

1 he?

2 A. It's been implied.

3 Q. Has he ever threatened you or your family with
4 violence?

5 A. No.

6 Q. How has it been implied?

7 A. By stalking around my house, by coming in the
8 middle of the night, by his own admission.

9 Q. Okay. Anything else?

10 A. By issuing false statements.

11 Q. What false statements?

12 A. And by extorting money.

13 Q. Which false statements?

14 A. Lots of them.

15 Q. Well, go ahead.

16 A. Well, for instance, some statements about things
17 that had happened to him.

18 Q. Okay. How do you know they're false?

19 A. Because I didn't commit them.

20 Q. Oh, he's saying there's things you did to him?

21 A. Far as I know.

22 Q. What did he say that you did to him that's
23 false, you personally?

24 A. Caused him distress.

25 Q. All right. And you think that's false?

1 A. I do.

2 Q. All right. And anything else?

3 A. Not that I can recall right this moment, no.

4 Q. When did he say that you personally caused him
5 distress?

6 A. I've read it in his statements.

7 Q. Which statements?

8 A. In the statements that he made to the answers in
9 his depositions.

10 Q. Okay. Any other place?

11 A. Probably on reprint of something like that.

12 Q. I'm sorry a reprint of?

13 A. You know like on an internet site that somebody
14 had given me a copy of.

15 Q. Okay. Do you recall ever telling journalists
16 that victims of Straight should get a life, and you're
17 not going to apologize for it?

18 A. No.

19 Q. Okay. Okay. In paragraph 13 it says that your
20 husband was stricken with prostate cancer in 1990 and
21 had surgery.

22 Was that something that was known to your
23 family; his medical condition?

24 A. Yes.

25 Q. Okay. Was it known to friends?

1 A. Some.

2 Q. Some, okay. Was it kept from some people?

3 A. No.

4 Q. Okay. Has he, to your knowledge, between the
5 time he was stricken and the time you discovered what
6 Mr. Bradbury was up to, has he ever told people about
7 how he dealt with it and used it the way say Peter
8 Jennings did or other people did?

9 A. No, not to my knowledge.

10 Q. Do you know whether he has made any
11 philanthropic donations or acts of service to maybe
12 the Moffitt Center or any other cancer institutes?

13 A. No.

14 Q. Okay. So the fact that he had prostate cancer
15 was something that was at least known to the family
16 and friends, some friends?

17 A. Yes.

18 Q. All right. And do you know which friends? I'm
19 not going to ask you for a list. I'm just asking you
20 if you know like approximately how many friends.

21 A. I wouldn't be able to tell you that, no.

22 Q. Okay. And you have no knowledge of whether or
23 not those people may have told other friends?

24 A. I do not.

25 Q. Okay. And then it says that he was prescribed a

1 medical penile pump. I assume that means the doctor
2 wrote a prescription for it?

3 A. I assume so, yes.

4 Q. Okay. Do you happen to have any recollection as
5 to when that was -- when that device was thrown out?

6 A. I do not.

7 Q. All right. I'm going to show you what has been
8 marked Exhibit 2 to the Bradbury deposition. But we
9 have an Exhibit 2, so I'll do 6, and I'll keep your 2
10 that way.

11 (THEREUPON, Exhibit No. 6 is marked for
12 identification.)

13 MR. MCGOWAN: I'm marking Composit Exhibit 6 for
14 the purposes of this deposition that was Exhibit 2 to
15 the Bradbury deposition. And it's a little hard to
16 read.

17 If you could look at the first page now. I know
18 it's difficult to see it.

19 MR. ENGLANDER: Do you have a copy for us? Is
20 it in the package you gave us?

21 MR. MCGOWAN: I'm sorry.

22 MR. ENGLANDER: Do you have a copy for us?

23 MR. MCGOWAN: It's in your package.

24 BY MR. MCGOWAN:

25 Q. Have you had a chance to look at that?

1 A. Yes, I have.

2 Q. Are you able to read it? I know it's not a good
3 copy, but you can make sense of it?

4 A. Yeah.

5 Q. All right. When did you first see this ad?

6 A. Someone showed me a copy of it. I guess it was
7 about -- well, when it came out.

8 Q. Okay. So you weren't sitting there reading the
9 paper one day and looking through the ads and saw the
10 ad; is that right?

11 A. No, I don't read the ads.

12 Q. Okay. You said somebody showed you a copy of
13 it?

14 A. Uh-huh.

15 Q. Who would that be?

16 A. I don't remember.

17 Q. Was it somebody other than your husband?

18 A. Yes.

19 Q. All right. Was it -- do you know whether it was
20 an employee of the Sembler Group?

21 A. I don't remember.

22 Q. But you just don't remember who showed it to
23 you?

24 A. I don't remember. I just remember reading it.

25 Q. Do you remember where you were when you saw it?

1 A. No, I don't.

2 Q. When you read it, did you infer that this had to
3 be the medical device of your husband when you first
4 saw this ad?

5 A. Would you mind repeating that?

6 Q. When you first saw this ad on the first page of
7 Exhibit 6 for our deposition, 2 for Bradbury, did you
8 infer that it was the medical device, the penis pump?

9 A. Well, it's what it says, yeah.

10 Q. Well, does it say "penile pump" in that ad?

11 MR. ENGLANDER: If I might, the second page is
12 just a blow up that we created to make it easier to
13 read.

14 MR. MCGOWAN: Okay.

15 MR. ENGLANDER: So if you look to the second
16 page of the composit --

17 MR. MCGOWAN: You're right.

18 BY MR. MCGOWAN:

19 Q. This makes it easier to read.

20 A. Your question is did I realize this was a penile
21 pump?

22 Q. Yes, ma'am.

23 A. Yes, I did.

24 Q. And why is that?

25 A. Because that's the only pump we ever had, I

1 guess.

2 Q. Do you have a pool?

3 A. I do.

4 Q. Do you have a pool pump?

5 A. Yes.

6 Q. Okay. Do you know whether you have a sump pump
7 or any other kind of pump?

8 A. I do not. I do not have one.

9 Q. You agree with me that there's nothing in that
10 ad that says it's a medical device?

11 A. I disagree.

12 Q. Okay. Why is that?

13 A. Because why would he have a pump that says,
14 "Call Richard Bradbury"? What kind of pump would it
15 be?

16 Q. Is Richard Bradbury someone you think is
17 generally known in the community?

18 A. I consider him threatening.

19 Q. I understand what you consider him. I'm asking
20 you do you consider him someone that's well known in
21 the community?

22 A. For what he's done, yes.

23 Q. So you think anybody reading that would
24 immediately deduce that it's a medical device that
25 he's talking about?

1 MR. ENGLANDER: Objection to form. I think the
2 question is how did she perceive it?

3 MR. MCGOWAN: This is a different question.

4 THE DEPONENT: I cannot answer your question. I
5 don't understand it, and don't know.

6 BY MR. MCGOWAN:

7 Q. Do you know that this ran in the Pasco version
8 of the St. Pete Times only?

9 A. Yes, I do.

10 Q. Okay. Do you know how this ad came to whoever
11 presented it to you? You said somebody showed it to
12 you?

13 A. Yes.

14 Q. And you don't recall who it is?

15 A. I really don't recall.

16 Q. I'm assuming it's somebody you know?

17 A. Yes. I recall that, yes.

18 Q. I'm wondering how they got their hands on the
19 ad, if you know?

20 A. I do not know.

21 Q. All right. Do you know how your husband or if
22 your husband saw this ad?

23 A. You'll have to ask him. I don't know.

24 Q. Okay. In your invasion -- you've got a couple
25 of counts in the ammended complaint. And I just want

1 to clear up one thing.

2 In count 3, count 3 is the invasion of privacy
3 claim, and that's private disclosure of private
4 facts -- public discloser of private facts.

5 As I understand it, the information relating to
6 Melvin Sembler's use of a medical penile pump is the
7 private facts that you're alleging was disclosed by
8 Mr. Bradbury; is that correct? I'll show you
9 paragraph 13.

10 A. (Deponent peruses the file.) Okay.

11 Q. Okay. So the private fact is that it was a
12 medical penile pump?

13 A. Yes. That's a private fact.

14 Q. I mean, that is the private fact that you say
15 was put out there in the public?

16 A. That is correct.

17 Q. By Mr. Bradbury and disclosed, if you will,
18 correct?

19 A. That's correct.

20 Q. Exhibit 3 to the Bradbury deposition is now
21 marked 3A to ours. And this purports to be a letter
22 from Mr. Englander to Mr. Bradbury and I believe a
23 copy.

24 (THEREUPON, Exhibit 3A is marked for
25 identification.)

1 BY MR. MCGOWAN:

2 Q. Do you recognize that?

3 A. (Deponent peruses the file.) Yes, I recognize
4 it.

5 Q. Okay. And were you copied on it?

6 A. Yes.

7 Q. I have another exhibit here. And I'm going to
8 show it to your counsel first because I don't have an
9 extra copy.

10 MR. ENGLANDER: (Peruses the file.) You're
11 attaching that to the exhibit?

12 MR. MCGOWAN: I'm actually going to make it 3B.

13 (THEREUPON, Exhibit No. 3B is marked for
14 identification.)

15 BY MR. MCGOWAN:

16 Q. I'm going to show you what we've marked as
17 Exhibit 3B. And I'm going to ask you the same
18 question I did as to 3A.

19 Have you ever seen that document before?

20 A. Yes.

21 Q. Okay. And to your understanding, what is that
22 document?

23 A. It is a listing of the various allegations and
24 various things that we are bringing the suit about.

25 Q. Okay. If I may?

1 A. I guess.

2 Q. What's the title on top?

3 A. "Agreement".

4 Q. Okay. Do you know whether or not this was a
5 proposal basically to have Mr. Bradbury put a stop to
6 his activities?

7 A. No.

8 Q. Do you know who generated that document?

9 A. I assume my attorneys.

10 Q. All right. Are there signature lines at the end
11 there? Nobody signed it, but do you see the signature
12 lines there, the second to last page?

13 A. Yeah.

14 Q. And there's one for Bradbury, one for you and
15 one for your husband?

16 A. Uh-huh.

17 Q. Do you know whether or not this was an offer
18 basically to settle the differences that you may have
19 had between yourselves and Mr. Bradbury?

20 A. Would you mind defining "offer"?

21 Q. Yes. An offer would be basically, Bradbury, you
22 stop doing these things, you admit to what you've done
23 wrong, and you cut it out in the future, and everybody
24 will go their own way, and that's the end of it.

25 A. No. I have never made such a proposal.

1 Q. Okay. Did you ever -- if you never made one,
2 you never approved one, right?

3 A. No.

4 Q. I call your attention to page 2 of exhibit 3A.
5 And it's the full -- it's the first full paragraph.

6 A. (Deponent peruses the file.)

7 Q. You had a chance to read it?

8 A. Yeah.

9 Q. Okay. And it says: "The purpose of this letter
10 is not only to telegraph our promised intention in
11 full, but to provide you with one - and only one -
12 opportunity to acknowledge your actions and to agree
13 to cease the deranged activities which you have
14 embarked upon for the last several years. To that
15 end, we are enclosing an agreement for you to sign in
16 the presence of two witnesses."

17 And then it goes on to say what happens if he
18 fails to do that. Does that, in your view constitute,
19 an offer to resolve the differences you have between
20 you and Mr. Bradbury?

21 A. It does not.

22 Q. What do you consider it to be? I understand
23 you're not a lawyer.

24 A. What do I consider it to be?

25 Q. Yes, ma'am.

1 A. I consider it to be an opportunity for him to
2 admit his guilt, to acknowledge that he has stalked
3 us, harassed us, threatened us, and that I'm very,
4 very much afraid of him and I want to be sure that he
5 doesn't have anything to do with us or with my family
6 or anything having to do with me.

7 Q. So would it be fair to say that had he signed
8 this, the idea was he was going to leave you alone,
9 you leave him alone, everybody would just go their
10 separate ways?

11 A. I've never done anything to him, so, yes.

12 Q. Okay. It says in paragraph 1 of exhibit 3A, "We
13 have also investigated your -- meaning Bradbury's --
14 verbal offer to sell the same medical device to others
15 both publicly and privately."

16 Are you aware of any such investigation that was
17 conducted to determine that he had made --
18 Mr. Bradbury made verbal offers to sell this medical
19 device to others both publicly and privately, first
20 paragraph?

21 A. (Deponent peruses the file.) I don't recall.
22 But he definitely offered to sell the device both in
23 the newspaper and on E-Bay. And that would constitute
24 the public part of it, certainly.

25 Q. Okay.

1 A. Privately, I assume that that refers to the fact
2 that he offered to sell it to my husband.

3 Q. Okay. Except that this predated that?

4 A. I don't know that.

5 Q. Okay. Well, if it did, you would agree that
6 selling it back to your husband would not be a
7 component of selling it privately?

8 A. No. I disagree with you.

9 Q. Well, if it predated -- okay. Then let me back
10 up. Are you saying that before July 10th, 2003,
11 Mr. Bradbury offered to sell it to your husband?

12 A. I'm not sure. But he did offer to sell it to my
13 husband, yes.

14 Q. Okay. But do you know whether it was before
15 July 10th?

16 A. I do not.

17 Q. But if it wasn't before --

18 A. I can't answer at.

19 Q. Hypothetically, if it wasn't, that could not have
20 been a component of a private sale, correct?

21 A. I can't answer. I don't know.

22 Q. All right. Going back to exhibit 6, 2 -- our 6,
23 Bradbury 2, again, this is the newspaper ad for the
24 pump. And there's something here that it says with
25 instructions. And then it says, "Betty FAC use only".