

1 signature.

2 Q. Okay. And these were signed under oath? I
3 think somebody in the Rome consulate notarized them?

4 A. Right.

5 Q. Okay. I'm going to call your attention to
6 question number 2. And -- okay. This asked to state
7 with particularity dates, times, places, circumstances
8 of these incidents. And we've covered this a little
9 bit earlier.

10 And you say in here -- I assume the two of you
11 answered these together? You answered with the help
12 of your attorneys. Is that accurate?

13 A. I don't remember.

14 Q. Okay.

15 A. What is the date that these were signed? See
16 this was in April of 2004. And it was attested to by
17 an officer in the consulate of the United States of
18 America. And that would have been Rome. And
19 therefore, my attorney would not have been present.

20 Q. Okay. There may have been faxes that went back
21 and forth?

22 A. I don't recall it.

23 MR. ENGLANDER: To the extent that there were,
24 that would be privileged communications.

25 MR. MCGOWAN: Well, it says you all helped out.

1 And it's pretty typical. I'm not trying to invade
2 that.

3 BY MR. MCGOWAN:

4 Q. In any event, okay. You say since 1988 there
5 have been numerous contacts of those specified. And
6 then you say some of them. And then you say,
7 "E-mails, 6/27/2000, received at the Sembler Company
8 website; mail 7/10/88."

9 Do you recall what that e-mail was?

10 A. No, I do not.

11 Q. Did you ever see the e-mail?

12 A. Probably.

13 Q. Do you recall what it said?

14 A. No.

15 Q. Do you recall whether it was threatening any
16 way?

17 A. I perceived it as being threatening, yes.

18 Q. You did?

19 A. Absolutely.

20 Q. That was back in '88?

21 A. Uh-huh.

22 Q. Was there -- do you know whether it was one or
23 more emails sent to the Sembler Company website?

24 A. I don't remember.

25 Q. Okay. And then there's another one, 6/27/2000.

1 Do you recall that one?

2 A. No.

3 Q. Okay.

4 A. Not in particular.

5 Q. And then 7/10/88, 10/20/88, 9/23/88?

6 A. I'm sure all those dates are accurate.

7 Q. Okay. And then you have an undated 1988 letter
8 identified in a 6/27 e-mail. Do you know who has
9 possession or if anyone has possession of these
10 e-mails and letters?

11 A. No, I don't.

12 Q. All right. Other than what you've testified to
13 today and what you've listed here in question number
14 2, can you think of any other contacts that you
15 believe Mr. Bradbury has had with you or members of
16 your family?

17 A. Other than what's listed here?

18 Q. Yes, ma'am, and whatever you testified to
19 earlier?

20 A. Uh-huh. I really don't quite understand. Do I
21 have any --

22 Q. Personal knowledge of any additional letters,
23 e-mails, calls, faxes, whatever?

24 A. Not in particular, no.

25 Q. Okay. If you could look at the answer to number

1 4, you mention Mr. Richard Bockman of the St. Pete
2 Times. And earlier you said you thought there was a
3 Times reporter as well.

4 Does that refresh your memory that it was
5 Mr. Bockman that he contacted?

6 A. I certainly remember Robin Guess. Richard
7 Bockman, I think that was his byline, yes.

8 Q. Okay. In number 6 --

9 MR. ENGLANDER: (Peruses the exhibit.)

10 THE DEPONENT: Yes.

11 BY MR. MCGOWAN:

12 Q. The last section of that or the last phrase in
13 that sentence is, "...and then seeking to extort money
14 from us." To what are you referring?

15 A. I'm referring to the letter there that you had
16 that you showed me at the beginning that I've read
17 before.

18 Q. Okay. That's the 1996 letter where he asks for
19 money?

20 A. Well, I'm referring to this asking for money for
21 the device.

22 Q. Okay. That was another letter?

23 A. Well, whatever it was. He did ask us for money
24 to retrieve the device.

25 Q. Do you know whether or not you're referring to a

1 letter that came from my office to Mr. Englander?

2 A. What did you say?

3 Q. You mentioned a letter other than the 1996
4 letter from Mr. Bradbury saying he wanted to go into
5 business with Mr. Sembler.

6 What I'm wondering is -- here we go. This is
7 Exhibit 5 to the Bradbury's deposition. We'll call it
8 9.

9 (THEREUPON, Exhibit No. 9 is marked for
10 identification.)

11 MR. ENGLANDER: Got it.

12 BY MR. MCGOWAN:

13 Q. This is a letter from me to Mr. Englander. Take
14 a look at it and tell me if you recognize it first?

15 A. (Deponent peruses the exhibit.)

16 Q. Have you seen that before?

17 A. Yes.

18 Q. Okay. Is that what you're referring to as the
19 letter of the extortion?

20 A. Yes.

21 Q. Okay. And again, I believe you earlier defined
22 extortion as obtaining money through false pretenses?

23 A. Yes.

24 Q. Okay. What false pretenses are set forth in
25 that letter?

1 A. The amount of money. \$700,000 is excessive.
2 It's threatening. It's frightening. That's what it's
3 intended as. And that's exactly how I take it.

4 Q. It was intended to threaten you?

5 A. Absolutely.

6 Q. How so?

7 A. \$700,000 request for him to leave us alone, no.
8 I think that's threatening. I think it's frightening.
9 And I take it as so. And I'm very, very frightened by
10 it.

11 Q. Okay.

12 A. That is harassment.

13 Q. If you would read into the record the last
14 sentence of the first paragraph of this letter.

15 A. The last one? "Accordingly this is an offer to
16 settle the litigation you have threatened, and is not
17 admissible as evidence in any court of law."

18 Q. And the day of this letter?

19 A. July the 16th, 2003.

20 Q. So that would have been after Mr. Englander
21 wrote the letter to Mr. Bradbury?

22 A. I would assume, yes.

23 Q. Okay. Assuming that day is accurate, correct?

24 A. It's your date.

25 Q. Well, and there is a fax trail up here that also

1 says July 16th?

2 A. Yes.

3 Q. See that?

4 A. Yes.

5 Q. Okay. So would you agree that Mr. Englander
6 threatened to litigate against Mr. Bradbury prior to
7 this?

8 A. I don't consider it a threat. He did.

9 Q. He hadn't filed it -- he filed a lawsuit by
10 July?

11 A. I don't know that he filed it. But he was
12 certainly right to litigate.

13 Q. And he threatened to file one. And he
14 threatened to make Mr. Bradbury prey, didn't he?

15 A. Prey?

16 Q. Yes.

17 A. Yes. According to that other letter.

18 Q. And then this is a response to that.

19 A. Okay.

20 Q. And this made you feel threatened?

21 A. Terribly, deeply.

22 Q. Okay. Did you lose sleep over it?

23 A. Constantly.

24 Q. Constantly?

25 A. Yes.

1 Q. For how long?

2 A. Um...

3 Q. Still losing sleep over?

4 A. I am.

5 Q. Okay. I'm going to show you Exhibit 12.

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

8 MR. ENGLANDER: (Peruses the exhibit.)

9 BY MR. MCGOWAN:

10 Q. Have you seen this before?

11 A. (Deponent peruses the exhibit.) No.

12 Q. All right. Do you know what role, if any,
13 Mr. Bradbury had with the eventual closing down of
14 Straight?

15 A. I know he thinks he did, but he didn't.

16 Q. You think he didn't?

17 A. No.

18 Q. Okay. What do you think caused it to close
19 down?

20 A. The lack of funds, primarily.

21 Q. Okay.

22 A. Because it was a private enterprise.

23 Q. Okay.

24 A. Organization.

25 Q. And nothing other than that?

1 A. I'm sorry?

2 Q. Nothing other than lack of money?

3 A. It was a lack of money, yes. And also the false
4 publicity perpetrated by the various media, which was
5 all false, of course.

6 Q. Okay. So these were -- my recollection is that
7 there were a lot of media stories out there that were
8 fairly critical?

9 A. Specious would be better.

10 Q. Specious?

11 A. Yes.

12 Q. Did anybody think about bringing a defamation
13 action?

14 A. I have no idea.

15 Q. You didn't?

16 A. I didn't.

17 Q. Or on behalf of Straight?

18 A. No.

19 Q. So you think funds dried up because of the what
20 you characterize as specious articals in the media?

21 A. I have no opinion about that.

22 Q. Okay. Do you recall a lawsuit that Mr. Bradbury
23 brought in the early '90s against Straight?

24 A. No.

25 Q. Okay. It was Bradbury v. Straight. Do you know

1 who Myron Mensh is?

2 A. Yes, uh-huh.

3 MR. ENGLANDER: (Peruses the exhibit.) Okay.

4 MR. MCGOWAN: That's my only copy.

5 MR. ENGLANDER: Are you using this as an
6 exhibit?

7 MR. MCGOWAN: Yeah.

8 MR. ENGLANDER: What's the exhibit?

9 MR. MCGOWAN: 12 -- 13.

10 (THEREUPON, Exhibit No. 13 is marked for
11 identification.)

12 MR. ENGLANDER: Is there a question?

13 BY MR. MCGOWAN:

14 Q. Yes. I'll show you this. This is Exhibit 13.
15 And the first question is have you ever seen this
16 before?

17 A. (Deponent peruses the exhibit.) (Deponent nods
18 negatively.)

19 Q. Not seen it, okay. Without getting into the
20 niceties or whatever of this lawsuit, I'd like to
21 focus your attention on any of the materials from
22 Mr. Bradbury's client or employee file.

23 A. I don't know anything about the suit whatsoever.

24 Q. I understand. My question is do you know what a
25 client file would be, Straight client file?

1 A. I do not.

2 Q. Do you know what a Straight employee file would
3 be?

4 A. I do not.

5 Q. Okay. Do you know who would?

6 A. I do not.

7 Q. Okay. Do you have any idea how -- do you have
8 any idea whether these lawyers, Mensh Walker
9 Harrington MacIntosh & Runyon, had possession of
10 Mr. Bradbury's client or employee files?

11 A. I do not.

12 Q. Do you have any knowledge as to what safeguards
13 Straight employed to protect confidentiality of client
14 or employee files?

15 A. No, I do not.

16 Q. Do you know who would have such knowledge?

17 A. I do not.

18 Q. Would Miller Newton have such knowledge?

19 A. I have no idea.

20 Q. I'd have to ask him?

21 A. I assume.

22 Q. Who was -- would you say from 1987 through the
23 closing of Straight was the CEO or the day-to-day
24 hands-on manager?

25 A. From '87?

1 Q. Yes, ma'am. From '87 until it closed.

2 A. Was the manager you say?

3 Q. Who would be the equivalent?

4 A. I don't recall.

5 Q. Did it have an equivalent of a chief executive
6 officer?

7 A. Yes.

8 Q. And you just don't recall who it was?

9 A. No. I really don't.

10 Q. Okay.

11 Q. Does the name Burnadine Britwait (phonetic) mean
12 anything?

13 A. Yes, uh-huh. I remember her.

14 Q. Was she a director, the manager?

15 A. Yes, she was at one time.

16 Q. Okay. Do you recall her position? Did she have
17 a title of some kind?

18 A. She was -- I think she was a CEO, yeah.

19 Q. Do you know whether Judge Walt Logan serves in
20 any capacity on the board of the Holocaust Museum?

21 A. Who?

22 Q. Judge Walt Logan?

23 A. (Deponent nods negatively.)

24 Q. Do you know him?

25 A. I don't think so. The name is familiar to me.

1 Q. Do you recall a function, Wasser Fund Founders,
2 Polen Capital Management -- I'll just show you.

3 THE COURT REPORTER: I can't hear you.

4 MR. ENGLANDER: If you're going to show it to
5 her, make it an exhibit. If you're not going to make
6 it an exhibit, don't show it to her.

7 MR. MCGOWAN: Then I'll make it an exhibit.
8 It's 14.

9 (THEREUPON, Exhibit No. 14 is marked for
10 identification.)

11 MR. ENGLANDER: (Peruses the exhibit.)

12 BY MR. MCGOWAN:

13 Q. I'll show you Exhibit 14. This looks like a
14 flyer for some kind of a function.

15 Do you recall whether you attended that
16 function?

17 A. (Deponent peruses the exhibit.) What was this
18 about?

19 Q. I don't know. Does any of that ring a bell with
20 you?

21 A. No.

22 Q. Okay. If you don't know, you don't know.

23 A. (Deponent nods negatively.)

24 MR. ENGLANDER: May I see that last exhibit as
25 well, 13? I want to say this for the record. I think