

In The Matter Of:

JERICO BAPTIST CHURCH MINISTRIES, INC.

v.

PEEBLES, SR., ET AL.

CLIFFORD BOSWELL

May 25, 2011

MERRILL LAD

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IN THE CIRCUIT COURT

FOR PRINCE GEORGE'S COUNTY, MARYLAND

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JERICO BAPTIST CHURCH MINISTRIES, :

INC., :

Plaintiff/Counter-Defendant, : Case No.:

vs. : CAL 10-33647

JOEL R. PEEBLES, SR., et al., :

Defendants/Counter-Plaintiffs/ :

Third-Party Plaintiffs, :

vs. :

GLORIA MCCLAM-MAGRUDER, et al., :

Third-Party Defendants. :

- - - - -X

Videotaped Deposition of CLIFFORD BOSWELL

Greenbelt, Maryland

Wednesday, May 25, 2011

3:47 p.m.

Job No. 1-199502

Pages: 1 - 110

Reported by: Dana C. Ryan, RPR, CRR

<p style="text-align: right;">Page 2</p> <p>1 Videotaped Deposition of CLIFFORD BOSWELL, 2 held at the law offices of: 3 4 Joseph, Greenwald & Laake, P.A. 5 6404 Ivy Lane 6 Suite 400 7 Greenbelt, Maryland 20770 8 (301) 220-2200 9 10 11 12 13 Pursuant to agreement, before Dana C. Ryan, 14 Registered Professional Reporter, Certified 15 Realtime Reporter and Notary Public in and for the 16 State of Maryland. 17 18 19 20 21 22</p>	<p style="text-align: right;">Page 4</p> <p>1 A P P E A R A N C E S C O N T I N U E D 2 3 A L S O P R E S E N T : 4 Patrick Ruffner, Videographer 5 Joel R. Pebbles, Sr. 6 William Meadows 7 Clarence Jackson 8 Gloria McClam-Magruder 9 Denise Killen 10 11 12 13 14 15 16 17 18 19 20 21 22</p>
<p style="text-align: right;">Page 3</p> <p>1 A P P E A R A N C E S 2 3 O N B E H A L F O F T H E D E F E N D A N T S , 4 C O U N T E R - P L A I N T I F F S A N D T H I R D - P A R T Y 5 P L A I N T I F F S : 6 T I M O T H Y F . M A L O N E Y , E s q u i r e 7 Joseph, Greenwald & Laake, P.A. 8 6404 Ivy Lane 9 Suite 400 10 Greenbelt, Maryland 20770 11 Telephone: (301) 220-2200 12 13 14 O N B E H A L F O F T H E P L A I N T I F F , C O U N T E R - D E F E N D A N T 15 A N D T H I R D - P A R T Y D E F E N D A N T S : 16 I S A A C H . M A R K S , S R . , E s q u i r e 17 O'Malley, Miles, Nylen & Gilmore, P.A. 18 11785 Beltsville Drive 19 10th Floor 20 Calverton, Maryland 20705 21 Telephone: (301) 572-7900 22</p>	<p style="text-align: right;">Page 5</p> <p>1 C O N T E N T S 2 E X A M I N A T I O N O F C L I F F O R D B O S W E L L : P A G E : 3 By Mr. Maloney 8 4 5 6 7 E X H I B I T S 8 (None) 9 10 11 12 13 14 15 16 17 18 19 20 21 22</p>

2 (Pages 2 to 5)

<p style="text-align: right;">Page 6</p> <p>1 PROCEEDINGS</p> <p>2 THE VIDEOGRAPHER: Here begins tape</p> <p>3 number 1 in today's deposition of Clifford Boswell</p> <p>4 in the matter of Jericho Baptist Church</p> <p>5 Ministries, Incorporated, verse (sic)</p> <p>6 Joel R. Peebles, Senior, et al., verse (sic)</p> <p>7 Gloria McClam MaGruder, et al., in the Circuit</p> <p>8 Court for Prince George's County, Maryland, Case</p> <p>9 Number CAL 10-33647.</p> <p>10 Today's date is May 25th, 2011. The</p> <p>11 time is 3:47 p.m. The videographer is</p> <p>12 Patrick Ruffner. This deposition is taking place</p> <p>13 at 6404 Ivy Lane, Greenbelt, Maryland.</p> <p>14 Counsel, please voice identify</p> <p>15 yourselves and state whom you represent.</p> <p>16 MR. MALONEY: Timothy Maloney for the</p> <p>17 defendants.</p> <p>18 MR. MARKS: Isaac Marks for the</p> <p>19 plaintiffs.</p> <p>20 THE VIDEOGRAPHER: The court reporter</p> <p>21 is Dana Ryan of Merrill LAD.</p> <p>22 Would the reporter please swear in the</p>	<p style="text-align: right;">Page 8</p> <p>1 MR. MARKS: That's fine.</p> <p>2 MR. MALONEY: I just -- it helps that</p> <p>3 everything's identical.</p> <p>4 MR. MARKS: Yeah, I know. That's why I</p> <p>5 wondered when you gave it to me.</p> <p>6 MR. MALONEY: Right.</p> <p>7 MR. MARKS: If you meant for --</p> <p>8 MR. MALONEY: All --</p> <p>9 MR. MARKS: -- me --</p> <p>10 MR. MALONEY: -- right.</p> <p>11 MR. MARKS: -- to have that one.</p> <p>12 EXAMINATION BY COUNSEL FOR THE</p> <p>13 DEFENDANTS, COUNTER-PLAINTIFFS AND</p> <p>14 THIRD-PARTY PLAINTIFFS</p> <p>15 BY MR. MALONEY:</p> <p>16 Q Could you give us your full name, sir?</p> <p>17 A Clifford Allen Boswell.</p> <p>18 Q And your home address in Laurel, sir?</p> <p>19 A 12310 Cedarbrook Lane.</p> <p>20 Q Okay. And that's in Montpelier?</p> <p>21 A It's Montpelier, yes.</p> <p>22 Q Okay. And have you ever had your</p>
<p style="text-align: right;">Page 7</p> <p>1 witness?</p> <p>2 CLIFFORD BOSWELL,</p> <p>3 having been duly sworn, testified as follows:</p> <p>4 MR. MALONEY: Mr. Marks, he's got the</p> <p>5 exhibit binder in front of him, but why don't we</p> <p>6 switch it and give him the one with the sticker on</p> <p>7 it. Okay? You can take that one.</p> <p>8 MR. MARKS: That sticker's not for this</p> <p>9 deposition, though.</p> <p>10 MR. MALONEY: I understand that, but</p> <p>11 it -- I want to make sure we're -- we're using the</p> <p>12 same one for everybody.</p> <p>13 MR. MARKS: We didn't use this one for</p> <p>14 Jackson.</p> <p>15 MR. MALONEY: I understand that.</p> <p>16 MR. MARKS: Okay.</p> <p>17 MR. MALONEY: But going forward --</p> <p>18 there's no difference between these. The only</p> <p>19 difference is that has a sticker on it. They're</p> <p>20 identical; all these binders are identical.</p> <p>21 MR. MARKS: Okay.</p> <p>22 MR. MALONEY: Okay?</p>	<p style="text-align: right;">Page 9</p> <p>1 deposition taken before?</p> <p>2 A No, I haven't.</p> <p>3 Q All right. Well, what's going to</p> <p>4 happen, and you've been present at our other</p> <p>5 depositions, is I'm going to ask you a series of</p> <p>6 questions and you'll be asked to respond under</p> <p>7 oath.</p> <p>8 If at any time you don't understand my</p> <p>9 questions, just say so and I'll be glad to</p> <p>10 rephrase them.</p> <p>11 If at any time you need a break, let me</p> <p>12 know, and I'll be glad to accommodate you.</p> <p>13 If you don't say anything, I'm going to</p> <p>14 assume that you understand my questions.</p> <p>15 It's important that you give verbal</p> <p>16 responses to the questions so our court reporter,</p> <p>17 who's preparing a transcript, can have a written</p> <p>18 record of what you say, okay, and -- and make an</p> <p>19 accurate record.</p> <p>20 What's your date of birth, sir?</p> <p>21 A August 15th, 1950.</p> <p>22 Q All right. And where'd you grow up?</p>

Page 10

1 A I was born in Virginia and raised in
 2 New York City.
 3 **Q Okay. When did you come to Maryland?**
 4 A I came to Maryland in 1986.
 5 **Q All right. What was the reason that**
 6 **you came to Maryland?**
 7 A I was -- military brought me here.
 8 **Q Uh-huh. So were you in a military**
 9 **installation here?**
 10 A I was in the Pentagon.
 11 **Q Okay. Tell me briefly about your**
 12 **education.**
 13 A I graduated from high school in 1968.
 14 **Q And where was that?**
 15 A In Queens, New York.
 16 **Q Uh-huh. What -- what school was that**
 17 **at?**
 18 A Franklin K. Lane High School.
 19 **Q Uh-huh. And after graduating from high**
 20 **school, what did you do?**
 21 A I went to work for the First National
 22 City Bank.

Page 11

1 **Q Uh-huh. And where was that located?**
 2 A That was on Wall Street in New York
 3 City.
 4 **Q Uh-huh. And what'd you do for them?**
 5 A I worked in the bond -- bond -- bond
 6 transfer division.
 7 **Q Uh-huh. And what'd you do in the bond**
 8 **transfer division?**
 9 A Just -- we just coordinated when people
 10 sold bonds --
 11 **Q Uh-huh.**
 12 A -- that they sold the right amount to
 13 whoever was buying them --
 14 **Q Uh-huh.**
 15 A -- just make sure the right name's on
 16 the ones who's selling and the right name's on the
 17 one who's buying.
 18 **Q So you did administrative work relating**
 19 **to bond transactions?**
 20 A Yes.
 21 **Q And how long did -- were you at First**
 22 **National?**

Page 12

1 A For one year.
 2 **Q And what'd you do after that?**
 3 A I joined the military --
 4 **Q Uh-huh.**
 5 A -- United States Air Force.
 6 **Q Okay. So you were an enlisted man in**
 7 **the Air Force?**
 8 A Yes.
 9 **Q And what were your duty assignments in**
 10 **the Air Force?**
 11 A I was administration.
 12 **Q Uh-huh. And where did that take you?**
 13 A Well, from basic I went to -- from
 14 Texas I went to -- first I went to office machine
 15 repair --
 16 **Q Uh-huh.**
 17 A -- at -- in Petersburg, Virginia, Fort
 18 Lee --
 19 **Q Uh-huh.**
 20 A -- for six months.
 21 **Q Where'd you do basic, at Lackland or --**
 22 A I went to Lackland, yes.

Page 13

1 **Q Uh-huh. Okay.**
 2 A Then I went to Fort Lee for six
 3 months --
 4 **Q Uh-huh.**
 5 A -- then from Fort Lee I went to
 6 Barksdale Air Force Base --
 7 **Q Uh-huh.**
 8 A -- and I was working in the office
 9 machine repair section. And they phased that out
 10 of the Air Force, so I had to cross-train and go
 11 into another career field, into -- into admin --
 12 **Q Uh-huh.**
 13 A -- so I went to admin field. And from
 14 Barksdale, I went to Thailand for a year.
 15 **Q Hmmm. You mean Bangkok, or where were**
 16 **you?**
 17 A I was at Ubon -- Ubon --
 18 **Q Uh-huh.**
 19 A -- in Thailand.
 20 **Q Uh-huh. And how long were you there?**
 21 A I was there for a year.
 22 **Q Uh-huh.**

Page 14

1 A Then I went back to Barksdale in '72,
 2 and I left Barksdale in '70 -- no, in '73 I went
 3 to Barksdale, back in Barksdale --
 4 **Q Uh-huh.**
 5 A -- and I left Barksdale in '80 -- in
 6 '78 and went to Langley Air Force Base in
 7 Virginia.
 8 **Q Uh-huh.**
 9 A And from Langley Air Force Base, in
 10 1983 I went to Yokota, Japan.
 11 **Q Oh, really? And what'd you do there?**
 12 A I was still in admin.
 13 **Q Uh-huh.**
 14 A And from -- all my -- all my duties was
 15 in admin.
 16 **Q Uh-huh.**
 17 A And from '86, I left Ubon -- left
 18 Yokota and came to the Pentagon.
 19 **Q Uh-huh.**
 20 A And I stayed into the Pentagon,
 21 retired -- retired from the Air Force in 1991.
 22 **Q Honorable discharge?**

Page 15

1 A Yes, retired.
 2 **Q And what was your rank?**
 3 A E-7.
 4 **Q E-7. And what'd you do for employment,**
 5 **if anything, after retiring in '91?**
 6 A I went to work for the Department of
 7 Defense in 1991.
 8 **Q And what'd you do for DOD?**
 9 A I was working in admin.
 10 **Q Uh-huh.**
 11 A Still working there.
 12 **Q And your same job or same area?**
 13 A Same area, yes.
 14 **Q Uh-huh. And where in DOD do you work?**
 15 A I work for the joint staff.
 16 **Q Uh-huh. And what do you do for the**
 17 **joint staff?**
 18 A Work in the joint operation war plans
 19 division.
 20 **Q Uh-huh. And what do you do for them?**
 21 A Doing administrative work.
 22 **Q Uh-huh. Okay. And when did you come**

Page 16

1 **to Jericho?**
 2 A I came to Jericho in 1988.
 3 **Q Uh-huh. And what had been your prior**
 4 **church?**
 5 A I wasn't really -- I was going -- I was
 6 in the military, and I was just going to a chapel
 7 every now --
 8 **Q Chapel --**
 9 A -- and then.
 10 **Q -- in --**
 11 A Yes.
 12 **Q Uh-huh. And how did you happen to come**
 13 **to Jericho?**
 14 A One of my coworkers in the Pentagon
 15 said that James Cleveland was going to be there.
 16 **Q Uh-huh.**
 17 A So my wife wanted to go see
 18 James Cleveland, so we went to Jericho.
 19 **Q Uh-huh. You talking about the former**
 20 **senator?**
 21 A Pardon?
 22 **Q Which James Cleveland are we talking**

Page 17

1 **about?**
 2 A James Cleveland the singer.
 3 **Q The singer?**
 4 A Yeah.
 5 **Q All right.**
 6 MR. MARKS: Gospel singer.
 7 THE WITNESS: The one that sings God
 8 Has Smiled On You.
 9 BY MR. MALONEY:
 10 **Q Shows you -- shows you how much I'm out**
 11 **of it. What's his best song?**
 12 A Well, that one -- the one -- one I used
 13 to like is God Has Smiled On You.
 14 **Q Okay. Was he there singing?**
 15 A Yes, he was.
 16 **Q How was he?**
 17 A He was good.
 18 **Q And did you become impressed with the**
 19 **congregation?**
 20 A Yes. My wife was a little more
 21 impressed at that time than I was.
 22 **Q Okay. So was she more enthusiastic**

Page 18

1 **about becoming involved at Jericho than you?**
 2 A Yes, she was.
 3 **Q Okay. And this is who's now your late**
 4 **wife?**
 5 A Yes.
 6 **Q And what was her name?**
 7 A Pamela.
 8 **Q Uh-huh. And what year did she pass**
 9 **away?**
 10 A She passed away in 2001.
 11 **Q Did you entrust her homecoming service**
 12 **to Joel?**
 13 A The apostle did it.
 14 **Q Uh-huh. Was Joel involved at all?**
 15 A I know he was there.
 16 **Q Okay. And --**
 17 A I'm not sure what capacity, but he was
 18 there.
 19 **Q Okay. And then -- so you became**
 20 **involved in the church. Did you do any -- other**
 21 **than attending services, did there come a time**
 22 **when you had a little more formal involvement,**

Page 19

1 **either as a volunteer or anything else?**
 2 A Yes, I did.
 3 **Q Tell me about that.**
 4 A When I first joined, after some months
 5 I became a member of the -- I believe I joined the
 6 safety and security team first. I believe that's
 7 the one I joined first.
 8 **Q Uh-huh.**
 9 A I'm not quite sure. And then I joined
 10 the -- the ushers.
 11 **Q Uh-huh. Okay.**
 12 A And then I had to basically resign from
 13 the ushers because I was getting called off the
 14 floor so many times because of doing some security
 15 work.
 16 **Q So you had to choose?**
 17 A So I had to choose, so I chose the
 18 security work over the ushers.
 19 **Q Okay. And when'd you do that?**
 20 A I believe that was probably about 1990.
 21 **Q Uh-huh. Was Clarence Jackson running**
 22 **the security team then?**

Page 20

1 A When I first joined, no, he was not.
 2 **Q Who was running it then?**
 3 A I don't remember his first name, but
 4 his last name was Gant.
 5 **Q Okay. And then after sort of deciding**
 6 **to be on the security team instead of the ushers,**
 7 **what next did you do?**
 8 A The pastor and the bishop asked me to
 9 be on the deacon board.
 10 **Q Uh-huh.**
 11 A And then I became a deacon.
 12 **Q And what bishop was that?**
 13 A The late James R. Peebles, Senior.
 14 **Q Okay. Who is the leader of the deacon**
 15 **board right now?**
 16 A Elder Meadows, who was the leader of
 17 the deacon ministry when I -- when I was
 18 appointed.
 19 **Q Elder Meadows who's sitting right here?**
 20 A Yes.
 21 **Q Okay. He do a good job as leader of**
 22 **the deacon board?**

Page 21

1 A Yes, he does.
 2 **Q Okay. The -- and when did you join the**
 3 **deacon board; what year?**
 4 A I do believe it was 19 -- either late
 5 '90, and somewhere in that time frame, I do
 6 believe. I'm not sure.
 7 **Q Okay. So --**
 8 A That's when they -- that's when they --
 9 they started working with me.
 10 **Q So you're on the security team. You**
 11 **joined the deacon board. Anything else?**
 12 A What time frame we talking about?
 13 **Q Late '90s.**
 14 A Pardon?
 15 **Q '90s.**
 16 A That's all I did during that time
 17 frame.
 18 **Q Okay. Have you ever --**
 19 A Just security and -- just security
 20 and -- and the deacon.
 21 **Q Have you ever, at any time, had any**
 22 **role in the church for which you received**

Page 22

1 **compensation, either a stipend or reimbursement or**
 2 **money or a salary?**
 3 A Around January of '08, the pastor
 4 started giving me \$200 every two weeks for
 5 stipend.
 6 **Q Uh-huh. When you say "pastor," you're**
 7 **talking about the apostle --**
 8 A The apostle.
 9 **Q -- Betty Peebles?**
 10 A Yes.
 11 **Q All right. What did she give you the**
 12 **\$200 stipend for?**
 13 A Well, back in -- back in 19 -- 2000 --
 14 2008 --
 15 **Q Uh-huh.**
 16 A -- she asked me if I would -- she was
 17 having reports done from each auxiliary --
 18 **Q Uh-huh.**
 19 A -- and she wanted me to have -- take a
 20 look at all the reports and report to her on
 21 things that's going on within the ministry.
 22 **Q Uh-huh.**

Page 23

1 A You know, so that's what she was
 2 doing -- she wanted me to do.
 3 **Q And she said she'd give you this \$200**
 4 **every two weeks as a stipend for those reports?**
 5 A That -- yes.
 6 **Q All right. Did you start doing those**
 7 **reports?**
 8 A Yes.
 9 **Q Do you still get the stipend?**
 10 A Yes.
 11 **Q How much of a stipend do you get now?**
 12 A It's the same.
 13 **Q All right. So, since January of '08,**
 14 **you've been getting \$200 every two weeks --**
 15 A Yes.
 16 **Q -- is that right?**
 17 A Yes.
 18 **Q So that's probably about \$5,200 a year;**
 19 **is that right?**
 20 A Yes, somewhere in that -- in that time
 21 frame, yes.
 22 **Q You paid in check or cash?**

Page 24

1 A It's direct deposit.
 2 **Q Direct deposit. You get a W-2 or 1099**
 3 **on that?**
 4 A Yes, I do.
 5 **Q Which -- which of those, W-2 or 1099?**
 6 A Right now I'm getting a W-2, I believe
 7 it is.
 8 **Q Okay. And these reports that you've**
 9 **been asked to write, what are they about?**
 10 **God bless you.**
 11 A They are just whatever is going on
 12 within the ministries.
 13 **Q The various ministries?**
 14 A The various ministries, yes.
 15 **Q So you'd go to each of the ministry**
 16 **teams and say what's going on so I can prepare**
 17 **them in a report?**
 18 A Yes.
 19 **Q And how often do you prepare these**
 20 **reports?**
 21 A Once a month.
 22 **Q And have you been doing that**

Page 25

1 **continuously since January of 2008?**
 2 A I was.
 3 **Q That's up to now?**
 4 A Well, I'm not doing as many now.
 5 **Q When did you stop doing the reports?**
 6 A I think I stopped basically getting
 7 them about midyear of last year --
 8 **Q Uh-huh.**
 9 A -- in that time frame.
 10 **Q And how come --**
 11 A And still -- someone still give me a
 12 few of them, but not too many.
 13 **Q And how come they -- these reports**
 14 **stopped?**
 15 A I really don't know.
 16 **Q Uh-huh. Was it because Betty Pot --**
 17 **Peebles was not involved anymore?**
 18 A That might be some of the reason. I'm
 19 not quite sure.
 20 **Q Okay. Did you do anything or anyone**
 21 **else do anything to try to get these reports back**
 22 **going?**

<p style="text-align: right;">Page 26</p> <p>1 A No.</p> <p>2 Q All right. Was it after or before</p> <p>3 Apostle Peebles' death that the reports stopped?</p> <p>4 A Yeah, I'm getting the same amount now</p> <p>5 as I was getting then.</p> <p>6 Q Uh-huh. Which was to say how many?</p> <p>7 A Maybe -- I'm getting about maybe three</p> <p>8 now.</p> <p>9 Q And what were you getting when you</p> <p>10 started doing this in January of '08?</p> <p>11 A Back then, it was probably -- some</p> <p>12 months I would get 10 to 15; some months I would</p> <p>13 get 8, 9, 10. It -- it fluctuates --</p> <p>14 Q And when did --</p> <p>15 A -- because --</p> <p>16 Q -- those --</p> <p>17 A -- the people -- you know, it depend on</p> <p>18 when the teams had -- I mean when the minister had</p> <p>19 meetings.</p> <p>20 Q And when did it go down to three? The</p> <p>21 summer before she died?</p> <p>22 A Yes, somewhere in that time frame.</p>	<p style="text-align: right;">Page 28</p> <p>1 to the ministries and kind of talk to them about</p> <p>2 that.</p> <p>3 Q All right. But do you report to</p> <p>4 anybody --</p> <p>5 A No.</p> <p>6 Q -- now that the apostle is dead?</p> <p>7 So you basically just receive the</p> <p>8 reports; is that right?</p> <p>9 A Yes.</p> <p>10 Q And are you waiting for the day when a</p> <p>11 new pastor is appointed to give those reports to</p> <p>12 that person?</p> <p>13 A Well, let me back up. We do kind of</p> <p>14 discuss some of the meetings -- if there's</p> <p>15 something in particular that really needs to be</p> <p>16 do -- dealt with --</p> <p>17 Q Uh-huh.</p> <p>18 A -- we do do it in the board meeting.</p> <p>19 Q You mean the board of trustees?</p> <p>20 A Yes.</p> <p>21 Q Okay. The three reports that you get</p> <p>22 each among month, so when -- which ministries are</p>
<p style="text-align: right;">Page 27</p> <p>1 Q All right. And let me understand your</p> <p>2 role. Did you, yourself, prepare any reports or</p> <p>3 did you just collect reports that were written by</p> <p>4 the ministries?</p> <p>5 A Pardon?</p> <p>6 Q Did you, yourself, collect -- prepare</p> <p>7 any documents or reports, or were you just</p> <p>8 collecting the reports that were prepared by the</p> <p>9 other ministries?</p> <p>10 A I made a report based on some -- if</p> <p>11 it's some significant information that they need</p> <p>12 to be passed on, I took that information and</p> <p>13 passed it on.</p> <p>14 Q I mean, you -- and I'm not sure I</p> <p>15 understand. Did you turn over to the apostle</p> <p>16 these reports that they gave you, or did you just</p> <p>17 summarize them?</p> <p>18 A I summarize them.</p> <p>19 Q Okay. And now that the reports have</p> <p>20 dwindled off to about three a week, do you still</p> <p>21 summarize them?</p> <p>22 A I take a look at them and then I do go</p>	<p style="text-align: right;">Page 29</p> <p>1 the ones that are still giving them to you?</p> <p>2 A I get the bus ministry; I get the --</p> <p>3 only got two, matter of fact, only got two; bus</p> <p>4 ministry and aud -- the audio and video -- aud --</p> <p>5 the video, not the audio, the video.</p> <p>6 Q Okay. Bus ministry, video and what</p> <p>7 else?</p> <p>8 A And that's it. I was just -- just</p> <p>9 getting the two.</p> <p>10 Q Just two. Now, when you get the bus</p> <p>11 ministry report and the video report, what do you</p> <p>12 do with them?</p> <p>13 A I look to see what significant is on</p> <p>14 there and what action that may need to be taken.</p> <p>15 Q Uh-huh. And they give them to you once</p> <p>16 a month?</p> <p>17 A Once a month.</p> <p>18 Q Anything in the last few months you can</p> <p>19 think of of any significant action that you've had</p> <p>20 to take because of the bus ministry or the video</p> <p>21 ministry?</p> <p>22 A No.</p>

Page 30

1 **Q All right. And then you just put them**
 2 **in a file or something?**
 3 A Yes.
 4 **Q All right. You're still getting the**
 5 **\$4,800 for all this?**
 6 A The --
 7 **Q \$200 every two weeks?**
 8 A Yes, I do.
 9 **Q All right. Do you think -- why are you**
 10 **still getting the \$200 every two weeks if you're**
 11 **not really getting many reports or -- or doing**
 12 **anything with them anymore.**
 13 A I hadn't really thought about that.
 14 **Q Did you ever say to the board or**
 15 **anybody else, look, we're not really doing these**
 16 **reports anymore, so maybe I shouldn't be making**
 17 **\$5,000 a year for anything like that?**
 18 A I would probably -- I may look at that,
 19 probably would discuss that.
 20 **Q Has it ever been discussed at the board**
 21 **of trustees, of which you are purportedly a**
 22 **member, that you shouldn't be receiving the \$5,000**

Page 31

1 **if this report function isn't really going or**
 2 **continuing at this point?**
 3 A Well, we, as the board, have not
 4 discussed that.
 5 **Q Okay. That's what I'm asking you.**
 6 **It's never been brought up at the board, has it?**
 7 A No, it hasn't been brought up.
 8 **Q All right. Who writes you this check**
 9 **every two weeks; is it direct deposit?**
 10 A Yes.
 11 **Q All right. And what bank do you keep**
 12 **your -- this -- these funds in?**
 13 A It's my own personal bank -- bank.
 14 **Q Yeah, but which account? That's all**
 15 **I'm asking. Which --**
 16 A Bank of America.
 17 **Q Bank of America. Okay.**
 18 **And at the end of the year, you still**
 19 **get the W-2 or the 1099?**
 20 A Yes, I do.
 21 **Q Okay. The -- have you ever asked for a**
 22 **raise for the stipend?**

Page 32

1 A No.
 2 **Q All right. Now that everybody else is**
 3 **getting a raise?**
 4 A I'm not concerned about everyone else.
 5 **Q All right. I understand that. You're**
 6 **just concerned about what's right; right?**
 7 A Yes. I don't worry about that. You
 8 know, that's what the pastor gave me, and I was
 9 satisfied with that.
 10 **Q Okay.**
 11 A The apostle.
 12 **Q And --**
 13 A The apostle.
 14 **Q The apostle. Have you ever given any**
 15 **of these reports to the assistant pastor,**
 16 **Joel Peebles?**
 17 A No, I have not.
 18 **Q How come?**
 19 A He was not in the chain. She asked --
 20 pastor asked to give it to her.
 21 **Q All right. But she's -- she's gone on**
 22 **to her reward now; right?**

Page 33

1 A Yes.
 2 **Q All right. Now that she's gone, why**
 3 **not give it to the assistant pastor?**
 4 A Because I'm dealing with the board.
 5 **Q All right. So has the board told you**
 6 **not to give it to Joel Peebles, Senior?**
 7 A We haven't discussed it who would give
 8 the board -- give it to.
 9 **Q Okay. The -- with respect to -- is**
 10 **everybody on the board getting some money now?**
 11 A I'm not familiar with who's getting
 12 what.
 13 **Q All right. Well, you don't know which**
 14 **of your fellow board members -- as part of your**
 15 **responsibilities on the purported board, you don't**
 16 **know which directors are compensated for other**
 17 **duties and which are not?**
 18 A I know the majority of -- of -- of --
 19 are employees.
 20 **Q Uh-huh.**
 21 A But the ones that is not, I'm not sure.
 22 **Q Well, now it sounds like at least four**

Page 34

1 **of you are compensated; right?**
 2 A Well, maybe I need -- we need to look
 3 and see whoever -- whoever -- ever is on the --
 4 whoever is getting, altogether, throughout the
 5 ministry --
 6 **Q Right.**
 7 A -- not only the board. I think that's
 8 something we may need to look at.
 9 **Q I agree with that. Why would that be a**
 10 **good idea?**
 11 A So we can see where -- where our
 12 money -- all our money is going, look exactly
 13 who's getting what.
 14 **Q Have you ever, as a board member, ever**
 15 **made any effort to raise that or get it going?**
 16 A No.
 17 **Q Has anyone else, to your knowledge?**
 18 A We have not started a lot of things.
 19 We haven't started that yet.
 20 **Q So how many disinterested directors we**
 21 **have -- do we have on the purported board? And by**
 22 **"disinterested," I mean those who do not receive**

Page 35

1 **any sort of financial remuneration (sic) in --**
 2 **from one way or the other from their activities at**
 3 **Jericho?**
 4 A Excuse me. Could you repeat the
 5 question?
 6 **Q How many disinterested directors do we**
 7 **have at Jericho now? By that, I mean directors**
 8 **who are not receiving any form of remuneration**
 9 **(sic) from any activity at Jericho.**
 10 A I'm not aware.
 11 **Q Okay. The -- now, come about -- your**
 12 **activities have been security, late '90s; after**
 13 **that -- before -- and before -- from the late '90s**
 14 **to 2008 when the apostle asked you to do these**
 15 **reports, did you undertake any other activities?**
 16 A I don't believe so. I think just
 17 security and the ushers is all the --
 18 **Q Okay. Did you remarry at some point?**
 19 A Yes, I did.
 20 **Q And who did you remarry?**
 21 A Geneva -- or -- at the -- at that time
 22 her name was Menefee.

Page 36

1 **Q Uh-huh. Is she a member of the**
 2 **congregation?**
 3 A Yes, she is.
 4 **Q Is she still your wife?**
 5 A Yes, she is.
 6 **Q And who did you ask to perform that**
 7 **ceremony?**
 8 A Elder Joel actually performed that
 9 ceremony.
 10 **Q All right. Did you ask him to do that?**
 11 A I do believe I did.
 12 **Q And did he do a good job?**
 13 A Yes, he did.
 14 **Q All right. Did you have confidence in**
 15 **him to perform the ceremony?**
 16 A Pardon?
 17 **Q Did you have confidence in him to**
 18 **perform the ceremony well?**
 19 A Yes.
 20 **Q All right. I'm going to ask you a**
 21 **question that gets all husbands in trouble.**
 22 **What was the date of your marriage to**

Page 37

1 **Geneva?**
 2 A August 3rd, 2003.
 3 **Q All right. You did better than most.**
 4 A I know where I got to go home and sleep
 5 at.
 6 **Q All right. Did there come a time**
 7 **when -- did you become close to the apostle?**
 8 A I cannot say that I did.
 9 **Q Uh-huh.**
 10 A My -- I -- I -- I was not what you
 11 might say personal into the business --
 12 **Q Uh-huh.**
 13 A -- in -- into her personal business.
 14 **Q Uh-huh.**
 15 A I was strictly Sunday.
 16 **Q Uh-huh.**
 17 A Sunday morning I -- I help her come in,
 18 do everything she needs to do --
 19 **Q Uh-huh.**
 20 A -- and help her get back out.
 21 **Q Uh-huh.**
 22 A And other than that, I -- I was not

Page 38

1 into -- involved into anything else.

2 **Q Did your security duties permit you to**

3 **attend a service of the congregation or did you**

4 **just mostly have to work security?**

5 A I was at the ceremonies -- I mean, at

6 the -- at services.

7 **Q Okay. So you were able to sit and hear**

8 **the service?**

9 A Basically every Sunday I sit down and

10 watch and listen at the service.

11 **Q What service do you attend?**

12 A Eleven o'clock.

13 **Q And has that been your practice since**

14 **you joined the church?**

15 A Yes.

16 **Q How are things going at the**

17 **eleven o'clock?**

18 A Right now?

19 **Q Uh-huh.**

20 A It's -- it's basically up and down.

21 **Q Up and down? Uh-huh. And give me a**

22 **little history of the eight o'clock, when - or the**

Page 39

1 **eleven o'clock, rather. When you started going,**

2 **who was the first pastor that you had there?**

3 A When I started back in 1988, it was a

4 pastor -- the apostle and the bishop.

5 **Q Uh-huh.**

6 A Let me -- let me -- let me go back.

7 Back then when I first started, it was

8 Pastor James R. Peebles, Senior --

9 **Q Right.**

10 A -- and Pastor Betty Peebles.

11 **Q Uh-huh. And how were they as**

12 **preachers?**

13 A And they were -- they were doing

14 eleven o'clock and el -- and, let's see -- we call

15 him Jamie, was doing eight o'clock.

16 **Q Uh-huh. Jamie being Joel's brother?**

17 A Joel -- yes, James R. Peebles, Junior,

18 yes.

19 **Q Okay. And then how long did that**

20 **arrangement continue?**

21 A Well, that arrangement continued until

22 their passing.

Page 40

1 **Q Uh-huh.**

2 A The apostle's -- not apostle, but the

3 bishop and -- and Jamie.

4 **Q Okay. Now, there come a time in 2003**

5 **that the apostle, Betty Peebles, became ill?**

6 A Yes.

7 **Q Uh-huh. Tell me about that.**

8 A Well, she became ill -- in fact, it was

9 couple of -- about a month or so after my

10 marriage.

11 **Q Uh-huh.**

12 A She became ill.

13 **Q Okay. And was it announced to the**

14 **congregation that she became ill?**

15 A Yes, the congregation knew that she was

16 ill.

17 **Q All right. So there was transparency;**

18 **everybody was told that she's sick --**

19 **A Yes.**

20 **Q -- and was asked to pray for her;**

21 **right?**

22 **A Yes.**

Page 41

1 **Q All right. Who took over the preaching**

2 **for the apostle when she became ill?**

3 A Well, Elder Joel did preaching, but a

4 lot of times we didn't have preaching. We did

5 more or less maybe a praise service or something

6 along that line other than the preaching.

7 **Q Uh-huh. Uh-huh. But Elder Joel would**

8 **do it from time to time --**

9 **A Yes.**

10 **Q -- and sometimes there'd be a praise**

11 **service?**

12 **A Yes.**

13 **Q And how long was the apostle, Betty**

14 **Peebles, out in 2003 for her illness?**

15 A I don't really recall.

16 **Q All right. Was it better part of a**

17 **year?**

18 A I don't believe it was a year.

19 **Q All right. What do you think, it was,**

20 **like, half a year?**

21 A It may be six months, but I -- and,

22 once again, I'm not quite sure how long it was.

Page 42

1 **Q All right. And during the time from**
 2 **the time you joined the church up until now, have**
 3 **you become close friends with any members of the**
 4 **purported board of trustees?**
 5 A And what do you mean "close friends"?
 6 **Q I mean developed a friendship with**
 7 **them.**
 8 A Yes, I have.
 9 **Q And who is that?**
 10 A I developed a con -- friendship with --
 11 with Jackson, Denise and everybody --
 12 **Q Okay.**
 13 A -- on the board.
 14 **Q All right. And did there come a time**
 15 **that Betty Peebles came back after that?**
 16 A Back after when?
 17 **Q After her 2003 illness?**
 18 A Yes, she did.
 19 **Q Okay. And she resumed preaching?**
 20 A Yes, she did start preaching.
 21 **Q All right. Now, you were asked to join**
 22 **the board at some time in 2009; is that correct?**

Page 43

1 A Yes.
 2 **Q All right. And tell me how that came**
 3 **about.**
 4 A It was sometime -- I'm not quite sure
 5 when it was -- she's -- one Sunday was -- I was
 6 taking her upstairs, and she said, I am thinking
 7 about putting you on the board.
 8 **Q Uh-huh.**
 9 A And that was the end of that story.
 10 **Q That was what?**
 11 A That was the end of the story, you
 12 know. She said she was thinking about putting me
 13 on there and, you know -- and -- and nothing else
 14 was said.
 15 **Q And when was that?**
 16 A I'm not quite sure when it was.
 17 **Q Uh-huh.**
 18 A You know, it -- you know, 'cause I -- I
 19 just don't know, but she said that. And on Monday
 20 nights, I usually be at church every Monday night.
 21 And I believe it was at one Monday night the
 22 pas -- Denise say the pastor wants you in a

Page 44

1 meeting on Thursday afternoon.
 2 **Q Uh-huh.**
 3 A So when I came -- got there, she said
 4 that she was wanting me on -- be on the board.
 5 **Q And that was it?**
 6 A Yes.
 7 **Q Okay. And when you say "Denise,"**
 8 **you're referring to Denise Killen?**
 9 A Denise Killen.
 10 **Q Okay. How did you know Denise?**
 11 A Pardon?
 12 **Q How did you know Denise prior to that**
 13 **time?**
 14 A Well, she's been working in the
 15 office --
 16 **Q Right.**
 17 A -- since I -- since a lot of times,
 18 since -- years.
 19 **Q Did you ever sign any papers to get on**
 20 **the board?**
 21 A Yes, on that date I did.
 22 **Q Uh-huh. What'd you sign that you can**

Page 45

1 **recall?**
 2 A You know, I'm thinking now. I don't
 3 know if I signed any papers that day or not.
 4 **Q Okay. Now, prior to the time that you**
 5 **believe you joined the board, had you ever been**
 6 **aware that there was a board of trustees?**
 7 A I was -- heard the pastor mention a
 8 board.
 9 **Q Uh-huh.**
 10 A From time to time she'd mention a
 11 board.
 12 **Q Did you ever know who served on the**
 13 **board?**
 14 A The only names I can ever remember was
 15 Elder Meadows and Ker -- and Kernane (phonetics).
 16 That's -- that's Ann Wesley.
 17 **Q All right.**
 18 A Those are the only ones I can ever
 19 recall her saying being on the board.
 20 **Q And you just heard that from the**
 21 **apostle; is --**
 22 A Yes.

Page 46

1 **Q -- that right?**
 2 **Did you ever see any documents about**
 3 **the board before you joined the board?**
 4 A Before I joined the board, I had not
 5 seen any documents.
 6 **Q All right. And you never attended a**
 7 **board meeting or anything like that?**
 8 A No.
 9 **Q Were you ever aware of there being**
 10 **board meetings prior to the time you joined the**
 11 **board?**
 12 A I'm not aware of any.
 13 **Q Okay. So you went ahead and you joined**
 14 **the board, and then what happened?**
 15 A What happened?
 16 **Q Yes. In other words, did you go to a**
 17 **meeting --**
 18 A That night; we did have a meeting that
 19 night.
 20 **Q The first meeting of the board that**
 21 **very night?**
 22 A Yes, we had a meeting that night.

Page 47

1 **Q So let me understand how this whole**
 2 **sequence occurred.**
 3 **On Monday, the pastor -- the apostle**
 4 **told you she wants you to be on the board;**
 5 **correct?**
 6 A Well, that Monday, Denise asked me --
 7 told me the pastor wanted her -- me to be at her
 8 office on Wednesday -- on Thursday, rather.
 9 **Q On Thursday?**
 10 A Yes.
 11 **Q Okay.**
 12 A She did not indicate as to why.
 13 **Q Okay. So you had no idea that you were**
 14 **going to have this honor bestowed upon you at that**
 15 **point; correct?**
 16 A No.
 17 **Q Okay. And were you curious?**
 18 A I was curious.
 19 **Q Uh-huh.**
 20 A But it's kind of a known fact that if
 21 the past -- the apostle ask you questions to do
 22 something, gen -- people generally oblige.

Page 48

1 **Q You better do it; right?**
 2 A I wouldn't say you better do it, but
 3 people generally oblige.
 4 **Q People generally complied?**
 5 A Yes.
 6 **Q Okay. And so then on the Thursday you**
 7 **showed up, was this during the day or in the**
 8 **evening?**
 9 A It was in the evening.
 10 **Q Okay. And when you showed up, what**
 11 **happened?**
 12 A She told me -- I walked into the room.
 13 She said that -- told me to have a -- told me to
 14 have a seat.
 15 **Q Uh-huh.**
 16 A Then she told me that I'd been
 17 appointed to the board.
 18 **Q And she say she appointed you?**
 19 A She didn't say she.
 20 **Q Did she say anything about how you got**
 21 **on the board?**
 22 A No, she did not.

Page 49

1 **Q She just said you're appointed to the**
 2 **board; is that --**
 3 A You're on -- we're put -- let me
 4 rephrase it. She said, we're putting you on the
 5 board.
 6 **Q And who else was there in -- in her**
 7 **office at that point?**
 8 A When I walked in, it was Apostle --
 9 **Q Uh-huh.**
 10 A -- Jackson --
 11 **Q Uh-huh.**
 12 A -- Deacon Clarence Jackson --
 13 **Q Uh-huh.**
 14 A -- Gloria McClam MaGruder --
 15 **Q Uh-huh.**
 16 A -- Denise Killen --
 17 **Q Uh-huh.**
 18 A -- Isaac Marks --
 19 **Q Uh-huh.**
 20 A -- and I believe when I walked -- when
 21 I first got there, Dorothy Williams was in there.
 22 **Q Was Joel Peebles there?**

Page 50

1 A No, he was not.
 2 **Q Was William Meadows there?**
 3 A No, he was not.
 4 **Q Was Bobby Henry there?**
 5 A No, he was not.
 6 **Q Had you ever seen any notice of this**
 7 **meeting before showing up?**
 8 A I had not seen anything. All I was
 9 told was be at the meeting.
 10 **Q All right. So you're -- you're told**
 11 **that you'd been appointed to the board, and this**
 12 **group is there when you're told. And what did you**
 13 **say when they told you that?**
 14 A I -- I couldn't believe that I was
 15 actually there --
 16 **Q And why --**
 17 A -- so -- so I just said okay.
 18 **Q And why couldn't you believe you were**
 19 **there?**
 20 A I just didn't -- you know, some things,
 21 when you're actually put into things, you know,
 22 you just don't believe that you are there.

Page 51

1 **Q Uh-huh. And how come you can't believe**
 2 **that?**
 3 A Because to me -- and me, I would not
 4 have been there.
 5 **Q Okay. And why wouldn't you have?**
 6 A Excuse me?
 7 **Q And why wouldn't you have been there?**
 8 A I am one who do not like to be involved
 9 into anything. I just like to be left alone to
 10 work in the background.
 11 **Q To work behind the scenes?**
 12 A Yes.
 13 **Q All right. Were you aware that prior**
 14 **to your, quote, appointment to the board, that**
 15 **Dorothy Williams, Jennie Jackson, Norma Lewis,**
 16 **LaShonda Terrell and Bruce Lashon (sic) had**
 17 **resigned?**
 18 A No, I had not.
 19 **Q Are you aware that LaShonda Terrell and**
 20 **Bruce Landsdowne actually left the congregation?**
 21 A I was aware of that.
 22 **Q Why'd they leave the congregation?**

Page 52

1 A I have no knowledge.
 2 **Q I'll ask you to take a look in your**
 3 **book at tab 26, if you would?**
 4 A Okay.
 5 **Q The -- have you ever seen that document**
 6 **before?**
 7 A Yes, I have seen it before.
 8 **Q When did you see it?**
 9 A I imagine I've seen it that night. I'm
 10 not sure if I saw it that night --
 11 **Q Uh-huh.**
 12 A -- but I know I have seen this before
 13 today.
 14 **Q Were you ever present when there was an**
 15 **election, or ever hear about there being an**
 16 **election, where people actually voted for you to**
 17 **be on the board, other than just signing a**
 18 **document?**
 19 A Repeat your question one more time.
 20 **Q Are you ever aware of there being an**
 21 **election, a meeting, where the people met and**
 22 **voted to put you on the board?**

Page 53

1 A No.
 2 **Q After they -- you were told by the**
 3 **apostle you'd been appointed to the board, what**
 4 **happened next?**
 5 MR. MARKS: Let me object to the
 6 characterization of the question. I think it
 7 mischaracterizes his testimony regarding your
 8 characterization as him being appointed to the
 9 board.
 10 But you may answer if you -- if you
 11 know.
 12 MR. MALONEY: I mean, that's
 13 the vocab -- that's the vocabulary he used.
 14 BY MR. MALONEY:
 15 **Q Go ahead. What happened next?**
 16 A We -- we had a meeting.
 17 **Q Uh-huh. And what'd you discuss at the**
 18 **meeting?**
 19 A One of the things we discussed was that
 20 we needed to start working on the bylaws.
 21 **Q Uh-huh. And was there any discussion**
 22 **what the bylaws should contain at that meeting?**

Page 54

1 A No. She said she would provide 'em --
 2 us -- us a copy at a later date.
 3 **Q And did she do that?**
 4 A Yes, she did.
 5 **Q All right. And what did that -- the**
 6 **copy consist of? What'd it look like, the bylaws?**
 7 **What'd it provide for?**
 8 A Well, I don't have one in front of me
 9 right now, so I can't really discuss what -- don't
 10 know what's actually on there right now.
 11 **Q Other than the bylaws, was anything**
 12 **else discussed that night?**
 13 A We discussed -- we -- we discussed --
 14 we discussed furnishing the parsonage -- her
 15 parsonage up in the --
 16 THE COURT REPORTER: I'm sorry, you
 17 discussed what?
 18 THE WITNESS: Her apartment up in
 19 the -- in the senior citizen's residence. We
 20 discussed fur -- furnishing that.
 21 BY MR. MALONEY:
 22 **Q Anything else?**

Page 55

1 A I'm not quite sure right now what else
 2 we discussed.
 3 **Q And this apartment in the senior**
 4 **citizen's center, was that known as the parsonage?**
 5 A Yes.
 6 **Q And was that going to be a place for**
 7 **her to stay?**
 8 A Yes.
 9 **Q Uh-huh. Did she ever actually live**
 10 **there?**
 11 A No, she did not.
 12 **Q She didn't live to see it?**
 13 A Well, we -- no, she did not.
 14 **Q Well, what happened with the whole**
 15 **parsonage thing?**
 16 A What happened to it now?
 17 **Q Yeah.**
 18 A I'm not quite sure what -- what the
 19 status of it is right now.
 20 **Q Is anybody living in it?**
 21 A I'm not quite sure if there's anyone
 22 living in there now or not.

Page 56

1 **Q Okay. The -- anything else you can**
 2 **recall that took place at that meeting?**
 3 A Right now I can't think of anything
 4 else that took place.
 5 **Q Uh-huh. Did the -- did you ever tell**
 6 **anybody that you had been appointed to the board**
 7 **of trustees?**
 8 A No, I did not.
 9 **Q Uh-huh. So you just kept that quiet?**
 10 A Yes, I did.
 11 **Q How come?**
 12 A Well, it's possible when it was ready
 13 to tell everybody, that she would have been re --
 14 she would have told some people.
 15 **Q Uh-huh.**
 16 A So, therefore, I was allowing her the
 17 opportunity to just -- to discuss it.
 18 **Q Uh-huh. And how did you know that the**
 19 **apostle wanted it kept quiet until she announced**
 20 **it?**
 21 MR. MARKS: Let me object to that
 22 characterization. There is no foundation or

Page 57

1 testimony that the apostle wanted it kept quiet.
 2 BY MR. MALONEY:
 3 **Q Go ahead.**
 4 MR. MARKS: You may answer if you know.
 5 THE WITNESS: I don't know why she
 6 didn't.
 7 BY MR. MALONEY:
 8 **Q Uh-huh.**
 9 A But she just did not dis -- dis --
 10 discuss it.
 11 **Q All right. And you knew that until she**
 12 **discussed it, you were not supposed to?**
 13 A Yes, I knew that much.
 14 **Q And with respect to keeping it quiet,**
 15 **did you tell your wife about it?**
 16 A She knew.
 17 **Q Was she the only person you discussed**
 18 **it with?**
 19 A Yes.
 20 **Q During the rest of the apostle's**
 21 **lifetime, from then until October of 2010,**
 22 **October 12th of 2010 when she passed, did the**

Page 58

1 **apostle ever announce it or let it be known to the**
 2 **congregation that you and the others were on this**
 3 **purported board?**
 4 A To my knowledge, she did not tell
 5 anybody we was on the -- on her board.
 6 **Q All right. So this was pretty much a**
 7 **secret during her lifetime; is this correct?**
 8 MR. MARKS: Objection to that
 9 characterization as a secret.
 10 You may know -- answer if you know.
 11 BY MR. MALONEY:
 12 **Q Go ahead.**
 13 A I know she did not -- to my knowledge,
 14 she did not announce it.
 15 **Q All right. Well, was -- was it ever --**
 16 **was it ever publicly known that you and the others**
 17 **were on the board of trustees prior to her death?**
 18 MR. MARKS: Objection; calls for
 19 speculation.
 20 You may answer if you know, though.
 21 THE WITNESS: To my knowledge, she did
 22 not tell anybody. To my knowledge.

Page 59

1 BY MR. MALONEY:
 2 **Q Uh-huh.**
 3 A To everything I don't know because I
 4 was not --
 5 **Q Uh-huh.**
 6 A -- privy to a lot of things that she --
 7 who she talked to, so I really don't know if she
 8 told anyone or not.
 9 **Q Did you ever disclose to Joel Peebles**
 10 **that you were on the board?**
 11 A I did not disclose to anyone other than
 12 my wife I was on the board.
 13 **Q All right. And what steps did you take**
 14 **to make sure that no one else knew that you were**
 15 **on the board?**
 16 A What steps did I take?
 17 **Q Yeah.**
 18 A I just did not tell anyone.
 19 **Q Okay. And how did it become public,**
 20 **known either to the public or to Joel Peebles,**
 21 **that you and the others were serving on this**
 22 **board?**

Page 60

1 MR. MARKS: Objection; calls for
 2 speculation.
 3 You may answer if you know.
 4 THE WITNESS: I'm not quite sure as to
 5 how he found out.
 6 BY MR. MALONEY:
 7 **Q Uh-huh.**
 8 A I'm not quite sure as to who told him.
 9 **Q You certainly didn't tell him, did ya?**
 10 A No, I did not.
 11 **Q All right. And how did it become**
 12 **public in the congregation, if you know?**
 13 A I don't know if it actually still has
 14 been made public in the cong --
 15 **Q Uh-huh.**
 16 A -- in the congregation.
 17 **Q So you --**
 18 A Underhanded it might have been, but
 19 publicly announced, I don't know if it has been or
 20 not.
 21 **Q Now, after serving on the board --**
 22 **after going to the first meeting of the board,**

Page 61

1 **when did the board meet next, if you know?**
 2 A I'm not sure of what date. I know that
 3 sometime in June we did meet, but I'm not quite
 4 sure of the date.
 5 **Q Was the apostle present then?**
 6 A She was present at one, and she -- and
 7 then there were some that we did over the phone.
 8 **Q Did you start doing them over the phone**
 9 **when she got sick?**
 10 A I don't know what her status was when
 11 she was doing over the phone.
 12 **Q Uh-huh. The -- why did you start doing**
 13 **them over the phone, if you know?**
 14 A Well, she was at home and she wanted to
 15 have a meeting, so we just -- most of us would be
 16 in the office and she would be at home, and we'd
 17 just talk over the phone.
 18 **Q Was the apostle -- the June -- the May**
 19 **and June meetings the only board meetings that you**
 20 **attended where the apostle was present, physically**
 21 **present?**
 22 A I'm not sure.

Page 62

1 **Q When the apostle was on the phone, who**
 2 **actually ran the meeting?**
 3 A She ran the meeting.
 4 **Q On -- from the telephone?**
 5 A Yes, she did.
 6 **Q So no one else chaired the meeting or**
 7 **led the agenda?**
 8 A When the pastor was on the meeting --
 9 **Q Uh-huh.**
 10 A -- she chaired the meeting.
 11 **Q And how about when she wasn't?**
 12 A Pardon?
 13 **Q And how about when she wasn't, when she**
 14 **was not available to be on the phone, who would**
 15 **run the meeting?**
 16 A The vice president.
 17 **Q And who was that?**
 18 A Gloria McClam MaGruder.
 19 **Q Okay. The -- at the second meeting in**
 20 **June, you can't recall anything else that was**
 21 **discussed other than the bylaws?**
 22 A During that time frame, the only thing

Page 63

1 she was focused on was the bylaws.
 2 **Q And what was happening with the bylaws**
 3 **in June?**
 4 A She -- she just was trying to get us to
 5 work on the bylaws.
 6 **Q What was the importance of getting new**
 7 **bylaws, if you know?**
 8 A I have no knowledge. She just said,
 9 let's work on the bylaws.
 10 **Q Okay. And were minutes prepared of**
 11 **these meetings? You ever seen any minutes?**
 12 A There were minutes prepared.
 13 **Q Where are they now?**
 14 A I'm not quite sure where they are.
 15 **Q The board ever vote to approve the**
 16 **minutes?**
 17 A Yes, we did.
 18 **Q And when did that take place?**
 19 A We voted for the -- next meeting --
 20 minutes -- shew. Every month -- every meeting
 21 we'd vote for the -- if they're available, we'll
 22 vote for the previous meeting the minutes of the

Page 64

1 next meeting.
 2 **Q And at the -- after the June meeting,**
 3 **when next, if at all, did the board meet in 2009?**
 4 A I can't say. I -- I -- I really cannot
 5 say.
 6 **Q Did there come a time when the apostle**
 7 **went into the hospital?**
 8 A And?
 9 **Q Did there come a time that the apostle**
 10 **went into the hospital?**
 11 A That's what I was told, she went into
 12 the hospital, yes.
 13 **Q And who told you that?**
 14 A After some time, I'm not quite sure if
 15 it was Clarence or Denise told me that she was in
 16 the hospital.
 17 **Q Well, was it ever announced to the**
 18 **congregation?**
 19 A To my knowledge, it was not.
 20 **Q How come?**
 21 A To my knowledge, what it was told to
 22 me, that the pastor did not want it publicized.

Page 65

1 **Q All right. So unlike 2003, where**
 2 **announcements were made and prayers were offered,**
 3 **you never heard such a thing from the pulpit; is**
 4 **that correct?**
 5 A No, I did not.
 6 **Q Okay. Did you have any opinion as to**
 7 **whether that was appropriate?**
 8 A Well, if -- my opinion was if that's
 9 the wishes of the pastor then -- of the apostle,
 10 then that's the way it would go.
 11 **Q Was the congregation asking questions**
 12 **about this?**
 13 A I don't -- I'm not sure -- I'm not
 14 aware.
 15 **Q All right. Did the -- did the board**
 16 **stop meeting for a period of time in 2009 because**
 17 **of her illness?**
 18 A I'm not -- I'm not sure if we -- I -- I
 19 know we talked, but I'm not sure if that would be
 20 officially made -- called board meetings or not.
 21 **Q Are you aware of any more official**
 22 **board meetings that occurred in 2009 after June?**

Page 66

1 A I know we had some, but I -- actually
 2 when they were, I'm not sure.
 3 **Q Now, you've been present with the**
 4 **testimony that after September or so of 2009, the**
 5 **apostle kept -- stopped coming to the church.**
 6 **Is that your recollection?**
 7 A It was either late October -- late --
 8 late September or early October. I'm not quite
 9 sure either one. During that time frame, yes.
 10 **Q All right. And after that time, she**
 11 **never returned to the church; is that correct?**
 12 A No.
 13 **Q All right. The con -- phone calls that**
 14 **you participated in, was she at home then or do**
 15 **you know?**
 16 A Yes, when I participated, she was at
 17 home.
 18 **Q Did you ever visit her at home**
 19 **yourself?**
 20 A No. But then, again, I never did visit
 21 her at home.
 22 **Q All right. I understand. But you**

Page 67

1 **never had the occasion to visit her at home; is**
 2 **that correct?**
 3 A No.
 4 **Q All right. And in her absence, when**
 5 **she was not at the church and the board is not**
 6 **regularly meeting, who's running the church?**
 7 A The church was running by the people
 8 who the pastor -- the apostle had put in charge to
 9 run it while she was out.
 10 **Q And who were those people; what were**
 11 **their names?**
 12 A It was -- it was Deacon --
 13 Deacon Clarence to run the facilities,
 14 Deacon Dot Williams to run the finances, and
 15 Deacon Denise Killen to run the overall
 16 operation -- to run the operation and
 17 administrative for the church.
 18 **Q Right. And so she just -- did the**
 19 **board approve that, or was that just something the**
 20 **apostle did?**
 21 A Well, what -- when she first went out,
 22 that's what the apostle had left in place.

Page 68

1 **Q Uh-huh. So you just continued what the**
 2 **apostle left?**
 3 A We just left what the apostle left in
 4 place.
 5 **Q All right. And I'm going to throw out**
 6 **a date to you, October 6, 2009. Is that your best**
 7 **recollection of the last time the apostle was at**
 8 **the church to preach?**
 9 A As I stated, either last part of
 10 September or the first part of October. I'm not
 11 quite sure which date that was.
 12 **Q All right. Did you ever see the**
 13 **apostle when she was in the hospital?**
 14 A No.
 15 **Q Were you ever -- did you, yourself,**
 16 **ever ask questions about what was going on?**
 17 A I did ask. They -- and I was told
 18 that, you know, she's resting comfortably, you
 19 know, and everything, just keep lifting prayer.
 20 **Q And who told you that?**
 21 A Clarence would tell me, Denise would
 22 tell me and -- and Dot would tell me.

Page 69

1 **Q And who's the third one?**
 2 A Dorothy Williams.
 3 **Q All right. Were those the three you**
 4 **typically went for information to?**
 5 A Would I go for information?
 6 **Q Yes.**
 7 A Well, those the three that, you know,
 8 that when I'm around, that they would -- they
 9 would come and tell me stuff, certain things, yes.
 10 **Q Now, in 2010 while the pastor was**
 11 **alive, still prior to her death in October --**
 12 **A Uh-huh.**
 13 **Q -- during the first nine months of**
 14 **2010, did the board ever meet?**
 15 A I do believe we did.
 16 **Q When -- and when did the board meet in**
 17 **2010 prior to the apostle's death in October?**
 18 A I do believe we met in August. I do
 19 believe. I'm not sure. I'm not sure.
 20 **Q To the best of your recollection, was**
 21 **the August 2010 meeting the very first meeting**
 22 **that was held in 2010?**

Page 70

1 A As I stated earlier, is that we talked
 2 over the phone quite a bit, so I don't know what
 3 we would consider board meetings and whatever.
 4 **Q Well, were --**
 5 A But --
 6 **Q -- there any --**
 7 A -- I would --
 8 **Q -- formally --**
 9 A -- talk to --
 10 Pardon?
 11 **Q Other than August of 2010, were there**
 12 **any formally called board meetings in 2010 prior**
 13 **to the death of the apostle?**
 14 A I'm not aware of any. It may have
 15 been, but I'm not aware.
 16 **Q These phone conversations that you say**
 17 **happened in 2010, did the apostle participate in**
 18 **those phone calls?**
 19 A No.
 20 **Q Who led the phone calls?**
 21 A It would be the vice president,
 22 Gloria McClam MaGruder.

Page 71

1 **Q All right. And did you, yourself, have**
 2 **any communication with the apostle, either**
 3 **directly or in the presence of others, in 2010**
 4 **prior to her death?**
 5 A No.
 6 **Q All right. So the last time you would**
 7 **have talked to her would have been by phone**
 8 **sometime in the summer of 2009; is that right?**
 9 A Pardon?
 10 **Q The last time you would have heard her**
 11 **voice would have been sometime in the summer of**
 12 **2009; is --**
 13 A No, let me -- let me take that back.
 14 Let me take that back. I think it was in June --
 15 I believe it was in June of 2010.
 16 **Q What happened in June of 2010?**
 17 A She called me.
 18 **Q Uh-huh.**
 19 A And the only thing she said to me was,
 20 work on the bylaws.
 21 **Q Was that just you and her?**
 22 A Yes.

Page 72

1 **Q Were you surprised to get her phone**
 2 **call?**
 3 A Yes. Whenever I got a phone call from
 4 her, I was surprised.
 5 **Q Uh-huh. So it wasn't a regular thing;**
 6 **is that right?**
 7 A No, I didn't have regular conversations
 8 with her.
 9 **Q Uh-huh. And in 2000 -- how did her**
 10 **voice sound in that call in June of 2010?**
 11 A Real strong.
 12 **Q Uh-huh.**
 13 A It's still ringing in my ears.
 14 **Q And did she say anything else to you**
 15 **about the bylaws --**
 16 A No.
 17 **Q -- as to how she wanted them or**
 18 **anything like that?**
 19 A No. She just said, y'all got to work
 20 on the bylaws. Y'all --
 21 **Q Do you --**
 22 A -- got --

Page 73

1 **Q -- know --**
 2 A -- to --
 3 **Q -- why --**
 4 A -- finish --
 5 **Q -- she --**
 6 A -- on the --
 7 THE COURT REPORTER: Wait --
 8 THE WITNESS: -- bylaws.
 9 THE COURT REPORTER: -- wait, wait,
 10 wait.
 11 BY MR. MALONEY:
 12 **Q Go ahead.**
 13 A Only thing she say, y'all have got to
 14 finish those bylaws.
 15 **Q She had no other message for you other**
 16 **than that?**
 17 A None.
 18 **Q Do you know why she chose you out of**
 19 **all the people around her to call and talk about**
 20 **the bylaws?**
 21 A No.
 22 **Q Did you -- were you surprised?**

Page 74

1 A When she called me, I was surprised,
 2 but I'm not sure that she did not call anyone
 3 else, either.
 4 **Q Uh-huh. Other than that call in June**
 5 **of 2010, did you ever hear her voice at any time**
 6 **after the summer of 2009?**
 7 A I don't believe so.
 8 **Q All right. And did you inquire as to**
 9 **her health or how she was doing in that phone call**
 10 **in June of 2010?**
 11 A No.
 12 **Q And with respect to that phone call**
 13 **that you had in June of 2010, how long was the**
 14 **whole call?**
 15 A It was less than a minute.
 16 **Q Okay. And were you at home or where**
 17 **were you when the call came in?**
 18 A I was in the bed, asleep.
 19 **Q And you were woken up by the call?**
 20 A Yes.
 21 **Q Is that a call that you will long**
 22 **remember?**

Page 75

1 A Yes, it is.
 2 **Q And how come?**
 3 A Well, whenever someone called and wakes
 4 you out of the middle of a -- of a sleep --
 5 **Q Uh-huh.**
 6 A -- and give you one word, you remember
 7 that.
 8 **Q And what one word was that?**
 9 A Bylaws.
 10 **Q She called you and just said the word**
 11 **bylaws?**
 12 A You got to do the bylaws.
 13 **Q And is that all she said?**
 14 A We did not talk about anything else.
 15 **Q All right. So she said -- she asked**
 16 **you -- she introduce herself, say hello, this is**
 17 **the apostle?**
 18 A She didn't have to introduce herself.
 19 **Q Because you could tell by her voice?**
 20 A You could tell by her -- by her voice
 21 who it was.
 22 **Q And what actual words came out of her**

Page 76

1 **mouth?**
 2 A She said, Bosie -- that's what she
 3 called me --
 4 **Q Uh-huh.**
 5 A -- y'all got to work on them by --
 6 y'all got to finish them bylaws, or words to that
 7 effect.
 8 **Q Okay.**
 9 A And that was the end of the subject.
 10 **Q And what'd you say?**
 11 A Yes, ma'am.
 12 **Q And then what happened after that?**
 13 A That was it.
 14 **Q Then she hung up?**
 15 A I'll -- I'll talk to you later, and
 16 that was the end of the story.
 17 **Q And that was the end of the call; is**
 18 **that right?**
 19 A Yes.
 20 **Q Okay. The -- when -- how did you learn**
 21 **that she died?**
 22 A I was leaving work, and when I walked

Page 77

1 out the building and I cut my phone on, I had a
 2 voicemail from Stewart -- Stewart Killen; that's
 3 Deacon Denise husband. And he -- and he said,
 4 call me. So when I called him, he told me.
 5 **Q Uh-huh. Were you surprised?**
 6 A Yes, I was.
 7 **Q Why were you surprised?**
 8 A Well, whenever anyone that you -- that
 9 you're praying for and you love goes on, you be
 10 surprised.
 11 **Q Uh-huh. Okay. Fair enough. And did**
 12 **you attend her homecoming service?**
 13 A Yes, I did.
 14 **Q Who conducted that?**
 15 A Elder Joel, with some other people.
 16 **Q Who did?**
 17 A Elder Joel.
 18 **Q Elder Joel; is that correct?**
 19 A (Witness nods head.)
 20 **Q Now, were you one of the apostle's**
 21 **confidants, somebody she shared or confided**
 22 **information in?**

Page 78

1 A No.

2 **Q All right. So she never talked to you**

3 **about her son, Joel Peebles, did she?**

4 A No.

5 **Q Never talked to you about his fitness**

6 **for --**

7 A No.

8 **Q -- serving as -- as pastor?**

9 A No.

10 **Q All right.**

11 A As I stated, eleven o'clock, I take her

12 in, watch her. And after, that I'm gone.

13 **Q Uh-huh.**

14 A And, you know, we -- no -- no -- no --

15 no talking about the family or anything. I had --

16 I was, you know, dealing with my own family.

17 **Q Do you have any opinions as to**

18 **Joel Peebles' fitness to be the pastor of Jericho?**

19 A In what state are we referring?

20 **Q Pardon me?**

21 A In what state are we referring?

22 **Q Now.**

Page 79

1 A You talking about ministering?

2 **Q Yes, in the ministry.**

3 A No. I -- you know, when he's fully

4 prepared, you know, I -- you know, I think he --

5 he does a wonderful job.

6 **Q All right. Do you think he's ready to**

7 **be pastor now?**

8 A Well, based on some of the things I've

9 heard secondhand --

10 **Q Uh-huh.**

11 A -- you know, cast doubts. But, you

12 know, as far as firsthand knowledge on a lot of

13 stuff, I'm -- I'm not -- don't have firsthand

14 knowledge.

15 **Q As far as firsthand knowledge what?**

16 A I don't have firsthand knowledge on a

17 lot of stuff.

18 **Q Well, you're a regular attendee at the**

19 **eleven o'clock service; right?**

20 A Yes.

21 **Q Based on what you've seen and heard at**

22 **the eleven o'clock service, do you believe he's**

Page 80

1 **fit to be the pastor of Jericho Baptist?**

2 A At the eleven o'clock service?

3 **Q Yes.**

4 A Pastor, yes.

5 **Q Uh-huh. Something else --**

6 A I have no problem with him pastoring.

7 But, you know, it goes back to as far as when I,

8 you know, I hear -- I'm hearing what is stated --

9 is stated, that the apostle wanted him to have

10 some tutelage.

11 **Q Uh-huh. And who told you that the**

12 **apostle wanted him to have tutelage?**

13 A That's what I've heard. I have not --

14 as I say, I've not seen anything firsthand.

15 **Q Uh-huh. But my question, where have**

16 **you heard that the apostle wanted him to have**

17 **tutelage?**

18 A I've heard it here. I've heard it kind

19 of stated around somewhere, but, you know, just

20 passing I've heard it, but who said it, I can't

21 recall who said it.

22 **Q Who specifically on the purported board**

Page 81

1 **of trustees, if anyone, has said that?**

2 A Pardon?

3 **Q Who specifically on the board of**

4 **trustees has said that, on the purported board?**

5 A I've heard Deacon Jackson say it.

6 **Q That he needs tutelage?**

7 A That -- according to the pastor.

8 **Q Uh-huh. That the apostle said that?**

9 A Excuse me, according to the apostle.

10 **Q Uh-huh. Anything else?**

11 A As I've said, I have not heard that

12 myself.

13 **Q Uh-huh. Anyone else besides**

14 **Deacon Clarence Jackson told you that the apostle**

15 **said that he needed tutelage?**

16 A I've heard, you know, from people

17 walk -- walk around and say that they've heard

18 people say that it's -- it will -- that -- that

19 he's supposed to do that, but, you know, I try not

20 to get caught up into what people are saying.

21 **Q Other than Clarence Jackson, can you**

22 **think of anyone else who has told you that the**

Page 82

1 **apostle said that Joel needed tutelage?**
 2 A Actually said, no.
 3 **Q Okay.**
 4 A I can't think of anyone.
 5 **Q Was suing him a way to give him**
 6 **tutelage?**
 7 A Pardon?
 8 **Q Was suing Joel a way to give him**
 9 **tutelage?**
 10 A That was not to give him tutelage.
 11 **Q What was the purpose of suing him?**
 12 A That was to maintain control of the
 13 church of the -- as the apostle had put us in to
 14 take control of the church.
 15 **Q I see. And do you believe that Joel**
 16 **needs tutelage?**
 17 A I believe everyone need tutelage.
 18 **Q Okay.**
 19 A No one is excluded.
 20 **Q Okay. And with respect to Joel's need**
 21 **for tutelage -- well, strike that.**
 22 **Based on what you have seen and heard**

Page 83

1 **directly at the eleven o'clock service, do you**
 2 **believe that he is preaching appropriately to the**
 3 **congregation? I'm not asking what anybody else**
 4 **has told you, just what you've seen and heard.**
 5 A Sometimes, you know, I -- I don't think
 6 he's actually -- in my opinion, and how I perceive
 7 it --
 8 **Q Uh-huh.**
 9 A -- sometimes I don't know if he's
 10 actually prepared for that day --
 11 **Q Uh-huh.**
 12 A -- you know, but, then again, he could
 13 be prepared and his mind be -- be going somewhere
 14 else --
 15 **Q Uh-huh.**
 16 A -- and sometimes, you know, your
 17 mind -- my mind may be somewhere else. So -- so,
 18 you know, a -- a -- a number of things that
 19 could --
 20 **Q Uh-huh.**
 21 A -- could -- could -- could -- could --
 22 **Q Uh-huh.**

Page 84

1 A -- come into effect there.
 2 **Q But when he's prepared, how is he?**
 3 A Does pretty good. He does good when
 4 he's prepared.
 5 **Q Is he usually prepared?**
 6 A Most of the time, yes.
 7 **Q Okay. And is he prepared and, in your**
 8 **judgment, fit to be involved in the leadership and**
 9 **management of the congregation, separate and apart**
 10 **from preaching?**
 11 A Based on my own knowledge or based on
 12 what I've heard?
 13 **Q Based on your own knowledge.**
 14 A Well, based on my knowledge, I -- I --
 15 my own personal knowledge, yes.
 16 **Q Okay.**
 17 A But based on what I've heard and what
 18 the pastor and some of the things that the pastor
 19 have said and put it in -- you know, the pastor
 20 have stated, make me wonder.
 21 **Q And what things are those that the**
 22 **pastor stated that made you wonder?**

Page 85

1 A That he need the tutelage.
 2 **Q And did you hear -- did you hear the**
 3 **pastor say that firsthand?**
 4 A No, I did not.
 5 **Q So you're getting that through**
 6 **Clarence Jackson; right?**
 7 A I'm getting that from that -- from that
 8 and some other people. I've just heard it as I'm
 9 walking around.
 10 **Q All right. So you've heard that from**
 11 **Clarence Jackson and other people whose names you**
 12 **cannot recall; correct?**
 13 A I don't walk around looking at people
 14 names, sir, on really something --
 15 **Q I under- --**
 16 A -- like --
 17 **Q -- -stand.**
 18 A -- that, you know.
 19 **Q But you're telling us that Clarence**
 20 **Jackson's the only name you can recall of that; is**
 21 **that correct?**
 22 A Right now, yes.

Page 86

1 **Q Okay. Where is the process on picking**
 2 **a new pastor?**
 3 A We're still in the one-year mourning,
 4 and we have not just really gotten down to
 5 discussing how we -- what we plan on doing.
 6 **Q Okay. So the position's not going to**
 7 **be filled till at least October the 12th of 2011;**
 8 **is that right?**
 9 A Yes.
 10 **Q All right. The -- with respect to the**
 11 **financial performance of the congregation,**
 12 **let's -- let's talk about the eleven o'clock**
 13 **service.**
 14 **What have you personally observed being**
 15 **in the eleven o'clock service as far as the**
 16 **attendance since the death of the pastor?**
 17 A Well, we can go back before the death
 18 of the pastor.
 19 **Q Sure. Go ahead.**
 20 A Where attendance had started dropping
 21 off.
 22 **Q Uh-huh. And when was that?**

Page 87

1 A Probably about the first of the year,
 2 somewhere around then.
 3 **Q Well, was there a particular event or**
 4 **milestone that resulted in the attendance dropping**
 5 **off?**
 6 A No.
 7 **Q So why do you -- what do you think --**
 8 **if you know, what precipitated the fall-off in the**
 9 **attendance at the eleven o'clock service?**
 10 A I really do not know, but, you know,
 11 I -- I -- I don't know. I can -- cannot tell why
 12 the attendance started dropping off.
 13 **Q Uh-huh. Was it people falling away**
 14 **from God, or they didn't like the preaching or the**
 15 **economy or what?**
 16 A How I perceive it, in my opinion --
 17 **Q Uh-huh.**
 18 A -- is that after you go to
 19 eleven o'clock and listen to the apostle preach --
 20 **Q Uh-huh.**
 21 A -- anyone else is kind -- is -- was way
 22 fall-off.

Page 88

1 **Q Uh-huh.**
 2 A And people was missing what -- you
 3 know, the people at eleven o'clock was kind of
 4 missing what they were getting from the pastor.
 5 **Q In other words, there's no substitute**
 6 **for the apostle?**
 7 A No.
 8 **Q Well, that's going to be tough shoes to**
 9 **fill, huh?**
 10 A Yes, it is.
 11 **Q How about the eight o'clock? I know**
 12 **you don't go to that, but what have you heard**
 13 **about that?**
 14 A I haven't heard anything, you know.
 15 I -- I go in in the latter part of eight o'clock,
 16 you know --
 17 **Q Uh-huh.**
 18 A -- and get ready for the
 19 eleven o'clock.
 20 **Q Was Pastor Joel pray -- preaching then?**
 21 A Pardon?
 22 **Q Pastor Joel preaching at the**

Page 89

1 **eight o'clock?**
 2 A Yes, he is.
 3 **Q How's he do there?**
 4 A He does pretty good preaching. Good
 5 preacher.
 6 **Q And how's the -- how's the attendance**
 7 **at the eight o'clock?**
 8 A Well, that seemed to be a little down
 9 from where it used to be, also.
 10 **Q Uh-huh. And how's the rev --**
 11 A Uh-huh.
 12 **Q How's the revenue on the Sunday**
 13 **collections doing?**
 14 A Well, I -- I don't know what it is, but
 15 I can only imagine that if the attendance down,
 16 the money is down, also.
 17 **Q When you say you don't know what it is,**
 18 **as a board member, aren't you supposed to know**
 19 **what the -- how the Sunday collections are going?**
 20 A Yes, we do.
 21 **Q Uh-huh. And so as a board member, what**
 22 **information has been provided to you, if any,**

Page 90

1 **about the status of the Sunday collections?**
 2 A We don't get the Sunday collections.
 3 We got the last quarterly --
 4 **Q Uh-huh.**
 5 A -- for the fourth quarter where it
 6 ended in December.
 7 **Q That's -- that's the --**
 8 A No, no, excuse me, third quarter that
 9 ended in --
 10 **Q That's the third quarter from August --**
 11 THE COURT REPORTER: I'm sorry, wait a
 12 minute. That ended in when?
 13 THE WITNESS: In September; end of
 14 September.
 15 BY MR. MALONEY:
 16 **Q That's the third quarter of calendar**
 17 **year 2010; right?**
 18 A Yes.
 19 **Q That's the last financial report that**
 20 **you've gotten; correct?**
 21 A Yes. We haven't -- to my knowledge, we
 22 haven't gotten the last one from the -- the

Page 91

1 accountant.
 2 **Q What's up with all that?**
 3 A Pardon?
 4 **Q What's up with that, not having a**
 5 **report on any financial performance --**
 6 A Well --
 7 **Q -- since quarter three of 2010?**
 8 A Well, they're -- from my understanding,
 9 they're working on some other stuff and they're
 10 supposed to be in momentarily.
 11 **Q Who is "they"?**
 12 A Well, according to what
 13 Dorothy Williams is saying, we should be getting
 14 it soon.
 15 **Q Okay. And with respect to the third**
 16 **quarter of 2010, what did that report consist of?**
 17 A To my knowledge, it consisted of all of
 18 our income and our outgoing -- outgoing.
 19 **Q And what'd it show, if you know?**
 20 A I can't recall what it was showing
 21 there.
 22 **Q Are you worried about the financial**

Page 92

1 **solvency of Jericho?**
 2 A Yes. And everyone else is worried
 3 about that.
 4 **Q Well, do you, yourself, have a plan for**
 5 **it?**
 6 A Yes. Eventually, we were going to
 7 start working with a lot of things, but we haven't
 8 had the opportunity to work on certain things yet.
 9 **Q Well, what are your ideas as to how to**
 10 **deal with this issue?**
 11 A Which issues are -- that --
 12 **Q The --**
 13 A -- (inaudible) --
 14 **Q -- financial --**
 15 A -- from?
 16 **Q -- survival of Jericho.**
 17 A We'll have to really look to see where
 18 we are with a whole lot of things and -- and go
 19 from there.
 20 **Q And has this dispute between the**
 21 **purported board and Joel, has that helped or hurt**
 22 **the church?**

Page 93

1 A The dispute against the board that the
 2 pastor put in -- the apostle put in place and
 3 that -- doesn't -- doesn't -- does -- no matter
 4 how you look at it, it hurts.
 5 **Q Uh-huh. And why is that?**
 6 A Whenever you have any opposition
 7 against anything, you have two forces pulling
 8 against the other, it hurts.
 9 **Q Uh-uh. Where do you think the**
 10 **congregation falls down on all of this?**
 11 A Excuse me?
 12 MR. MARKS: Objection; calls for
 13 speculation.
 14 You may answer if you know.
 15 THE WITNESS: Excuse me?
 16 BY MR. MALONEY:
 17 **Q Where does the congregation stand, if**
 18 **you know, on this whole dispute between Joel and**
 19 **the board?**
 20 A I guess you have some going both ways.
 21 **Q Uh-huh.**
 22 A Just like a tug of war.

Page 94

1 **Q** Uh-huh. And if your board were not in
2 place, if there were a different board that ended
3 the dispute, wouldn't the church be in a better
4 position now?
5 A Excuse me?
6 **Q** If your purported board were not in
7 place --
8 A Uh-huh.
9 **Q** -- in other words, a board that's in a
10 dispute with Joel --
11 A Uh-huh.
12 **Q** -- but another board that was not in a
13 dispute with Joel in -- in place, in other words,
14 one that was working harmoniously with Joel,
15 wouldn't the church be in a better position?
16 A Well, if there was a board, as you --
17 as you stated --
18 **Q** Uh-huh.
19 A -- another board working har --
20 harmoniously with Joel --
21 **Q** Uh-huh.
22 A -- yes, it would be.

Page 95

1 However --
2 **Q** Uh-huh.
3 A -- we've asked Elder Joel on several
4 occasions to come, let's work together, reason
5 together --
6 **Q** Uh-huh.
7 A -- and we haven't gotten there yet.
8 **Q** And by "reason together," what do you
9 mean by that?
10 A Sit down and talk and figure out where
11 we want to go.
12 **Q** And what would be an appropriate
13 solution at that point?
14 A I don't know what the appropriate de --
15 decision would be, but one thing I do know, unless
16 you sit down and talk, you don't go anywhere.
17 **Q** And are you telling me that Pastor Joel
18 has refused to meet?
19 A The last meeting we had, we was trying
20 to work together. He stated, I can't work with
21 y'all; I don't trust you.
22 **Q** Uh-huh.

Page 96

1 A And that's where we ended.
2 **Q** And when was that?
3 A Was that January somewhere -- January,
4 February, somewhere in that time frame? I'm
5 not -- I'm not quite sure when it was.
6 **Q** And directing --
7 A But that was before he came into our
8 meeting that time, so I'm not quite sure when that
9 was.
10 **Q** Showing you what is marked as tab 33 in
11 the book, if you could take a look.
12 Do you recall being -- getting one of
13 these letters inviting you to a formal board
14 meeting or inviting you to come talk with the
15 board on October 16th, 2010 at 9:00 a.m.? Do you
16 recall getting a letter like this?
17 A Yes, I saw this. I got a letter.
18 **Q** Uh-huh. And was Pastor Joel inviting
19 you at that point to come meet with the board?
20 A Come meet with the board?
21 **Q** Yes.
22 A He was coming -- telling us come to

Page 97

1 meet with his purported board.
2 **Q** Uh-huh. Well, and when you got this
3 invitation, did you take him up on it and go meet?
4 A No, I did not.
5 **Q** Uh-huh. And why not?
6 A I come from a school is that I do not
7 walk in somebody else's --
8 **Q** Pardon me?
9 A I do not -- did not want to go into his
10 meeting, let him think his board was a real board.
11 **Q** Okay. In other words, you didn't want
12 to create legitimacy with what you thought was his
13 board; is that correct?
14 A Yes. That's why he didn't come to
15 ours, didn't come to talk to us, either.
16 **Q** Okay. And with respect to the one
17 meeting that you had, was that an unsuccessful
18 meeting?
19 A We've had two meetings.
20 **Q** You've had two meetings.
21 A Yes.
22 **Q** Let's walk through what they are.

Page 98

1 A Okay.

2 **Q When was the first one?**

3 A I believe one was not too long after he

4 had this meeting.

5 **Q Uh-huh. And what do you recall about**

6 **that meeting?**

7 A Well, I think that was a meeting when

8 we went in, it was Elder Joel, Elder Meadows and

9 attorney Henry --

10 **Q Uh-huh.**

11 A -- went in.

12 **Q Uh-huh.**

13 A And it was Deacon Jackson, Deacon Ma --

14 MaGruder, Deacon Killen, myself --

15 THE COURT REPORTER: Wait. Who's after

16 Jackson? Deacon who?

17 THE WITNESS: MaGruder. Deacon Killen,

18 Linda Pyles, Dorothy Williams, Attorney Marks --

19 BY MR. MALONEY:

20 **Q Uh-huh.**

21 A -- and myself.

22 **Q Uh-huh.**

Page 99

1 A We went into --

2 **Q Go ahead.**

3 A We went into the meeting, and as we

4 started talking and trying to talk, then it turned

5 into a argument, basically.

6 **Q Uh-huh.**

7 A Whereas we was -- you know, there was a

8 lot of accusing each other and accusing of this

9 one and accusing of this one and accusing of this

10 one, so we did not get anywhere.

11 **Q Is this after the lawsuit was filed?**

12 A Yes, it was.

13 **Q All right. Pretty soon afterwards?**

14 A It was not too long after this

15 (indicating).

16 **Q That letter right there?**

17 A After -- after this letter here.

18 **Q But that meeting didn't go anywhere?**

19 A No, it did not.

20 **Q All right. And the second meeting --**

21 A So -- so --

22 **Q I'm sorry.**

Page 100

1 A So we had the second meeting --

2 **Q Uh-huh.**

3 A -- into which it was Elder Joel and

4 Elder -- Elder --

5 **Q Meadows?**

6 A Meadows, yes.

7 **Q Uh-huh.**

8 A And the rest of us who I stated

9 before --

10 **Q Uh-huh.**

11 THE WITNESS: You need me to give you

12 the names again?

13 THE COURT REPORTER: No.

14 THE WITNESS: Okay. Without the

15 attorneys.

16 BY MR. MALONEY:

17 **Q Uh-huh. That was smart.**

18 A And we went into -- and we went into

19 the meeting, and, you know, we had, you know -- we

20 had a real -- we had a discussion --

21 **Q Uh-huh.**

22 A -- a real discussion, but we still came

Page 101

1 out, as I told you before, Elder Joel saying he

2 could not work with us because he could not trust

3 us.

4 **Q Uh-huh. And when was that second**

5 **meeting?**

6 A I honestly don't know.

7 **Q Well, was that recently or . . .**

8 A No, it wasn't recently.

9 **Q That was back around at the time of the**

10 **first meeting?**

11 A Yes. It was probably somewhere in --

12 toward -- during January or earlier than that,

13 somewhere in that time frame.

14 **Q All right. Were you present during all**

15 **this nonsense with a locksmith recently in --**

16 A Unfortunately, I was.

17 **Q What do you remember about all that?**

18 A Well, I was sitting in -- in

19 Deacon Denise office when I started hearing a lot

20 of, get your hands off me, don't touch me.

21 **Q Who's that, Clarence Jackson?**

22 A Uh-huh.

<p style="text-align: right;">Page 102</p> <p>1 Q Is that a yes? 2 A Yes, I -- I apologize. Yes. 3 Q Okay. Go ahead. 4 A So I ran out -- ran out there, and I 5 got between him and I don't know who was behind 6 me, which I don't know why I did that. That's -- 7 anyway, you know, I just turned my back to whoever 8 he was against, you know, and trying to get him 9 back out of the way. 10 Q "Him" being Jackson? 11 A De -- Deacon Jackson, yes. 12 Q Okay. 13 A And as I was moving him back -- 14 Q Was he pretty hot? 15 A Well, during that time frame, everybody 16 was hot. 17 Q Okay. 18 A You know, ev -- everybody was up there 19 was hot. 20 Q Okay. 21 A You know. And as I was trying to 22 get -- you know, separate them, I heard Joshua,</p>	<p style="text-align: right;">Page 104</p> <p>1 Q Okay. 2 A You know, 'cause, you know, whenever 3 you have somebody standing like this, you know, 4 you know, only -- only -- best way to do is get 5 somebody -- you know, you -- you don't have to 6 referees -- I should have my stripe jacket and my 7 stripe shirt like the referees, you know, and push 8 them off like that, but I -- I didn't do that, you 9 know, I just kind of had him and I just kind of 10 pushed him -- 11 Q Uh-huh. 12 A -- and I moved him back. 13 Q They ought to give you a bell. 14 A And then -- no, I ain't going to do all 15 that. Then I went -- after that, then I went in 16 and got hold to Joel -- not Joel, Joshua to try to 17 move him all out. 18 Q Uh-huh. Is Joel standing there 19 watching all this? 20 A Pardon? 21 Q Joel just standing there watching all 22 this?</p>
<p style="text-align: right;">Page 103</p> <p>1 his -- his nephew, come out and was saying 2 something, and I said, oh, no. So then I had to 3 leave -- you know, I left Jackson to go get him. 4 Q To get Joshua? 5 A To get Joshua. 6 Q To keep him from going out? 7 A To keep -- you know, to try -- you 8 know, to try to keep that buffer, because I 9 noticed Jackson was kind of -- had kind of cooled 10 down some -- 11 Q Yes, but -- 12 A -- if (inaudible) -- 13 Q -- had -- 14 A -- (inaudible). 15 Q -- Jackson been moving aggressively 16 towards Joel? 17 A No. 18 Q Well, why was it necessary to sort of 19 restrain him? 20 A I was not really restraining him. I 21 was just make -- making sure that he was getting 22 back from where he was with them.</p>	<p style="text-align: right;">Page 105</p> <p>1 A Well, from what I understand, is that 2 everybody was holding both of them. I -- we was 3 trying to hold Josh, and then he was trying to 4 keep -- keep Elder Joel back also. 5 Q Did you actually see that yourself? 6 A Pardon? 7 Q Did you actually see anybody holding 8 Joel back? 9 A I saw someone between Joel -- 10 Elder Joel and Josh. 11 Q Well, my question is, did you see -- 12 A I did not see anybody doing that 13 because I had my back to 'em. 14 Q All right. So you didn't see anybody 15 restraining Joel? 16 A I -- I -- I -- I did not. 17 Q All right. And you didn't see Joel 18 have any physical contact with anybody; is that 19 right? 20 A What contact they may have had before I 21 turned -- before I got there, I -- personally, I 22 did not see it.</p>

27 (Pages 102 to 105)

Page 106

1 **Q I'm just asking what you saw.**
 2 A No, I did not see it.
 3 MR. MALONEY: Okay. I promised
 4 Mr. Marks that we'd get everybody out of here at
 5 five o'clock, and it's now five o'clock, so we'll
 6 suspend till tomorrow at nine o'clock, and if
 7 tomorrow is as nice a day as today, maybe we could
 8 work real hard and get out of here well before
 9 five o'clock.
 10 MR. MARKS: Sounds good.
 11 THE WITNESS: Okay.
 12 MR. MALONEY: Okay? So let's be back
 13 here tomorrow at nine o'clock.
 14 THE VIDEOGRAPHER: Going off the
 15 record. The time is five o'clock p.m.
 16
 17
 18
 19 (Signature having not been waived, the
 20 Videotaped Deposition of CLIFFORD BOSWELL ended at
 21 5:00 p.m.)
 22

Page 107

1 **ACKNOWLEDGMENT OF DEPONENT**
 2 I, Clifford Boswell, do hereby
 3 acknowledge that I have read and examined the
 4 foregoing testimony, and the same is a true,
 5 correct and complete transcription of the
 6 testimony given by me and any corrections appear
 7 on the attached Errata sheet signed by me.
 8
 9
 10
 11 _____
 12 (DATE) (SIGNATURE)
 13
 14
 15 **CERTIFICATE OF NOTARY PUBLIC**
 16 Sworn and subscribed to before me this
 17 _____ day of _____,
 18
 19
 20 _____
 21 NOTARY PUBLIC MY COMMISSION EXPIRES
 22

Page 108

1 **CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC**
 2 I, Dana C. Ryan, Registered Professional
 3 Reporter, Certified Realtime Reporter, the officer
 4 before whom the foregoing proceedings were taken
 5 do hereby certify that the foregoing transcript is
 6 a true and correct record to the best of my
 7 ability of the proceedings; that said proceedings
 8 were taken by me stenographically and thereafter
 9 reduced to typewriting under my supervision; and
 10 that I am neither counsel for, related to, nor
 11 employed by any of the parties to this case and
 12 have no interest, financial or otherwise, in its
 13 outcome.
 14 **IN WITNESS WHEREOF**, I have hereunto set
 15 my hand and affixed my notarial seal this 5th day
 16 of June 2011.
 17 My Commission expires:
 18 May 1, 2013
 19 _____
 20
 21 **NOTARY PUBLIC IN AND FOR THE**
 22 **STATE OF MARYLAND**

Page 109

1 **ERRATA SHEET**
 2 **IN RE: JERICHO BAPTIST CHURCH MINISTRIES, INC.,**
 3 **v. JOEL R. PEEBLES, SR., et al.**
 4 **RETURN BY:** _____
 5 **PAGE LINE CORRECTION AND REASON**
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 21 _____
 22 **(DATE) (SIGNATURE)**

1 ERRATA SHEET

2 IN RE: JERICHO BAPTIST CHURCH MINISTRIES, INC.,

3 v. JOEL R. PEEBLES, SR., et al.

4 RETURN BY: _____

5 PAGE LINE CORRECTION AND REASON

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20 _____

21 _____

22 (DATE) (SIGNATURE)

<p style="text-align: center;">A</p> <p>ability 108:7 able 38:7 about 10:11 16:19 17:1 18:1 19:3,20 21:12 22:7 23:18 24:9 25:7 26:7 27:20 28:1 30:13 32:4,6,7 35:11 40:7,9 43:3,7 43:12 46:2 48:20 52:15 57:15 62:11,13 65:12 68:16 72:15 73:19 75:14 78:3,5 78:15 79:1 86:12 87:1 88:11,13 90:1 91:22 92:3 98:5 101:17 absence 67:4 accommodate 9:12 according 81:7,9 91:12 account 31:14 accountant 91:1 accurate 9:19 accusing 99:8,8,9,9 acknowledge 107:3 ACKNOWLEDGM... 107:1 action 29:14,19 activities 35:2,12,15 activity 35:9 actual 75:22 actually 36:8 50:15,21 51:20 52:16 54:10 55:9 60:13 62:2 66:1 82:2 83:6,10 105:5,7 address 8:18 admin 13:11,13 14:12 14:15 15:9 administration 12:11 administrative 11:18 15:21 67:17 affixed 108:15 after 10:19 12:2 15:5 19:4 20:5 26:2 35:12 40:9 42:15,16,17</p>	<p>53:2 60:21,22 64:2 64:14 65:22 66:4,10 74:6 76:12 78:12 87:18 98:3,15 99:11 99:14,17,17 104:15 afternoon 44:1 afterwards 99:13 again 41:22 66:20 83:12 100:12 against 93:1,7,8 102:8 agenda 62:7 aggressively 103:15 agree 34:9 agreement 2:13 ahead 46:13 53:15 57:3 58:12 73:12 86:19 99:2 102:3 ain't 104:14 Air 12:5,7,10 13:6,10 14:6,9,21 al 1:8,12 6:6,7 109:3 110:3 alive 69:11 Allen 8:17 allowing 56:16 alone 51:9 along 41:6 altogether 34:4 America 31:16,17 among 28:22 amount 11:12 26:4 Ann 45:16 announce 58:1,14 announced 40:13 56:19 60:19 64:17 announcements 65:2 another 13:11 94:12 94:19 answer 53:10 57:4 58:10,20 60:3 93:14 anybody 28:4 30:15 55:20 56:6 58:5,22 83:3 105:7,12,14,18 anymore 25:17 30:12 30:16 anyone 25:20 34:17</p>	<p>55:21 59:8,11,18 74:2 77:8 81:1,13,22 82:4 87:21 anything 9:13 15:5 19:1 21:11 25:20,21 29:18 30:12,17 38:1 46:7 48:20 50:8 51:9 54:11,22 56:1,3 62:20 72:14,18 75:14 78:15 80:14 81:10 88:14 93:7 anyway 102:7 anywhere 95:16 99:10 99:18 apart 84:9 apartment 54:18 55:3 apologize 102:2 apostle 18:13 22:7,8 26:3 27:15 28:6 32:11,13,14 35:14 37:7 39:4 40:2,5 41:2 41:13 45:21 47:3,21 49:8 53:3 56:19 57:1 58:1 61:5,18,20 62:1 64:6,9 65:9 66:5 67:8 67:20,22 68:2,3,7,13 70:13,17 71:2 75:17 80:9,12,16 81:8,9,14 82:1,13 87:19 88:6 93:2 apostle's 40:2 57:20 69:17 77:20 appear 107:6 appointed 20:18 28:11 48:17,18 49:1 50:11 53:3,8 56:6 appointment 51:14 appropriate 65:7 95:12,14 appropriately 83:2 approve 63:15 67:19 area 15:12,13 argument 99:5 around 22:3 69:8 73:19 80:19 81:17 85:9,13 87:2 101:9</p>	<p>arrangement 39:20,21 asked 9:6 20:8 22:16 24:9 31:21 32:19,20 35:14 40:20 42:21 47:6 75:15 95:3 asking 31:5,15 65:11 83:3 106:1 asleep 74:18 assignments 12:9 assistant 32:15 33:3 assume 9:14 attached 107:7 attend 38:3,11 77:12 attendance 86:16,20 87:4,9,12 89:6,15 attended 46:6 61:20 attendee 79:18 attending 18:21 attorney 98:9,18 attorneys 100:15 aud 29:4,4 audio 29:4,5 August 9:21 37:2 69:18,21 70:11 90:10 auxiliary 22:17 available 62:14 63:21 aware 35:10 45:6 46:9 46:12 51:13,19,21 52:20 65:14,21 70:14 70:15 away 18:9,10 87:13 a.m 96:15</p> <hr/> <p style="text-align: center;">B</p> <p>B 5:7 back 14:1,3 22:13,13 25:21 26:11 28:13 37:20 39:3,6,7 42:15 42:16 71:13,14 80:7 86:17 101:9 102:7,9 102:13 103:22 104:12 105:4,8,13 106:12 background 51:10 Bangkok 13:15 bank 10:22 31:11,13 31:13,16,17</p>
---	---	---	--

<p>Baptist 1:4 6:4 80:1 109:2 110:2</p> <p>Barksdale 13:6,14 14:1,2,3,3,5</p> <p>Base 13:6 14:6,9</p> <p>based 27:10 79:8,21 82:22 84:11,11,13,14 84:17</p> <p>basic 12:13,21</p> <p>basically 19:12 25:6 28:7 38:9,20 99:5</p> <p>became 18:19 19:5 20:11 40:5,8,12,14 41:2</p> <p>become 17:18 37:7 42:3 59:19 60:11</p> <p>becoming 18:1</p> <p>bed 74:18</p> <p>before 2:13 9:1 26:2 26:21 35:13,13 46:3 46:4 50:7 52:6,7,12 86:17 96:7 100:9 101:1 105:20,21 106:8 107:16 108:4</p> <p>begins 6:2</p> <p>BEHALF 3:3,14</p> <p>behind 51:11 102:5</p> <p>being 39:16 45:19 46:9 52:15,20 53:8 86:14 96:12 102:10</p> <p>believe 19:5,6,20 21:4 21:6 24:6 35:16 36:11 41:18 43:21 45:5 49:20 50:14,18 50:22 51:1 69:15,18 69:19 71:15 74:7 79:22 82:15,17 83:2 98:3</p> <p>bell 104:13</p> <p>Beltville 3:18</p> <p>besides 81:13</p> <p>best 17:11 68:6 69:20 104:4 108:6</p> <p>bestowed 47:14</p> <p>better 37:3 41:16 48:1 48:2 94:3,15</p>	<p>Betty 22:9 25:16 39:10 40:5 41:13 42:15</p> <p>between 7:18 92:20 93:18 102:5 105:9</p> <p>binder 7:5</p> <p>binders 7:20</p> <p>birth 9:20</p> <p>bishop 20:8,12 39:4 40:3</p> <p>bit 70:2</p> <p>bless 24:10</p> <p>board 20:9,15,22 21:3 21:11 28:18,19 30:14 30:20 31:3,6 33:4,5,8 33:10,14,15 34:7,14 34:21 42:4,13,22 43:7 44:4,20 45:5,6,8 45:11,13,19 46:3,3,4 46:7,10,11,14,20 47:4 48:17,21 49:2,5 50:11 51:14 52:17,22 53:3,9 56:6 58:3,5,17 59:10,12,15,22 60:21 60:22 61:1,19 63:15 64:3 65:15,20,22 67:5,19 69:14,16 70:3,12 80:22 81:3,4 89:18,21 92:21 93:1 93:19 94:1,2,6,9,12 94:16,19 96:13,15,19 96:20 97:1,10,10,13</p> <p>Bobby 50:4</p> <p>bond 11:5,5,5,7,19</p> <p>bonds 11:10</p> <p>book 52:3 96:11</p> <p>born 10:1</p> <p>Bosie 76:2</p> <p>Boswell 1:16 2:1 5:2 6:3 7:2 8:17 106:20 107:2</p> <p>both 93:20 105:2</p> <p>break 9:11</p> <p>briefly 10:11</p> <p>brother 39:16</p> <p>brought 10:7 31:6,7</p> <p>Bruce 51:16,20</p>	<p>buffer 103:8</p> <p>building 77:1</p> <p>bus 29:2,3,6,10,20</p> <p>business 37:11,13</p> <p>buying 11:13,17</p> <p>bylaws 53:20,22 54:6 54:11 62:21 63:1,2,5 63:7,9 71:20 72:15 72:20 73:8,14,20 75:9,11,12 76:6</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>C 1:22 2:13 3:1 4:1,1 5:1 6:1 108:2</p> <p>CAL 1:7 6:9</p> <p>calendar 90:16</p> <p>call 39:14 72:2,3,10 73:19 74:2,4,9,12,14 74:17,19,21 76:17 77:4</p> <p>called 19:13 65:20 70:12 71:17 74:1 75:3,10 76:3 77:4</p> <p>calls 58:18 60:1 66:13 70:18,20 93:12</p> <p>Calverton 3:20</p> <p>came 10:4,6 14:18 16:2 42:15 43:2 44:3 74:17 75:22 96:7 100:22</p> <p>capacity 18:17</p> <p>career 13:11</p> <p>case 1:6 6:8 108:11</p> <p>cash 23:22</p> <p>cast 79:11</p> <p>caught 81:20</p> <p>cause 43:18 104:2</p> <p>Cedarbrook 8:19</p> <p>center 55:4</p> <p>ceremonies 38:5</p> <p>ceremony 36:7,9,15,18</p> <p>certain 69:9 92:8</p> <p>certainly 60:9</p> <p>CERTIFICATE 107:15 108:1</p> <p>Certified 2:14 108:3</p> <p>certify 108:5</p>	<p>chain 32:19</p> <p>chaired 62:6,10</p> <p>chapel 16:6,8</p> <p>characterization 53:6 53:8 56:22 58:9</p> <p>charge 67:8</p> <p>check 23:22 31:8</p> <p>choose 19:16,17</p> <p>chose 19:17 73:18</p> <p>church 1:4 6:4 16:4 18:20 21:22 38:14 42:2 43:20 66:5,11 67:5,6,7,17 68:8 82:13,14 92:22 94:3 94:15 109:2 110:2</p> <p>Circuit 1:1 6:7</p> <p>citizen's 54:19 55:4</p> <p>City 10:2,22 11:3</p> <p>Clarence 4:7 19:21 49:12 64:15 67:13 68:21 81:14,21 85:6 85:11,19 101:21</p> <p>Cleveland 16:15,18,22 17:2</p> <p>Clifford 1:16 2:1 5:2 6:3 7:2 8:17 106:20 107:2</p> <p>close 37:7 42:3,5</p> <p>collect 27:3,6</p> <p>collecting 27:8</p> <p>collections 89:13,19 90:1,2</p> <p>come 10:3 15:22 16:12 18:21 25:10,13 32:18 35:11 37:6,17 40:4 42:14 51:1 56:11 64:6,9,20 69:9 75:2 84:1 95:4 96:14,19 96:20,22 97:6,14,15 103:1</p> <p>comfortably 68:18</p> <p>coming 66:5 96:22</p> <p>Commission 107:21 108:17</p> <p>communication 71:2</p> <p>compensated 33:16</p>
--	---	---	--

<p>34:1 compensation 22:1 complete 107:5 complied 48:4 con 42:10 66:13 concerned 32:4,6 conducted 77:14 confidants 77:21 confided 77:21 confidence 36:14,17 cong 60:14 congregation 17:19 36:2 38:3 40:14,15 51:20,22 58:2 60:12 60:16 64:18 65:11 83:3 84:9 86:11 93:10,17 consider 70:3 consist 54:6 91:16 consisted 91:17 contact 105:18,20 contain 53:22 continue 39:20 continued 39:21 68:1 continuing 31:2 continuously 25:1 control 82:12,14 conversations 70:16 72:7 cooled 103:9 coordinated 11:9 copy 54:2,6 correct 42:22 47:5,15 58:7 65:4 66:11 67:2 77:18 85:12,21 90:20 97:13 107:5 108:6 CORRECTION 109:5 110:5 corrections 107:6 counsel 6:14 8:12 108:10 COUNTER-DEFE... 3:14 COUNTER-PLAIN... 3:4 8:13 County 1:2 6:8</p>	<p>couple 40:9 court 1:1 6:8,20 9:16 54:16 73:7,9 90:11 98:15 100:13 coworkers 16:14 create 97:12 cross-train 13:10 CRR 1:22 curious 47:17,18 cut 77:1</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>D 4:1 6:1 Dana 1:22 2:13 6:21 108:2 date 6:10 9:20 36:22 44:21 54:2 61:2,4 68:6,11 107:12 109:22 110:22 day 28:10 45:3 48:7 83:10 106:7 107:17 108:15 de 95:14 102:11 deacon 20:9,11,14,17 20:22 21:3,11,20 49:12 67:12,13,14,15 77:3 81:5,14 98:13 98:13,14,16,17 101:19 102:11 dead 28:6 deal 92:10 dealing 33:4 78:16 dealt 28:16 death 26:3 58:17 69:11 69:17 70:13 71:4 86:16,17 December 90:6 deciding 20:5 decision 95:15 defendants 1:13 3:3,15 6:17 8:13 Defendants/Counter... 1:9 Defense 15:7 Denise 4:9 42:11 43:22 44:7,8,9,10,12 47:6 49:16 64:15 67:15</p>	<p>68:21 77:3 101:19 Department 15:6 depend 26:17 DEPONENT 107:1 deposit 24:1,2 31:9 deposition 1:16 2:1 6:3 6:12 7:9 9:1 106:20 depositions 9:5 developed 42:6,10 died 26:21 76:21 difference 7:18,19 different 94:2 direct 24:1,2 31:9 directing 96:6 directly 71:3 83:1 directors 33:16 34:20 35:6,7 dis 57:9,9 discharge 14:22 disclose 59:9,11 discuss 28:14 30:19 53:17 54:9 56:17 57:10 discussed 30:20 31:4 33:7 53:19 54:12,13 54:13,14,17,20 55:2 57:12,17 62:21 discussing 86:5 discussion 53:21 100:20,22 disinterested 34:20,22 35:6 dispute 92:20 93:1,18 94:3,10,13 division 11:6,8 15:19 document 52:5,18 documents 27:7 46:2,5 DOD 15:8,14 doing 15:21 19:14 23:2 23:6 24:22 25:4,5 26:10 30:11,15 39:13 39:15 61:8,11,12 74:9 86:5 89:13 105:12 done 22:17 Dorothy 49:21 51:15</p>	<p>69:2 91:13 98:18 Dot 67:14 68:22 doubts 79:11 down 26:20 38:9,20,21 86:4 89:8,15,16 93:10 95:10,16 103:10 Drive 3:18 dropping 86:20 87:4 87:12 duly 7:3 during 21:16 42:1 48:7 57:20 58:7 62:22 66:9 69:13 101:12,14 102:15 duties 14:14 33:17 38:2 duty 12:9 dwindled 27:20</p> <hr/> <p style="text-align: center;">E</p> <hr/> <p>E 3:1,1 4:1,1,1 5:1,7 6:1,1 109:1,1,1 110:1 110:1,1 each 22:17 24:15 28:22 99:8 earlier 70:1 101:12 early 66:8 ears 72:13 economy 87:15 education 10:12 effect 76:7 84:1 effort 34:15 eight 38:22 39:15 88:11,15 89:1,7 either 19:1 21:4 22:1 59:20 66:7,9 68:9 71:2 74:3 97:15 el 39:14 Elder 20:16,19 36:8 41:3,7 45:15 77:15 77:17,18 95:3 98:8,8 100:3,4,4 101:1 105:4,10 election 52:15,16,21 eleven 38:12,17 39:1 39:14 78:11 79:19,22</p>
---	--	---	---

<p>80:2 83:1 86:12,15 87:9,19 88:3,19 else's 97:7 em 54:1 105:13 employed 108:11 employees 33:19 employment 15:4 end 31:18 43:9,11 76:9 76:16,17 90:13 ended 90:6,9,12 94:2 96:1 106:20 enlisted 12:6 enough 77:11 enthusiastic 17:22 entrust 18:11 Errata 107:7 Esquire 3:6,16 et 1:8,12 6:6,7 109:3 110:3 ev 102:18 evening 48:8,9 event 87:3 Eventually 92:6 ever 8:22 21:18,21 30:14,20 31:21 32:14 34:3,14,14 44:19 45:5,12,14,18 46:2,9 50:6 52:5,14,15,20 55:9 56:5 58:1,15,16 59:9 63:11,15 64:17 66:18 68:12,15,16 69:14 74:5 every 16:7 22:4 23:4 23:14 30:7,10 31:9 38:9 43:20 63:20,20 everybody 7:12 32:2 33:10 40:18 42:11 56:13 102:15,18 105:2 106:4 everyone 32:4 82:17 92:2 everything 37:18 59:3 68:19 everything's 8:3 exactly 34:12 EXAMINATION 5:2</p>	<p>8:12 examined 107:3 excluded 82:19 excuse 35:4 51:6 81:9 90:8 93:11,15 94:5 exhibit 7:5 expires 107:21 108:17 E-7 15:3,4</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F 3:6 facilities 67:13 fact 29:3 40:8 47:20 Fair 77:11 falling 87:13 falls 93:10 fall-off 87:8,22 familiar 33:11 family 78:15,16 far 79:12,15 80:7 86:15 February 96:4 fellow 33:14 few 25:12 29:18 field 13:11,13 figure 95:10 file 30:2 filed 99:11 fill 88:9 filled 86:7 finances 67:14 financial 35:1 86:11 90:19 91:5,22 92:14 108:12 fine 8:1 finish 73:4,14 76:6 first 10:21 11:21 12:14 19:4,6,7 20:1,3 39:2 39:7 46:20 49:21 60:22 67:21 68:10 69:13,21 87:1 98:2 101:10 firsthand 79:12,13,15 79:16 80:14 85:3 fit 80:1 84:8 fitness 78:5,18 five 106:5,5,9,15</p>	<p>floor 3:19 19:14 fluctuates 26:13 focused 63:1 follows 7:3 Force 12:5,7,10 13:6 13:10 14:6,9,21 forces 93:7 foregoing 107:4 108:4 108:5 form 35:8 formal 18:22 96:13 formally 70:8,12 former 16:19 Fort 12:17 13:2,5 forward 7:17 found 60:5 foundation 56:22 four 33:22 fourth 90:5 frame 21:5,12,17 23:21 25:9 26:22 62:22 66:9 96:4 101:13 102:15 Franklin 10:18 friends 42:3,5 friendship 42:6,10 from 10:13,19 12:13 12:13 13:5,13 14:9 14:14,17,21 19:12 22:17 35:2,2,9,13 41:8 42:1 45:10,20 57:21 62:4 65:3 72:3 77:2 81:16 84:10 85:7,7,10 87:14 88:4 89:9 90:10,22 91:8 92:15,19 97:6 103:6 103:22 105:1 front 7:5 54:8 full 8:16 fully 79:3 function 31:1 funds 31:12 fur 54:20 furnishing 54:14,20</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G 6:1</p>	<p>Gant 20:4 gave 8:5 27:16 32:8 gen 47:22 generally 47:22 48:3,4 Geneva 35:21 37:1 George's 1:2 6:8 gets 36:21 getting 19:13 23:14 24:6 25:6 26:4,5,7,9 29:9 30:4,10,11 32:3 33:10,11 34:4,13 63:6 85:5,7 88:4 91:13 96:12,16 103:21 Gilmore 3:17 give 7:6 8:16 9:15 22:11 23:3 25:11 28:11 29:15 32:20 33:3,6,7,8 38:21 75:6 82:5,8,10 100:11 104:13 given 32:14 107:6 giving 22:4 29:1 glad 9:9,12 Gloria 1:12 4:8 6:7 49:14 62:18 70:22 go 13:10 16:17 24:15 26:20 27:22 37:4 39:6 46:16 53:15 57:3 58:12 65:10 69:5 73:12 86:17,19 87:18 88:12,15 92:18 95:11,16 97:3,9 99:2 99:18 102:3 103:3 God 17:7,13 24:10 87:14 goes 77:9 80:7 going 7:17 9:3,5,13 16:5,6,15 22:21 24:11,16 25:22 31:1 34:12,15 36:20 38:16 39:1 47:14 55:6 60:22 68:5,16 83:13 86:6 88:8 89:19 92:6 93:20 103:6 104:14 106:14</p>
--	---	--	--

<p>gone 32:21 33:2 78:12 good 17:17 20:21 34:10 36:12 84:3,3 89:4,4 106:10 Gospel 17:6 gotten 86:4 90:20,22 95:7 graduated 10:13 graduating 10:19 Greenbelt 1:17 2:7 3:10 6:13 Greenwald 2:4 3:7 group 50:12 grow 9:22 guess 93:20</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>H 3:16 5:7 109:1 110:1 half 41:20 hand 108:15 hands 101:20 happen 9:4 16:12 happened 46:14,15 48:11 53:4,15 55:14 55:16 70:17 71:16 76:12 happening 63:2 har 94:19 hard 106:8 harmoniously 94:14 94:20 having 7:3 22:17 91:4 106:19 head 77:19 health 74:9 hear 38:7 52:15 74:5 80:8 85:2,2 heard 45:7,20 65:3 71:10 79:9,21 80:13 80:16,18,18,20 81:5 81:11,16,17 82:22 83:4 84:12,17 85:8 85:10 88:12,14 102:22 hearing 80:8 101:19 held 2:2 69:22 hello 75:16</p>	<p>help 37:17,20 helped 92:21 helps 8:2 Henry 50:4 98:9 her 18:6,11 22:20 32:20,22 35:22 37:13 37:17,20 40:20 41:14 42:17 43:6 45:19 47:7,7 49:6 54:14,18 55:7 56:16 58:5,7,17 61:10 65:17 66:18,21 67:1,4 69:11 71:4,7 71:10,21 72:1,4,8,9 73:19 74:5,9 75:19 75:20,20,22 77:12 78:3,11,12 hereunto 108:14 herself 75:16,18 high 10:13,18,19 him 7:5,6 36:10,15,17 39:15 53:8 60:8,9 77:4 80:6,9,12,16 82:5,5,8,10,11 97:3 97:10 102:5,8,10,13 103:3,6,19,20 104:9 104:10,12,17 history 38:22 Hmmm 13:15 hold 104:16 105:3 holding 105:2,7 home 8:18 37:4 61:14 61:16 66:14,17,18,21 67:1 74:16 homecoming 18:11 77:12 honestly 101:6 honor 47:14 Honorable 14:22 hospital 64:7,10,12,16 68:13 hot 102:14,16,19 how's 89:3,6,6,10,12 huh 88:9 hung 76:14 hurt 92:21 hurts 93:4,8</p>	<p>husband 77:3 husbands 36:21</p> <hr/> <p style="text-align: center;">I</p> <hr/> <p>idea 34:10 47:13 ideas 92:9 identical 7:20,20 8:3 identify 6:14 ill 40:5,8,12,14,16 41:2 illness 41:14 42:17 65:17 imagine 52:9 89:15 importance 63:6 important 9:15 impressed 17:18,21 inaudible 92:13 103:12,14 INC 1:5 109:2 110:2 income 91:18 Incorporated 6:5 indicate 47:12 indicating 99:15 information 27:11,12 69:4,5 77:22 89:22 inquire 74:8 installation 10:9 instead 20:6 interest 108:12 introduce 75:16,18 invitation 97:3 inviting 96:13,14,18 involved 18:1,14,20 25:17 38:1 51:8 84:8 involvement 18:22 Isaac 3:16 6:18 49:18 issue 92:10 issues 92:11 Ivy 2:5 3:8 6:13</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>jacket 104:6 Jackson 4:7 7:14 19:21 42:11 49:10,12 51:15 81:5,14,21 85:6,11 98:13,16 101:21 102:10,11 103:3,9,15</p>	<p>Jackson's 85:20 James 16:15,18,22 17:2 20:13 39:8,17 Jamie 39:15,16 40:3 January 22:3 23:13 25:1 26:10 96:3,3 101:12 Japan 14:10 Jennie 51:15 Jericho 1:4 6:4 16:1,2 16:13,18 18:1 35:3,7 35:9 78:18 80:1 92:1 92:16 109:2 110:2 job 1:20 15:12 20:21 36:12 79:5 Joel 1:8 4:5 6:6 18:12 18:14 32:16 33:6 36:8 39:17 41:3,7 49:22 59:9,20 77:15 77:17,18 78:3,18 82:1,8,15 88:20,22 92:21 93:18 94:10,13 94:14,20 95:3,17 96:18 98:8 100:3 101:1 103:16 104:16 104:16,18,21 105:4,8 105:9,10,15,17 109:3 110:3 Joel's 39:16 82:20 join 21:2 42:21 joined 12:3 19:4,5,7,9 20:1 21:11 38:14 42:2 45:5 46:3,4,10 46:13 joint 15:15,17,18 Joseph 2:4 3:7 Josh 105:3,10 Joshua 102:22 103:4,5 104:16 judgment 84:8 June 61:3,18,19 62:20 63:3 64:2 65:22 71:14,15,16 72:10 74:4,10,13 108:16 Junior 39:17 just 8:2 9:9 11:9,9,15</p>
--	---	--	--

<p>16:6 21:19,19 24:11 27:3,7,16 28:7 29:8,8 29:10 30:1 32:6 35:16 38:4 43:19 45:20 49:1 50:17,20 50:22 51:9 52:17 56:9,17 57:9 59:18 61:15,17 63:4,8 67:18,19 68:1,3,19 71:21 72:19 75:10 80:19 83:4 85:8 86:4 93:22 102:7 103:21 104:9,9,21 106:1</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>K 10:18 keep 31:11 68:19 103:6,7,8 105:4,4 keeping 57:14 kept 56:9,19 57:1 66:5 Ker 45:15 Kernane 45:15 Killen 4:9 44:8,9 49:16 67:15 77:2 98:14,17 kind 28:1,13 47:20 80:18 87:21 88:3 103:9,9 104:9,9 knew 40:15 57:11,13 57:16 59:14 know 8:4 9:12 18:15 23:1 25:15 26:17 32:8 33:13,16,18 37:4 43:12,13,18,18 43:19 44:10,12 45:2 45:3,12 50:20,21 52:12 53:11 54:10 56:18 57:4,5 58:10 58:10,13,20 59:3,7 60:3,12,13,19 61:1,2 61:10,13 63:7 65:19 66:1,15 68:18,19 69:7 70:2 73:1,18 78:14,16 79:3,4,4,11 79:12 80:7,8,19 81:16,19 83:5,9,12 83:16,18 84:19 85:18 87:8,10,10,11 88:3</p>	<p>88:11,14,16 89:14,17 89:18 91:19 93:14,18 95:14,15 99:7 100:19 100:19 101:6 102:5,6 102:7,8,18,21,22 103:3,7,8 104:2,2,3,4 104:5,7,9 knowledge 34:17 52:1 58:4,13,21,22 63:8 64:19,21 79:12,14,15 79:16 84:11,13,14,15 90:21 91:17 known 47:20 55:4 58:1 58:16 59:20</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>Laake 2:4 3:7 Lackland 12:21,22 LAD 6:21 Landsdowne 51:20 Lane 2:5 3:8 6:13 8:19 10:18 Langley 14:6,9 Lashon 51:16 LaShonda 51:16,19 last 20:4 25:7 29:18 68:7,9 71:6,10 90:3 90:19,22 95:19 late 18:3 20:13 21:4,13 35:12,13 66:7,7,8 later 54:2 76:15 latter 88:15 Laurel 8:18 law 2:2 lawsuit 99:11 leader 20:14,16,21 leadership 84:8 learn 76:20 least 33:22 86:7 leave 51:22 103:3 leaving 76:22 led 62:7 70:20 Lee 12:18 13:2,5 left 14:2,5,17,17 51:9 51:20 67:22 68:2,3,3 103:3 legitimacy 97:12</p>	<p>less 41:5 74:15 let 9:11 27:1 28:13 39:6,6,6 47:1 49:3 53:5 56:21 58:1 71:13,13,14 97:10 letter 96:16,17 99:16 99:17 letters 96:13 let's 39:14 63:9 86:12 86:12 95:4 97:22 106:12 Lewis 51:15 lifetime 57:21 58:7 lifting 68:19 like 17:13 30:17 33:22 41:20 46:7 51:8,9 54:6 72:18 85:16 87:14 93:22 96:16 104:3,7,8 Linda 98:18 line 41:6 109:5 110:5 listen 38:10 87:19 little 17:20 18:22 38:22 89:8 live 55:9,12 living 55:20,22 located 11:1 locksmith 101:15 long 11:21 13:20 39:19 41:13,22 74:13,21 98:3 99:14 look 22:20 27:22 29:13 30:15,18 34:2,8,12 52:2 54:6 92:17 93:4 96:11 looking 85:13 lot 34:18 41:4 44:17 59:6 79:12,17 92:7 92:18 99:8 101:19 love 77:9</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>Ma 98:13 machine 12:14 13:9 made 27:10 34:15 60:14 65:2,20 84:22 MaGruder 6:7 49:14</p>	<p>62:18 70:22 98:14,17 maintain 82:12 majority 33:18 make 7:11 9:18 11:15 59:14 84:20 103:21 making 30:16 103:21 Maloney 3:6 5:3 6:16 6:16 7:4,10,15,17,22 8:2,6,8,10,15 17:9 53:12,14 54:21 57:2 57:7 58:11 59:1 60:6 73:11 90:15 93:16 98:19 100:16 106:3 106:12 man 12:6 management 84:9 many 19:14 25:4,12 26:6 30:11 34:20 35:6 marked 96:10 Marks 3:16 6:18,18 7:4,8,13,16,21 8:1,4 8:7,9,11 17:6 49:18 53:5 56:21 57:4 58:8 58:18 60:1 93:12 98:18 106:4,10 marriage 36:22 40:10 Maryland 1:2,17 2:7 2:16 3:10,20 6:8,13 10:3,4,6 108:22 matter 6:4 29:3 93:3 may 1:18 6:10 29:14 30:18 34:8 41:21 53:10 57:4 58:10,20 60:3 61:18 70:14 83:17 93:14 105:20 108:18 maybe 26:7,7 30:16 34:2 41:5 106:7 ma'am 76:11 McClam 6:7 49:14 62:18 70:22 McClam-Magruder 1:12 4:8 Meadows 4:6 20:16,19 45:15 50:2 98:8</p>
---	---	--	--

<p>100:5,6 mean 13:15 26:18 27:14 28:19 34:22 35:7 38:5 42:5,6 53:12 95:9 meant 8:7 meet 61:1,3 64:3 69:14 69:16 95:18 96:19,20 97:1,3 meeting 28:18 44:1 46:7,17,18,20,22 50:7,9 52:21 53:16 53:18,22 56:2 60:22 61:15 62:2,3,6,8,10 62:15,19 63:19,20,22 64:1,2 65:16 67:6 69:21,21 95:19 96:8 96:14 97:10,17,18 98:4,6,7 99:3,18,20 100:1,19 101:5,10 meetings 26:19 28:14 46:10 61:19,19 63:11 65:20,22 70:3,12 97:19,20 member 19:5 30:22 34:14 36:1 89:18,21 members 33:14 42:3 Menefee 35:22 mention 45:7,10 Merrill 6:21 message 73:15 met 52:21 69:18 middle 75:4 midyear 25:7 might 25:18 37:11 60:18 Miles 3:17 milestone 87:4 military 10:7,8 12:3 16:6 mind 83:13,17,17 minister 26:18 ministering 79:1 ministries 1:4 6:5 24:12,13,14 27:4,9 28:1,22 109:2 110:2</p>	<p>ministry 20:17 22:21 24:15 29:2,4,6,11,20 29:21 34:5 79:2 minute 74:15 90:12 minutes 63:10,11,12 63:16,20,22 mischaracterizes 53:7 missing 88:2,4 momentarily 91:10 Monday 43:19,20,21 47:3,6 money 22:2 33:10 34:12,12 89:16 month 24:21 28:22 29:16,17 40:9 63:20 months 12:20 13:3 19:4 26:12,12 29:18 41:21 69:13 Montpelier 8:20,21 more 17:20,22 18:22 41:5 52:19 65:21 morning 37:17 most 37:3 61:15 84:6 mostly 38:4 mourning 86:3 mouth 76:1 move 104:17 moved 104:12 moving 102:13 103:15 much 17:10 23:11 57:13 58:6 myself 81:12 98:14,21</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N 3:1 4:1,1,1 5:1,1 6:1 name 8:16 18:6 20:3,4 35:22 85:20 names 45:14 67:11 85:11,14 100:12 name's 11:15,16 National 10:21 11:22 necessary 103:18 need 9:11 27:11 29:14 34:2,2,8 82:17,20 85:1 100:11 needed 53:20 81:15 82:1</p>	<p>needs 28:15 37:18 81:6 82:16 neither 108:10 nephew 103:1 never 31:6 46:6 65:3 66:11,20 67:1 78:2,5 new 10:2,15 11:2 28:11 63:6 86:2 next 20:7 53:4,15 61:1 63:19 64:1,3 nice 106:7 night 43:20,21 46:18 46:19,21,22 52:9,10 54:12 nights 43:20 nine 69:13 106:6,13 nods 77:19 None 5:8 73:17 nonsense 101:15 Norma 51:15 notarial 108:15 Notary 2:15 107:15,21 108:1,21 nothing 43:13 notice 50:6 noticed 103:9 number 6:3,9 83:18 Nylen 3:17</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 4:1 5:1 6:1 oath 9:7 object 53:5 56:21 Objection 58:8,18 60:1 93:12 oblige 47:22 48:3 observed 86:14 occasion 67:1 occasions 95:4 occurred 47:2 65:22 October 57:21,22 66:7 66:8 68:6,10 69:11 69:17 86:7 96:15 off 19:13 27:20 86:21 87:5,12 101:20 104:8 106:14 offered 65:2</p>	<p>office 12:14 13:8 44:15 47:8 49:7 61:16 101:19 officer 108:3 offices 2:2 official 65:21 officially 65:20 often 24:19 oh 14:11 103:2 okay 7:7,16,21,22 8:20 8:22 9:18 10:3,11 12:6 13:1 15:22 17:14,22 18:3,16,19 19:11,19 20:5,14,21 21:2,7,18 24:8 25:20 27:19 28:21 29:6 31:5,17,21 32:10 33:9 35:11,18 38:7 39:19 40:4,13 42:12 42:19 44:7,10 45:4 46:13 47:11,13,17 48:6,10 50:17 51:5 52:4 56:1 59:19 62:19 63:10 65:6 74:16 76:8,20 77:11 82:3,18,20 84:7,16 86:1,6 91:15 97:11 97:16 98:1 100:14 102:3,12,17,20 104:1 106:3,11,12 once 24:21 29:15,17 41:22 one 7:6,7,12,13 8:11 11:17 12:1 16:14 17:7,12,12,12 19:7 35:2 43:5,21 51:8 52:19 53:19 54:8 59:14 61:6 62:6 66:9 69:1 75:6,8 77:20 82:19 90:22 94:14 95:15 96:12 97:16 98:2,3 99:9,9,10 ones 11:16 29:1 33:21 45:18 one-year 86:3 only 7:18 29:3,3 34:7</p>
---	--	--	---

<p>45:14,18 57:17 61:19 62:22 71:19 73:13 85:20 89:15 104:4,4 operation 15:18 67:16 67:16 opinion 65:6,8 83:6 87:16 opinions 78:17 opportunity 56:17 92:8 opposition 93:6 other 9:4 18:20 27:9 33:16 35:2,15 37:22 41:6 46:16 52:17 54:11 59:11 62:21 70:11 73:15,15 74:4 77:15 81:21 85:8,11 88:5 91:9 93:8 94:9 94:13 97:11 99:8 others 58:2,16 59:21 71:3 otherwise 108:12 ought 104:13 out 13:9 17:10 37:20 41:14 60:5 67:9,21 68:5 73:18 75:4,22 77:1 95:10 101:1 102:4,4,9 103:1,6 104:17 106:4,8 outcome 108:13 outgoing 91:18,18 over 19:18 27:15 41:1 61:7,8,11,13,17 70:2 overall 67:15 own 31:13 78:16 84:11 84:13,15 o'clock 38:12,17,22 39:1,14,15 78:11 79:19,22 80:2 83:1 86:12,15 87:9,19 88:3,11,15,19 89:1,7 106:5,5,6,9,13,15 O'Malley 3:17</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P 3:1,1 4:1,1 6:1 PAGE 5:2 109:5 110:5</p>	<p>Pages 1:21 paid 23:22 Pamela 18:7 papers 44:19 45:3 Pardon 16:21 21:14 27:5 36:16 44:11 62:12 70:10 71:9 78:20 81:2 82:7 88:21 91:3 97:8 104:20 105:6 parsonage 54:14,15 55:4,15 part 33:14 41:16 68:9 68:10 88:15 participate 70:17 participated 66:14,16 particular 28:15 87:3 parties 108:11 pas 43:22 pass 18:8 passed 18:10 27:12,13 57:22 passing 39:22 80:20 past 47:21 pastor 20:8 22:3,6 28:11 32:8,15,20 33:3 39:2,4,8,10 43:22 45:7 47:3,7 62:8 64:22 65:9 67:8 69:10 78:8,18 79:7 80:1,4 81:7 84:18,18 84:19,22 85:3 86:2 86:16,18 88:4,20,22 93:2 95:17 96:18 pastoring 80:6 Patrick 4:4 6:12 Pebbles 4:5 Pebbles 1:8 6:6 20:13 22:9 25:17 26:3 32:16 33:6 39:8,10 39:17 40:5 41:14 42:15 49:22 59:9,20 78:3,18 109:3 110:3 Pentagon 10:10 14:18 14:20 16:14 people 11:9 26:17</p>	<p>47:22 48:3,4 52:16 52:21 56:14 67:7,10 73:19 77:15 81:16,18 81:20 85:8,11,13 87:13 88:2,3 perceive 83:6 87:16 perform 36:6,15,18 performance 86:11 91:5 performed 36:8 period 65:16 permit 38:2 person 28:12 57:17 personal 31:13 37:11 37:13 84:15 personally 86:14 105:21 Petersburg 12:17 phased 13:9 phone 61:7,8,11,13,17 62:1,14 66:13 70:2 70:16,18,20 71:7 72:1,3 74:9,12 77:1 phonetics 45:15 physical 105:18 physically 61:20 picking 86:1 place 6:12 55:6 56:2,4 63:18 67:22 68:4 93:2 94:2,7,13 PLAINTIFF 3:14 plaintiffs 1:10 3:5 6:19 8:14 Plaintiff/Counter-D... 1:6 plan 86:5 92:4 plans 15:18 please 6:14,22 point 31:2 35:18 47:15 49:7 95:13 96:19 position 94:4,15 position's 86:6 possible 56:12 Pot 25:16 practice 38:13 praise 41:5,10</p>	<p>pray 40:20 88:20 prayer 68:19 prayers 65:2 praying 77:9 preach 68:8 87:19 preacher 89:5 preachers 39:12 preaching 41:1,3,4,6 42:19 83:2 84:10 87:14 88:20,22 89:4 precipitated 87:8 prepare 24:16,19 27:2 27:6 prepared 27:8 63:10 63:12 79:4 83:10,13 84:2,4,5,7 preparing 9:17 presence 71:3 present 4:3 9:4 52:14 61:5,6,20,21 66:3 101:14 president 62:16 70:21 pretty 58:6 84:3 89:4 99:13 102:14 previous 63:22 Prince 1:2 6:8 prior 16:3 44:12 45:4 46:10 51:13 58:17 69:11,17 70:12 71:4 privy 59:6 probably 19:20 23:18 26:11 30:18,19 87:1 101:11 problem 80:6 proceedings 108:4,7,7 process 86:1 Professional 2:14 108:2 promised 106:3 provide 54:1,7 provided 89:22 public 2:15 59:19,20 60:12,14 107:15,21 108:1,21 publicized 64:22 publicly 58:16 60:19</p>
---	---	--	---

<p>pulling 93:7 pulpit 65:3 purported 33:15 34:21 42:4 58:3 80:22 81:4 92:21 94:6 97:1 purportedly 30:21 purpose 82:11 Pursuant 2:13 push 104:7 pushed 104:10 put 30:1 49:3 50:21 52:22 67:8 82:13 84:19 93:2,2 putting 43:7,12 49:4 Pyles 98:18 P.A 2:4 3:7,17 p.m 1:19 6:11 106:15 106:21</p> <hr/> <p style="text-align: center;">Q</p> <p>quarter 90:5,8,10,16 91:7,16 quarterly 90:3 Queens 10:15 question 35:5 36:21 52:19 53:6 80:15 105:11 questions 9:6,9,14,16 47:21 65:11 68:16 quiet 56:9,19 57:1,14 quite 19:9 25:19 41:22 43:4,16 55:1,18,21 60:4,8 61:3 63:14 64:14 66:8 68:11 70:2 96:5,8 quote 51:14</p> <hr/> <p style="text-align: center;">R</p> <p>R 1:8 3:1 4:1,5 6:1,6 20:13 39:8,17 109:1 109:1,3 110:1,1,3 raise 31:22 32:3 34:15 raised 10:1 ran 62:2,3 102:4,4 rank 15:2 rather 39:1 47:8 re 56:13 109:2 110:2</p>	<p>read 107:3 ready 56:12 79:6 88:18 real 72:11 97:10 100:20,22 106:8 really 14:11 16:5 25:15 28:15 30:11,13 30:15 31:1 41:15 54:9 59:7 64:4 85:14 86:4 87:10 92:17 103:20 Realtime 2:15 108:3 reason 10:5 25:18 95:4 95:8 109:5 110:5 recall 41:15 45:1,19 56:2 62:20 80:21 85:12,20 91:20 96:12 96:16 98:5 receive 28:7 34:22 received 21:22 receiving 30:22 35:8 recently 101:7,8,15 recollection 66:6 68:7 69:20 record 9:18,19 106:15 108:6 reduced 108:9 referees 104:6,7 referring 44:8 78:19 78:21 refused 95:18 regarding 53:7 Registered 2:14 108:2 regular 72:5,7 79:18 regularly 67:6 reimbursement 22:1 related 108:10 relating 11:18 remarry 35:18,20 remember 20:3 45:14 74:22 75:6 101:17 renumeration 35:1,8 repair 12:15 13:9 repeat 35:4 52:19 rephrase 9:10 49:4 report 22:20 24:17</p>	<p>27:10 28:3 29:11,11 31:1 90:19 91:5,16 Reported 1:22 reporter 2:14,15 6:20 6:22 9:16 54:16 73:7 73:9 90:11 98:15 100:13 108:1,3,3 reports 22:17,20 23:4 23:7 24:8,20 25:5,13 25:21 26:3 27:2,3,7,8 27:16,19 28:8,11,21 30:11,16 32:15 35:15 repreaching 42:20 represent 6:15 residence 54:19 resign 19:12 resigned 51:17 respect 33:9 57:14 74:12 82:20 86:10 91:15 97:16 respond 9:6 responses 9:16 responsibilities 33:15 rest 57:20 100:8 resting 68:18 restrain 103:19 restraining 103:20 105:15 resulted 87:4 resumed 42:19 retired 14:21,21 15:1 retiring 15:5 RETURN 109:4 110:4 returned 66:11 rev 89:10 revenue 89:12 reward 32:22 right 8:6,10 9:3,22 10:5 11:12,15,16 17:5 20:15,19 22:11 23:6,13,16,19 24:6 26:2 27:1 28:3,8 30:1 30:4,9 31:8,11 32:2,5 32:6,6,21,22 33:2,5 33:13 34:1,6 36:10 36:14,20 37:3,6</p>	<p>38:18 39:9 40:17,21 41:1,16,19 42:1,14 42:21 43:2 44:16 45:17 46:1,6 48:1 50:10 51:13 54:5,9 54:10 55:1,19 56:3 57:11 58:6,15 59:13 60:11 65:1,15 66:10 66:13,22 67:4,18 68:5,12 69:3 71:1,6,8 72:6 74:8 75:15 76:18 78:2,10 79:6 79:19 85:6,10,22 86:8,10 90:17 99:13 99:16,20 101:14 105:14,17,19 ringing 72:13 role 21:22 27:2 room 48:12 RPR 1:22 Ruffner 4:4 6:12 run 62:15 67:9,13,14 67:15,16 running 19:21 20:2 67:6,7 Ryan 1:22 2:13 6:21 108:2</p> <hr/> <p style="text-align: center;">S</p> <p>S 3:1 4:1 5:1,7 6:1 109:1 110:1 safety 19:6 salary 22:2 same 7:12 15:12,12,13 23:12 26:4 107:4 satisfied 32:9 saw 52:10 96:17 105:9 106:1 saying 45:19 81:20 91:13 101:1 103:1 scenes 51:11 school 10:13,16,18,20 97:6 seal 108:15 seat 48:14 second 62:19 99:20 100:1 101:4</p>
---	---	--	--

<p>secondhand 79:9 secret 58:7,9 section 13:9 security 19:6,14,18,22 20:6 21:10,19,19 35:12,17 38:2,4 see 16:17 29:13 34:3 34:11 39:14 46:2 52:8 55:12 68:12 82:15 92:17 105:5,7 105:11,12,14,17,22 106:2 seemed 89:8 seen 46:5 50:6,8 52:5,7 52:9,12 63:11 79:21 80:14 82:22 83:4 selling 11:16 senator 16:20 senior 6:6 20:13 33:6 39:8 54:19 55:3 separate 84:9 102:22 September 66:4,8 68:10 90:13,14 sequence 47:2 series 9:5 served 45:12 service 18:11 38:3,8,10 38:11 41:5,11 77:12 79:19,22 80:2 83:1 86:13,15 87:9 services 18:21 38:6 serving 59:21 60:21 78:8 set 108:14 several 95:3 shared 77:21 sheet 107:7 shew 63:20 she'd 23:3 45:10 shirt 104:7 shoes 88:8 SHORTHAND 108:1 show 91:19 showed 48:7,10 showing 50:7 91:20 96:10</p>	<p>shows 17:10,10 sic 6:5,6 35:1,9 51:16 sick 40:18 61:9 sign 44:19,22 Signature 106:19 107:12 109:22 110:22 signed 45:3 107:7 significant 27:11 29:13,19 signing 52:17 since 23:13 25:1 38:13 44:17,17,18 86:16 91:7 singer 17:2,3,6 singing 17:14 sings 17:7 sir 8:16,18 9:20 85:14 sit 38:7,9 95:10,16 sitting 20:19 101:18 six 12:20 13:2 41:21 sleep 37:4 75:4 smart 100:17 Smiled 17:8,13 sold 11:10,12 solution 95:13 solvency 92:1 some 19:4,14 25:18 26:11,12 27:10,11 28:14 33:10 35:18 42:22 50:20 56:14 61:7 64:14 66:1 77:15 79:8 80:10 84:18 85:8 91:9 93:20 103:10 somebody 77:21 97:7 104:3,5 someone 25:11 75:3 105:9 something 28:15 30:2 34:8 41:5 47:22 67:19 80:5 85:14 103:2 sometime 43:4 61:3 71:8,11 sometimes 41:10 83:5</p>	<p>83:9,16 somewhere 21:5 23:20 26:22 80:19 83:13,17 87:2 96:3,4 101:11 101:13 son 78:3 song 17:11 soon 91:14 99:13 sorry 54:16 90:11 99:22 sort 20:5 35:1 103:18 sound 72:10 sounds 33:22 106:10 specifically 80:22 81:3 speculation 58:19 60:2 93:13 Sr 1:8 3:16 4:5 109:3 110:3 staff 15:15,17 stand 85:17 93:17 standing 104:3,18,21 start 23:6 42:20 53:20 61:8,12 92:7 started 21:9 22:4 26:10 34:18,19 39:1 39:3,7 86:20 87:12 99:4 101:19 state 2:16 6:15 78:19 78:21 108:22 stated 68:9 70:1 78:11 80:8,9,19 84:20,22 94:17 95:20 100:8 States 12:5 status 55:19 61:10 90:1 stay 55:7 stayed 14:20 stenographically 108:8 steps 59:13,16 Stewart 77:2,2 sticker 7:6,19 sticker's 7:8 still 14:12 15:11 23:9 25:11,11 27:20 29:1 30:4,10 31:18 36:4</p>	<p>60:13 69:11 72:13 86:3 100:22 stipend 22:1,5,12 23:4 23:9,11 31:22 stop 25:5 65:16 stopped 25:6,14 26:3 66:5 story 43:9,11 76:16 Street 11:2 strictly 37:15 strike 82:21 stripe 104:6,7 strong 72:11 stuff 69:9 79:13,17 91:9 subject 76:9 subscribed 107:16 substitute 88:5 suing 82:5,8,11 Suite 2:6 3:9 summarize 27:17,18 27:21 summer 26:21 71:8,11 74:6 Sunday 37:15,17 38:9 43:5 89:12,19 90:1,2 supervision 108:9 supposed 57:12 81:19 89:18 91:10 sure 7:11 11:15 18:17 19:9 21:6 25:19 27:14 33:21 41:22 43:4,16 52:10 55:1 55:18,21 59:14 60:4 60:8 61:2,4,22 63:14 64:14 65:13,18,19 66:2,9 68:11 69:19 69:19 74:2 86:19 96:5,8 103:21 surprised 72:1,4 73:22 74:1 77:5,7,10 survival 92:16 suspend 106:6 swear 6:22 switch 7:6 sworn 7:3 107:16</p>
---	---	--	---

<p style="text-align: center;">T</p> <p>T 4:1 5:1,1,7 109:1,1 110:1,1 tab 52:3 96:10 take 7:7 12:12 22:19 27:22 29:20 52:2 59:13,16 63:18 71:13 71:14 78:11 82:14 96:11 97:3 taken 9:1 29:14 108:4 108:8 taking 6:12 43:6 talk 28:1 61:17 70:9 73:19 75:14 76:15 86:12 95:10,16 96:14 97:15 99:4 talked 59:7 65:19 70:1 71:7 78:2,5 talking 16:19,22 21:12 22:7 78:15 79:1 99:4 tape 6:2 team 19:6,22 20:6 21:10 teams 24:16 26:18 telephone 3:11,21 62:4 tell 10:11 19:3 40:7 43:2 56:5,13 57:15 58:4,22 59:18 60:9 68:21,22,22 69:9 75:19,20 87:11 telling 85:19 95:17 96:22 Terrell 51:16,19 testified 7:3 testimony 53:7 57:1 66:4 107:4,6 Texas 12:14 Thailand 13:14,19 their 35:2 39:22 67:11 thing 55:15 62:22 65:3 71:19 72:5 73:13 95:15 things 22:21 34:18 38:16 50:20,21 53:19 59:6 69:9 79:8 83:18 84:18,21 92:7,8,18</p>	<p>think 25:6 29:19 30:9 34:7 35:16 41:19 53:6 56:3 71:14 79:4 79:6 81:22 82:4 83:5 87:7 93:9 97:10 98:7 thinking 43:6,12 45:2 third 69:1 90:8,10,16 91:15 Third-Party 1:10,13 3:4,15 8:14 though 7:9 58:20 thought 30:13 97:12 three 26:7,20 27:20 28:21 69:3,7 91:7 through 85:5 97:22 throughout 34:4 throw 68:5 Thursday 44:1 47:8,9 48:6 till 86:7 106:6 time 6:11 9:8,11 17:21 18:21 21:5,12,16,21 23:20 25:9 26:22 35:21 37:6 40:4 41:8 41:8 42:1,2,14,22 44:13 45:4,10,10 46:10 52:19 62:22 64:6,9,14 65:16 66:9 66:10 68:7 71:6,10 74:5 84:6 96:4,8 101:9,13 102:15 106:15 times 19:14 41:4 44:17 Timothy 3:6 6:16 today 52:13 106:7 today's 6:3,10 together 95:4,5,8,20 told 33:5 40:18 47:4,7 48:12,13,13,16 50:9 50:10,12,13 53:2 56:14 59:8 60:8 64:11,13,15,21 68:17 68:20 77:4 80:11 81:14,22 83:4 101:1 tomorrow 106:6,7,13 touch 101:20</p>	<p>tough 88:8 toward 101:12 towards 103:16 transactions 11:19 transcript 9:17 108:5 transcription 107:5 transfer 11:6,8 transparency 40:17 trouble 36:21 true 107:4 108:6 trust 95:21 101:2 trustees 28:19 30:21 42:4 45:6 56:7 58:17 81:1,4 try 25:21 81:19 103:7 103:8 104:16 trying 63:4 95:19 99:4 102:8,21 105:3,3 tug 93:22 turn 27:15 turned 99:4 102:7 105:21 tutelage 80:10,12,17 81:6,15 82:1,6,9,10 82:16,17,21 85:1 two 22:4 23:4,14 29:3 29:3,9,10 30:7,10 31:9 93:7 97:19,20 typewriting 108:9 typically 69:4</p> <hr/> <p style="text-align: center;">U</p> <p>U 4:1 Ubon 13:17,17 14:17 Uh-huh 10:8,16,19 11:1,4,7,11,14 12:4 12:12,16,19 13:1,4,7 13:12,18,20,22 14:4 14:8,13,16,19 15:10 15:14,16,20,22 16:3 16:12,16,19 18:8,14 19:8,11,21 20:10 22:6,15,18,22 25:8 25:16 26:6 28:17 29:15 33:20 36:1 37:9,12,14,16,19,21 38:19,21 39:5,11,16</p>	<p>40:1,7,11 41:7,7 43:8 43:17 44:2,22 45:9 47:19 48:15 49:9,11 49:13,15,17,19 51:1 52:11 53:17,21 55:9 56:5,9,15,18 57:8 59:2,5 60:7,15 61:1:12 62:9 68:1 69:12 71:18 72:5,9,12 74:4 75:5 76:4 77:5,11 78:13 79:10 80:5,11 80:15 81:8,10,13 83:8,11,15,20,22 86:22 87:13,17,20 88:1,17 89:10,11,21 90:4 93:5,21 94:1,8 94:11,18,21 95:2,6 95:22 96:18 97:2,5 98:5,10,12,20,22 99:6 100:2,7,10,17 100:21 101:4,22 104:11,18 Uh-uh 93:9 under 9:6 85:15 108:9 Underhanded 60:18 understand 7:10,15 9:8,14 27:1,15 32:5 47:1 66:22 105:1 understanding 91:8 undertake 35:15 Unfortunately 101:16 United 12:5 unless 95:15 unlike 65:1 unsuccessful 97:17 until 39:21 42:2 56:19 57:11,21 upstairs 43:6 use 7:13 used 17:12 53:13 89:9 ushers 19:10,13,18 20:6 35:17 using 7:11 usually 43:20 84:5</p> <hr/> <p style="text-align: center;">V</p> <p>v 109:3 110:3</p>
---	---	---	---

<p>various 24:13,14 verbal 9:15 verse 6:5,6 very 46:21 69:21 vice 62:16 70:21 video 29:4,5,5,6,11,20 videographer 4:4 6:2 6:11,20 106:14 Videotaped 1:16 2:1 106:20 Virginia 10:1 12:17 14:7 visit 66:18,20 67:1 vocab 53:13 vocabulary 53:13 voice 6:14 71:11 72:10 74:5 75:19,20 voicemail 77:2 volunteer 19:1 vote 63:15,21,22 voted 52:16,22 63:19 vs 1:7,11</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>wait 73:7,9,9,10 90:11 98:15 waiting 28:10 waived 106:19 wakes 75:3 walk 81:17,17 85:13 97:7,22 walked 48:12 49:8,20 76:22 walking 85:9 Wall 11:2 want 7:11 64:22 95:11 97:9,11 wanted 16:17 22:19 23:2 47:7 56:19 57:1 61:14 72:17 80:9,12 80:16 wanting 44:4 wants 43:22 47:4 war 15:18 93:22 wasn't 16:5 62:11,13 72:5 101:8 watch 38:10 78:12</p>	<p>watching 104:19,21 way 35:2 65:10 82:5,8 87:21 102:9 104:4 ways 93:20 Wednesday 1:18 47:8 week 27:20 weeks 22:4 23:4,14 30:7,10 31:9 well 9:3 12:13 17:12 22:13 25:4 28:13 31:3 33:13,22 34:2 36:18 39:21 40:8 41:3 44:14 47:6 54:8 55:13,14 56:12 58:15 61:14 64:17 65:8 67:21 69:7 70:4 75:3 77:8 79:8,18 82:21 84:14 86:17 87:3 88:8 89:8,14 91:6,8 91:12 92:4,9 94:16 97:2 98:7 101:7,18 102:15 103:18 105:1 105:11 106:8 went 10:21 12:13,14 12:14,22 13:2,5,13 13:14 14:1,2,6,10 15:6 16:18 46:13 64:7,10,11 67:21 69:4 98:8,11 99:1,3 100:18,18 104:15,15 were 10:8 11:21 12:6,9 13:15,20 26:9 27:3,7 27:8 38:7 39:11,13 39:13 42:21 46:9 47:13,17 50:18 51:13 52:14 53:2 57:12 58:2,17 59:10,14,21 61:7 63:10,12 65:2,2 66:2 67:10,10 68:15 69:3 70:4,11 72:1 73:22 74:16,17,19 77:5,7,20 88:4 92:6 94:1,2,6 101:14 108:4,8 Wesley 45:16 we'll 63:21 92:17</p>	<p>106:5 we're 7:11,11 30:15 49:3,4 86:3 we've 95:3 97:19 what'd 11:4,7 12:2 14:11 15:4,8 44:22 53:17 54:6,7 76:10 91:19 when'd 19:19 WHEREOF 108:14 where'd 9:22 12:21 while 67:9 69:10 whole 47:1 55:14 74:14 92:18 93:18 Why'd 51:22 wife 16:17 17:20 18:4 36:4 57:15 59:12 William 4:6 50:2 Williams 49:21 51:15 67:14 69:2 91:13 98:18 wishes 65:9 witness 7:1 17:7 54:18 57:5 58:21 60:4 73:8 77:19 90:13 93:15 98:17 100:11,14 106:11 108:14 woken 74:19 wonder 84:20,22 wondered 8:5 wonderful 79:5 word 75:6,8,10 words 46:16 75:22 76:6 88:5 94:9,13 97:11 work 10:21 11:18 15:6 15:14,15,18,21 19:15 19:18 38:4 51:10,11 63:5,9 71:20 72:19 76:5,22 92:8 95:4,20 95:20 101:2 106:8 worked 11:5 working 13:8 15:9,11 21:9 44:14 53:20 91:9 92:7 94:14,19 worried 91:22 92:2</p>	<p>worry 32:7 wouldn't 48:2 51:5,7 94:3,15 write 24:9 writes 31:8 written 9:17 27:3 W-2 24:2,5,6 31:19</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p>X 1:3,14 5:7</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>ya 60:9 Yeah 8:4 17:4 26:4 31:14 55:17 59:17 year 12:1 13:14,21 18:8 21:3 23:18 25:7 30:17 31:18 41:17,18 41:20 87:1 90:17 years 44:18 Yokota 14:10,18 York 10:2,15 11:2 y'all 72:19,20 73:13 76:5,6 95:21</p> <hr/> <p style="text-align: center;">\$</p> <hr/> <p>\$200 22:4,12 23:3,14 30:7,10 \$4,800 30:5 \$5,000 30:17,22 \$5,200 23:18</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>08 22:3 23:13 26:10</p> <hr/> <p style="text-align: center;">1</p> <hr/> <p>1 1:21 6:3 108:18 1-199502 1:20 10 26:12,13 10th 3:19 10-33647 1:7 6:9 1099 24:2,5 31:19 110 1:21 11785 3:18 12th 57:22 86:7 12310 8:19 15 26:12</p>
---	---	--	--

<p>15th 9:21 16th 96:15 19 21:4 22:13 1950 9:21 1968 10:13 1983 14:10 1986 10:4 1988 16:2 39:3 1990 19:20 1991 14:21 15:7</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2000 22:13 72:9 2001 18:10 2003 37:2 40:4 41:14 42:17 65:1 2008 22:14 25:1 35:14 2009 42:22 64:3 65:16 65:22 66:4 68:6 71:8 71:12 74:6 2010 57:21,22 69:10 69:14,17,21,22 70:11 70:12,17 71:3,15,16 72:10 74:5,10,13 90:17 91:7,16 96:15 2011 1:18 6:10 86:7 108:16 2013 108:18 20705 3:20 20770 2:7 3:10 220-2200 2:8 3:11 25 1:18 25th 6:10 26 52:3</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>3rd 37:2 3:47 1:19 6:11 301 2:8 3:11,21 33 96:10</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>400 2:6 3:9</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5th 108:15 5:00 106:21</p>	<p>572-7900 3:21</p> <hr/> <p style="text-align: center;">6</p> <hr/> <p>6 68:6 6404 2:5 3:8 6:13</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>70 14:2 72 14:1 73 14:2 78 14:6</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 5:3 26:13 80 14:5 86 14:17</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 26:13 9:00 96:15 90 21:5 90s 21:13,15 35:12,13 91 15:5</p>		
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