85:23</p> <p>watched 118:18,19 193:24 194:3 208:11</p> <p>watching 102:13</p> <p>waylaid 133:25</p> <p>wealth 119:22</p> <p>weapons 106:17</p> <p>wear 56:7 57:1,2,5,10</p> <p>wearing 56:4 58:11, 23 104:20</p> <p>website 41:18 42:22, 25 55:1</p> <p>wedding 129:11 163:25 164:9</p> <p>weddings 128:7,12, 18 129:6,15</p> <p>Weddingwire.com 129:1,6</p> <p>week 104:13 109:22 115:14 135:16 166:2 207:10,14 212:4</p> <p>weeks 77:1 83:19 88:22 91:17 92:6,8 106:19 118:24 127:3 166:4 169:16 171:23 175:15 200:20</p>
---	--	--	---

whatsoever 85:9	worth 120:4,7	zipline 36:11
when's 52:19 208:9	write 118:18,20 194:3	ziplines 30:22
whereabouts 102:16 116:15	writing 118:22 123:5 130:11 150:24	zoom 7:3 145:7
whitewater 30:21 36:9	written 193:19 195:17	
wife 16:6,8,10 52:22 53:3,7,9	wrote 96:17 119:1 158:17 194:19	
wind 37:3 104:21		
window 64:25 110:6	<hr/> Y <hr/>	
wishes 180:21 181:15 210:3 211:18	yards 103:25	
withdraw 26:1 63:22 177:17 207:5 211:16	year 19:8,9 20:14 24:14 25:17 32:25 33:6 34:1 46:22 53:5 55:6 83:17 90:8,11 124:24 146:16 189:9,18	
withdrawn 86:6	years 7:12,15 8:1,11 9:3,9 10:10 16:24 20:5,8,24 23:4 26:11,13,14 27:8,9 28:23 29:6 32:9 33:24 35:15 37:21 38:1 39:25 40:16 43:22 44:17 53:6,19 54:3 60:23 61:2 81:7 101:5 120:2 146:25 148:25 152:10 162:9 182:17 205:2,3	
witnessed 194:8 196:22	Yellowstone 131:13	
witnesses 91:19 94:6 208:25	yet all 139:19	
woman 44:20 204:15	yield 98:12	
women 204:9	Young 32:14	
words 11:20 196:13	younger 124:24	
work 27:3,14,15 29:8, 10 30:3,5,17 34:21 35:7 49:19 97:22,23 111:21 122:2 142:18 143:1 201:3	youth 29:10,12	
worked 27:4,16,22 29:4,20 30:4,15 34:22 40:15 89:21 97:2 122:11 181:21 195:18	<hr/> Z <hr/>	
worker 94:20	Zen 72:11 115:12	
working 34:9 35:9 37:18 171:23 183:8		
works 11:18 40:10		
worry 75:10,11		