

IN THE CIRCUIT COURT OF
THE 15th JUDICIAL CIRCUIT
IN AND FOR PALM BEACH
COUNTY, FLORIDA
Complex Litigation,
Fla.R.Civ. Pro.1201
Case No. 50
2009CA040800XXXXMBAG

JEFFREY EPSTEIN,
Plaintiff,

vs.

SCOTT ROTHSTEIN,
individually, BRADLEY J.
EDWARDS, individually, and
L.M. individually,
Defendants.

The deposition of MICHAEL LEGAMARO,
called for examination, taken pursuant to the
applicable Rules pertaining to the taking of
depositions, taken before LORRAINE DUNN, a Notary
Public within and for the County of Cook, State of
Illinois, and a Certified Shorthand Reporter of
said state, CSR No. 84-2024, at Suite 500, 77 West

1 Wacker Drive, Chicago, Illinois, on the 11th day
2 of March, A.D. 2011, at 12:05 p.m.

3 APPEARANCES:

4
5 FOWLER WHITE BURNETT, P.A.,
6 (100 Southeast 3rd Avenue, 21st Floor,
7 Fort Lauderdale, Florida 33394,

8 [REDACTED]), by:

9 MS. SUSAN H. APRILL,

10 [REDACTED],

11 appeared on behalf of the Plaintiff;

12
13 SEARCY, DENNEY, SCAROLA, BARNHART & SHIPLEY,
14 (2139 Palm Beach Lakes Boulevard,
15 West Palm Beach, Florida 33409,

16 [REDACTED]), by:

17 MR. PATRICK E. QUINLAN,

18 [REDACTED],

19
20 appeared via video teleconference on
21 behalf of Defendant Bradley J. Edwards.

1 MS. APRILL: Whenever you're ready, we will
2 begin.

3 (WHEREUPON, the witness was duly
4 sworn.)

5 MICHAEL LEGAMARO,
6 called as a witness herein, having been first duly
7 sworn, was examined and testified as follows:

8 EXAMINATION

9 BY MS. APRILL:

10 Q. Sir, what is your name?

11 A. Michael Legamaro, L-e-g-a-m-a-r-o.

12 MS. STILLMAN: I just want to say, for the
13 record, we discussed this before we went on the
14 record. Under Illinois law, any video deposition
15 has to have a special kind of subpoena or notice.

16 We were requested yesterday afternoon
17 by Ms. Aprill's law firm, if I recall, that
18 defense counsel asked to participate by video. We
19 were able to accommodate them. We have been
20 assured by defense counsel who is participating by
21 video that no taping is being done; that this is
22 strictly a live transmission.

23 Is that your confirmation?

24 MR. QUINLAN: Yes. This isn't for
25 videotaping purposes. It's just the chance to be

1 able to put faces to the voices I hear during the
2 depo. I appreciate everybody's cooperation in
3 setting it up.

4 MS. STILLMAN: Fine. Then we can proceed.

5 BY MS. APRILL:

6 Q. Mr. Legamaro, my name is Susan Aprill.
7 We met just briefly before we got on the record.
8 I represent an individual named Jeffrey Epstein in
9 connection with a pending lawsuit in the 15th
10 Judicial Circuit for Palm Beach Florida. That
11 lawsuit is against Scott Rothstein and Bradley
12 Edwards.

13 MS. APRILL: Could you mark this for
14 identification, please.

15 (WHEREUPON, said document was
16 marked Legamaro Deposition
17 Exhibit No. 1, for
18 identification, as of 3/11/11.)

19 MS. STILLMAN: Excuse me. You said Scott
20 Rothstein. The subpoena I have says Scott
21 Reynolds.

22 MS. APRILL: Scott Reynolds? Can I see what
23 you're looking at? It also says Lake County,
24 Illinois, where we're not.

25 MS. STILLMAN: Right. We decided not to make

1 an issue.

2 MS. APRILL: All right. Well, that's
3 interesting. I caught the Lake County. Thank
4 you.

5 BY MS. APRILL:

6 Q. Well, let me ask you this: Have you
7 ever seen, sir, a notice, or more specifically, a
8 renotice of taking your deposition for today?

9 A. I don't know what I've seen. I have
10 seen something very similar to what you're
11 holding.

12 Q. I am going to ask the court reporter to
13 mark this for clarify.

14 MS. STILLMAN: The witness has seen the
15 original subpoena. I've never seen the renotice,
16 either.

17 MS. APRILL: May I see what you have there
18 and make sure at least the attachments are the
19 same, because that's what I'm concerned about.
20 Schedule A is really what I wanted.

21 BY MS. APRILL:

22 Q. I am going to show you what our
23 reporter has marked as Exhibit 1 for today's
24 deposition and ask you if you have seen it or any
25 part of it since there may be some portion you

1 haven't seen?

2 (WHEREUPON, the document was
3 tendered to the witness.)

4 BY THE WITNESS:

5 A. I don't know that I've seen all of it
6 but I have seen part of it.

7 BY MS. APRILL:

8 Q. At the very end, I think it is the last
9 two, three pages, there is Exhibit A that is
10 titled.

11 Have you seen that before, Exhibit A?

12 A. Yes, I have.

13 Q. I understand that you are represented
14 by counsel today. It is never my intention at all
15 to ask you to disclose anything that is
16 privileged. If you feel I am asking it, certainly
17 I will try to rephrase it.

18 Did you ask anyone to locate any
19 documents that you believe are responsive to
20 Schedule A?

21 MS. STILLMAN: I'm going to object to what he
22 asked. If you want to ask him what he did to
23 search for documents, that's fine.

24 BY MS. APRILL:

25 Q. Okay. Did you conduct a search or

1 cause a search to be conducted for any documents
2 you believe to be responsive?

3 A. Yes.

4 Q. Did you identify certain responsive
5 documents?

6 A. Actually, I did not, but I turned my
7 files over, all of my files over to the firm.

8 Q. Have you seen the documents that were
9 provided to me as a result of that?

10 A. I'm not certain what you were provided.
11 I have seen a set of documents that I was told
12 were provided to you.

13 Q. Is it correct for me to understand that
14 there are documents in the file that you searched
15 or caused to be searched that were not produced to
16 me today?

17 MS. STILLMAN: Relating to what, counsel?

18 BY MS. APRILL:

19 Q. Let me ask you this: Do you have --
20 the documents that were produced to me, did they
21 come out of a file that was designated by a matter
22 name or number?

23 MS. STILLMAN: Counsel, you're assuming that
24 they came out of a hard copy search as opposed to
25 an electronic search.

1 MS. APRILL: Actually, I'm not. I'm asking
2 the question. I understand that people keep
3 things in folders.

4 MS. STILLMAN: Can I hear the question back,
5 then?

6 (WHEREUPON, the record was read
7 by the reporter as requested.)

8 MS. STILLMAN: If you know.

9 BY THE WITNESS:

10 A. I don't know.

11 BY MS. APRILL:

12 Q. Have you ever given a deposition
13 before?

14 A. Yes.

15 Q. More than once?

16 A. Yes.

17 Q. Have you ever given any deposition in
18 connection with any case where one of the parties
19 is Scott Rothstein?

20 A. No.

21 Q. Do you know Scott Rothstein?

22 A. I have met him.

23 Q. Since you've been deposed before, I
24 will not belabor the point, but clearly if I ask
25 you a question and you don't know the answer, I'm

1 sure you will tell me you don't know, right?

2 A. Yes.

3 Q. And, likewise, if I ask a question that
4 doesn't make sense to you or needs to be restated,
5 you'll ask me, right?

6 A. Yes.

7 Q. Thank you. When you saw Exhibit A,
8 which is part of Exhibit 1 that has been marked
9 which is in front of you today, did you recognize
10 a particular matter by title that you had worked
11 on in the firm that you felt would have documents
12 that might be responsive?

13 A. Yes.

14 Q. Could you tell me what that matter --
15 how you designate the matter so that when I'm
16 asking you questions, it will be easier?

17 A. Well, we had a matter involving a
18 client.

19 MS. STILLMAN: The name of the client -- you
20 can give the name of the client.

21 BY THE WITNESS:

22 A. So the name of the client would be
23 Ritchie Capital or Thane Ritchie, individually.

24 MS. APRILL: That makes it a lot easier for
25 me to focus my questions.

1 BY MS. APRILL:

2 Q. Do you currently represent Thane
3 Ritchie or Ritchie Capital?

4 A. Yes.

5 Q. In 2009, did you represent either or
6 both of them?

7 A. Yes.

8 Q. Which?

9 A. Both.

10 Q. Did you represent both Ritchie Capital
11 and Thane Ritchie, which I am going to refer to
12 just as Ritchie, if that is okay with you?

13 A. Fine.

14 Q. In connection with an investigation of
15 an investment that was being offered by Scott
16 Rothstein?

17 MS. STILLMAN: Wait a minute. At the
18 investigation? I'm going to object as vague.

19 BY MS. APRILL:

20 Q. Did you represent them -- well, did you
21 represent them -- strike that. Let's back up.

22 You said you met Scott Rothstein?

23 A. Yes.

24 Q. When did you meet Scott Rothstein?

25 A. Late September, early October 2009.

1 Q. Where did you meet him?

2 A. In his office.

3 Q. Before you met him in his office, had
4 you ever spoken to him on the phone?

5 A. No.

6 Q. What caused you to meet with him in his
7 office at that time?

8 A. I traveled to Florida with a client on
9 other business and we collectively went to meet
10 Scott Rothstein.

11 Q. Was that client Thane Ritchie?

12 A. Yes.

13 Q. Were you there for a number of days?

14 A. No.

15 Q. One day?

16 A. We arrived midnight one night and we
17 left by 10 p.m. the next day.

18 Q. What was the purpose of you going to
19 Scott Rothstein's office?

20 MS. STILLMAN: Objection. You can ask him
21 what he did there in the presence of Scott
22 Rothstein, but the purpose would be privileged.

23 MS. APRILL: All right.

24 BY MS. APRILL:

25 Q. Let me ask you this: Were you invited

1 by anyone other than your client to be present at
2 Mr. Rothstein's office?

3 A. Well, not that I'm aware of, no.

4 Q. All of this is, of course, if you know
5 and if you remember.

6 A. Not that I recall, right.

7 Q. When you went to Scott Rothstein's
8 office, was there anyone else present there?

9 A. Yes.

10 Q. Do you remember who?

11 A. Well, John Kurmath, who is the
12 president of Ritchie Capital and A.J. Discala.

13 Q. Did you know A.J. Discala prior it is
14 this that day?

15 A. I had spoken to A.J. Discala a few
16 years ago, something completely unrelated, and I
17 met him at breakfast that morning.

18 Q. Had you ever represented A.J. Discala?

19 A. Yes.

20 Q. Were you representing him at the time
21 you had breakfast with him?

22 A. No, not A.J. personally.

23 Q. Who else was at the breakfast?

24 A. No one.

25 Q. Was your client with you as well?

1 A. Yes, Thane Ritchie, A.J. Discala.

2 Q. And what was the subject matter?

3 MS. STILLMAN: Of breakfast?

4 MS. APRILL: Yes.

5 MS. STILLMAN: To the extent that there
6 was -- A.J., though, he said personally, but A.J.
7 was a principal of a client. So, to the extent
8 that there was any discussion that related to the
9 client of which A.J. was a principal, we're going
10 to assert the privilege.

11 BY MS. APRILL:

12 Q. Let me understand something. Is it
13 your position that the entire conversation was
14 privileged?

15 A. Yes.

16 Q. So you didn't talk about the ball
17 scores or any nonlegal matters?

18 A. No, I'm sure we did.

19 Q. Can you tell me anything you believe is
20 not privileged that you talked about that morning?

21 A. No, not that I recall.

22 Q. So you're saying that although you did
23 not represent A.J. Discala personally at that
24 time --

25 A. Right.

1 Q. -- you represented an entity in which
2 he was a principal?

3 A. Yes, in fact -- yes.

4 Q. Do you know the name of that?

5 A. Clockwork Capital Advisors.

6 MS. STILLMAN: Clockwork Capital Advisors,
7 LLC, actually.

8 BY MS. APRILL:

9 Q. Had you represented Clockwork Capital
10 Advisors prior to that breakfast meeting prior to
11 that day?

12 A. Quite possibly, yes.

13 Q. Did you have anything to do with
14 forming that entity?

15 A. No.

16 Q. You then went after breakfast to
17 Mr. Rothstein's office?

18 A. No.

19 Q. Did you go to the other business
20 meeting you had?

21 A. We did, Thane and I did.

22 Q. Do you know what time of day,
23 approximately, you went to Scott Rothstein's
24 office?

25 A. We let's put it this way: We arrived,

1 we were in West Palm Beach, so we had to drive
2 from West Palm Beach after lunch to
3 Ft. Lauderdale, so we arrived at 2:30 or so.

4 Q. So you went to Rothstein's office. Can
5 you tell me what Mr. Rothstein did when you
6 arrived?

7 A. He greeted us and brought us into his
8 office.

9 Q. And was anyone else there from his
10 firm?

11 A. No.

12 Q. Did you have a -- did anyone else join
13 you during the meeting other than people you've
14 already mentioned?

15 A. No.

16 Q. So it was just four of you?

17 A. Yes.

18 Q. What occurred during the meeting?

19 A. Well, Rothstein explained what he was
20 doing in terms of structured settlements. We
21 reviewed examples of some of those structured
22 settlement cases and we left, I suppose, in that
23 order.

24 Q. When you say he explained what he was
25 doing running structured settlements, had you seen

1 any documentation about what he was doing before
2 arriving that day?

3 A. No.

4 Q. Had you ever heard of Scott Rothstein
5 other than in the context of a privileged
6 conversation?

7 A. No.

8 Q. Did you do anything to check him out as
9 a person before going to the meeting?

10 A. Not that I recall.

11 Q. Did you know what he did for a living?

12 A. Only by the assumption that he was --
13 his name was on the door of a law firm, so I
14 presumed he was a lawyer.

15 Q. Did you know anything about the nature
16 of his practice?

17 A. Before I arrived or when I arrived?

18 Q. Before you arrived.

19 A. No.

20 Q. When you arrived, did he explain to you
21 anything about his practice before talking about
22 these structured settlements?

23 A. Yes.

24 Q. What did he say, as best you can
25 recall?

1 A. That he was a plaintiff's lawyer and
2 predominantly they were doing -- well, the firm
3 itself was a full-service firm, but his particular
4 background was in litigation, plaintiff's
5 litigation, predominantly.

6 **Q. Did he mention that he specialized in**
7 **any type of litigation like employment law or**
8 **anything?**

9 A. I think he did, employment, labor, yes,
10 representing plaintiffs in labor disputes.

11 **Q. Have you ever done that in your own**
12 **career?**

13 A. No.

14 **Q. When you were at his office, you said**
15 **you reviewed some I think you said some examples?**

16 A. Yes.

17 **Q. Can you tell me how it came about?**
18 **Did Scott immediately show you some documents or**
19 **how did it occur?**

20 A. He did not immediately show some
21 documents. We talked for 30 minutes, maybe
22 longer, about his structured settlement business
23 if we call it that, and he invited us to take a
24 look at case files or what I call case files, I
25 suppose. He left the room while Thane and I

1 examined those case files and then he came back
2 and we talked some more.

3 Q. Now, do you know the exact date that
4 this occurred?

5 A. No.

6 Q. Do you know what day of the week it
7 occurred on?

8 A. Not that I recall.

9 Q. Was it a week day, though?

10 A. Absolutely.

11 Q. Do you have any calendars or records
12 that would tell you the exact date if you were to
13 look at them?

14 A. Presumably, yes.

15 Q. Are those personal files or firm files?

16 A. Firm files, billing matters, billing
17 files.

18 Q. Was this a billable event, this
19 meeting?

20 A. Yes.

21 Q. As best you can recall, what did you
22 look at in these case files? What was the
23 character of the papers?

24 A. They were pleadings predominantly that
25 I can recall, complaint, maybe motions, motions

1 practice, that sort of thing. I'm not quite sure
2 exactly. I don't recall exactly what they were
3 but they were pleading documents. They were
4 pleadings. They could be things like motions for
5 summary judgment, that sort of thing, complaint,
6 answer, things that I would expect to find in a
7 piece of litigation.

8 Q. Was this file that you -- you looked at
9 files for multiple plaintiffs?

10 A. Not that I recall.

11 Q. Did you look at these files just for
12 one plaintiff, then?

13 A. That's the only one I can recall, yes.

14 Q. Do you remember the name of the
15 plaintiff or how the plaintiff was designated if
16 not by full name?

17 A. There was no name listed for plaintiff.
18 Indeed your question was accurate in that the
19 plaintiff was designated by name as LM which
20 sticks in my head.

21 Q. And were you -- during the time that
22 Scott was talking to you about the settlement, did
23 he talk to you about what the LM case was about
24 before he showed it to you?

25 A. I don't recall.

1 Q. Did he tell you who the defendant was?

2 A. In that case, again, I don't recall.
3 Just to be clear, he did not -- we could have
4 chosen any case file. Our conversations were
5 broader and I picked the case file to be the LM.
6 He did not show us. There were boxes. He said
7 those are case files, take a look, and I picked up
8 LM.

9 Q. Now, the room that you were in when you
10 looked at these files, the LM file, was it a
11 conference room such as the one we're in?

12 A. No.

13 Q. Can you tell me what kind of a space
14 you were in?

15 A. Scott Rothstein's office I understood
16 it to be.

17 Q. In that office, was there a seating
18 area with a sectional sofa and some other
19 accessory furniture?

20 A. Possibly.

21 Q. Did you sit on a sofa or at a
22 table when you were --

23 A. Sat at a table.

24 Q. So was there a conference table in
25 there?

1 A. Yes.

2 Q. Was it as large as the one we're
3 sitting at today, which I would say is eight or
4 nine feet?

5 A. Yes.

6 Q. Were the boxes that he invited you to
7 examine, if that's the right way to say it, were
8 they on the table?

9 A. No.

10 Q. How were they arranged in the room?

11 A. They were in the corner.

12 Q. Were they stacked up?

13 A. One, two high, maybe. There were
14 approximately, let's say, approximately four
15 boxes.

16 Q. Again, I jumped to the conclusion that
17 they were in boxes. These are like the typical
18 banker boxes that you use in a firm?

19 A. Exactly.

20 Q. So you think there were about four
21 boxes in the corner two high?

22 A. Tops were open, that I recall.

23 Q. Was there any marking on the outside of
24 the box, a label or a number?

25 A. Not that I recall.

1 Q. Did you move them from the corner to
2 the table so that you could examine them?

3 A. Not that I recall.

4 Q. Did the others who were with you also
5 look at the contents?

6 A. Yes.

7 Q. I'm trying to get a picture of the
8 scene, forgive me.

9 Can you describe to me were you each
10 looking at separate parts of the file or were you
11 kind of looking all together at any given pages?

12 A. Well, there was really only two of us
13 looking, Thane Ritchie and myself personally.

14 Q. Mr. Discala was not there?

15 A. No, he left. Just to clarify, again,
16 we talked to Scott. He invited us, Thane and I,
17 to take -- and presumably John Kurmath who I
18 believe left on the phone, he departed. Kermath
19 is, K-e-r-m-a-t-h. I think he was dealing with
20 other business and he left the room. A.J. Discala
21 left the room. Scott Rothstein left the room.
22 Thane and I sat there and reviewed files for a few
23 minutes and then Scott came back.

24 Q. When you say a few minutes, about how
25 much time did you spend --

1 A. Fifteen, twenty minutes.

2 Q. Do you recall seeing anything in those
3 files that contained -- well, you said you saw
4 court papers, pleadings?

5 A. Yes.

6 Q. Was the plaintiff -- was the
7 defendant's name on there? I'm not asking you if
8 you remember it. I mean was it blocked out or was
9 it visible?

10 A. The defendant's name was visible.
11 There were two defendants, I recall.

12 Q. Do you remember, sitting here today,
13 who they were?

14 A. I remember one was named Jeffrey
15 Epstein and one was a woman.

16 Q. Did you know who Jeffrey Epstein was
17 prior to looking at those papers?

18 A. Not really, no. I don't recall.

19 Q. Well, did Mr. Rothstein describe
20 anything about Jeff Epstein before you actually
21 looked at papers?

22 A. I don't remember the order of that, so
23 I can't say with clarity.

24 Q. Did you make any notes about what you
25 saw in the files?

1 A. I wrote down the case number. That's
2 the only note I recall taking, the Florida case
3 file number.

4 Q. Do you recall, you said about
5 30 minutes -- you did not.

6 Do you know how long you spent actually
7 perusing files?

8 A. Fifteen, twenty minutes.

9 Q. So I understand it, Scott left several
10 boxes, you did not look at each of the files in
11 the boxes?

12 A. That's correct.

13 Q. You made a random selection?

14 A. I believe I took whatever was on the
15 top.

16 Q. Were they in binders, the files that
17 you looked at?

18 A. They were binders in the sense that
19 they had two-hole punches in there.

20 Q. At the top?

21 A. Precisely.

22 Q. Did Mr. Ritchie, if you know, look at
23 some of the other files that you didn't look at?

24 A. Yes, he did look at other files I did
25 not look at.

1 Q. Then I presume you discussed them and
2 that is a privileged conversation?

3 A. Yes.

4 Q. I think you can tell me this. Did you
5 talk about them before Mr. Rothstein came back in
6 the room?

7 A. Yes.

8 Q. You said you wrote down a case number?

9 A. Yes.

10 Q. Did you make any phone calls when you
11 were in the room to someone at your firm, for
12 example, to look up the case?

13 A. Not that I recall.

14 Q. Did you have a laptop or some sort of
15 device with you to make any notes or go on the
16 internet to look at the case file?

17 A. No.

18 Q. Was this, if you remember, a federal or
19 a state court case?

20 A. It was a state court case.

21 Q. Do you remember that just because you
22 remember it or because Scott had described the
23 case being in state court?

24 A. I recall writing down the case number.
25 It was not a federal case number.

1 Q. Did you subsequently yourself or ask a
2 colleague to look at the complete file in the Palm
3 Beach court?

4 A. On-line?

5 Q. Any way.

6 A. Yes. I don't know exactly what I
7 asked, but I asked somebody to examine, make
8 certain the case was, in fact, filed --

9 Q. Okay.

10 A. -- once I had returned to Chicago.

11 Q. Now, I take it that this case that you
12 examined was at that time not the subject of one
13 of the settlements that was being discussed, is
14 that right?

15 A. It was an active case file, so I don't
16 know that it was or it wasn't.

17 Q. Did Scott Rothstein show you or make
18 available for your inspection that day any other
19 documents that concerned cases that were presuit,
20 a dispute existed but he had not yet filed a case?

21 A. Not that I recall.

22 Q. Did he talk to you about having
23 settlements in process for cases that had not yet
24 been filed?

25 A. He may have -- I recall him mentioning

1 that he had previously done such cases. I don't
2 know that he discussed any future cases that he
3 would have filed; in other words, I want to say
4 that his business plan as related to structured
5 settlements in part involved in some cases -- not
6 necessarily the ones that were active -- but in
7 some cases were presuit settlements.

8 Q. Is it accurate to say that what Scott
9 Rothstein was talking to you and the others who
10 were in that room with you about was an investment
11 in a single settlement?

12 A. No.

13 Q. Can you tell me what the product was
14 that you were investing in? Was it a package of
15 settlements?

16 A. No. It was more a prospective proposal
17 about future settlements and Scott Rothstein's
18 ability to deliver multiple settlements for future
19 use.

20 Q. What was the purpose then for him
21 showing you files?

22 A. It was giving us examples of cases in
23 which he had been involved.

24 Q. I see.

25 A. Or was currently then involved.

1 Q. So you didn't have -- is it correct to
2 say that you did not believe that any investment
3 that might be made was going to be in the LM
4 settlement?

5 A. At the time, that's right, yes, that's
6 correct to say.

7 Q. After you looked at the files that
8 Mr. Rothstein made available, did you have any
9 further conversations with him?

10 A. Yes.

11 Q. Can you tell me what he said and what
12 was said back?

13 A. As you may recall, I testified that he
14 came back to the room. We then presumably -- not
15 just presumably, we talked about the case file
16 that we had in front of me and in front of Thane,
17 which was if I recall similar to if not -- I don't
18 recall what Thane's case was exactly -- then we
19 discussed other cases that Rothstein either had
20 active cases or would in the future start cases.

21 Q. Do you remember anything about any of
22 that?

23 A. Well, I remember the latter case, for
24 example, was a key tab case involving a government
25 contract with the navy or the army or something

1 and maybe orange juice or something like this
2 where supposedly a supplier to the government was
3 cheating the government, basically.

4 Q. So, at that meeting, were your clients
5 being asked to invest a certain amount of money?

6 A. No.

7 Q. Would you consider this a preliminary
8 meeting to -- was this the first time -- strike
9 that.

10 How long did you spend at his office,
11 Rothstein's?

12 A. To include waiting in the waiting room
13 or the front door?

14 Q. Well, no, just with him.

15 A. In his office, oh, an hour.

16 Q. The boxes you said were already in the
17 room when you came into the room?

18 A. Yes.

19 Q. You don't remember anyone carrying them
20 in your presence?

21 A. No. I remember that no one did carry
22 them in. They were in the room when I was there,
23 to make that clear.

24 Q. Was there anyone who removed those
25 boxes or any part of the files in your presence?

1 A. No.

2 **Q. Did the meeting conclude with any**
3 **agreement to confer further with Rothstein?**

4 A. Yes.

5 **Q. What happened?**

6 A. We agreed to have further conversations
7 about Rothstein's business of structured
8 settlements and we -- that was pretty much the end
9 of it. We said good-bye and left.

10 **Q. Did you confer further with him?**

11 A. Yes.

12 **Q. Can you tell me when that occurred with**
13 **respect to this meeting? Was it the next day or**
14 **the next month?**

15 A. In fact, it was probably within an hour
16 because we were -- we went downstairs to a
17 restaurant, bar, if you will, and had a drink. We
18 were waiting for somebody to do something. It may
19 have been John Kurmath to return to us, I don't
20 recall exactly. And Rothstein showed up.

21 **Q. In the restaurant?**

22 A. Yes.

23 **Q. Do you know if this is the restaurant**
24 **in his office building that he owned?**

25 A. Yes. It is called Bova.

1 Q. Did he tell you he owned it?

2 A. He did.

3 Q. I suppose he picked up the drink tab?

4 I'm kidding.

5 A. I don't recall who did.

6 Q. So he joined you at your table or
7 booth?

8 A. Yes, or didn't -- join us isn't the
9 right word. He showed up. I don't know that he
10 sat.

11 Q. All right.

12 A. He said hello, good-bye and it was
13 chitchat.

14 Q. Was he with anyone else that was in the
15 chitchat?

16 A. Not that I recall.

17 Q. After that, when is the next time that
18 you had any communication with Scott Rothstein?

19 A. Within the -- the times are a little
20 bit -- so within two weeks or so, I would say,
21 maybe three -- actually maybe not even that long.
22 I don't recall exactly when the meeting was.

23 In fairly short order, within a
24 two-week period, maybe, I called him to ask him to
25 tell us under what circumstances the selling of

1 structured settlements was permissible without
2 court approval.

3 **Q. This was a telephone call?**

4 A. Right. Actually, let me correct that.
5 As I recall, I told A.J. Discala from Clockwork
6 Capital Advisors.

7 MS. STILLMAN: I object.

8 BY THE WITNESS:

9 A. A.J. got Scott Rothstein on the phone.

10 BY MS. APRILL:

11 **Q. Were you all on the phone together?**

12 A. Yes.

13 MS. STILLMAN: You can talk about once Scott
14 Rothstein joining the phone call but not before
15 that.

16 THE WITNESS: Fair enough.

17 BY MS. APRILL:

18 **Q. By the way, about Clockwork, you say**
19 **they were a client of this firm at that time?**

20 A. Yes. The timing is a bit of a mystery
21 to me because Nina has instructed me not to look
22 at my files.

23 MS. STILLMAN: I can tell you that they were
24 a client.

25 BY THE WITNESS:

1 A. So the timing is a bit of a problem for
2 purposes of this, but Clockwork eventually becomes
3 a client, yes.

4 BY MS. APRILL:

5 **Q. As far as you're concerned, during**
6 **these communications we've been discussing,**
7 **Clockwork was either a client or seeking legal**
8 **advice and about to be a client?**

9 A. Yes.

10 **Q. You were saying --**

11 A. So the three of us and maybe one other
12 in my office were on the phone and called Scott to
13 say hey, our research has indicated that --

14 MS. STILLMAN: Okay. This is what you said
15 in the call?

16 THE WITNESS: Exactly.

17 BY THE WITNESS:

18 A. So our research has indicated that at
19 least we have an issue with regard to selling
20 structured settlements outside of court approval
21 and I wanted to know on what basis he could do so.

22 BY MS. APRILL:

23 **Q. What did he say?**

24 A. He said oh, we're not settling tort
25 cases. There is some reason, I can't remember

1 what it is, he's like there was a reason. He may
2 have tried to call somebody else to get them on
3 the phone. He said I'll get back to you, and then
4 he did via an e-mail.

5 **Q. He sent you an e-mail explaining why**
6 **these cases did not require court approval?**

7 A. That's right.

8 **Q. Is that one of the documents you**
9 **produced to me?**

10 A. I believe so.

11 MS. STILLMAN: Yes.

12 BY MS. APRILL:

13 **Q. Then what happened as far as**
14 **communications with Scott?**

15 A. As far as I can recall, I had no
16 further attempts to contact Scott nor do I recall
17 him speaking to me directly, with him directly.

18 **Q. Ever?**

19 A. Ever.

20 **Q. Do you know Dean Kretschmar?**

21 A. Yes.

22 **Q. Where did you meet him?**

23 A. Well, he became -- he borrowed money
24 essentially from an entity controlled by Thane
25 Ritchie.

1 **Q. Do you know what that entity was?**

2 A. Mercata Justa, LLC, M-e-r-c-a-t-a
3 J-u-s-t-a, LLC, lent money to an entity controlled
4 by Dean Kretschmar. He guaranteed the loan.

5 **Q. Do you know why he borrowed the money?**

6 MS. STILLMAN: Objection. You're asking him
7 to --

8 BY MS. APRILL:

9 **Q. Did you ever talk to Dean Kretschmar**
10 **personally?**

11 A. Yes, but not about the loan. When
12 Scott Rothstein was arrested, then I met Dean
13 Kretschmar. I've had several conversations with
14 Kretschmar.

15 **Q. Your recall of meeting Dean occurs**
16 **after Scott Rothstein was arrested?**

17 A. Yes.

18 **Q. What I was wanting to ask you about**
19 **Mercata Justa doesn't really go to privilege. Was**
20 **the money, if you know, or the entity he was**
21 **borrowing it for to be invested in a Rothstein**
22 **matter?**

23 A. I don't know why it was borrowed, but
24 eventually I know it was, in fact, invested in
25 something called D3.

1 Q. Is that the D3 Capital Club, LLC?

2 A. Yes, that is my impression.

3 Q. Did you ever hear of the D3 Capital
4 Club, LLC prior to Scott Rothstein's arrest?

5 A. Yes.

6 MS. STILLMAN: Okay. If you learned about it
7 in a privileged conversation --

8 MS. APRILL: I'm not asking that.

9 MS. STILLMAN: She has the right. Did you
10 and when.

11 BY THE WITNESS:

12 A. Yes, the answer is yes.

13 BY MS. APRILL:

14 Q. Do you know who formed the D3 Capital
15 Club?

16 MS. STILLMAN: If you know outside of a
17 privileged --

18 BY THE WITNESS:

19 A. I do not.

20 BY MS. APRILL:

21 Q. You never represented D3?

22 A. That's correct.

23 Q. When I say you, I mean you or anyone in
24 your firm.

25 A. That's correct, to the best of my

1 knowledge about the firm, that's right, yes.

2 Q. Is it your testimony that you never met
3 Dean Kretschmar at any time while in Scott
4 Rothstein's suite of offices?

5 A. That's what I recall, yes. I do not
6 recall meeting Dean Kretschmar with Scott
7 Rothstein.

8 Q. Did you ever meet Dean's stepfather,
9 Mr. Von Allmen?

10 A. No.

11 Q. Did you ever know David Von Allmen?
12 Did you ever hear that name?

13 A. David Von Allmen?

14 Q. Doug Von Allmen, excuse me. There are
15 several Von Allmen.

16 A. Yes. I have heard that name, yes.

17 Q. After you talked to Scott Rothstein on
18 the telephone and he answered you by e-mail, did
19 you ever speak to him at all even in a brief phone
20 call?

21 A. Not that I recall.

22 Q. So I'm understanding -- well, your
23 testimony is you were only in his office on one
24 occasion?

25 A. That's right, very clearly, only in his

1 office on one occasion.

2 Q. Were you ever in the Judge Advocate
3 Corps?

4 A. I was, in fact.

5 Q. In which branch of the military?

6 A. In the army.

7 Q. Sometimes called the JAG, right?

8 A. It is indeed.

9 Q. Did you ever mention while in Scott
10 Rothstein's office that you had been involved in
11 the prosecution of cases of abuse or something
12 like that when you were in the JAG?

13 MS. STILLMAN: In front of Mr. Rothstein?

14 BY THE WITNESS:

15 A. Not that I recall.

16 BY MS. APRILL:

17 Q. Do you remember ever telling him that
18 you had been in the JAG Corps?

19 A. Not that I recall.

20 Q. Did you, in fact, ever investigate or
21 prosecute cases concerning sexual abuse or --

22 A. Yes.

23 Q. Something like this --

24 A. I did.

25 Q. You did?

1 A. Yes, I did.

2 **Q. Did they have any similarity to the**
3 **kind of allegations that you read in the files at**
4 **Rothstein's office?**

5 A. Generally, no. They were young
6 children. My impression of the LM case is that
7 she was not as young. She would have been a
8 teenager.

9 **Q. So your own experience as an attorney**
10 **in the military was prosecuting perpetrators of**
11 **crimes against very young children?**

12 A. No. I had, of course, many trials as a
13 prosecutor in the army, but my child sexual cases
14 were, to the best of my recollection, only young,
15 little children.

16 **Q. Like under ten?**

17 A. Yes, like under ten, exactly.

18 **Q. But that experience was in the**
19 **military, right?**

20 A. Yes.

21 **Q. Do you remember ever discussing it with**
22 **any -- if not with Scott Rothstein -- with anybody**
23 **with whom you don't claim a privilege while you**
24 **were in Florida?**

25 A. While in Florida, not that I recall.

1 Q. Now, do you recall if the day that you
2 visited Rothstein's office, A.J. Discala -- you
3 have to decide if this is privileged or not?

4 MS. STILLMAN: I'm waiting to hear.

5 BY MS. APRILL:

6 Q. -- told you that he had attended a
7 Dolphins-Jets game the night before?

8 MS. STILLMAN: Even if he was a client, it's
9 not a privileged statement, so you can answer.

10 BY THE WITNESS:

11 A. I don't recall that at all. A.J.
12 Discala never told me he attended a Dolphins-Jets
13 game.

14 BY MS. APRILL:

15 Q. Did Scott Rothstein mention that he had
16 provided complimentary passes or tickets for
17 individuals who might be interested in investing
18 with him for that, for a game like that the day
19 before you were there?

20 A. No, never told me.

21 Q. You said that Scott Rothstein -- you
22 went to his office and he told you about the
23 nature of the investments in the structured
24 settlements.

25 Can you tell me what he said the terms

1 **of the deal would be?**

2 A. Of the various deals, they were
3 typically involved -- his prototypical case
4 involved sexual harassment complaints between
5 employer and employee, and employee would threaten
6 or actually sue employer who then became concerned
7 about confidentiality and ultimately would settle
8 the case on the premise that in large part he was
9 buying -- sorry -- the employer, was buying
10 confidentiality.

11 So Scott Rothstein was working, was
12 creating value for his plaintiffs by reference to
13 the confidentiality of the ultimate settlement.

14 **Q. What was the structured part of it?**

15 A. Well, once the plaintiff and defendant
16 settled, the plaintiff -- I'm sorry -- the
17 defendant would post money into a bank account
18 which would be released to the plaintiff over a
19 period of time or upon date in the future. The
20 settlements were structured in a way so that they
21 were assignable.

22 In some cases, then, the plaintiff was
23 interested in being paid immediately or soon. So
24 what would happen is that Rothstein would arrange
25 for people to purchase the cash in the bank, so to

1 speak, in advance, generate proceeds which he
2 would then turn over to his plaintiff and she or
3 he, as the case may be, would be out.

4 Q. So the plaintiff would be paid in full
5 at a much earlier date than they would be if there
6 were no third parties investing?

7 A. Yes, exactly right.

8 Q. Did you understand if the money was
9 being paid in by a defendant at one time, the
10 front end of the settlement, why they just didn't
11 pay it all to the plaintiff?

12 A. Again, it was based on -- I asked Scott
13 Rothstein exactly that question.

14 His answer was it was based upon the
15 confidentiality component that the defendants were
16 very concerned that the plaintiff would breach the
17 confidentiality component and, as such, intended
18 to leave the confidentiality or better yet the
19 payment of the larger settlement as a hammer, if
20 you will, over the head of the plaintiff.

21 So to the extent that typically the
22 cases you might imagine that he was talking about
23 involved a male employer who might actually be the
24 boss of the company and his -- somebody in the
25 office who became disgruntled upon the end of a

1 prior affair. So the idea was that the scorned
2 woman, if you will, which is exactly how Scott
3 would describe it, would be --

4 Q. Bought off?

5 A. -- bought off quickly.

6 Q. Sorry. I didn't mean to answer for
7 you.

8 A. Understood.

9 Q. I'm missing something here. If these
10 settlements could be assigned -- the right to
11 collect the money could be assigned, then the
12 individual, for example, LM --

13 A. The plaintiff, yes.

14 Q. -- the plaintiff would be getting all
15 of the money at an earlier date -- should be
16 getting a lower amount of money but at an earlier
17 date.

18 A. Yes.

19 Q. So instead of getting a million
20 dollars, perhaps the plaintiff would get half a
21 million dollars?

22 A. Precisely.

23 Q. At which time she would have no
24 incentive to keep quiet, right?

25 A. Yes.

1 **Q.** **Didn't that defeat the whole purpose of**
2 **having the settlement?**

3 MS. STILLMAN: I'm going to object.

4 BY THE WITNESS:

5 A. I asked Rothstein exactly this line of
6 questions.

7 MS. STILLMAN: He cannot opine on whether
8 this was a good deal, bad.

9 MS. APRILL: I'm asking what Scott told you
10 about it.

11 BY THE WITNESS:

12 A. Because I asked Scott Rothstein a very
13 similar line of questioning. And his answer was
14 that the plaintiffs -- sorry -- defense counsel
15 inevitably didn't really know that this
16 transaction was occurring.

17 BY MS. APRILL:

18 **Q.** **I see.**

19 A. And, as such, they were not keen to
20 draft their settlement agreements in a way so that
21 they were not assignable.

22 **Q.** **Did you have any experience, prior to**
23 **talking with Scott Rothstein, in structured**
24 **settlements?**

25 A. No.

1 Q. You are not a litigator, sir, are you?

2 A. I am not.

3 Q. How do you describe your practice?

4 A. I am a tax lawyer.

5 Q. In any particular subspecialty or are
6 you just a tax lawyer?

7 A. I practice what I call global private
8 client work. We provide an integrated,
9 multi-jurisdictional, multi-practice group of
10 services for very wealthy clients, usually
11 families.

12 Q. Sounds good. So this investment that
13 you talked to Scott Rothstein about, was this
14 typical of the kinds of investments that your
15 clients --

16 MS. STILLMAN: Objection to typical.

17 BY MS. APRILL:

18 Q. -- in your experience?

19 Had you ever heard of an investment
20 product like this before?

21 A. I've heard of, I suppose, structured
22 settlements, but I'd never been involved in any,
23 no.

24 Q. Now, did Scott Rothstein tell you
25 anything about this defendant, Jeffrey Epstein,

1 and the woman who was named on the file you looked
2 at?

3 A. I believe he told me that he was a
4 billionaire living in south Florida.

5 Q. At that time, did he show you any
6 dossier or any information about Mr. Epstein?

7 A. No, he did not.

8 Q. Did he ever show you a document that he
9 represented to be a flight log from an airplane?

10 A. Yes, he did.

11 Q. Was that one of the documents in the
12 boxes that you produced?

13 A. I don't think so, no.

14 Q. Can you tell me what you recall about
15 seeing this flight log?

16 A. It was by this point presumably copied.
17 It was not a good -- I don't know what flight logs
18 look like, but it was not a very well -- it was an
19 original document for certain, and in fact, if
20 memory serves, it was copied poorly so it was
21 tilted. On it were names of people and -- yes,
22 names of people.

23 Q. Did he say why he was showing it to
24 you?

25 A. Well, he was claiming that this flight

1 manifest was, in fact, a flight manifest for a
2 plane in which Epstein -- Epstein's plane I
3 believe is what he said -- and young girls and
4 high-profile celebrities.

5 **Q. Did you recognize any a names on the**
6 **manifest?**

7 A. I believe that one of them was Prince
8 Andrew.

9 **Q. Do you remember if Bill Clinton was on**
10 **the list?**

11 A. I don't know if Bill Clinton was on
12 that list. It was either Bill Clinton was either
13 on that list or Prince Andrew was on that list,
14 and the other lists which he refers he had other
15 ones with somebody else, you know, the other party
16 on it.

17 **Q. What did you understand to be the**
18 **purpose of him showing that to you?**

19 A. He was saying that here's a flight list
20 with Jeffrey Epstein, a high-profile celebrity,
21 and young girls.

22 **Q. Do you believe this was part of his**
23 **pitch to you as to why confidentiality was**
24 **important to the defendants?**

25 A. Yes, yes.

1 Q. Did he tell you Jeffrey Epstein had
2 agreed to enter into any settlement with LM, for
3 example?

4 A. Not that I recall at this time.

5 Q. Did he tell you who in his firm
6 negotiated the settlement, settlement that he
7 described?

8 A. Well, they were -- he left the distinct
9 impression that there was essentially a machine of
10 sorts involving various partners or whatever in
11 the firm that was organized in a fashion so that
12 either lawyers within the firm or co-counsel from
13 outside the firm fed these structured -- fed cases
14 to the firm so that they could be packaged, if you
15 will, for settlement purposes.

16 Q. Did he ever mention the names of any of
17 those individuals?

18 A. At the firm?

19 Q. Yes.

20 A. No, not that I recall.

21 Q. Did you notice when you were looking at
22 the files that he made available for your review
23 the names of any of the attorneys who had signed
24 the pleadings or papers?

25 A. Yes.

1 Q. Do you remember who any of them were?

2 A. I remember somebody by the name of Brad
3 Edwards.

4 Q. Did you ever meet Brad Edwards?

5 A. I had not, that I recall.

6 Q. Did you ask Mr. Rothstein about him,
7 anything about him?

8 A. About Brad Edwards?

9 Q. Yes.

10 A. No, not that I recall.

11 Q. Did you learn anything about Brad
12 Edwards other than his name was on the papers?

13 A. Not that I recall.

14 Q. Did you determine whether he was a
15 skilled attorney? Successful is maybe a better
16 word.

17 A. No.

18 Q. So when you talked about this machine a
19 moment ago --

20 A. Yes.

21 Q. -- within that, do you know whether you
22 were told by Scott Rothstein who actually in his
23 firm would be the one to negotiate the settlement
24 terms?

25 A. Maybe he said that the lawyers -- I

1 presume --

2 MS. STILLMAN: Well, if you remember.

3 BY THE WITNESS:

4 A. I don't recall what he said.

5 BY MS. APRILL:

6 Q. Did he talk about Brad Edwards as being
7 good at these kinds of cases?

8 A. Not that I recall.

9 Q. Did he talk about any other lawyers by
10 name in his firm who he relied upon to assist him
11 with this packaging of settlements?

12 A. Not that I recall.

13 Q. Did he mention the next named partner,
14 Stuart Rosenfeld, in any capacity?

15 A. Not that I recall.

16 Q. Russell Adler?

17 A. Again, not that I recall.

18 Q. Do you know if you met anyone else from
19 the firm, even when you were in the waiting area?
20 You mentioned you were waiting to see Scott for a
21 time.

22 A. Yes, I mean, obviously, I didn't
23 meet -- greeted by the receptionist. Then there
24 is somebody outside Scott's office that we said
25 hello to and that was it.

1 **Q. Did Scott tell you about the**
2 **investigative team he had assembled to investigate**
3 **defendants such as Jeffrey Epstein?**

4 A. Yes. I don't know -- he may not have
5 mentioned it in the context of Epstein or he
6 discussed an investigative team or at least an
7 investigator.

8 **Q. Did he tell you the name of the person**
9 **or persons?**

10 A. I suspect he did at the time because I
11 remember it was a former police chief or sheriff
12 or something like that.

13 **Q. Does the name Ken Jenny sound --**

14 A. No, I wouldn't recall.

15 **Q. You said former sheriff, so I thought**
16 **I'd try that.**

17 A. It was a former reasonably high profile
18 somebody in the area.

19 **Q. Did you ever come to learn that**
20 **Mr. Rothstein liked to collect other reasonably**
21 **high profile lawyers or retired judges at the**
22 **firm?**

23 A. Yes, of course, because his walls were
24 plastered with John McCain and regaled us with his
25 stories of John McCain and Charlie Crist,

1 et cetera, et cetera, et cetera. It's all part of
2 the Rothstein mystique, I'm sure you're aware of.

3 Q. Not as much as you might think. That's
4 partly what I'm asking you about. I've never been
5 in that office.

6 So he did spend some time boasting?

7 A. Oh, sure he did. Most of it.

8 Q. Getting back to the investigators for a
9 moment, the investigators -- so he mentioned that
10 this one that was a former police chief or
11 sheriff?

12 A. Right. In fact, as I recall, it was --
13 they were about to start or hadn't started or just
14 started. They were new.

15 Q. Did he talk about the kind of -- any
16 techniques that his investigators used that he
17 thought were special?

18 A. He described it as trash diving or
19 trash collecting or Dumpster diving -- I'm not
20 sure exactly what the term of art is -- but the
21 idea of going through people's trash. That's what
22 made his investigative skills unique.

23 Q. He hasn't been to the back of my house.
24 So he described that as part of his
25 operation?

1 A. Yes, exactly, which is where I believe
2 the flight manifest was supposedly produced. In
3 fact, I believe it was really in that context, oh,
4 we have crack investigators, we look through
5 people's trash, here's a flight manifest, look
6 what we have.

7 **Q. Did you get the impression that Scott**
8 **Rothstein himself did any work on these files,**
9 **legal work?**

10 A. Legal work, I don't know about legal
11 work, but certainly he would represent them as his
12 clients.

13 I believe he had relationships. I
14 would consider them to be classically
15 attorney-client relationships notwithstanding the
16 fact that he may not have gone to court concerning
17 them but may have had relationships with
18 plaintiffs, yes.

19 **Q. Did you ask him if you would be able to**
20 **interview any plaintiffs?**

21 A. No.

22 **Q. Did he offer to make any plaintiffs**
23 **available to talk about their case?**

24 A. No.

25 **Q. Did he say that his investigators used**

1 **any electronic surveillance or bugs?**

2 A. Not that I'm aware of. Not that I
3 recall.

4 Q. **He didn't say one way or the other?**

5 A. Not that I recall.

6 Q. **Did he show you any pictures that
7 appeared to be taken by unknown surveillance?**

8 A. No, he did not show us pictures.

9 Q. **How long have you been with this firm?**

10 A. Since July of 2009.

11 Q. **Prior to that, were you with a firm?**

12 A. Yes.

13 Q. **What firm was that?**

14 A. Sonnenschein, Nath & Rosenthal.

15 Q. **Here in Chicago?**

16 A. Yes.

17 Q. **Was Ritchie, the entity and the person,
18 a client of yours when you came to the firm?**

19 A. Yes.

20 Q. **Did you prepare any documentation for
21 your clients such as a private placement
22 memorandum to be used in connection with any
23 Rothstein investment?**

24 A. I did not, no.

25 Q. **Did you review any such document**

1 **prepared by anyone else such as Rothstein?**

2 MS. STILLMAN: Wait a minute. He can say
3 whether he reviewed a document prepared by a
4 nonclient but not whether any of the clients might
5 have sent him any drafts.

6 MS. APRILL: I don't think I asked him
7 anything about the clients in that one.

8 MS. STILLMAN: You said such as Rothstein, so
9 I just wanted to make sure --

10 BY THE WITNESS:

11 A. Rothstein never sent me a private
12 placement memorandum to review, no.

13 BY MS. APRILL:

14 **Q. Did any attorneys working for any other**
15 **nonclient send you any private placement**
16 **memorandum in connection with any investments**
17 **being pitched by Scott Rothstein?**

18 A. No.

19 **Q. Did you ever use the letters PPM in an**
20 **e-mail?**

21 A. Yes.

22 **Q. What does that stand for?**

23 A. Private placement memorandum.

24 **Q. Let me show that to you in a moment.**

25 MS. STILLMAN: I'm going to want a very brief

1 break when you come to a stopping point.

2 MS. APRILL: Let me go just through a couple
3 of these.

4 MS. STILLMAN: Sure.

5 BY MS. APRILL:

6 Q. Without invading any area you consider
7 privileged, with respect to the Scott Rothstein
8 matters, what legal services did you provide?
9 Can you characterize, I mean, was it going to meet
10 with him or was there some other thing you did?

11 MS. STILLMAN: I'm not sure --

12 BY THE WITNESS:

13 A. Let's do it this way: We represented,
14 for example, Mercata Justa in a loan to Dean
15 Kretschmar or an affiliate of Dean Kretschmar in
16 connection which, in turn, became a source of cash
17 by which he put in D3, as I understand it, and D3
18 purchased supposedly something from Rothstein, for
19 example.

20 BY MS. APRILL:

21 Q. Was there anything else like that?

22 A. Well, we were asked to --

23 MS. STILLMAN: No, no. All you can say is
24 you provided legal advice to our clients in
25 connection with the variety of deals.

1 BY MS. APRILL:

2 Q. Did you prepare any documents after
3 meeting with Scott Rothstein -- well, at any time
4 before or after, but in connection with the
5 Rothstein investment that were sent to nonclients
6 such as a letter of intent or a term sheet?

7 A. I don't recall. No, I don't recall.

8 Q. You say you don't recall. You did
9 review some of your files before coming here
10 today?

11 A. Yes, of course.

12 Q. You didn't see anything like that?

13 A. Maybe if you ask the question again.
14 You asked me do I recall now.

15 MS. STILLMAN: The only documents he reviewed
16 in preparation for this deposition were the
17 documents that were produced to you on the
18 subpoena. He did not review any other documents
19 in preparation for this deposition.

20 BY MS. APRILL:

21 Q. Well, I thought I understood you to say
22 earlier that those were culled out of a file, the
23 ones that have been produced to me?

24 A. I just pulled the file.

25 Q. You didn't do the culling?

1 A. Correct.

2 **Q. There may or may not be a letter or a**
3 **term sheet in there but you don't know?**

4 MS. STILLMAN: Objection to the form of the
5 question.

6 BY MS. APRILL:

7 **Q. Is that right?**

8 A. That's right, there may or may not be.

9 **Q. Did you deal with any other attorneys**
10 **in connection with your legal representation of**
11 **Ritchie from another office besides Scott**
12 **Rothstein's firm?**

13 MS. STILLMAN: I'm going to object to the
14 extent that he dealt with clients' attorneys.

15 BY MS. APRILL:

16 **Q. Well, let me ask you this: I'm not**
17 **sure what that objection is. Clients attorneys --**

18 **BY THE WITNESS:**

19 A. Not in-house counsel.

20 BY MS. APRILL:

21 **Q. Okay. Not in-house counsel. I assume**
22 **you know Bill Hobbs, for example?**

23 A. Yes.

24 **Q. And he is in-house counsel?**

25 A. Exactly.

1 Q. I don't know that that's a privileged
2 question but I don't need to pursue that because I
3 have some other ones.

4 Did anybody else at this firm, Morgan
5 Lewis, provide services to any of your firm
6 clients in connection with the Scott Rothstein
7 investment or effort to sell an investment?

8 MS. STILLMAN: You're asking if other lawyers
9 in this firm worked on these deals?

10 MS. APRILL: Yes, that's what I'm asking.

11 BY THE WITNESS:

12 A. Yes.

13 BY MS. APRILL:

14 Q. Is one of them Elizabeth Perdue?

15 A. Yes.

16 Q. What kind of an attorney is she? Does
17 she work with you?

18 A. She does. She's in what is called the
19 business finance practice. She's really a finance
20 lawyer.

21 Q. She's still with the firm?

22 A. Yes.

23 Q. Do you know if she provided services to
24 Ritchie, Thane Ritchie and his company?

25 A. Yes.

1 **Q. Do you know if she provided services to**
2 **Clockwork, for example?**

3 A. I believe she provided, yes, I believe
4 she provided services to Clockwork, as well.

5 **Q. Are there any other attorneys who you**
6 **can recall working on matters that in any way**
7 **relate to Scott Rothstein?**

8 MS. STILLMAN: I'm going to object -- well,
9 let me think about that. To the extent that there
10 were attorneys working internally on privileged
11 matters, I'm not sure you're entitled to know who
12 they were.

13 MS. APRILL: What privilege is that?

14 MS. STILLMAN: Depending on the nature of the
15 attorneys working on it and their practice areas
16 might disclose the fact of what we were looking
17 at, what we were focusing on from a legal issues
18 perspective.

19 MS. APRILL: Work product, is that the
20 privilege you're relying on?

21 MS. STILLMAN: Both work product and
22 attorney-client privilege.

23 BY MS. APRILL:

24 **Q. Do you recall if there were any**
25 **other -- this is not a name, it's a yes or no --**

1 any other attorneys who provided any services to
2 anybody with respect to anything that you
3 discussed with Scott Rothstein?

4 A. Yes.

5 Q. Do you know if any of them were
6 disclosed to persons outside of your firm; for
7 example, to a lawyer for another investor?

8 A. You mean their names?

9 Q. Yes.

10 MS. STILLMAN: Well, to the extent that there
11 were attorneys who were disclosed to nonclients,
12 those are listed, if at all, on the documents that
13 were provided to you in response to the subpoena.

14 BY MS. APRILL:

15 Q. Do you know the name Marsha Foreman?

16 A. I do not.

17 Q. Did you recall seeing any files at the
18 Rothstein office that concerned a defendant named
19 Elite Delivery Systems?

20 A. Not that I recall, no.

21 Q. Do you recall seeing any engagement
22 letters between the Rothstein firm and any of
23 these plaintiffs that were the subject of the
24 settlements discussed with him or the cases that
25 could turn into settlements?

1 A. When?

2 **Q. At any time after you spoke to Scott**
3 **Rothstein that day or otherwise.**

4 A. Yes.

5 **Q. Did you see them in his office at a**
6 **subsequent date?**

7 A. Subsequent date.

8 **Q. Can you tell me how you came to see any**
9 **additional documents?**

10 A. They were either e-mailed to me or
11 mailed to me. I believe they were e-mailed. I
12 don't recall exactly how I got them.

13 **Q. From Scott --**

14 A. Yes. The word was engagement letter?

15 **Q. Yes.**

16 A. I'm sorry, I should say I don't recall.

17 MS. STILLMAN: Can we just take a brief
18 break?

19 MS. APRILL: Yes, sure.

20 (WHEREUPON, a recess was had.)

21 MS. APRILL: We're back.

22 BY MS. APRILL:

23 **Q. Mr. Legamaro, do you remember talking**
24 **to me about October of last year?**

25 A. I remember talking to you. I don't

1 remember when it was, yes.

2 Q. We had a brief conversation?

3 A. Yes.

4 Q. Thank you for talking to me. At that
5 time, my notes reflect that you said to me that
6 you were interested in the quality of the cases
7 that the Rothstein firm was -- I keep using the
8 word pitching because I'm not sure of the offering
9 to include in this settlement investment.

10 Do you remember talking to me about
11 that?

12 A. I'm not sure. I don't recall that, no.

13 Q. We didn't talk very long. I wanted to
14 pursue what you meant. What were you looking for
15 in those files?

16 A. I would not be interested in the
17 quality.

18 Q. You were not interested in the quality?
19 Maybe I misunderstood you.

20 A. Right.

21 Q. What is it in particular you were
22 looking for?

23 MS. STILLMAN: Are you asking for his work
24 product, analysis?

25 MS. APRILL: He has already told me what he

1 was looking for.

2 MS. STILLMAN: You obviously didn't get it
3 right, so I'm not going to let him testify to
4 that. He disagrees with what you recollect as
5 what he was looking for.

6 BY MS. APRILL:

7 Q. You were just looking to confirm they
8 were actual cases?

9 A. Yes.

10 Q. I may have misunderstood you. When you
11 were describing the Scott Rothstein's office --

12 MS. STILLMAN: When, in this deposition or in
13 this phone call?

14 MS. APRILL: In this deposition today. I
15 don't think we went through his office and the
16 call. It was a really short call.

17 BY MS. APRILL:

18 Q. Just an hour or so ago when you were
19 describing what was in his office that you were
20 permitted to examine, you mentioned there were
21 some boxes maybe stacked only two high in the
22 corner of the room. I thought I heard you say
23 that there were only about four boxes. Is that
24 correct, or were there more?

25 A. Four, five. There weren't very many.

1 Q. It wasn't like 15 or 19?

2 A. No, it was definitely not 15 or 19.

3 Q. Was Mr. Ritchie present in Scott
4 Rothstein's office -- if you are able to answer
5 this -- on behalf of Ritchie Capital or for
6 himself?

7 MS. STILLMAN: I'm going to object. He can't
8 speak for Thane Ritchie.

9 BY MS. APRILL:

10 Q. The principals of Clockwork that you
11 mentioned earlier were Mr. Ritchie and
12 Mr. Kretschmar, is that correct?

13 A. No.

14 Q. I'm sorry. Mr. Discala?

15 A. Mr. Discala is a principal of
16 Clockwork, yes.

17 Q. Do you know who any other principals
18 were?

19 A. Yes.

20 MS. STILLMAN: At which time?

21 MR. FREVOLA: And how does he know?

22 MS. STILLMAN: He can tell you who he -- let
23 me think this through.

24 MS. APRILL: Let me start with a yes or no
25 question.

1 MS. STILLMAN: Okay.

2 BY MS. APRILL:

3 Q. Do you know who all the principals of
4 Clockwork were?

5 A. All, no.

6 MS. APRILL: And you were about to say?

7 MS. STILLMAN: I was going to ask you what
8 time frame, too.

9 MS. APRILL: In October of 2009.

10 MS. STILLMAN: In October of 2009, okay.
11 Your answer is still no?

12 BY THE WITNESS:

13 A. What is a principal is the first
14 question. So the answer is no, I don't know all.

15 BY MS. APRILL:

16 Q. Did you see any sworn statements or
17 depositions in the files that you examined at
18 Mr. Rothstein's office?

19 A. I don't know that I did.

20 Q. Does that mean that you didn't?

21 A. I mean to say I recall seeing only
22 pleadings. There may have been other things in
23 the file, but I don't recall reading them.

24 Q. When you say you don't recall reading
25 them --

1 A. I'm certain I didn't read them. It
2 doesn't mean they weren't there.

3 Q. I understand you didn't read the whole
4 file. In the time frame, you surely didn't. But
5 I am interested in determining what was made
6 available for your examination.

7 So you don't believe there was any
8 deposition transcripts or you do believe they were
9 there?

10 A. I don't know.

11 Q. Do you know if there were any -- were
12 these documents in folders or some you said were
13 bound, punched on the top?

14 A. The only file I saw was similar to what
15 you have there, which is basically -- maybe it was
16 an eight-and-a-half by eleven, two-hole punch with
17 things, pleadings in it, for example.

18 Q. Was it tabs the way I've got these
19 numbered tabs between pleadings?

20 A. I don't recall.

21 Q. Were there any witness interviews, any
22 folders with witness' names on them?

23 A. Not that I saw.

24 Q. Again, I'm not asking you if you read
25 them, I'm just saying do you recall if they were

1 **there?**

2 A. No.

3 **Q. Did you see any files that contained**
4 **case law, research?**

5 A. No.

6 **Q. Did you see any handwritten notes,**
7 **anything handwritten?**

8 A. Other than the manifest?

9 **Q. Other than the manifest.**

10 A. Other than the manifest, no, which was
11 not, by the way, in the file.

12 **Q. Mr. Rothstein produced that to you**
13 **separately?**

14 A. Yes.

15 **Q. Was that after you looked at the file?**

16 A. I believe so, yes.

17 **Q. Did he show you any newspaper articles**
18 **or internet news articles?**

19 A. No.

20 **Q. Did he show you -- you said he showed**
21 **you no photos at all, right?**

22 A. No photos at all other than Charlie
23 Crist, John McCain on the wall.

24 **Q. Didn't have Jeffrey Epstein on the**
25 **wall?**

1 A. No, I don't think, not that I would
2 know what he looked like.

3 MS. STILLMAN: I was going to say do you even
4 know what he looks like.

5 BY MS. APRILL:

6 **Q. Did Mr. Rothstein describe the return**
7 **he anticipated from this structured settlement**
8 **investment that he discussed with you and your**
9 **client?**

10 A. You mean internal return?

11 **Q. Yes.**

12 A. Yes, he discussed it because --

13 MS. STILLMAN: Just did he discuss it.

14 BY MS. APRILL:

15 **Q. What did he say about it?**

16 A. Well, I asked him, for example, how he
17 could be -- that whether he had contingent fee
18 cases, for example, and the impact of that
19 question on the structured settlement. So I
20 inquired about his relationship, if you will, to
21 the plaintiff and to the split that related to the
22 investor, and particularly whether he, you know,
23 reduced his fee accordingly.

24 **Q. How did he answer that?**

25 A. He said that he, I recall, he said he

1 did not reduce his fee accordingly or that it was
2 between he and his plaintiff. He got the
3 plaintiffs to agree that he would be paid whatever
4 he was paid up-front.

5 Q. Did he give you some -- any numbers
6 whatsoever about any -- was there any particular
7 settlement that he said that was being offered and
8 how much money he was looking to raise?

9 A. Perspectively?

10 Q. Yes.

11 A. No. We did not discuss current --
12 Scott Rothstein and I never discussed current
13 prospective deal in terms of what he would get or
14 otherwise. He discussed in the past what other
15 cases he had been involved with, yes.

16 Q. Did he discuss any deal where an
17 investment of \$18 million would yield \$30 million
18 in a short --

19 A. Not that I recall from Scott, no.

20 Q. Subsequent to your meeting with Scott
21 Rothstein, were you made aware of any specific
22 settlement that he invited your clients to invest
23 in or that A.J. Discala -- whether he said A.J.
24 Discala --

25 MS. STILLMAN: If you learned it from

1 Rothstein, not if you learned it in a privileged
2 communication from your client.

3 BY THE WITNESS:

4 A. I did not learn of such things from
5 Scott Rothstein.

6 BY MS. APRILL:

7 Q. Did you learn it from any nonclient of
8 yours, any specific settlements?

9 A. No.

10 Q. So I'm clear, as we sit here today,
11 you're not aware -- well, did you ever become
12 aware of any specific settlement, again with a
13 dollar amount disclosed, that was offered to your
14 clients as an investment?

15 MS. STILLMAN: Objection, if he learned about
16 it from his clients or in a privileged
17 communication. You didn't qualify it.

18 MS. APRILL: All right.

19 BY MS. APRILL:

20 Q. It's qualified now, I guess, by your
21 lawyer. I guess she's telling you not to answer
22 otherwise.

23 MS. STILLMAN: In other words, if you only
24 learned about it --

25 BY THE WITNESS:

1 A. From a client?

2 MS. STILLMAN: Right.

3 BY THE WITNESS:

4 A. No. The answer is no. I think the
5 question --

6 MS. STILLMAN: The answer is no, as
7 qualified.

8 BY MS. APRILL:

9 Q. So you never did any business with
10 Scott Rothstein in 2009, right?

11 A. No, nor did we represent clients that
12 did.

13 Q. The D3 Capital Club that was discussed
14 a bit earlier --

15 A. Yes.

16 Q. -- do you know what the name derives
17 from, if D3 represents three people?

18 MS. STILLMAN: If you know from a
19 nonprivileged communication.

20 BY THE WITNESS:

21 A. I don't know.

22 BY MS. APRILL:

23 Q. Did you ever meet Doug Von Allmen?

24 A. I've never met Doug Von Allmen.

25 Q. Did you ever meet anyone named Von

1 **Allmen?**

2 A. I've never met anyone, that I recall.

3 **Q. Let me just ask you about some of these**
4 **people who may have been involved.**

5 **John Antilic (sic), do you know him?**

6 A. I do not.

7 **Q. Chris Pedaris (sic)?**

8 A. Yes.

9 **Q. How do you know Chris Pedaris?**

10 A. Chris Pedaris a principal of Clockwork
11 Capital and I had occasion to meet him after Scott
12 Rothstein was arrested.

13 BY MS. APRILL:

14 **Q. Do you know when Scott was arrested,**
15 **approximately?**

16 A. I want to say November, first week in
17 November 2009.

18 **Q. Do you know how you learned he was**
19 **arrested?**

20 MS. STILLMAN: If you learned separate and
21 apart from privileged conversation.

22 BY THE WITNESS:

23 A. I think I saw Scott Rothstein was
24 arrested maybe on the internet or the press or
25 something.

1 BY MS. APRILL:

2 Q. Did you ever meet a person named
3 Michael Szafranski?

4 A. I did.

5 Q. Who is Michael Szafranski?

6 A. He worked for a company by the name of
7 Onyx, and we met at Bova when we were drinking.
8 He was there.

9 Q. When you say a company, do you know if
10 Onyx is a hedge fund?

11 A. I have no idea what Onyx is.

12 Q. You met him, this is the day -- later
13 in the day after you met with Scott?

14 A. Exactly.

15 Q. Did Scott introduce you?

16 A. No. I think Thane may have introduced
17 us or A.J.

18 Q. Did you know what role he had, if any,
19 with respect to the Rothstein settlement,
20 structured settlement investments?

21 MS. STILLMAN: If you know that outside of
22 privileged conversation with Thane or A.J.

23 BY THE WITNESS:

24 A. No, I don't know outside of a
25 privileged conversation.

1 BY MS. APRILL:

2 Q. Did he speak to you other than to say
3 hello and where he worked?

4 A. Chitchat, not connected to what -- not
5 connected to structured settlements or Scott
6 Rothstein, per se.

7 Q. Did he ever -- so he did not tell you
8 that he was --

9 A. What he was doing.

10 Q. -- was doing on the settlements?

11 A. Correct.

12 Q. Did Scott Rothstein tell you there was
13 any independent verifiers of the investments?

14 A. Yes, I believe he did.

15 Q. Can you tell me what he said with
16 respect to that subject?

17 A. He would hire somebody to verify that
18 the money was in the bank. The basic premise was
19 that the transaction would be funded by defendant
20 into an escrow account, if you will, at the banks,
21 somebody would go on behalf of the, quote,
22 "investor," whoever that might be, and confirm
23 that the money was, in fact, in the bank accounts.

24 Q. This somebody was hired by Scott
25 Rothstein, is that what he said?

1 A. No, I don't believe so, that somebody
2 was hired by the investor, or at least that's what
3 I recall.

4 Q. Was that description provided to you
5 during your face-to-face meeting with Scott?

6 A. I believe so, yes, yes, inexplicably,
7 yes.

8 Q. Scott never mentioned that Szafranski
9 was any verifier, did he?

10 A. Not that I recall, no.

11 Q. Did Scott Rothstein ever mention the
12 name of an individual named Michael Fisten to you?

13 A. Not that I recall.

14 Q. Do you know Barry Bekkedam?

15 A. I do not.

16 Q. What about the name Ballamor Capital,
17 was that name brought to your attention?

18 A. I've heard that name, yes.

19 Q. Do you know what Ballamor Capital is?

20 MS. STILLMAN: As long as you know separate
21 and apart from what you've been told in privileged
22 communication.

23 BY THE WITNESS:

24 A. Ballamor Capital and maybe even Barry
25 Bekkedam I met I believe when Scott Rothstein was

1 returning from Morocco in early November.

2 Q. After things happened?

3 A. Exactly.

4 Q. After Scott was -- before he was
5 arrested but after it was known that his firm was
6 suffering from some problems?

7 A. Yes, exactly.

8 Q. How did you refer to that, what
9 happened to his firm?

10 A. Well, in terms of what the firm -- the
11 firm imploded, is that what you mean?

12 Q. Yes, for a shorthand way to describe
13 it.

14 You say you learned of Ballamor Capital
15 after that?

16 A. Or Barry. Maybe I met Barry even once
17 briefly. He's Ballamor Capital. The name rings a
18 bell.

19 Q. Do you know where you were?

20 A. At the time, yes.

21 Q. Where?

22 A. I was in Ft. Lauderdale.

23 Q. Were you in Ft. Lauderdale on business
24 related to the Rothstein matters?

25 A. Yes.

1 **Q. Can you tell me what that business was?**

2 MS. STILLMAN: Objection. If there was no
3 nonlawyer there, he can't testify to that --
4 excuse me, if there was no nonclient there.

5 MS. APRILL: Barry was not a client, right?

6 MS. STILLMAN: Was he at the meeting?

7 THE WITNESS: He came and went. I mean, I
8 met Barry --

9 MS. STILLMAN: Why don't we determine who was
10 at the meeting.

11 THE WITNESS: I met several people and it's
12 probably not privileged. Let me take this one.

13 MS. STILLMAN: You're not the one to make the
14 decision.

15 THE WITNESS: Let me tell you who I met.

16 MS. STILLMAN: Say who you met first.

17 BY THE WITNESS:

18 A. I met George Levin. I met Barry
19 Bekkedam, probably. He is a tall guy, I think. I
20 met Jack Samat -- Jack Somoni, something. I met
21 my partner, Ivan Harris, my litigation partner.
22 Chris Pedaris was there. A.J. Discala was there.
23 Dean Kretschmar was there and another guy whose
24 name escapes me.

25 MS. STILLMAN: So those are the ground rules.

1 You can talk about any meeting at which George,
2 Barry, Jack, and Dean, to the extent that he was
3 there personally and not in his capacity in any
4 relationship to Clockwork.

5 MR. FREVOLA: My concern is early on from
6 what I know there were times when there were
7 people trying to figure out what was happening
8 where they were seeking joint legal advice even
9 though they might not have ultimately wound up
10 becoming clients.

11 THE WITNESS: True.

12 BY MS. APRILL:

13 Q. So let me ask this question: The
14 meeting with these people, was there an attorney
15 there who was talking to them about their legal
16 rights?

17 A. Yes.

18 Q. And they were seeking counsel?

19 A. Yes, exactly.

20 MS. STILLMAN: Then I would take the position
21 all of those meetings.

22 BY MS. APRILL:

23 Q. Did that occur shortly after Scott
24 returned from Morocco, is that the timing?

25 A. In fact, he was landing. It was the

1 day he landed was the day of that meeting.

2 **Q. Do you know where the meeting occurred?**

3 A. It was in George Levin's office
4 building but not in his office. There was an
5 adjacent room, empty adjacent room across the way.
6 To say it was a meeting was probably an
7 overstatement.

8 **Q. A gathering?**

9 A. A gathering, exactly.

10 **Q. Did you meet Frank Preve?**

11 A. Yes. He was also --

12 **Q. At that group?**

13 A. -- at that group.

14 **Q. Is he part of Banyon Capital**
15 **Investment?**

16 A. I'm not sure.

17 **Q. Is that what George Levin's business**
18 **was?**

19 A. I think that's right, yes.

20 **Q. Did you meet Preve at any other time**
21 **before that?**

22 A. I may have met him at Scott Rothstein's
23 office briefly.

24 **Q. Is that on the day that you described?**

25 A. Right. In other words, while this is

1 postdisaster, the earlier October meeting he may
2 have been there. I think he was, in fact. I
3 think I was introduced to him.

4 Q. So when you say he may have been there,
5 do you mean he may have just -- you might have met
6 him briefly --

7 A. Shook his hand sitting in the waiting
8 room, correct.

9 Q. So did he ever describe to you
10 anything, Preve, I mean, about the investment that
11 Scott described?

12 MS. STILLMAN: In this meeting?

13 MS. APRILL: No.

14 MS. STILLMAN: Separate and apart from this
15 gathering.

16 BY MS. APRILL:

17 Q. When you met him the day at Scott's
18 office before the implosion?

19 A. Before the implosion, not that I
20 recall, no.

21 Q. Adam Fisher, was he there?

22 A. That's the other guy who I couldn't
23 remember.

24 Q. Did you know Adam Fisher before that?

25 A. I believe I had spoken to him on the

1 phone.

2 Q. Going back to Scott's meeting since
3 obviously that is a focus, when you were there
4 with Mr. Ritchie and A.J. Discala --

5 MS. STILLMAN: I'm going to object to the
6 extent that A.J. left the meeting, if you recall.
7 He was not there for the whole meeting.

8 BY MS. APRILL:

9 Q. Well, you said you were only in one
10 meeting in Scott's office one time?

11 A. Yes.

12 Q. So when I say the meeting with Scott,
13 that's it.

14 A. Although keep in mind -- let's go back
15 to the earlier testimony. We were all there.
16 Scott and A.J. left maybe separately, I don't
17 remember, and then Scott came back. Whether A.J.
18 came back, I don't recall.

19 Q. At the meeting with Mr. Rothstein in
20 October?

21 A. It was one day, call it an hour in
22 length, but broken up through a stretch of time.

23 MS. STILLMAN: She's just trying to get the
24 time frame. He testified late September, early
25 October.

1 BY MS. APRILL:

2 Q. All right. Did Scott tell you that he
3 had 18 other girls lined up to bring actions
4 against Jeffrey Epstein?

5 A. Not that I recall.

6 Q. Did he tell you he had any number of
7 young women lined up to bring actions?

8 A. Against Jeffrey Epstein personally?

9 Q. Yes.

10 A. He had lots of cases lined up, cases
11 against lots of people. The numbers against
12 Jeffrey Epstein, I don't recall.

13 Q. Did he mention some of the other
14 defendants or soon to be defendants?

15 A. I remember the name -- he mentioned the
16 name of a particular company. I don't recall the
17 name of it now. It was somebody in the supplying
18 juice or some such things to the government.

19 There was a pharmaceutical case that he
20 named. The exact -- it was a big pharmaceutical
21 manufacturer. I can speculate as to who it was --

22 MS. STILLMAN: Don't speculate.

23 BY THE WITNESS:

24 A. I don't recall. And a host of other
25 related cases, you know, not related but unrelated

1 cases that Scott Rothstein was absolutely --

2 MS. STILLMAN: Just what he said.

3 BY MS. APRILL:

4 Q. Did he tell you or do you remember him
5 saying that there were two sisters who were
6 victims of Mr. Epstein that were his clients or
7 that one of them was a client of his?

8 A. Not that I recall.

9 Q. Did Scott Rothstein talk in terms of
10 investment returns using the tranche, is that the
11 word?

12 MS. STILLMAN: T-r-a-n-c-h-e.

13 BY THE WITNESS:

14 A. I do not remember him using that term,
15 no.

16 BY MS. APRILL:

17 Q. Did you see any police reports in the
18 boxes of documents?

19 A. Not that I recall.

20 Q. I know I asked you what he told you
21 about his investigators, but did you see anything
22 in the boxes, even if you didn't read them, that
23 appear to be investigators' reports?

24 A. No, I did not. Not that I recall.
25 Again, I looked at pleadings.

1 Q. Did you make any copies of anything?

2 A. No.

3 Q. Did Mr. Rothstein tell you that he
4 shouldn't be showing you these files?

5 A. Not that I recall, no.

6 Q. Did he tell you that they were
7 confidential and ask you to keep them in
8 confidence?

9 A. No.

10 Q. Did he ask you to sign any kind of a
11 nondisclosure agreement?

12 A. No.

13 Q. Did you ever agree to keep what you
14 learned in that room confidential?

15 A. Among my clients and I, but other than
16 that, no.

17 Q. Did you meet an attorney at the firm
18 named David Boden?

19 A. Not that I recall.

20 Q. Did you meet a woman, not an attorney
21 at the Rothstein firm called Debra Villegas?

22 A. Not that I recall.

23 Q. Did you ever have any communication
24 from Debra Villegas?

25 A. Not that I recall, no.

1 Q. Did you ever speak to any members of
2 the press about Jeffrey Epstein or that there were
3 cases against him?

4 A. No.

5 Q. If I understood before, and I'm really
6 not interested in the dispute there might be
7 between Mr. Ritchie and Mr. Kretschmar and Mercata
8 Justa, but Mercata Justa, did they invest any
9 money with Scott Rothstein?

10 MS. STILLMAN: I'm going to object. First of
11 all, which Mercata Justa are you talking about?

12 BY MS. APRILL:

13 Q. Is there more than one?

14 A. There are. There's two.

15 Q. I've heard you mention Mercata Justa.
16 I have reason to believe that Mercata Justa
17 invested some \$5 million on October 23rd, 2009.
18 I'm wondering if you're aware of that?

19 MS. STILLMAN: To the extent that you know
20 anything about an investment through a privileged
21 communication, then I'm not going to let you
22 answer.

23 If you have independent knowledge of
24 any investment by a Mercata Justa of \$5 million,
25 then you can answer.

1 BY THE WITNESS:

2 A. Nonprivileged communication would be in
3 the form of what?

4 MS. STILLMAN: Let's go outside.

5 (WHEREUPON, a recess was had.)

6 MS. STILLMAN: Can we hear the question back
7 again?

8 MS. APRILL: Can you read it back?

9 (WHEREUPON, the record was read
10 by the reporter as requested.)

11 BY THE WITNESS:

12 A. Mercata Justa Partners invested
13 \$5 million or so, I think, into D3.

14 BY MS. APRILL:

15 Q. Do you know if that money was placed in
16 the control of Scott Rothstein?

17 A. Yes.

18 Q. And was that money lost to Scott
19 Rothstein?

20 A. I'm sorry, it was placed in the bank,
21 TD Bank.

22 Q. Was it ever returned to the Mercata
23 Justa partners?

24 A. Not that I know of.

25 Q. Do you know if there is any lawsuit to

1 seek to recover it?

2 A. I don't know.

3 Q. Did you ever speak to an attorney at --
4 again, maybe just in passing in the anteroom of
5 Scott Rothstein's office -- named Cara Holmes?

6 A. Not that I recall.

7 Q. Did you have any contact with any
8 attorneys from the firm of Clifford, Chance --

9 A. No.

10 Q. -- again regarding Rothstein business?

11 A. No.

12 Q. Have you ever heard of Chris Roman?

13 A. Not that I recall.

14 Q. Jeff Berman?

15 A. Not that I recall.

16 Q. Is Matthew Sperry a Morgan, Lewis
17 lawyer who worked with you?

18 A. Yes.

19 Q. Did he provide any services in
20 connection with the Rothstein matter? Did he do
21 any work, do you know?

22 MS. STILLMAN: I'm not going -- I am going to
23 assert the privilege. Again, what team Michael
24 did or did not put together for --

25 MS. APRILL: I'm trying to avoid taking

1 Matthew Sperry's deposition.

2 BY MS. APRILL:

3 Q. Bob Mazeo, is that someone that you
4 know?

5 A. I've spoken to Bob, yes. I've never
6 met him face to face.

7 Q. He is not a client of yours, is he?

8 A. I would consider Bob to be in-house
9 counsel to --

10 Q. Is Mazeo, Sawyer, Bradham a law firm,
11 do you know?

12 A. I don't know.

13 Q. He is an attorney?

14 A. My impression, he is the attorney and
15 was in-house lawyer in the case at the time for
16 Clockwork Capital Advisors. He represented that.

17 Q. Elizabeth Freedland, do you know who
18 she is?

19 A. I do.

20 Q. Can you tell me who she is?

21 A. She's a young woman who at the time of
22 the Rothstein-related matters was A.J. Discala's
23 assistant.

24 Q. Do you know if she continues to work
25 for him?

1 A. I believe she does not.

2 **Q. Did you have any communications with**
3 **any bankers at TD Bank when you were -- at the**
4 **period of time you were communicating with Scott**
5 **Rothstein?**

6 A. No.

7 **Q. Did you ever -- well, have you ever**
8 **seen something called a pitch book that was**
9 **prepared in connection with the structured**
10 **settlements?**

11 MS. STILLMAN: Was it prepared by Scott
12 Rothstein?

13 MS. APRILL: I don't know. That's why I'm
14 asking.

15 MS. STILLMAN: To the extent --

16 BY THE WITNESS:

17 A. Not outside of a privileged
18 communication.

19 BY MS. APRILL:

20 **Q. Did you ever see any written materials**
21 **generated by Scott Rothstein describing the**
22 **investment he discussed with you?**

23 A. No.

24 **Q. Did you ever see a lock letter from TD**
25 **Bank?**

1 A. Yes.

2 Q. Do you know if it was authentic?

3 A. I don't know.

4 Q. Do you know who showed it to you?

5 A. A client.

6 Q. Have you ever met a Rothstein attorney,
7 formerly of the Rothstein firm, Ros Nurek?

8 A. I have not.

9 Q. I am going to ask you about the
10 documents that actually your attorney was good
11 enough to produce to me prior to today. There is
12 a set here, when you stepped out for a minute I
13 put them in date order because that's how my set
14 is and it makes it a little easier for me.

15 MS. STILLMAN: The trouble is some of those
16 things that are going to show up early may have
17 been attachments to later documents. That's why
18 you were given them --

19 MS. APRILL: We'll be literally on the same
20 page. The e-mails are mostly the only ones.
21 Well, that's how they are, so that's how I choose
22 to use them to question him.

23 MS. STILLMAN: Okay.

24 THE WITNESS: As you wish.

25

1 BY MS. APRILL:

2 Q. If you tell me they occurred at some
3 other time, so be it. Rather than have you mark
4 these separately, maybe we should make it a
5 composite because it is not that large.

6 MS. STILLMAN: It's your record.

7 MS. APRILL: I'm going to show him documents
8 and some of them we may not attach at all. I will
9 ask her to mark those that I've deemed
10 appropriate.

11 MS. STILLMAN: Let the record reflect that
12 some of these documents that have now been
13 reordered were, in fact, attachments to e-mails
14 that come date order much later. I'm particularly
15 looking at the first document in the pile.
16 They're going to be confusing to the witness but
17 so be it.

18 MS. APRILL: I will try not to do that,
19 actually. I looked at things that said they were
20 an attachment and kept them together.

21 BY MS. APRILL:

22 Q. In front of you I put a document that
23 has RRA letterhead.

24 A. Yes.

25 Q. Can you just describe it by date?

1 A. It's dated October 14th. The first
2 two, case number RRAG 425, and it is purported to
3 be signed by Scott Rothstein.

4 Q. Do you know what RRAG 425 refers to?

5 A. No.

6 Q. Was that term ever used by Scott
7 Rothstein to describe a case?

8 A. Not to me.

9 Q. Do you recall seeing this before?

10 A. This letter?

11 Q. Yes.

12 A. Yes.

13 Q. Do you know how it came to be sent to
14 you?

15 A. I believe it was sent via e-mail.

16 Q. Do you know why it was sent?

17 A. It was part of the package of things
18 that -- well, actually, I'm not sure I know where
19 it came from, whether Scott sent it or my client
20 sent it.

21 MR. QUINLAN: Could I interrupt with a
22 comment and a question, please?

23 MS. APRILL: Yes.

24 MR. QUINLAN: The comment is just that I
25 still don't have a copy of the documents and I

1 guess the thing of greatest interest to me, and I
2 will just pose it as a question to you, Susan, is
3 Brad Edwards mentioned in any of these documents?

4 MS. APRILL: Not to my knowledge. I don't
5 know.

6 MS. STILLMAN: I don't remember the name Brad
7 Edwards appearing in these documents.

8 MS. APRILL: I do not recall coming across
9 that.

10 MR. QUINLAN: Okay. Obviously -- maybe that
11 is the not so obvious -- but that is the matter of
12 the greatest concern to me in the moment is
13 whether his name is in the documents. We're still
14 working on getting a copy.

15 MS. APRILL: Since we are putting all this on
16 the record, I should tell you no one requested
17 them of us until late yesterday. It's certainly
18 not an intentional effort to keep you from seeing
19 them.

20 MS. STILLMAN: I don't recall the name Brad
21 Edwards appearing in any of this stuff.

22 MR. QUINLAN: Okay. Susan, I was not
23 intending to make any accusations.

24 MS. APRILL: I understand. When you read the
25 record later, it is cold paper and no one knows

1 why anything came up, so that's fine.

2 BY MS. APRILL:

3 Q. The next document that should be in
4 front of you is -- what is it titled?

5 A. "Rosenstein, Rosenfeld, Adler Authority
6 to Represent Contract of Employment."

7 Q. If you will look at the next two
8 documents after that?

9 A. Do you want me to list the name again?

10 Q. Yes.

11 A. This is titled, "Confidential
12 Settlement Agreement and General Release."

13 Q. Can you go to the next one?

14 A. The next one is called, "Acknowledgment
15 of Assignment Purchase of Settlement Proceeds."

16 Q. Do you know if these were all sent to
17 you together?

18 A. I believe so, yes.

19 Q. Do you know --

20 A. By that I mean to say that I don't know
21 who gave them to me.

22 Q. Do you know why they were sent to you?

23 MS. STILLMAN: Objection, given his testimony
24 that he doesn't know who gave them to him, I'm
25 concerned that if it came from a client, that's

1 going to involve attorney-client privilege.

2 MS. APRILL: I have to say that I don't quite
3 understand. These were produced to me out of what
4 I assume is a much larger file than the 18
5 documents that were given to me.

6 Every one was a PDF. If a PDF came, it
7 was sent with its e-mail. If these came with the
8 e-mails, as you seem to think they were, there are
9 no e-mails from your client as far as I know or if
10 they are, I'm not sure if that isn't waiver of the
11 privilege because you gave them to me.

12 MS. STILLMAN: To the extent there was a
13 communication from the client where the client
14 copied Rothstein or any other nonclient, then that
15 is a waiver and I'm not asserting the privilege.

16 Look, for example, if you can look at
17 documents that we produced where clearly clients
18 are involved but also Rothstein is involved or
19 somebody else is copied, I cannot, as an officer
20 of the court assert the privilege.

21 MS. APRILL: I did not take any apart from
22 anything as far as the way they were sent to me.
23 They were sent in separate PDFs.

24 MS. STILLMAN: I haven't denied him. If he
25 wants to say these were sent by a client and they

1 were sent in one of these communications, then
2 that's fair game but why the client sent it to him
3 may not be.

4 MS. APRILL: Let me go a different direction.

5 BY MS. APRILL:

6 Q. Go to the next document. Is that
7 October 21st, 2009?

8 A. 11:02 a.m.

9 MS. STILLMAN: Which is the next one. Let me
10 find it. I have it in the order we produced.

11 MS. APRILL: I'm going do ask you to mark --
12 actually I've got a copy, too, so why don't you
13 mark this one as No. 2.

14 (WHEREUPON, said document was
15 marked Legamaro Deposition
16 Exhibit No. 2, for
17 identification, as of 3/11/11.)

18 BY MS. APRILL:

19 Q. What is this?

20 A. This purports to be an e-mail from A.J.
21 Discala at Clockwork to a cast of characters
22 including myself regarding PPM draft.

23 Q. What is the PPM draft, if you know,
24 that is referred to?

25 A. It is a draft of private placement

1 memorandum.

2 Q. Do you recall receiving this?

3 A. This e-mail?

4 Q. Yes.

5 A. No.

6 Q. Do you know if this e-mail was produced
7 from your own e-mail directory at the firm?

8 A. The one we're looking at now, this
9 version?

10 Q. Yes.

11 A. Yes, it was.

12 Q. Do you see in the first sentence where
13 it says, "Guys, just an update. We will have a
14 draft ppm from Morgan Lewis by this Friday"?

15 Did you or any of the other attorneys
16 at Morgan Lewis, to your knowledge, prepare a
17 draft private placement memorandum that is
18 referred to here?

19 A. Well, this is prospective comment, so
20 we will have a draft.

21 Q. Right.

22 A. Whether subsequently a draft is
23 ultimately produced?

24 Q. Right.

25 A. I don't recall.

1 Q. If a draft was produced, would there be
2 any reason you would not have turned it over with
3 respect to this deposition?

4 MS. STILLMAN: Objection, calls for
5 speculation. If there was a nonprivileged
6 document produced that was responsive to your
7 subpoena, we would have turned it over.

8 BY MS. APRILL:

9 Q. Were you the person who would have --
10 did you ever prepare a draft private placement
11 memorandum in connection with a Rothstein
12 investment?

13 MS. STILLMAN: Wait a minute.

14 BY MS. APRILL:

15 Q. That was shown to anybody outside of
16 your client group?

17 A. Not that I'm aware of.

18 Q. Do you know if you received any from an
19 attorney from Rothstein or from some other firm
20 that you made comments on?

21 MS. STILLMAN: And that was not a co-counsel
22 or joint counsel in a privileged context.

23 BY THE WITNESS:

24 A. I think the answer to that is no, I did
25 not.

1 BY MS. APRILL:

2 Q. It says here, "I want to thank Michael
3 and his team and Bob for working so diligently."

4 Do you see where it says that?

5 A. Yes.

6 Q. Do you know who Bob is in that
7 reference?

8 A. I believe it is Mazeo.

9 Q. Do you know what is the meaning of the
10 term at the end of that communication where it
11 says, "I think the team has done a great job with
12 holding it all together."

13 Do you know what "holding it
14 altogether" is referring to?

15 A. I do not.

16 Q. The next document should be is it
17 October 22nd at 9:01 a.m.?

18 A. Yes, it is.

19 Q. Now, on the second page of this
20 document, it says something is redacted.

21 Did you do the redacting of the
22 document?

23 A. I did not.

24 Q. Was it redacted because it contains a
25 privileged communication?

1 MS. STILLMAN: Yes. All redactions were due
2 to privilege. I think I put that -- I may be
3 wrong, I thought I put that in my transmittal to
4 you.

5 MS. APRILL: Perhaps you did, but since it
6 doesn't have the header on it, I don't know if it
7 is an attachment or if it is another e-mail.

8 BY MS. APRILL:

9 Q. Do you know?

10 A. I do not know.

11 MS. STILLMAN: They would have been an
12 e-mail. It would have been on a separate page if
13 it was an attachment.

14 BY MS. APRILL:

15 Q. Do you know Jay Menton?

16 A. I do.

17 Q. Is he an attorney?

18 A. He is not.

19 Q. But he is employed at Ritchie Capital
20 Management? That is your client, right?

21 A. Yes.

22 Q. Do you know who [REDACTED] is

23 A. No.

24 Q. Do you know if A.J. Discala had more
25 than one e-mail at that time?

1 A. I know he has more than one e-mail. I
2 am not familiar with this as an A.J. Discala
3 e-mail address.

4 Q. I'm trying to clarify something. Is
5 there anyone that received this e-mail that we're
6 looking at that is not -- was not a client of
7 yours?

8 A. Yes.

9 Q. Who?

10 A. Dean Kretschmar.

11 Q. I thought there was some reference
12 earlier that Dean Kretschmar when he wears his hat
13 as a principal of Clockwork --

14 A. This is not as a principal of
15 Clockwork.

16 Q. In that case, when Dean Kretschmar --
17 let's mark this one.

18 (WHEREUPON, said document was
19 marked Legamaro Deposition
20 Exhibit No. 3, for
21 identification, as of 3/11/11.)

22 BY MS. APRILL:

23 Q. Referring now to Exhibit 3 that you
24 described initially, in this document, there is a
25 reference to right in the middle of the page --

1 MS. STILLMAN: Page 1?

2 MS. APRILL: Yes, the first page.

3 BY MS. APRILL:

4 Q. -- from Jay Menton to Dean. I guess it
5 is the second e-mail of the three on the string.

6 A. Yes.

7 Q. Where he writes:

8 "Still awaiting the following per
9 attorney requests detail on the \$8 million
10 that he is supposed to be getting refunded
11 by Razorback."

12 Do you know who he is that is supposed
13 to be getting refunded by Razorback? Do you know
14 who that refers to?

15 MR. FREVOLA: How would he know?

16 MS. STILLMAN: It doesn't make a difference.
17 He may know. We have to find out.

18 BY THE WITNESS:

19 A. I don't know.

20 BY MS. APRILL:

21 Q. Do you know why this was produced to
22 us, this response to our subpoena?

23 A. No.

24 MS. STILLMAN: Why it was produced is -- wait
25 a minute.

1 MS. APRILL: Well, let me ask it a different
2 way.

3 BY MS. APRILL:

4 Q. I am going to show you the subpoena
5 again and ask you if you know which of these
6 requests this responds to. There are different
7 categories. I think they all contain reference to
8 Jeffrey Epstein.

9 MS. STILLMAN: Let's go outside.

10 (WHEREUPON, a recess was had.)

11 MS. STILLMAN: Back on the record. Let me
12 say we have reviewed this document and it is not
13 technically within the specific parameters of your
14 subpoena.

15 MS. APRILL: Okay. Then I don't have to
16 inquire any more about it because I thought it had
17 something to do with an Epstein settlement.

18 MS. STILLMAN: No, it has nothing to do with
19 Epstein.

20 MS. APRILL: Let's move ahead, then.

21 BY MS. APRILL:

22 Q. The next one is October 22nd, 2009 at
23 2:49. Is that what you're showing?

24 A. It is.

25 Q. Now, this one does have attached to it

1 a second page. Do you have that, too?

2 A. Yes.

3 Q. Titled, "Acknowledgment"?

4 A. I do.

5 Q. Can you just describe this, for the
6 record, the date? Well, I guess the date, you
7 confirmed it, so you don't have to describe it
8 again.

9 Do you know where it says, "Scott's
10 cell," what that refers to?

11 A. No.

12 Q. Do you know if there is something
13 redacted prior to that in the sentence?

14 MS. STILLMAN: If anything was redacted, it
15 would be stamped redacted.

16 MS. APRILL: All right.

17 BY MS. APRILL:

18 Q. Do you see where it says, "Please,"
19 with upper case letters "call Scott and verify the
20 wire"?

21 A. Yes.

22 Q. Do you know if that was referring to
23 Scott Rothstein?

24 A. The Scott in this question?

25 Q. Yes.

1 A. Yes.

2 **Q. Do you know the purpose of the**
3 **acknowledgment that was attached to this e-mail**
4 **there in front of you?**

5 MS. STILLMAN: If you know outside of the
6 privilege.

7 BY THE WITNESS:

8 A. No, I don't know outside of the
9 privileged communication.

10 BY MS. APRILL:

11 **Q. Do you know if it was prepared by the**
12 **Rothstein firm?**

13 A. I don't know.

14 MS. APRILL: Why don't you make that
15 Exhibit 4.

16 (WHEREUPON, said document was
17 marked Legamaro Deposition
18 Exhibit No. 4, for
19 identification, as of 3/11/11.)

20 BY MS. APRILL:

21 **Q. The next document that was produced, at**
22 **least in date order, starts off -- what is the**
23 **date of yours?**

24 A. October 22nd, 3:30 p.m. is what I have
25 next.

1 Q. I probably stuck it to something else.
2 Who is [REDACTED], if you know?

3 A. Lou Z. Hill.

4 Q. Is he a client of your firm?

5 A. No. He is a lawyer.

6 Q. This particular document, let's mark
7 this as the next number.

8 (WHEREUPON, said document was
9 marked Legamaro Deposition
10 Exhibit No. 5, for
11 identification, as of 3/11/11.)

12 BY MS. APRILL:

13 Q. You said Lou was a lawyer. What
14 relationship, if any, does it have to your client
15 group, Palm Capital Advisors?

16 A. To my client group? Well, he
17 represented a counter party on the opposite side.

18 Q. Do you know who?

19 A. Dean Kretschmar.

20 Q. Do you know where this lawyer is based?

21 A. South Florida.

22 Q. Do you know if he prepared any private
23 placement memorandum?

24 MS. STILLMAN: If you know outside --

25 BY THE WITNESS:

1 A. Not that I'm aware of.

2 BY MS. APRILL:

3 Q. Now, there are several redactions. If
4 you know, were those just e-mails as opposed to
5 attachments?

6 A. I don't know.

7 Q. The next document -- there is one,
8 let's see, do you have this one? The date I'm
9 looking for on here the one where the top e-mail
10 is October 22nd at -- well, it is 1447, so it
11 would be 2:47 p.m. You must have it because I got
12 it from you.

13 MS. STILLMAN: I think it was attached,
14 actually, to something.

15 MS. APRILL: Some of these are strings and
16 they have repeats as well.

17 BY MS. APRILL:

18 Q. You can look at that one.

19 MS. STILLMAN: Here it is. It is actually
20 attached to Exhibit 2 that I have.

21 MS. APRILL: What I would like to do is I
22 would like to, if it is supposed to be together
23 with Exhibit 2, alter it, amend it.

24 MS. STILLMAN: They're both pages one, so
25 they could have been stapled.

1 MS. APRILL: Let's make it 6. "It is really
2 a contents thing. It's not a verification of what
3 e-mail came first.

4 (WHEREUPON, said document was
5 marked Legamaro Deposition
6 Exhibit No. 6, for
7 identification, as of 3/11/11.)

8 BY MS. APRILL:

9 Q. You have Exhibit 6?

10 A. Yes.

11 Q. My question for you is: Do you recall
12 seeing this e-mail before that has been marked as
13 Exhibit 6, actually two e-mails?

14 A. Today.

15 Q. Do you recall receiving a communication
16 from Scott Rothstein on or about October 22nd
17 where he uses this reference that his clients are
18 threatening to fire him and "love you, Scott" at
19 the bottom?

20 A. I do not recall.

21 Q. Did Scott Rothstein communicate with
22 you by telephone at all during the days of October
23 21st, 22nd, and 23rd?

24 A. He did not.

25 Q. The next document that I wanted to show

1 you has a box on the bottom or what looks like a
2 box. If you could, for the record, say the date
3 of this one?

4 A. October 23rd, 2009 at 1:05 p.m.

5 Q. Do you recall receiving this e-mail
6 from Scott Rothstein? It is Scott Rothstein to
7 Legamaro what I am reading?

8 A. Yes.

9 Q. You do?

10 A. I do.

11 Q. Earlier you mentioned you had a
12 communication with Mr. Rothstein about whether
13 court approval was needed for the settlements, I
14 believe?

15 A. Generally, yes.

16 Q. Do you remember if this was his
17 response to you or any part of it?

18 A. It was, in fact, his response.

19 Q. Do you know whether -- it has a "4"
20 with nothing next to it.

21 Did you understand that to be just
22 careless typing?

23 A. Yes.

24 Q. Do you see where it says, "More info to
25 follow"?

1 A. Yes.

2 Q. Do you know if you got more info from
3 him?

4 A. Yes.

5 Q. Do you know if that has been produced
6 in this group of documents?

7 A. I think so, yes.

8 MS. STILLMAN: Are you marking this?

9 MS. APRILL: Yes.

10 (WHEREUPON, said document was
11 marked Legamaro Deposition
12 Exhibit No. 7, for
13 identification, as of 3/11/11.)

14 BY MS. APRILL:

15 Q. The next document that I'm looking at
16 is October 23rd at 1:27?

17 A. Yes.

18 Q. Have you ever seen that before?

19 A. Yes.

20 MS. STILLMAN: Counsel, just remember, I said
21 that this stuff was broken up.

22 MS. APRILL: Right.

23 MS. STILLMAN: These were the attachments?

24 MS. APRILL: You mean the big documents, yes.

25 MS. STILLMAN: These were the attachments.

1 MS. APRILL: That's why I have them over to
2 the side and I haven't marked them because I was
3 hoping there would be epiphany among one of us.
4 Thank you for that.

5 BY MS. APRILL:

6 Q. So the documents, the acknowledgment of
7 assignment, let's look at the documents that you
8 have. There was a letter that I showed you at the
9 very beginning of this.

10 MS. STILLMAN: Are you making the e-mail at
11 1:27 Exhibit 8?

12 MS. APRILL: Yes, but I want to attach
13 everything to it. I didn't mark the others for
14 that reason.

15 MS. STILLMAN: Okay.

16 MS. APRILL: Let's make that Exhibit 8.

17 MS. STILLMAN: The e-mail?

18 MS. APRILL: The e-mail is Exhibit 8, but I
19 would like to make everything that came with it
20 Exhibit 8.

21 MS. STILLMAN: Yes.

22 MS. APRILL: Which includes a cover letter
23 that you described previously in your testimony
24 from Scott Rothstein dated October 1st, 2009, and
25 an authority to represent contract of employment

1 with the Rothstein, Rosenfeld, Adler firm and a
2 confidential settlement agreement and general
3 release and an acknowledgment --

4 THE WITNESS: Yes, acknowledgment.

5 MS. APRILL: Assignment purchase of
6 settlement proceeds. Thank you for that,
7 explaining that. That all goes together. That
8 will be composite Exhibit 8.

9 (WHEREUPON, said document was
10 marked Legamaro Deposition
11 Exhibit No. 8, for
12 identification, as of 3/11/11.)

13 BY MS. APRILL:

14 Q. Do you recall examining the documents
15 that have been marked as Exhibit 8, composite
16 exhibit?

17 A. Yes.

18 Q. Upon receipt of them or soon after?

19 A. Yes.

20 Q. Do you know if they originated -- if
21 you look at the top e-mail, the bottom of the
22 chain on Page 2 is Debra Villegas to Scott
23 Rothstein.

24 Do you see that?

25 A. I do.

1 Q. The next e-mail after that in time is
2 Scott Rothstein to Preve and Szafranski, do you
3 see that?

4 A. Yes.

5 Q. And then Preve to A.J. and then A.J. to
6 you and Ms. Perdue?

7 A. Yes.

8 Q. Do you understand that these documents
9 were originated with the Rothstein firm?

10 A. Yes, I would presume so, yes.

11 Q. And do you know if this concerned --
12 did Scott tell you that they coded their documents
13 with these G dash letters?

14 A. No.

15 Q. When you got it, did you have any
16 question about what G 425 was?

17 A. No, not really.

18 Q. So he didn't describe to you any sort
19 of security measures to protect the identity of
20 the plaintiffs?

21 A. No.

22 Q. If you look at the attachment, that
23 confidential settlement agreement, I asked you
24 earlier I think if you knew who Marsha Foreman and
25 the Elite Delivery Systems were?

1 A. Right.

2 Q. Do you know if this -- if you go to the
3 next page after the one you're looking at where it
4 says "consideration," there is a paragraph there.

5 A. Yes.

6 Q. It says, "\$30 million." Is that the
7 amount of money that was being raised by Rothstein
8 to fund this settlement?

9 A. No.

10 Q. Do you see further down the page still
11 under consideration where it says in bold print
12 that "there will be six equal monthly installments
13 in the amount of \$5 million commencing on
14 November 14, 2009"?

15 A. Yes.

16 Q. Is it your understanding that these
17 documents were sent to substantiate the
18 transaction wherein this plaintiff was to receive
19 that settlement?

20 MS. STILLMAN: You're asking what Scott
21 Rothstein's intention was?

22 BY MS. APRILL:

23 Q. What did you understand they were being
24 sent to you for?

25 A. They were being sent to --

1 MS. STILLMAN: Do you know why Scott
2 Rothstein sent, not what your client told you.

3 BY THE WITNESS:

4 A. Why Scott Rothstein sent them? Scott
5 Rothstein did not send them, as you can tell.

6 BY MS. APRILL:

7 Q. They went through a chain but people in
8 his firm?

9 A. Do I know why Scott Rothstein --
10 right -- but it started on Debra Villegas on the
11 16th of October.

12 Q. Right.

13 A. Maybe I did or didn't meet Scott
14 Rothstein by this point. I don't recall exactly
15 when I met him. So why did he sent them? I don't
16 know why he sent them.

17 Q. Were they of use to you in whatever
18 work you were doing?

19 A. Yes, they were necessary for what --

20 MS. STILLMAN: Wait a minute. This was not
21 sent to you directly by Scott Rothstein.

22 THE WITNESS: He was copied.

23 MS. STILLMAN: He was copied?

24 THE WITNESS: Yes.

25 MS. STILLMAN: But by a client?

1 THE WITNESS: Yes.

2 MS. STILLMAN: But why you used them is
3 privileged.

4 THE WITNESS: I suppose.

5 BY MS. APRILL:

6 Q. You recall getting them and you used
7 them in some fashion but you can't testify about
8 why. Well, let me ask a different question. I
9 understand.

10 Was it in connection to whatever
11 services you were providing with respect to an
12 investment by one or more of your clients in a
13 Rothstein product?

14 MS. STILLMAN: I will let him testify if he
15 saw those in connection with a Rothstein
16 transaction. But the why -- which I think is what
17 you're asking.

18 MS. APRILL: Yes, it is.

19 MS. STILLMAN: So you can answer that
20 question which is did you receive these in
21 connection with a Rothstein transaction involving
22 your clients.

23 BY THE WITNESS:

24 A. Remotely, yes, third level removed they
25 involved my clients.

1 BY MS. APRILL:

2 Q. Did you request these documents?

3 MS. STILLMAN: From who, Rothstein?

4 MS. APRILL: From Rothstein's firm even if it
5 was conveyed through others.

6 BY THE WITNESS:

7 A. No.

8 BY MS. APRILL:

9 Q. So when your client -- well, in this
10 capacity, [REDACTED], you're treating as
11 your client?

12 A. In this capacity? Well, he was my
13 client, but he was probably sending it -- who
14 knows why. A.J. sent them, but it was --

15 BY MS. APRILL:

16 Q. He sent it you to and another lawyer at
17 this firm and he says, "Let me know if you need
18 anything else"?

19 A. Yes.

20 Q. Which leads me to believe that you
21 needed these?

22 A. Yes.

23 Q. So you did need these documents?

24 A. Somebody did, yes.

25 MS. STILLMAN: Somebody did.

1 BY MS. APRILL:

2 Q. Again, do you know why these were
3 turned over to us, because they don't appear to
4 have anything to do with Jeffrey Epstein, from my
5 reading? I'm not wanting to belabor that but that
6 matters to me.

7 Did that have something to do with
8 Jeffrey Epstein's --

9 MS. STILLMAN: I will tell you, we took to be
10 on the safe side because these relationships can
11 be very attenuated. If they involve the deals
12 with Rothstein, we produced the documents.

13 Whether this specific document -- we
14 can't always be sure whether it related to Epstein
15 or not.

16 MS. APRILL: All right.

17 MS. STILLMAN: So that's why we erred on the
18 side of including it.

19 MS. APRILL: That's fine.

20 BY MS. APRILL:

21 Q. I'm just trying to determine if you
22 thought this had something to do -- in particular
23 to do with Defendant Jeffrey Epstein?

24 A. Not that I know of.

25 Q. That's why I was asking that.

1 Did you receive other documents similar
2 in nature for other settlements that look like the
3 ones we have attached to Exhibit 8 that are part
4 of Exhibit 8?

5 A. Not that I recall.

6 **Q. This is the one that says we're**
7 **convinced?**

8 A. Yes.

9 MS. APRILL: So I would like this one marked
10 as Exhibit 9.

11 (WHEREUPON, said document was
12 marked Legamaro Deposition
13 Exhibit No. 9, for
14 identification, as of 3/11/11.)

15 BY MS. APRILL:

16 **Q. Sir, have you ever -- can you describe**
17 **Exhibit 9 so the record is clear?**

18 A. It is an e-mail from me to A.J., Betsy
19 copying Scott Rothstein and Thane Ritchie, dated
20 October 23rd, 2009 at 1:52 p.m.

21 **Q. It begins with, "Okay we're convinced."**
22 **The text in here, was that typed by you?**

23 A. Yes.

24 **Q. Do you know what you meant when you**
25 **said "we're convinced"?**

1 A. Do I recall exactly? No.

2 **Q. Generally?**

3 A. No.

4 **Q. About 25 minutes before that, the**
5 **e-mail transmitting the several documents, that is**
6 **Exhibit 8, was sent to you and one of your**
7 **colleagues here at the firm. Do you know whether**
8 **the "we're convinced" comment relates to these?**

9 A. I don't know.

10 **Q. Do you recall what you needed to be**
11 **convinced about?**

12 A. No.

13 **Q. This reference here, "May be cleaner in**
14 **the future but good enough for now," do you know**
15 **if that related to any drafting of documents?**

16 A. I'm betting it did.

17 **Q. Is Betsy Elizabeth Perdue?**

18 A. She is.

19 **Q. And Lou, I think you described before,**
20 **he was Palm Capital?**

21 A. Yes.

22 **Q. Have you had any business dealings with**
23 **Lou outside of Scott Rothstein transactions?**

24 A. Not at this time, no.

25 MS. STILLMAN: Counsel, just for the record,

1 you have about 25 minutes left, I think.

2 MS. APRILL: I'm on top of that.

3 MS. STILLMAN: Okay.

4 BY MS. APRILL:

5 Q. The last sentence, "We figure we have
6 until 4 --" central standard time, is that what
7 that stands for?

8 A. Yes.

9 Q. "-- to get a wire out the door here"?

10 A. Yes.

11 Q. Do you know what that refers to?

12 A. Yes.

13 Q. Can you tell me?

14 A. It's the last time that Thane Ritchie
15 or an entity controlled by Thane could wire money.

16 Q. Was this the \$5 million that was
17 referred to earlier on October 23rd?

18 A. I don't recall exactly how far, but
19 yes, there was an amount Thane Ritchie was to lend
20 to Dean Kretschmar.

21 Q. So this has to do with the Ritchie loan
22 to Kretschmar to invest in D3 or D3 and the
23 Rothstein investment?

24 A. Yes.

25 MS. APRILL: Now, that was Exhibit 9 and that

1 was two pages, right?

2 MS. STILLMAN: Yes.

3 MS. APRILL: Just to make sense out of this,
4 let me ask you to mark the next document.

5 MS. STILLMAN: There were two at 1:53.

6 MS. APRILL: I see they are both responding
7 to it seems to the same thing. Let's take the one
8 that is not from Rothstein, [REDACTED].

9 MS. STILLMAN: So that is 10?

10 MS. APRILL: 10.

11 (WHEREUPON, said document was
12 marked Legamaro Deposition
13 Exhibit No. 10, for
14 identification, as of 3/11/11.)

15 BY MS. APRILL:

16 Q. Sir, do you recognize what has been
17 marked as Exhibit 10?

18 A. Do I recall receiving it?

19 Q. Yes.

20 A. No, I don't, but I recognize what it
21 is, yes.

22 Q. This is October 23rd, 2009, 1:53 p.m.
23 Is that A.J. Discala?

24 A. Yes.

25 Q. To you and Ms. Perdue and copying

1 Rothstein and others?

2 A. Yes.

3 Q. Where it says, it reads, "We are good
4 with it" is the next word "wire" as in wire
5 transfer?

6 A. I believe so.

7 Q. "Lou had one small comment."

8 Do you know Lou, being the lawyer at
9 Palm Capital?

10 A. Yes, representing Dean. Not Palm
11 Capital but Dean.

12 Q. So Lou -- the fact that Lou has his
13 e-mail at Palm Capital, you don't understand that
14 to mean that he is an in-house lawyer there?

15 A. No. I believe that's his personal
16 e-mail address.

17 Q. So you feel in this transaction --

18 A. He was representing Dean, yes, as a
19 lawyer.

20 Q. Where it says, "Lou had one small
21 comment," is it your understanding there are some
22 documents being shifted up and back for comment?

23 A. Yes.

24 Q. And I've already asked you about the
25 other. So the next, the second page to that which

1 I think repeats --

2 MS. STILLMAN: That's right.

3 BY MS. APRILL:

4 Q. The next one is October 23rd, 1:53 from
5 Scott Rothstein.

6 MS. APRILL: Do you want to mark that?
7 (WHEREUPON, said document was
8 marked Legamaro Deposition
9 Exhibit No. 11, for
10 identification, as of 3/11/11.)

11 BY MS. APRILL:

12 Q. Again I am asking you about -- well, do
13 you recognize this e-mail?

14 A. Yes.

15 Q. This one is the same day and time but
16 it is from Scott Rothstein to you?

17 A. Yes.

18 Q. Mr. Discala and Ms. Perdue. Do you
19 recall receiving this?

20 A. No, not really, no.

21 Q. Do you recall Scott communicating with
22 you about some concern that this funding had to
23 occur or his client would not participate?

24 A. Other than this e-mail, no.

25 Q. Did you call him about this or respond

1 to this at all?

2 A. No, not that I'm aware of, no.

3 Q. Now, a minute later we have another
4 e-mail. I am going to skip it because I think it
5 is encompassed in the very next one.

6 MS. STILLMAN: It is the 1:56 is next?

7 MS. APRILL: Actually, I'm not marking that,
8 either.

9 The next one I am going to mark because
10 there is a lot redacted. This last one I want to
11 mark is October 23rd, at 3:27 p.m.

12 (WHEREUPON, said document was
13 marked Legamaro Deposition
14 Exhibit No. 12, for
15 identification, as of 3/11/11.)

16 BY MS. APRILL:

17 Q. Sir, can you say -- do you recall
18 receiving this?

19 BY THE WITNESS:

20 A. Do I recall, no.

21 BY MS. APRILL:

22 Q. Do you know where it says, "Delivery Is
23 Needed" on the subject line what that meant?

24 A. No.

25 Q. After that, the content this is from

1 Mr. Discala, right?

2 A. The cover e-mail to me and others, yes.

3 Q. It says, "Thank you all. Next up PPM,"
4 with four exclamation points.

5 Do you know what is being referred to
6 there with PPM?

7 A. A private placement memorandum.

8 Q. Not for the transaction that was just
9 funded, right?

10 A. Correct.

11 Q. For another transaction?

12 A. A series of them, yes.

13 Q. Do you know whether the attachments
14 that are -- well, excuse me, the redactions
15 represent just other e-mails?

16 A. I don't know.

17 MS. STILLMAN: They were e-mails.

18 BY MS. APRILL:

19 Q. Let me understand for sure. You didn't
20 actually do the redacting?

21 A. That's right.

22 Q. Your counsel did and you can't say even
23 if you wanted to what is under there because you
24 didn't look?

25 A. That's right.

1 MS. APRILL: What I would like to do is take
2 just about a minute.

3 MS. STILLMAN: Sure.

4 (WHEREUPON, a recess was had.)

5 BY MS. APRILL:

6 Q. Did you ever communicate in any way
7 with a lawyer named Larry Rovin?

8 A. Not that I recall.

9 Q. If I tell you he is associated with
10 Ballamor Capital that you talked about earlier,
11 does that refresh your memory?

12 A. It does, and I have not.

13 Q. Meaning --

14 A. I don't know who he is. I've never
15 spoken to a lawyer from Ballamor Capital that I'm
16 aware of.

17 Q. Every now or then I come up with
18 another name of someone who may have said hi.
19 Patrick Roberts, an investigator by that name?

20 A. Not that I know of.

21 Q. He was not mentioned to you that you
22 recall?

23 A. Not that I recall.

24 Q. Did Scott Rothstein or anybody on his
25 team, his firm, or those he worked with, ever

1 represent to you that there was fraud insurance or
2 any kind of insurance in place on the investments
3 he was --

4 A. Not that I'm aware of.

5 Q. Did you understand from anyone that
6 isn't a client of yours that there was insurance?

7 A. I knew generally that insurance is
8 available for this sort of thing, yes.

9 Q. Did you ever see anything that looked
10 like an insurance policy or a binder?

11 MS. STILLMAN: That wasn't shown to you by a
12 client or in a privileged capacity.

13 BY THE WITNESS:

14 A. Not in a nonprivileged capacity.

15 BY MS. APRILL:

16 Q. Did you ever speak to anyone who was to
17 be the broker or the agent who placed the
18 insurance on the investment?

19 A. Not that I recall.

20 MS. STILLMAN: Let her finish the question,
21 for the court reporter.

22 BY MS. APRILL:

23 Q. When you mentioned that you saw the
24 name Brad Edwards on the documents that you
25 examined in Scott Rothstein's office, do you

1 recall that or was your memory refreshed by
2 looking at the caption of the subpoena in this
3 case or something else?

4 A. No. I recall that he signed it on
5 behalf of the plaintiff. That's what I recall.

6 Q. Did that prompt you to ask questions
7 about him with Rothstein or anybody?

8 A. Not that I recall. It was one of those
9 strange things.

10 Q. Well, it's not strange.

11 MS. STILLMAN: Lawyers are fungible.

12 BY MS. APRILL:

13 Q. Did you notice who was representing the
14 defendant in the case you looked at, the --

15 A. I don't recall if I did or I didn't.

16 Q. After that day, do you know if you
17 looked in some other context, perhaps a copy in
18 your office or somewhere else, at any other
19 documents from that file?

20 MS. STILLMAN: You're asking if he looked at
21 any documents in Scott Rothstein's files?

22 BY THE WITNESS:

23 A. No, I did not.

24 BY MS. APRILL:

25 Q. In other words, when you mentioned that

1 somebody had looked at the court file, either
2 on-line or otherwise, did they copy something for
3 you and show it to you?

4 A. No, no.

5 MS. APRILL: I don't think I have any other
6 questions. I am kind of wrapping up. I don't
7 know if counsel has any.

8 MS. STILLMAN: Defense counsel, do you have
9 any questions?

10 MR. QUINLAN: Yes, I have a couple.

11 MS. STILLMAN: Do you need a break before he
12 goes into it?

13 MS. APRILL: Could we take just a minute.

14 (WHEREUPON, a recess was had.)

15 MS. STILLMAN: Just for the record, you
16 represent Bradley Edwards only?

17 MR. QUINLAN: Correct.

18 EXAMINATION

19 BY MR. QUINLAN:

20 Q. Mr. Legamaro, my name is Patrick
21 Quinlan. I only have a couple questions for you.

22 The first, you relate to a discussion I
23 had with counsel earlier. I don't know if any of
24 you have seen the Chinese restaurant on Sienfeld,
25 but I have the strong suspicion a minute after we

1 conclude the depo I am going to receive the
2 documents. But I don't have the documents yet.
3 So I want to ask you a couple questions about the
4 documents that have been produced in response to
5 the schedule attached to your subpoena, okay?

6 A. Yes.

7 Q. Do you recall seeing any documents that
8 were responsive to Subparagraph D of any of the
9 paragraphs? If you look at the schedule, you will
10 see the subparagraph.

11 Do you recall seeing any documents that
12 were responsive to Subparagraph D of Paragraph 1,
13 Paragraph 2, Paragraph 3 or Paragraph 4 of
14 Schedule A?

15 MS. STILLMAN: Let me just see if I can
16 clarify. Are you asking as part of our response
17 to the subpoena or are you asking at the office of
18 Rothstein?

19 MR. QUINLAN: Gathering documents responsive
20 to the subpoena.

21 MS. STILLMAN: Okay.

22 BY THE WITNESS:

23 A. No, I do not recall.

24 BY MR. QUINLAN:

25 Q. Let me break that down. Do you

1 recall -- now, this is not just -- I don't mean
2 just while you were gathering documents responsive
3 to the subpoena but at any time do you recall
4 having any correspondence that you either sent to
5 or received from Bradley Edwards?

6 A. No.

7 Q. Do you recall Bradley Edwards providing
8 to you any contracts and/or agreements?

9 A. No. He did not.

10 Q. Do you recall making any written notes
11 regarding any meetings that you attended that
12 Mr. Edwards also attended?

13 A. We never attended the same meeting. I
14 don't know Bradley Edwards. I never met him.

15 Q. I think the last one follows up on what
16 you just said.

17 You don't recall any documents being
18 given to you by Bradley Edwards, correct?

19 A. Bradley Edwards never gave me
20 documents.

21 Q. Have you seen recent news reports that
22 have linked Prince Andrew to Jeffrey Epstein?

23 A. I have.

24 Q. And have you seen reports that have
25 mentioned Bill Clinton in connection with Jeffrey

1 **Epstein?**

2 A. Yes, I saw those, too. Yes.

3 **Q. Donald Trump?**

4 A. Donald Trump? No, I have not seen
5 those.

6 **Q. Have you seen any reports about flight**
7 **logs showing that Epstein traveled with underaged**
8 **girls?**

9 A. Reports, no. You mean outside of the
10 context of the meeting with Scott Rothstein have I
11 seen a report?

12 **Q. I'm talking about recent press reports.**

13 A. Recent press reports, no, I have not
14 seen that.

15 MR. QUINLAN: I don't think I have any more
16 questions. Thank you for your time.

17 MS. STILLMAN: We do not waive signature. We
18 are obviously not going to order it separately but
19 unless counsel orders it but we would like an
20 e-tran and four on a page with an index with the
21 exhibits.

22 MR. FREVOLA: Same for me.

23 MS. APRILL: The only thing I want to say is
24 to the extent that there is a determination made
25 that certain things you claim privileged for are

1 not privileged, I have no reason at this time to
2 say that but there is some confusion in my mind
3 about who clients were, we might seek further
4 testimony. It probably wouldn't be from you,
5 probably be -- I don't know what it would be but I
6 just wanted to say that on the record. I will let
7 you know if we're -- well I think we are going to
8 order it just regular, though. I don't need it
9 expedited.

10 MR. QUINLAN: I do want to order. You know,
11 I don't know what Jack's preference is on format.
12 Maybe give me an e-mail address or phone number to
13 let you know that. [REDACTED].

14 MS. STILLMAN: We really need just an e-tran.

15 MR. QUINLAN: We'll need copies of the
16 exhibits.

17 FURTHER DEPONENT SAITH NAUGHT.
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1 IN THE CIRCUIT COURT OF THE
2 15th JUDICIAL CIRCUIT IN AND
3 FOR PALM BEACH COUNTY, FLORIDA
4 Complex Litigation, Fla.R.Civ.
5 Pro.1201 Case No. 50
6 2009CA040800XXXXMBAG

7 JEFFREY EPSTEIN,
8 Plaintiff,

9 vs.

10 SCOTT ROTHSTEIN, et al.,
11 Defendants.

12 I hereby certify that I have read the
13 foregoing transcript of my deposition given at the
14 time and place aforesaid, consisting of Pages 1 to
15 136, inclusive, and I do again subscribe and make
16 oath that the same is a true, correct and complete
17 transcript of my deposition so given as aforesaid,
18 and includes changes, if any, so made by me.

19
20 MICHAEL LEGAMARO

21 SUBSCRIBED AND SWORN TO
22 before me this day
23 of , A.D. 2011.

24
25 Notary Public

1 STATE OF ILLINOIS)

2) SS:

3 COUNTY OF C O O K)

4 I, LORRAINE DUNN, a Notary Public
5 within and for the County of Cook, State of
6 Illinois, and a Certified Shorthand Reporter of
7 said state, do hereby certify:

8 That previous to the commencement of
9 the examination of the witness herein, the witness
10 was duly sworn to testify the whole truth
11 concerning the matters herein;

12 That the foregoing deposition
13 transcript was reported stenographically by me,
14 was thereafter reduced to typewriting under my
15 personal direction and constitutes a true record
16 of the testimony given and the proceedings had;

17 That the said deposition was taken
18 before me at the time and place specified;

19 That I am not a relative or employee or
20 attorney or counsel, nor a relative or employee of
21 such attorney or counsel for any of the parties
22 hereto, nor interested directly or indirectly in
23 the outcome of this action.

24 IN WITNESS WHEREOF, I do hereunto set
25 my hand and affix my seal of office at Chicago,

1 Illinois, this 1st day of April, 2011.

2

3

4 Notary Public, Cook County, Illinois.

5 My Commission expires 12/09/2013.

6

7 C.S.R. Certificate No. 84-2024.

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I N D E X

| WITNESS | EXAMINATION |
|------------------|-------------|
| MICHAEL LEGAMARO | |
| BY MS. APRILL | 4 |
| BY MR. QUINLAN | 132 |

E X H I B I T S

| NUMBER | MARKED FOR ID |
|-----------------------------|---------------|
| Legamaro Deposition Exhibit | |
| Exhibit No. 1 | 5 |
| Exhibit No. 2 | 98 |
| Exhibit No. 3 | 103 |
| Exhibit No. 4 | 107 |
| Exhibit No. 5 | 108 |
| Exhibit No. 6 | 110 |
| Exhibit No. 7 | 112 |
| Exhibit No. 8 | 114 |
| Exhibit No. 9 | 121 |
| Exhibit No. 10 | 124 |
| Exhibit No. 11 | 126 |
| Exhibit No. 12 | 127 |

****original exhibits retained by counsel****