

1 IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
2 IN AND FOR PALM BEACH COUNTY, FLORIDA
3 CASE No. 50-2011-000246 XXXX MB

4 JESS R. SANTAMARIA,
5 Plaintiff,

-vs-

VOLUME I

6
7 ANDREW F. SCHALLER,
8
9 Defendant.

10
11
12 DEPOSITION OF JESS R. SANTAMARIA

13
14 Saturday, March 24, 2012

15 12:10 p.m. - 4:00 p.m.

16 525 Okeechobee Boulevard

Suite 1100

17 West Palm Beach, Florida 33401

18
19 Reported By:

Pamela J. Sullivan, RPR, FPR, CLR

20 Signature Court Reporting, Inc.

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APPEARANCES:

On behalf of the Plaintiff:

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I N D E X
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WITNESS: DIRECT CROSS REDIRECT RECROSS
JESS R. SANTAMARIA
BY MS. KITTERMAN 4
BY MR. MARIANI

- - -
E X H I B I T S M A R K E D
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P R O C E E D I N G S

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Deposition taken before Pamela J. Sullivan,
Registered Professional Court Reporter and Notary Public
in and for the State of Florida at Large, in the above
cause.

- - -

Thereupon,

JESS R. SANTAMARIA,

having been first duly sworn or affirmed, was examined
and testified as follows:

THE WITNESS: Yes.

DIRECT EXAMINATION

BY MS. KITTERMAN:

Q. Good morning, Mr. Santamaria -- or good
afternoon, I should say.

A. Good afternoon.

Q. Would you please state your full name for the
record.

A. Jess R. Santamaria.

Q. Okay. Mr. Santamaria, have you ever given
your deposition before?

A. Yes.

Q. In what type of case?

A. Mostly business related cases.

1 Q. Okay. So you're familiar with the process?

2 A. Yes.

3 Q. When I ask you a question, I'd like you to
4 answer in the affirmative, yes or a no. If you don't
5 understand my question, please let me know so that I can
6 rephrase it; okay?

7 A. (The witness nods.)

8 Q. If you need a break at any time, that's fine.
9 Just let me know, I'll be happy to take a break for you.

10 A. Okay.

11 Q. Okay. Mr. Santamaria, were you aware that
12 your deposition was originally set on Wednesday, the
13 21st?

14 A. No.

15 Q. Okay. Where were you born?

16 A. I was born in Manila, Philippines.

17 Q. What is your birth date?

18 A. September 11th, 1937.

19 Q. Did you live in Manila, Philippines, for your
20 entire childhood?

21 A. From birth through '60 -- 1968, when I left
22 to come to the United States to start my MBA at the
23 Wharton School of Business, University of Pennsylvania
24 in Philadelphia.

25 Q. Okay. So you said you were coming here to

1 get your MBA. Does that mean you had some college in
2 the Philippines?

3 A. I have a Bachelor's of Science Degree in
4 chemical engineering from La Salle College in Manila,
5 which I got my degree in 1962.

6 Q. And how did you come about applying to the
7 U.S. Wharton School of Business for your MBA?

8 A. Oh, Wharton is one of the more common schools
9 that many of my schoolmates attended. So it's --
10 it's -- we attend Harvard, Stanford, many of my
11 classmates and schoolmates before and after me usually
12 apply in one of the better schools in the United States.

13 And many of, in fact, in my -- in the year
14 that I started my MBA, there were I believe 20 of us
15 from the same school and other schools that went to
16 Wharton. So I had a -- it was a nice group of students
17 from the Philippines, some from the same school I
18 attended and some from other schools.

19 So, again, Wharton is one of the more common
20 schools that my friends and associates and schoolmates
21 attend, apply and attend.

22 Q. Okay. What did you do from 1960 to 1968,
23 before you applied for your Wharton School of
24 Business -- or when you came to the Wharton School of
25 Business?

1 A. I worked.

2 Q. You were working. What were you doing?

3 A. I worked in industrial marketing for
4 Mobil Oil and Exxon. The reason that -- Mobil Oil and
5 Exxon are really related companies. As some of you
6 might recognize, they are in fact now one company in the
7 United States. So the two are almost considered one.
8 So I did work for that period of time for two oil
9 companies, Mobil Oil and Exxon.

10 Q. Okay. And it just mainly was in the
11 industrial marketing field?

12 A. Yes.

13 Q. Did you have a particular title?

14 A. I was a, you might say, sales representative
15 and eventually became a sales supervisor.

16 Q. And when you say you were working with Mobil
17 and Exxon and they're essentially the same, did you work
18 under one main company and do work for both?

19 A. No. No.

20 Q. Okay. So did you start at Mobil?

21 A. Yes.

22 Q. Okay. So you started at Mobil, and how long
23 were you at Mobil?

24 A. Somewhere between two and three years and
25 then another three and four years with Exxon, which at

1 that time was Esso.

2 Q. Okay. And your job responsibilities were
3 essentially the same at both?

4 A. At both the same, exactly the same,
5 industrial marketing to industrial firms.

6 Q. Mr. Santamaria, are you married?

7 A. Yes.

8 Q. Who are you married to?

9 A. Victoria Santamaria. Her maiden name is
10 Jison, but spelled with a J, J-i-s-o-n. So she is --
11 her maiden name is Victoria Jison with a J-i-s-o-n.

12 Q. Okay. And now she's known as
13 Victoria Santamaria?

14 A. Uh-huh. Yes.

15 Q. When did you meet Victoria?

16 A. In Manila, Philippines.

17 Q. Okay. Do you know approximately when?

18 A. Approximately, we got married in '68. We
19 knew each other for five years. So take away five from
20 '68, that would be '63.

21 Q. How did you meet?

22 A. Through a mutual acquaintance.

23 Q. Who was the mutual acquaintance?

24 A. A classmate of mine, Marselena Reyes
25 (phonetic), was my former classmate in high school, who

1 was dating her sister. And I accompanied him in one of
2 his visits and I met Victoria at that visit.

3 Q. Okay. So then you said you dated for five
4 years and then you married in 1968?

5 A. Right.

6 Q. Where did you get married?

7 A. In the suburbs of Manila.

8 Q. So was this before you moved to the
9 United States?

10 A. We got married on July the 10th, 1968. And
11 we left I believe three days after for -- for
12 Philadelphia, but via Europe. We went to Europe and
13 then came -- we left in July, school started in August
14 at the University of Pennsylvania.

15 Q. Okay. So you went on a honeymoon first and
16 then you came to Pennsylvania to school?

17 A. Yes.

18 Q. So you started school in 1968?

19 A. I started --

20 Q. I meant August, I'm sorry.

21 A. -- school in August 1968.

22 Q. And how long were you in school?

23 A. Two years.

24 Q. Two years?

25 A. Two years. It's a two-year program.

1 Q. Two years. Okay. And where did you live
2 when you were in school in Philadelphia?

3 A. On campus, campus housing.

4 Q. Did you stay at the same housing?

5 A. Meyer Hall.

6 Q. Mayor Hall?

7 A. Meyer Hall, M-e-y-e-r.

8 Q. Oh, okay.

9 A. Within the campus.

10 Q. And you stayed there for the entire two
11 years?

12 A. Two years.

13 Q. Okay. Did you graduate?

14 A. Yes.

15 Q. So what was your degree?

16 A. Master's in business administration.

17 Q. And you got that degree in what year?

18 A. In 1970.

19 Q. And what was your wife doing while you were
20 in school?

21 A. Working for Pan American Airlines.

22 Q. And what did she do for Pan American?

23 A. Reservations.

24 Q. Did she work out of the airport?

25 A. No, out of downtown Philadelphia.

1 Q. So there was a Pan American office?

2 A. There was a Pan American office in downtown
3 Philadelphia.

4 Q. Did she work there the entire two years you
5 were in Philadelphia?

6 A. Yes, and beyond.

7 Q. And beyond?

8 A. And beyond the two years.

9 Q. Okay. So when you graduated in 1970, what
10 did you do after that?

11 A. I worked for IBM.

12 Q. In Philadelphia?

13 A. Yes.

14 Q. How long did you work with them?

15 A. Two years.

16 Q. Two years. And what did you do for IBM?

17 A. Actually, it's something that had to do with
18 system design and sales. System design and sales.

19 Q. So did you help design the systems?

20 A. Yeah. We would -- for clients, we would help
21 design with other systems. We worked as a team with
22 other members of the team analyzing the system of
23 different companies and recommending computer systems.

24 Q. So like a networking for a company?

25 A. Uh-huh.

1 Q. You would meet with that company and
2 determine what would be their best needs?

3 A. Uh-huh.

4 Q. Yes?

5 A. Yes.

6 Q. Okay. And then what happened after you
7 worked with IBM for two years, did you resign?

8 A. Yeah, I resigned and then I started getting
9 involved in real estate.

10 Q. Okay. Did you start getting involved in real
11 estate before you resigned from IBM?

12 A. No.

13 Q. So when do you think you resigned from IBM?

14 A. About two years after that. So 1970 -- '70
15 to '73 period.

16 Q. '70 to '73? Okay.

17 A. '73.

18 Q. So in 1973, you started getting into real
19 estate?

20 A. I started getting into real estate and some,
21 some business consulting as well.

22 Q. Okay. Tell me about that. How did you get
23 into real estate?

24 A. I just took a course, got myself licensed,
25 and started to get into real estate. And started

1 exploring Florida, trying to see what opportunities
2 there were in Florida. And started planning to move to
3 a warmer climate.

4 Q. When you said you took a class and you got
5 licensed, was that residential real estate or commercial
6 real estate?

7 A. It's both. You get the license and you
8 get -- you're able to handle both residential and
9 commercial.

10 Q. Okay.

11 A. There's only one license as far as I know.

12 Q. What year did you get that license?

13 A. Oh, probably '73.

14 Q. Is that license still active?

15 A. Yeah, it's still active. Now, that was the
16 Pennsylvania license.

17 Q. Right.

18 A. And then when I started getting involved with
19 Florida, I took the Florida license, both my wife and
20 I -- yes, both of us have had Florida license since the
21 mid '70s through today.

22 Q. Okay. So in 1973, you got your real estate
23 license in Pennsylvania?

24 A. In Pennsylvania.

25 Q. Okay.

1 A. And then I later took a Florida.

2 Q. Do you know when?

3 A. About '75 maybe. Yeah, sometime in the
4 middle of the '70s. So as I moved to Florida, I took
5 the Florida license.

6 Q. Okay. So you took the Florida license after
7 you moved to Florida?

8 A. Yes.

9 Q. The Florida test?

10 A. Yes.

11 Q. What did you do -- were you selling property
12 in Pennsylvania between 1973 and 1975 when you moved to
13 Florida? Were you selling property?

14 A. Yes. Yes, I was licensed and I was selling
15 real estate properties using my license.

16 Q. Okay. Did you work for a particular company?

17 A. Initially, I worked not for a company, I was
18 an independent. I was an independent person. My first
19 activities were with the Deltona Corporation.

20 Q. Deltona?

21 A. Yes. In other words, I sold some of their
22 projects.

23 Q. And what type of projects?

24 A. In Florida.

25 Q. In Florida?

1 A. Yeah.

2 Q. Oh, okay. Is that how you got to know about
3 Florida and the warmer climates?

4 A. I already did my own research. I already
5 traveled on my own in different areas of Florida, from
6 Pensacola to Orlando to Miami to -- you know, north,
7 south, east, and west. I took it upon myself to educate
8 myself on the different areas of Florida.

9 Q. Okay. When you were working with Deltona --

10 A. I wasn't work -- yeah.

11 Q. Working with?

12 A. With, yes, working with.

13 Q. I don't mean for, I know you were an
14 independent contractor.

15 A. Yeah, I was an independent. I could sell for
16 anybody.

17 Q. Right. Were you selling for anybody else?

18 A. I don't remember if I sold for -- I might
19 have. I don't remember. Like I said, I was
20 independent, so I could do anything for anyone.

21 Q. Right. What type of property were you
22 selling for Deltona, though? Was it commercial or
23 residential or both?

24 A. At that time, it was primarily residential.

25 Q. Okay. Was it plots of land for residential,

1 or was it individual housing?

2 A. Just lots and housing. Lots and homes.

3 Q. Okay. And then what year did you move to
4 Florida?

5 A. We moved in -- I moved in '74.

6 Q. And where did you move in 1974?

7 A. Royal Palm Beach.

8 Q. Why did you pick Royal Palm Beach?

9 A. Because I knew the ownership of the -- Royal
10 Palm Beach was -- Royal Palm Beach was developed by
11 Sam Friedland. Sam Friedland lived in the suburbs of
12 Philadelphia, and I met some of his senior level
13 executives who invited me to Royal Palm Beach and
14 encouraged me to concentrate most of my marketing
15 efforts in the Royal Palm Beach area.

16 So based on my familiarity with the owners, I
17 decided that that was the place to put -- to have my own
18 home and move my family.

19 Q. And can you spell the name for me,
20 Sam Friedland?

21 A. F-r-i-e-n-d-l-a-n-d (sic).

22 Q. And his first name is Sam?

23 A. Well, I presume it's Samuel. He was known as
24 Sam Friedland, but I presume the real name was Samuel.

25 Q. I won't hold you to it, don't worry.

1 Okay. So Samuel Friedland owned a lot of the
2 property in Royal Palm Beach?

3 A. Oh, he's the overall developer.

4 Q. He was the overall developer?

5 A. He developed the entire Royal Palm Beach
6 area.

7 Q. Did you buy property from Samuel Friedland?

8 A. I bought for myself and I sold for -- I
9 bought for myself as well as sell to others. So both.

10 Q. Right. Okay. But you bought it from
11 Mr. Friedland?

12 A. The name of the entity was Royal Palm Beach
13 Colony, Inc. So it's a -- it was at that time in the
14 American stock exchange. It's a large company. And
15 they have other interests besides Royal Palm Beach
16 Colony. They have other developments in Florida. And
17 they also own the -- they used to own the Food Fair and
18 Pantry Pride Supermarket chain.

19 Q. Okay. What property did you purchase from
20 Mr. Friedland back in the 1970s?

21 A. All kinds. All kinds of property. Multiple
22 properties. Multiple over an extended period of time.
23 I mean, you know, a lot of property over an extended
24 period of time. I would start with one lot here. So
25 it's just numerous properties. I'd love to show you.

1 It would take me half a day to show you all the
2 properties I eventually bought over a 25-year, 30-year
3 period.

4 Q. Did you keep a map of it?

5 A. I live there.

6 Q. Yes.

7 A. I don't need a map. I don't need a map. I
8 live in Royal Palm Beach.

9 Q. Do you have the addresses of some of the
10 properties? What was the first property you bought?

11 MR. MARIANI: Objection, form.

12 THE WITNESS: I really don't remember.

13 BY MS. KITTERMAN:

14 Q. You don't remember the first property you
15 bought?

16 A. I don't remember.

17 Q. Okay. Do you still own it?

18 A. I don't remember.

19 Q. Do you know --

20 A. Again, like I tried to explain to you,
21 literally hundreds of parcels over an extended period of
22 time. I bought, I sold, I built. So it's -- I don't
23 remember. Over -- it's -- you're talking now over 30 --
24 from '74 to what's today, '12, you're talking over 30,
25 38 years. If you expect me to remember what I bought,

1 and I'm basically telling you hundreds of parcels.

2 Q. Okay. That's fair enough.

3 Can you tell me where you currently reside,
4 the address?

5 A. 255 Ponderosa Court, Royal Palm Beach, 33411.

6 Q. Do you own that property?

7 A. Yes.

8 Q. Is there any other property that you
9 currently own in Royal Palm Beach?

10 A. I own multiple properties.

11 Q. Okay. Well, let's start --

12 A. I won't be able to give you a -- I'd be glad
13 to provide you a complete list of all of the properties
14 at a later date.

15 MR. MARIANI: Let me ask for clarification.

16 Do you mean in his name, or indirectly through
17 other entities?

18 MS. KITTERMAN: Well, first I was saying in
19 his name and then I would ask in entities. But I
20 wasn't even close to that yet.

21 THE WITNESS: Yeah. I -- like, for
22 example --

23 MR. MARIANI: There is no question. Wait for
24 a question. There is no question.

25 THE WITNESS: Yeah, it's just I don't

1 remember. I have about 30 residential rentals. So
2 I can't remember the address of all 30 of those.

3 MR. MARIANI: If counsel -- yeah, if counsel
4 wants to inquire, she'll inquire.

5 THE WITNESS: But I would be glad to provide
6 a list.

7 BY MS. KITTERMAN:

8 Q. I appreciate that, Mr. Santamaria.

9 I'm going to take a step back and let's
10 discuss, you married your wife in 1968?

11 A. July 10.

12 Q. Okay. Do you have any children?

13 A. Three.

14 Q. What are their names?

15 A. Christopher.

16 Q. How old is Christopher?

17 A. Forty-two. Vincent, 38. Michelle, 34.

18 Q. And what does Christopher do?

19 A. He's a lawyer.

20 Q. What type of law?

21 A. General, general law.

22 Q. Do you know who he works for?

23 A. He worked for me and -- he works for me, but
24 he also has -- he'll take jobs if it's related to real
25 estate, because he's got a LLM in real estate. So

1 he'll -- if somebody comes to him with a real estate
2 related matter, he might take it. But he also manages
3 my properties.

4 Q. Okay. Yes, I was going to ask you, you said
5 he worked for you. Did you mean that he works for a
6 company that you own?

7 A. He -- in general. I have multiple companies.

8 Q. Okay.

9 A. So he will -- he basically will do whatever
10 is needed to be done on any of my companies.

11 Q. Okay. So does he have -- I guess I'm trying
12 to figure out how is he paid. Is he paid through -- he
13 has his own firm, law firm, and then each of your
14 companies would pay him in relation to whatever the
15 project that he may do?

16 A. Right.

17 Q. Yes. Okay.

18 And what does Vincent do?

19 A. He is -- he handles the computer systems on
20 inventory control. The way I understand it, he handles
21 the computer system for about seven hospitals in the
22 Orlando area. It's a chain of hospitals and he does IT
23 work for those seven hospitals.

24 Q. So he lives in Orlando?

25 A. He lives in Winter Park.

1 Q. Is Chris married?

2 A. No, he's single. He never got married.

3 Q. Is Vincent married?

4 A. Yes.

5 Q. Does he have any children?

6 A. Three.

7 Q. And Michelle, what does she do?

8 A. She's a lawyer.

9 Q. What does she do?

10 A. She was an assistant state attorney for about
11 3 1/2 years right here in Palm Beach County, and then
12 she decided to go on her own. She put up her own
13 company, Testifying Made Simple. So she trains, she
14 trains people to testify in court. So she holds -- she
15 has classes. Among her clients is the FB -- she now
16 trains FBI agents on testifying in court. Law
17 enforcement agencies or commercial, even commercial
18 clients who want to train somebody in proper
19 testifying -- testimony in a court of law.

20 Q. And how does she get her clients?

21 A. I guess she promotes herself. She attends
22 conferences. She attends conferences in different
23 states, and through the Internet and referrals. So she
24 goes now -- now, she's got clients in a lot of states,
25 different states. But the one she's mostly -- the one

1 she's most proud of is teaching FBI agents how to
2 testify.

3 Q. I can imagine that would be very interesting.
4 How did she come about doing that type of
5 business?

6 A. Well, I guess from her being a prosecutor in
7 the State Attorney's office. She was a little
8 frustrated when she lost a case because of her witness
9 not testifying according to what she felt was necessary.
10 So she felt she was going to dedicate herself to train
11 people to be proper, proper witnesses in cases.

12 Q. I think all attorneys experience that type of
13 frustration from -- now and then.

14 Did she ever do work for the Palm Beach
15 Sheriff's Office?

16 A. She did.

17 Q. What did she do for them?

18 A. Same thing. She did --

19 Q. She did testifying?

20 A. She was hired to testify.

21 MR. MARIANI: Objection.

22 Would you read back that answer, please.

23 (Whereupon, the requested portion of the
24 record was read aloud by the Court Reporter.)

25 MR. MARIANI: She had to testify or train

1 people?

2 THE WITNESS: Train, the same thing. She had
3 classes.

4 She had classes, and there would be a certain
5 number of deputies who attend the classes. She
6 would teach them how to testify in court when they
7 had to, to help them handle themselves in order to
8 better have the probability of winning the cases.
9 Improving the -- that was the objective is to
10 improve their skills in testifying in a court of
11 law.

12 So she has set up what she feels is a unique
13 program of improving, you know, the composure and
14 the manner of testifying in a court of law.

15 BY MS. KITTERMAN:

16 Q. Did she help? Did she help you with
17 testifying in your other cases?

18 A. No, I can help myself pretty well. I have
19 quite a bit of experience in my own business.

20 Q. With her work with the Palm Beach County
21 Sheriff's Office, how was she retained to do that? Was
22 she put on the books as like an independent contractor?

23 MR. MARIANI: Objection.

24 THE WITNESS: I have no idea.

25 MR. MARIANI: Objection. Excuse me,

1 objection to form.

2 THE WITNESS: Yeah, you have to ask her. I
3 believe you also got her deposition. That's a
4 question for her, not for me.

5 BY MS. KITTERMAN:

6 Q. Okay. Did you introduce her to anybody at
7 the Sheriff's Office to help her get that contract?

8 A. No.

9 Q. Okay.

10 A. No. She's a pretty independent person. She
11 can handle her cases. So she's totally -- she doesn't
12 listen to me much.

13 Q. No?

14 A. Like most children, they don't listen to
15 parents much. She has her own mind. She's got three
16 degrees by the way.

17 Q. Oh, yeah?

18 A. And so she's very proud of her three degrees.
19 So she doesn't need me.

20 Q. When did she start working at the state of --
21 assistant state attorney's office, do you know?

22 A. After her graduation. I don't remember.
23 That's a question for her when you take the -- depose
24 her.

25 Q. Do you know how she got the job at the

1 assistant state attorney's?

2 A. That's a question for her.

3 MR. MARIANI: Objection.

4 THE WITNESS: Same thing, you deposed her and
5 you're asking me how she got the job.

6 BY MS. KITTERMAN:

7 Q. I'm just asking if you know.

8 MR. MARIANI: Don't engage in conversation.
9 Just listen to the question and answer.

10 THE WITNESS: I answered the question as
11 truthfully as I can. I don't follow my children's
12 obligation when they apply for a job or apply for
13 anything. They are mature men with -- men and
14 women with three degrees in the field of business
15 and law. So they don't need me for that.

16 BY MS. KITTERMAN:

17 Q. No, I'm not suggesting that they did. I was
18 just wondering if you knew how she got the job?

19 A. No, I do not.

20 Q. Do you know anybody at the state of --
21 assistant state attorney's office personally?

22 A. I know Michael McAuliffe.

23 Q. Who is he?

24 MR. MARIANI: He's not there anymore, so --

25 THE WITNESS: I know Michael McAuliffe. I

1 did know -- well, the one before him. I don't
2 remember now, my mind is blank. But I did know
3 both the past -- well, he's not there anymore
4 either. So I knew the -- Michael McAuliffe and the
5 one before him, but just casually.

6 BY MS. KITTERMAN:

7 Q. Who was Michael McAuliffe?

8 A. State Attorney.

9 Q. And how did you know him?

10 A. When he was campaigning. When he was
11 campaigning, I met him and he spoke in one of my monthly
12 forums.

13 Q. Do you know approximately when that was, what
14 year?

15 A. Whenever it was that he was elected, maybe
16 three months before he was elected.

17 Q. Did you have any -- other than the time that
18 Mr. McAuliffe spoke at your county forum, did you have
19 any one-on-one meetings with him?

20 A. Oh, yes. He -- after he was elected, he
21 invited me to have breakfast with him. I had breakfast
22 with him and he asked -- he was planning to assemble
23 a -- he was going to assemble a Grand Jury to
24 investigate the corruption in Palm Beach County. And he
25 asked me if I would volunteer to testify. And I said,

1 absolutely, yes, I would testify to the Grand Jury that
2 he was assembling.

3 Q. Do you know approximately when that was?

4 A. Soon after he was elected. Within the
5 90 days -- within a 90-day period prior to his election.
6 He was elected in November, sometime between November
7 and February.

8 Q. What year?

9 A. Again, whenever he was elected. I don't
10 memorize things, you know. So whenever he was elected,
11 shortly after that, I got a phone call, I'd like to take
12 you to breakfast. We had breakfast, and that's when he
13 said, I'd like you to testify to the Grand Jury
14 assembly. And I said, absolutely, I am ready, willing
15 and able to testify. And I did.

16 Q. What was your position at that time? Were
17 you a county commissioner at that time?

18 A. Yes.

19 Q. And what were you testifying about?

20 MR. MARIANI: Excuse me. Can I interject
21 here. That's probably protected by a privilege.
22 I'm going to in an abundance of caution --

23 MS. KITTERMAN: What privilege?

24 MR. MARIANI: Grand Jury privilege. Grand
25 Jury. I don't know if that's been made public, the

1 Grand Jury. So I'm going to direct the witness not
2 to discuss or answer questions about what he was
3 asked in front of the Grand Jury.

4 MS. KITTERMAN: I'm not sure if it was public
5 or not.

6 BY MS. KITTERMAN:

7 Q. What happened after the Grand Jury testimony?

8 A. What happened?

9 Q. Did anything result from the Grand Jury? Was
10 anybody indicted? You told me he was looking to --

11 A. After the -- the report of the Grand Jury in
12 2009 recommended that an Inspector General be appointed
13 to look, look at the possible anomalies of government
14 officials. So that was the recommendation. The
15 ultimate conclusion of the Grand Jury, that we did have
16 corruption problems and there was need to have an Office
17 of Inspector General similar to Miami-Dade, which I
18 strongly supported and I still am strongly supporting.

19 Q. Okay. And you think that might have been
20 sometime in 2009?

21 A. It was in -- it was in 2000, I'm pretty sure,
22 because I looked at that recently. I think it was in
23 August of 2009 that the report resulted from the
24 multiple testimonies of both elected officials and
25 businessmen and others. So there were -- I don't know

1 how many. I'm guessing there must have been over 30,
2 30 witnesses who testified in front of the Grand Jury.
3 And as a result, the report recommended the Office of
4 Inspector General.

5 Q. Okay. What happened as a result of that
6 report? Did the Office of Inspector General get
7 established?

8 A. I'm sure you know that, yes.

9 MR. MARIANI: Objection, form.

10 THE WITNESS: I'm sure you know that, the
11 answer is yes.

12 BY MS. KITTERMAN:

13 Q. I understand I might know things, but I need
14 you to tell me of what you know.

15 A. Of course. It's a -- it's an ongoing. The
16 reason, of course, is that -- this has been in the front
17 pages of The Palm Beach Post about the complexities of
18 the Office of Inspector General and the 15 cities who
19 filed suit, so on and on and on and on. So that's been
20 in the local papers almost on a weekly basis.

21 Q. Well, I want to know if you know how the
22 office was actually created within the county.

23 A. Yeah, it was created by an independent group
24 who had interviews of -- I believe of 100 applicants for
25 Inspector General. And Sheryl Steckler was finally

1 chosen by this independent body.

2 Q. Did the Palm Beach County Commissioners have
3 a say in who was hired to the office?

4 A. No.

5 Q. Okay.

6 A. No, that's one thing I -- in fact, I was one
7 of those who was on the front line of demanding that the
8 Office of Inspector General, it's a public record, that
9 I repeatedly demanded that the Office of Inspector
10 General had to be 100 percent independent of any elected
11 official, especially the County Commissioners. The
12 County Commissioners should be completely apart with
13 respect to the operation of the Office of Inspector
14 General. I was the most adamant commissioner demanding
15 that up to today.

16 Q. Understood.

17 Does the Palm Beach County Commission have
18 any say in whether or not the Inspector General is
19 terminated?

20 A. My understanding is that determination
21 involves not only the office -- not only the, the -- I
22 don't recall the exact, the exact. It's supposed to be
23 two different groups of which the County Commission with
24 the super majority of at least five, in conjunction with
25 probably the League of Cities.

1 So my recollection of termination involves
2 the League of Cities, the municipal people, the
3 independent body, and the super majority of the
4 commissioners to be able to terminate the Office of
5 Inspector General. Of which I myself, I must have been
6 out voted, I was also against that. I wanted absolutely
7 no relationship with respect to either hiring, firing,
8 or funding the Inspector General. But that's one area
9 that as of today, I'm still not happy. But I must have
10 been out voted by my fellow commissioners.

11 Q. Who funds -- who currently funds the Office
12 of Inspector General, if you know?

13 A. It's supposed to be funded by vendors and
14 contractors, supposed to be.

15 Q. How is that supposed to work?

16 A. Charging the vendors. Charging the vendors
17 one-fourth of 1 percent of the contract amount to fund
18 the Office of Inspector General. But I believe the
19 municipalities have the option to charge the general
20 fund or taxpayer. And that's what they're doing right
21 now is they're -- and I am also demanding everybody --
22 the County now starting October 1st of 2000 (sic),
23 because of my persistence, will charge the vendors,
24 because that was the instruction of the Grand Jury,
25 charge the vendors and contractors one-fourth of a

1 percent similar to what Miami-Dade is doing.

2 Apparently, some people want to charge the
3 taxpayer. And -- and they have the ability to do that,
4 but I am constantly bringing to the attention of the
5 public that that's not the way it was meant to be. So
6 as of today, I'm still persistently demanding that
7 vendors and contractors be the ones paying for the
8 Office of Inspector General.

9 And I believe I brought that -- just this
10 past week, I also brought that up again. That's the way
11 the Grand Jury recommended, that's the way it should be.
12 The County will do it that way, finally, after my
13 persistence. And I'm also letting people know that that
14 is the way the 38 cities should also charge the vendors,
15 not the taxpayers.

16 Q. And I just want to clarify because I believe
17 within your answer, you said something is going into
18 effect on October 1st, 2000. Did you --

19 A. Right now it's --

20 MR. MARIANI: Let her finish.

21 BY MS. KITTERMAN:

22 Q. Did you mean 2012?

23 A. 2012. October 1st, 2012.

24 Q. Okay. And you were saying right now?

25 A. Right now, it's being charged to the general

1 fund. And the general fund is taxpayers' money. And
2 the way it's supposed to be is vendors. So, finally, I
3 got my fellow commissioners to agree to charge the
4 vendors and contractors, and on October 1st of this
5 year, 2012.

6 Q. And when you say vendors and contractors, do
7 you mean vendors and contractors of the cities and/or
8 the county?

9 MR. MARIANI: Objection, form.

10 BY MS. KITTERMAN:

11 Q. You can answer.

12 A. Anybody who does business with the -- with
13 government.

14 Q. And that fourth of 1 percent, is that charged
15 to the vendors and contractors on top of the contract
16 price, or is it taken off?

17 A. Off the contract price.

18 Q. On top of it?

19 A. No. In other words --

20 Q. So it will include the .4 percent?

21 A. In other words, if I am a contractor and I
22 sell trucks to the county for a million -- for a
23 hundred -- for a million dollars, for a million dollars.
24 Then one-fourth (sic) of that million dollars is
25 supposed to be taken out and given to the Office of

1 Inspector General. In this case, one-fourth of a million
2 dollars is 2500.

3 MR. MARIANI: One-fourth of 1 percent.

4 THE WITNESS: One-fourth of 1 percent --
5 one-fourth of a percent. But that's exactly what it
6 is.

7 BY MS. KITTERMAN:

8 Q. Okay. Do you know who the current
9 Inspector General is?

10 A. Sheryl Steckler.

11 Q. Can you spell that?

12 A. S-h-e-r-y-l. I mean, I'm presuming I am
13 spelling it correctly, S-h-e-r-y-l, Steckler.
14 S-t-e-c-k-l-e-r.

15 Q. Do you know Miss Steckler?

16 A. I've met her.

17 Q. You've met her. When did you meet her?

18 A. I met her when she investigated me for -- as
19 a result of the 119 pages of allegations of
20 Mr. Schaller. So he -- his 119 pages caused an
21 investigation of Miss Steckler.

22 Q. Okay. And that's the first time you met her?

23 A. Yes.

24 Q. Do you know approximately when that was?

25 A. I don't remember exactly. I don't remember

1 when. That's all on public record, of course.

2 Q. When you met her is in the public record?

3 A. It would be. I mean, I would expect it
4 because that was part of the -- her report. As a
5 result, her investigators and her made appointments.
6 And that's all in public record --

7 Q. Okay.

8 A. -- because that's what caused her conclusion
9 after the investigations.

10 Q. Who would they have made the appointment
11 with, somebody in your office, to meet with you?

12 A. Yes.

13 Q. Who would that be?

14 A. I have three assistants. It could be any one
15 of the three. It could be any one of the three. And I
16 probably would have finalized -- I don't remember who.
17 I don't remember how -- whatever it is. It's one of the
18 three. One of the three.

19 It could have been anyone who answered the
20 phone. I don't have any one particular person who
21 answers the phone. There are three assistants. And
22 whoever happens to pick up the phone could have made the
23 appointments. And many times, I return the call and I
24 set up my own appointments.

25 So it could have been -- the appointment

1 could have been done by whoever picked up the phone or I
2 could have called the caller and said -- and looked at
3 my calendar and set up the appointments myself.

4 Q. Okay. And you said you have three
5 assistants. What are their names?

6 A. Well, at that time, the assistants would have
7 been -- at that time, the assistants would have been
8 Johnny Easton and Charles -- he's no longer with me. I
9 had three assistants, Charles, I'm sure that's on --
10 that's all on record, and Dennis Lipp.

11 Q. And you said at that time, it was
12 Johnny Eastman, Charles --

13 A. Yeah, he only worked for me probably around
14 six or seven months.

15 Q. What time was this?

16 A. What time?

17 Q. Yes. You said when she was investigating
18 you, at that time your assistants were Johnny Easton.
19 I'm trying to determine what time that was.

20 A. Time of day?

21 Q. No, what year?

22 A. That was the year that Mr. Schaller had his
23 119 pages of allegations, shortly after that. I don't
24 remember what time. But whatever the date of his
25 allegations were, I would expect that sometime after

1 that, they called.

2 Q. Would that be in 2010?

3 MR. MARIANI: Objection, form.

4 BY MS. KITTERMAN:

5 Q. If you know?

6 A. Probably.

7 Q. Okay.

8 A. Whenever -- whatever the date of his report,
9 his allegations, sometime after that, the investigation
10 started.

11 Q. Okay. Was Charles' last name Suits?

12 A. Yeah.

13 Q. Since we've kind of brushed over this, I'm
14 just going to introduce the request for inquiry that
15 you're speaking of that Mr. Schaller produced. It's 118
16 pages.

17 MS. KITTERMAN: I'll attach it as Defendant's
18 Exhibit 1.

19 (Defendant's Exhibit 1 was marked for
20 identification.)

21 BY MS. KITTERMAN:

22 Q. Mr. Santamaria, you've been handed what has
23 been marked as Defendant's Exhibit 1. Do you know what
24 that document is?

25 A. I haven't had a chance to read it. So it

1 says request for inquiry, violation of Jess Santamaria
2 and his county staff.

3 Q. Does that appear to be the document that
4 you've referred to in your deposition thus far --

5 A. Well, I would need to compare it to --

6 Q. -- that Mr. Schaller produced?

7 MR. MARIANI: Well, would you stipulate that
8 that's a copy?

9 MS. KITTERMAN: Yes.

10 MR. MARIANI: She's stipulating that that is
11 an accurate copy of the request for inquiry.

12 THE WITNESS: Can I also look at the copy I
13 brought?

14 MR. MARIANI: Yes.

15 THE WITNESS: Because that's the one that I'm
16 familiar with.

17 MR. MARIANI: Your exhibit doesn't have a
18 cover page on it?

19 MS. KITTERMAN: No.

20 THE WITNESS: I guess that's why she has
21 118 pages because she didn't use the cover as a
22 page. I have 119 including the cover page, so it's
23 not the same. Oh, here. See, I'm counting this
24 page (indicating). This begins here. So she is
25 not including the introductory page.

1 MR. MARIANI: Well, there is a page missing
2 in your exhibit.

3 THE WITNESS: Yeah.

4 MR. MARIANI: The introductory page to the
5 exhibit.

6 MS. KITTERMAN: I believe that's the request
7 for inquiry we've been using throughout this
8 litigation. So if you have a front page that is
9 different that you've relied on in preparation for
10 this deposition, would you be happy to show it to
11 us?

12 MR. MARIANI: No, we're not going to show it
13 to you. But it's a document --

14 THE WITNESS: So this is the document that I
15 got. It's --

16 MR. MARIANI: You don't need to make a speech
17 about that.

18 THE WITNESS: Yeah, I didn't make a speech.
19 I'm just saying that it is different. I'm not
20 making a speech. I'm saying that it is different.
21 What I have, which is supposed to be a
22 comprehensive summary of it has two pages, two
23 pages that I have here. This one starts on the
24 third page (indicating). I just want to make
25 that -- explain that. In fact, yeah, the third,

1 the third page is here.

2 MR. MARIANI: It's the first page of the
3 exhibit?

4 THE WITNESS: And that's the first page here.
5 I saw the page --

6 MR. MARIANI: So -- okay, well, let's have
7 counsel ask a question.

8 This doesn't appear to be an accurate copy of
9 what your client used back at the time when he
10 distributed it.

11 MS. KITTERMAN: That copy --

12 MR. MARIANI: So you can ask questions from
13 it, but...

14 MS. KITTERMAN: No, that copy was actually
15 attached to Mr. Santamaria's affidavit, which I'll
16 be happy to show you right now.

17 MR. MARIANI: Yes, that's fine. But you're
18 not asking that question.

19 MS. KITTERMAN: Okay. Well, I'll ask that
20 question.

21 BY MS. KITTERMAN:

22 Q. Mr. Santamaria, do you recall creating a
23 affidavit in this matter?

24 A. I don't understand the question.

25 Q. Did you create an affidavit that was filed in

1 support of your case in this matter?

2 A. I would have expected my attorney to have
3 created an affidavit. I'm not sure I understand the
4 question. I still don't understand.

5 MR. MARIANI: Could you rephrase the
6 question?

7 BY MS. KITTERMAN:

8 Q. The question is if you created an affidavit
9 to support your case?

10 MR. MARIANI: Objection, form.

11 Do you mean signed an affidavit?

12 MS. KITTERMAN: No, I asked him if he created
13 an affidavit.

14 THE WITNESS: I cannot create anything
15 myself. You -- my attorney would have created
16 whatever was submitted.

17 BY MS. KITTERMAN:

18 Q. Okay. I'm going to show you what is being
19 marked as Defendant's Exhibit 2.

20 (Defendant's Exhibit 2 was marked for
21 identification.)

22 BY MS. KITTERMAN:

23 Q. Do you recognize that document?

24 A. I'm presuming that this document was
25 created -- you used the word created --

1 MR. MARIANI: The question is, do you
2 recognize the document.

3 THE WITNESS: I recognize my signature. So I
4 presume that since my signature is there and the
5 date of this document, I presume it's a real
6 document because I signed it. And the date -- what
7 is the date on it? On the 3rd of January of 2012,
8 it's a document that was given to me by my attorney
9 which I signed, yes.

10 BY MS. KITTERMAN:

11 Q. Did you realize that when you were signing
12 this document, everything that you were saying in here
13 was true and correct?

14 A. Yes.

15 Q. Okay. Please take a look through that and
16 let me know whether you agreed with everything in this
17 affidavit, that it's all true and correct.

18 MR. MARIANI: Objection, form.

19 BY MS. KITTERMAN:

20 Q. You can answer.

21 A. My name is Jess R. Santamaria. True. I am
22 over the age of 18 years of age. True. I am authorized
23 to make the statements contained in my affidavit, which
24 statements are made based upon my personal knowledge.
25 Prior to November 2010, I was the County Commissioner

1 for District 6, Palm Beach County, Florida. True.

2 I ran for reelection and was a candidate in
3 the 2010 election for the Palm Beach County, Florida,
4 District 6 County Commissioner. True.

5 Prior to November 2010, I had met with Andrew
6 F. Schaller. Mr. Schaller is a resident of District 6
7 in Palm Beach County, Florida. I met Mr. Schaller when
8 he was attempting to have the road in front of his house
9 improved. True.

10 During his efforts to have Fargo Road
11 improved, Mr. Schaller through his submissions to the
12 County Commission and other actions, showed himself to
13 be adept at researching and discovering information.
14 True.

15 Ultimately, the County Commission decided not
16 to improve Fargo Road. That's true. A portion of his
17 efforts to have Fargo Road improved were chronicled on
18 his website, and were freely available as of December
19 30. The web page is annexed attached Exhibit 1.

20 After the County Commission decided not to
21 improve Fargo Road due to strong neighborhood
22 opposition, Andrew F. Schaller entered the race for the
23 District 6 County Commissioner running against me.
24 True.

25 During that 2010 election race, Mr. Schaller

1 conducted an attack campaign against me. True.

2 Mr. Schaller submitted numerous public
3 records requests to Palm Beach County, Florida, seeking
4 information about me. True.

5 Ultimately, Mr. Schaller published a document
6 making numerous allegations against me. True.

7 A copy of the document was freely available
8 on Mr. Schaller's website as of December 30, 2011, it's
9 annexed as Exhibit 2. When Mr. Schaller published this
10 document to the public he held a media event where he
11 presented remarks on the document.

12 Yeah, that's -- in fact, that is the first
13 page, that was the media event.

14 The remarks Mr. Schaller made, which were
15 freely available on his website on December 30, 2011,
16 are annexed as Exhibit 3.

17 Q. Let me just stop you real quick so I can ask
18 you a question or I can aver that that request for
19 inquiry that's marked as Defendant's Exhibit 1 was the
20 same request for inquiry that was attached to your
21 affidavit saying that that was the document that was
22 published by Mr. Schaller?

23 MR. MARIANI: The affidavit says it's the
24 document that was on the website, is what the
25 affidavit says. It's freely available on

1 Mr. Schaller's website.

2 BY MS. KITTERMAN:

3 Q. Mr. Santamaria, did you pull that document
4 off of Mr. Schaller's website?

5 A. Others did it in my behalf.

6 Q. Who did it? Who?

7 A. I presume my legal counsel.

8 Q. Okay. Do you recognize that request for
9 inquiry that's marked as Defendant's Exhibit 1?

10 A. It seems to -- that particular page seems to
11 be similar to my Page 3. So it seems to be the same
12 thing.

13 Q. Okay. At the time that you signed this
14 affidavit, did you take a look at that exhibit to swear
15 under oath that you were the one that pulled that off of
16 the website of Mr. Schaller?

17 MR. MARIANI: Objection, form.

18 BY MS. KITTERMAN:

19 Q. You can answer.

20 MR. MARIANI: The affidavit doesn't say he
21 pulled it off the website. So I don't appreciate
22 your mischaracterization of the document you handed
23 to the witness.

24 MS. KITTERMAN: You can stop because I don't
25 appreciate you talking during my deposition. If

1 you have an objection, you can state it for the
2 record and he can answer my question.

3 MR. MARIANI: I'm making my objection.

4 BY MS. KITTERMAN:

5 Q. You can answer.

6 A. I did not personally go through the website,
7 but I had other people do it in my behalf.

8 Q. Okay. When you signed this affidavit, did
9 you take a look at the exhibits that were attached to
10 it?

11 A. Did I look at the exhibits? Again, which
12 exhibit in particular?

13 Q. Defendant's Exhibit 1 that's sitting right
14 there in front of you.

15 A. Oh, I have -- this one?

16 Q. Yes.

17 A. Absolutely. I have gone through this many
18 times.

19 Q. Okay.

20 A. I have gone through this multiple times.

21 Q. Okay. So I'm a little confused because
22 you're telling me it's not the same one that is sitting
23 in front of you, but it's the same one --

24 A. No, I'm saying that --

25 Q. Let me finish my question.

1 But it's the same one that is attached to the
2 affidavit. So I'm just trying to determine, in your
3 mind, which one is accurate?

4 MR. MARIANI: Objection to form. I'm going
5 to interject.

6 MS. KITTERMAN: You can object to the form.

7 MR. MARIANI: You represented this is a
8 complete document.

9 MS. KITTERMAN: I'm asking a question. He
10 can answer my question.

11 MR. MARIANI: No. Excuse me. Excuse me.
12 I'm attacking your exhibit. The only issue about
13 this exhibit is whether it's complete. You
14 represented it was complete and we're telling you
15 it's not complete. That's the issue.

16 MS. KITTERMAN: You know, I'm representing
17 it's complete because that's what was provided to
18 me by you.

19 MR. MARIANI: No. No, no.

20 MS. KITTERMAN: Yes, yes.

21 MR. MARIANI: You're implying --

22 MS. KITTERMAN: I would appreciate it if you
23 stopped talking during my deposition.

24 Can you read back the last question that I
25 asked him, please.

1 (Whereupon, the requested portion of the
2 record was read aloud by the Court Reporter.)

3 BY MS. KITTERMAN:

4 Q. This one (indicating) you have gone through
5 many times?

6 A. This one (indicating).

7 Q. Okay.

8 A. This one, this one (indicating).

9 MS. KITTERMAN: I would like the record to
10 reflect that Mr. Santamaria is referring to his
11 personal copy of a request for inquiry that he has
12 marked up and he's relied on in preparation for his
13 deposition. And defendant is requesting a copy of
14 his personal one that he has relied on.

15 I trust you'll be willing to provide it?

16 MR. MARIANI: No, we won't.

17 MS. KITTERMAN: Well, good, then I guess
18 we'll see Judge French for a discovery issue.

19 BY MS. KITTERMAN:

20 Q. Mr. Santamaria, you can continue reading your
21 affidavit because I'd like to see what else is in there
22 that you did not do. You left off on Number 5, I
23 believe.

24 MR. MARIANI: Counsel, why don't you ask a
25 question.

1 MS. KITTERMAN: I did. I was asking what
2 parts of these, are these all true. That was my
3 original question and I stopped him.

4 MR. MARIANI: And I'm saying, ask a question.

5 MS. KITTERMAN: Yes.

6 MR. MARIANI: Ask a question about --

7 BY MS. KITTERMAN:

8 Q. Please finish reviewing your affidavit and
9 let me know whether those statements are true. If you
10 would like, I could read them for you.

11 MR. MARIANI: No, that's fine.

12 BY MS. KITTERMAN:

13 Q. Number 5 states --

14 MR. MARIANI: No, that's fine. You want him
15 to start at five. I'm just asking you to ask a
16 question.

17 MS. KITTERMAN: That was the question.

18 MR. MARIANI: Fine.

19 BY MS. KITTERMAN:

20 Q. Yes.

21 A. One of the pages of the published document
22 alleged that I had been convicted of a felony. This
23 page is annexed as Exhibit 4. I have never been
24 convicted of a felony. That is true.

25 While it is true my birth name was Jesus R.

1 Santamaria, my name was changed to Jess R. Santamaria
2 when I obtained citizenship in this country in 1990.

3 Q. Is that true?

4 A. True. I have been known as Jess R.
5 Santamaria the entire time I have lived in Palm Beach
6 County, Florida.

7 Q. Is that true?

8 A. True. There are documents reflecting my name
9 as Jess R. Santamaria in the Palm Beach records of Palm
10 Beach County, Florida, dating as far back as 1978. That
11 is true.

12 Q. Are there any documents that reflect any name
13 other than Jess R. Santamaria in the public records?

14 A. There might be. There might be.

15 Q. What would the other names be?

16 A. Jesus, J-e-s-u-s. Jesus Ros Santamaria. My
17 baptismal name would appear in some situations.

18 Q. Okay. Any other names?

19 A. That's --

20 MR. MARIANI: Any other names what?

21 MS. KITTERMAN: That appear in the public
22 records.

23 THE WITNESS: It's either --

24 MR. MARIANI: Objection, form.

25 THE WITNESS: Yeah, it's either Jesus Ros

1 Santamaria or Jess R. Santamaria.

2 BY MS. KITTERMAN:

3 Q. What does the R stand for in Jess R.
4 Santamaria?

5 A. The R is Ros, R-o-s. Ros is the maiden name
6 of my mother.

7 Q. Okay. Keep going with the affidavit, please.

8 A. Because that is -- I probably should support.
9 The reason, it's a custom in many Spanish -- although I
10 was born in the Philippines, I have Spanish ancestry.
11 And it is a common custom in many families to retain not
12 only the father's last name, but also the mother's last
13 name.

14 So I am very proud of my mother's last name
15 as well. So I carry the R in honor of my mother, whose
16 maiden name is Ros.

17 Q. Okay. The last paragraph of your affidavit
18 states that Mr. Schaller did not remove the offending
19 statements from his website. When is the last time that
20 you have been to Mr. Schaller's website?

21 A. The truth is I rely on others to go through
22 the website on my behalf.

23 Q. Okay. So --

24 A. So I rely on my wife, I rely on my relatives,
25 and I rely on my legal counsel to do that type of

1 research and investigation.

2 Q. Have you ever been to Mr. Schaller's website?

3 A. Only when it was shown to me. Yeah, I --
4 only when it is shown to me by my wife or an associate
5 or legal counsel.

6 Q. Mr. Santamaria, where did you get that spiral
7 bound copy of the request for inquiry? How did you
8 obtain a copy?

9 A. I probably got it from -- from the county.
10 County administrators provided it. He probably
11 provided -- he must have gotten a copy and provided me a
12 copy soon after, soon after receipt from the county. My
13 recollection is copies were provided by Bob Weisman's
14 office, who is the administrator.

15 Q. And Bob Weisman provided you with that copy,
16 that's what you're saying?

17 A. That is my recollection.

18 Q. Uh-huh. Now, we were just talking about your
19 different names that you've been known as, your
20 Baptismal name, your mom's maiden name.

21 Can we go through from the time you were born
22 all the different names that you've been known as?

23 MR. MARIANI: Objection, form.

24 BY MS. KITTERMAN:

25 Q. What were you known as when you were born?

1 A. Jesus Santamaria. And Jess was my nickname
2 by all of my friends in school and in my neighborhood.

3 Q. Did you get a birth certificate in the
4 Philippines?

5 A. Yes.

6 Q. What would your birth certificate have said
7 your name was?

8 A. It would have also had Vicente, Vicente as
9 another name.

10 Q. So it would have read Jesus --

11 A. Vicente.

12 Q. -- Vicente Santamaria?

13 A. Yeah.

14 Q. When did you introduce Ros into your name?

15 A. I would have introduced Ros sometime during
16 my school years. Like I said, it's kind of a Spanish
17 custom. So sometime, I don't know exactly the day or
18 the year, all I know that it's customary for -- to use
19 the mother's maiden name as a middle name.

20 So I just did it whenever, since that was --
21 you don't give it -- you don't even give it any thought.
22 It's just natural to use your mother's maiden name. So
23 you don't think about it and say at a certain period of
24 time, I'm going to use Ros. No, it just happens because
25 it's normal.

1 Q. What is a Baptismal name?

2 A. What is that?

3 Q. What does it mean? What is a Baptismal name?

4 A. When I was baptized as a Catholic.

5 Q. What was your Baptismal name?

6 A. Jesus Vicente.

7 Q. Santamaria?

8 A. Santamaria. My recollection is some

9 relatives said Jesus, some relatives said Vicente. So,

10 you know, there was -- there were like Catholics in my

11 own family, different members of the family are

12 suggesting different names. So sometimes you get

13 multiple names because somebody wants one name, somebody

14 wants another name. And somehow you get multiple names

15 end up, end up in your records.

16 Q. And when we were talking about your names in

17 public record, you said your name would show up as

18 Jess R. Santamaria or Jesus Santamaria; correct?

19 MR. MARIANI: Objection to the form.

20 THE WITNESS: Yes.

21 BY MS. KITTERMAN:

22 Q. Do you know what type of records, public

23 records Jesus Santamaria would show up on?

24 A. It would show up prior to my citizenship.

25 Q. So before --

- 1 A. Prior to my citizenship in 1990.
- 2 Q. Okay. So your citizenship was in 1990?
- 3 A. Yeah, that is my recollection. Early 1990.
- 4 January, I think it was.
- 5 Q. Okay. I'm going to --
- 6 A. Because I did not like people calling me
- 7 Jesus. Jesus is more normal in the Spanish tradition,
- 8 but some people who don't know the Spanish pronunciation
- 9 would call me Jesus. And I -- so that's when I said I
- 10 got to make sure that my official name will be Jess to
- 11 do away with anybody mistakenly calling me Jesus.
- 12 Q. Do you know of anybody in Palm Beach who has
- 13 referred to you as Jesus?
- 14 A. I don't recall. I don't recall if anybody
- 15 referred to me as Jesus.
- 16 Q. Anybody recently?
- 17 A. No, not because -- it's no longer being used
- 18 because it doesn't show anywhere now.
- 19 Q. The copy of the request for inquiry that you
- 20 have, do you know whether that was a copy that
- 21 Mr. Schaller actually created?
- 22 A. Which one?
- 23 Q. Your spiral bound request for inquiry.
- 24 A. Yeah. Do I what?
- 25 Q. Do you know if it is one that Mr. Schaller

1 actually created?

2 A. That is my feeling is that he actually
3 created the entire document, yes, because he provided it
4 to multiple people and they were all the same thing. So
5 he provided that copy to the entire world. He was happy
6 to try to incriminate me and spread it since he was
7 running for office. He wanted to do everything he
8 possibly could to put me down as part of his campaign.

9 So either he spread that all over -- many
10 people came to me to tell me about it. And, of course,
11 he had a press conference where he got the newspapers
12 involved and the media. So he really went out of his
13 way to spread that all over the place, wherever he
14 could.

15 Q. Okay. But the question that I'm asking you
16 is whether that spiral request for inquiry --

17 A. I'm pretty confident -- I'm pretty confident
18 that this was 100 percent his doing.

19 Q. That it was created by Mr. Schaller?

20 A. Yes.

21 Q. That it was not a copy that Mr. Weisman made
22 and gave to you?

23 A. No, this was -- I'm confident that every word
24 in every page was 100 percent the work of Mr. Schaller.

25 Q. I understand that. My question is whether

1 the spiral notebook that you have was photocopied from
2 Mr. Schaller's original by Mr. Weisman, or whether you
3 know you have an original that Mr. Schaller created?

4 A. I wouldn't -- I would not know because he did
5 not give it to me. It was given to me by others and I
6 saw what he gave others and they were all identical.

7 Q. Okay.

8 A. So I have seen duplication of the same thing
9 from multiple sources.

10 Q. Okay.

11 A. Including -- including probably the press.
12 Probably I might have even gotten something from one of
13 the reporters because they were all over the place.

14 Q. Do you know any of the reporters that you saw
15 that from?

16 A. Andy Reid interviewed me. Andy Reid was one
17 of them.

18 Q. Anybody else?

19 A. He was the one who came to my office,
20 actually, and had one in his hand.

21 Q. Okay.

22 A. The same day, the same day.

23 Q. What day was that?

24 A. The same day of the report, whatever the date
25 is. Can I see mine? Whatever the date, that's the --

1 the date of -- whatever's the date there.

2 September 13th.

3 MS. KITTERMAN: I would like the record to
4 reflect that the plaintiff is referring back to his
5 spiral notebook copy of the request for inquiry
6 that plaintiff's counsel has refused to provide
7 defendant.

8 I would like to take a break at this moment
9 and give you a break.

10 (A brief recess was taken.)

11 BY MS. KITTERMAN:

12 Q. Mr. Santamaria; earlier you testified to the
13 fact that you had been involved in several companies.
14 Can you please list the companies that you are currently
15 an owner or partner of that are not publicly traded
16 companies?

17 A. South Pacific Enterprise.

18 Q. And what does South Pacific Enterprises do?

19 A. It's a limited partnership that owns the
20 Royal Inn Hotel.

21 Q. Do you have any partners?

22 A. I do have two other partners.

23 Q. In South Pacific Enterprises?

24 A. Yes.

25 Q. Who are they?

- 1 A. Dr. Roy Kishore.
- 2 Q. Can you spell that, please?
- 3 A. R-o-y, Roy, Kishore K-i-s-h-o-r-e.
- 4 Q. And who else?
- 5 A. And Pilar Dominguez.
- 6 Q. Spell that?
- 7 A. P-i-l-a-r, Dominguez, D-o-m-i-n-g-u-e-z.
- 8 Q. And does Dr. Kishore have any responsibility
9 with regard to running the Royal Inn Hotel?
- 10 A. No.
- 11 Q. Does Pilar Dominguez have any responsibility?
- 12 A. No.
- 13 Q. Are they mere investors?
- 14 A. Limited partners.
- 15 Q. They're limited partners. Okay.
16 What other companies do you have?
- 17 A. Wellington Mall.
- 18 Q. Is that the name of the company?
- 19 A. Wellington Mall Limited Partnership.
- 20 Q. And Wellington Mall Limited Partnership owns
21 the Wellington Mall property?
- 22 A. Yes.
- 23 Q. Does it also own the building on the
24 property, the Wellington Mall itself?
- 25 A. It owns all of the buildings.

1 Q. Okay.

2 A. It's one ownership of the mall, two office
3 buildings and the land.

4 Q. Okay. Do you have any partners in that
5 entity?

6 A. Yes.

7 Q. Who are they?

8 A. Dr. Michael Sinclair.

9 Q. Anybody else?

10 A. Dr. Rosa Fernandez.

11 Q. Rosa?

12 A. Rosa Fernandez.

13 And an entity -- and one is a corporation
14 whose name escapes me right now. It's a corporation.

15 And the last one is Romeo Villonco,
16 v-i-l-l-o-n-c-o.

17 But the entity, I'll have to get you the name
18 of the entity.

19 Q. Who is the underlying owner of the entity, if
20 you know? Do you know who the underlying owner --

21 A. Those are all limited partners and I'm the
22 general partner.

23 Q. No. I understand. But you said one of the
24 limited partners is a corporation that you don't know
25 the name of right now.

1 A. Yeah.

2 Q. I'm saying, do you know who owns that
3 company?

4 A. Oh, yeah. The owners is a family, the
5 in-laws of my nephew. I have a nephew, Raymond Kahn.

6 Q. K-a-h-n?

7 A. K-a-h-n. Raymond Kahn, he's my nephew.

8 And he's married to Margerita Urrea, and her
9 family and this entity invested.

10 It's U-r-r-e-a.

11 So it's a family who has this entity.

12 Q. The Urrea family?

13 A. Yes.

14 Q. What other companies are you involved in?

15 A. What other companies? Royal Industrial
16 International.

17 Q. And what does Royal Industrial International
18 do?

19 A. We have limited partnership there. It's an
20 industrial building.

21 Q. An industrial building?

22 A. It's zoned industrial. It's zoned
23 industrial. It's a commercial building. The reason
24 it's industrial is because the zoning is industrial.
25 And that's owned by myself and then one other party,

1 limited partner is Dr. Roy Kishore again. Same name as
2 earlier.

3 Q. Okay. What is the address of the industrial
4 property?

5 A. I don't know the address. The address is --
6 they're all within walking distance of my office. I
7 have an office, the address of my office is 675 Royal
8 Palm Beach Boulevard. These properties are just within
9 walking distance.

10 One is the -- my office is in the hotel, in
11 the Royal Inn. And the Royal Industrial is across the
12 street.

13 Q. Okay. Is there a building on the Royal
14 Industrial property?

15 A. Yeah, it's a building, it's a building.

16 Q. A commercial building?

17 A. Industrial building.

18 Q. Industrial building?

19 A. Again, zoned industrial. The zoning that is
20 industrial, the zoning that is commercial. It's zoned
21 industrial.

22 Q. What industrial business is located at that
23 property?

24 A. Well, there is a -- it's really not -- there
25 are three tenants. One is a body shop, auto body shop.

1 One is a dance school, although its a dance school in an
2 industrial zone. And the other one is a charter school.

3 Q. What's the charter school's name?

4 A. Western Academy Charter School.

5 Q. And those are all tenants of yours?

6 A. Three tenants for that, in that particular
7 building.

8 Q. Okay. You don't have any ownership in any of
9 those three tenants?

10 A. No.

11 Q. Okay. Other than the Royal Industrial
12 International, any other companies?

13 A. Royal Plaza North.

14 Q. Is that also a limited partnership?

15 A. Limited partnership.

16 Q. And who are your partners?

17 A. I'm the sole owner. It's one building, one
18 tenant. It's also an industrial zone. It's really next
19 door to -- those two are side by side. They're really
20 adjacent properties, both in an industrial zone. But
21 that one I'm the sole owner. The other one I'm 92
22 percent owner. The Royal Industrial, Dr. Kishore is a
23 seven point something percent owner.

24 Q. Okay. What building is on the Royal Plaza
25 North, the --

- 1 A. One building.
- 2 Q. What building?
- 3 A. One building with one tenant.
- 4 Q. Who is that?
- 5 A. General Rental. Equipment rental.
- 6 Q. Do you have any ownership in that company,
7 the General Rental Equipment?
- 8 A. I -- let me see if I can give you one answer
9 here so you don't have to repeat the same question every
10 time.
- 11 As of my recollection now, I have no
12 ownership in any of the tenants. So if I can think of
13 something where I have some involvement, I'll let you
14 know. But right off the top of my head, so you don't
15 have to keep asking the same question, I don't have any
16 ownership among any of my tenants that I can think of
17 right now.
- 18 Q. Fair enough. If one comes to your mind while
19 we're discussing it, you can let me know.
- 20 A. Yeah.
- 21 Q. Okay. Any other companies you're involved
22 in?
- 23 A. Royal Palm Beach Shopping Plaza.
- 24 Q. Is that the name of the company?
- 25 A. That's the name of the partnership. Royal

1 Palm Beach Shopping Plaza.

2 Q. LP? Limited partnership?

3 A. It's Royal Palm -- if you really want -- it's
4 Royal Palm Beach Shopping Plaza and Medical Center.
5 That was the first one that I formed. Royal Palm Beach
6 Shopping Plaza and Medical Center.

7 That one I have more partners. And I would
8 rather -- there have been partners that sold their
9 interest. So I have to get you, if you want, the list
10 of all of the partners. I'll have to give that to you
11 because I wouldn't remember all of them. Because I've
12 bought out some and I don't know exactly who is left in
13 the limited -- they're all limited partners.

14 In all of my companies, if I have others
15 they're limited partners and I'm the general partner,
16 which means I'm the only decision maker. This
17 particular one has a lot of small partners, like 10,000.
18 That's what they consider small. And like I said,
19 there's a lot who already left. And I need to get you
20 the remaining partners if you want them. I'll be glad
21 to do that for you.

22 Q. Okay.

23 A. But I don't have them.

24 Q. But you don't remember them right now?

25 A. No.

1 Q. Can you recall any of them off the top of
2 your head?

3 A. Roy Kishore is one again, one of them. He's
4 in three entities. So this would be the third one that
5 he is in, Dr. Roy Kishore. He's one of them.

6 Q. Okay.

7 A. There is a Sharad Gandhi, a friend from
8 Philadelphia.

9 Q. How do you spell his name?

10 A. G-a-n-d-h-i. And Sharad is S-h-a-r-a-d.

11 Q. And you said you know him from Philadelphia?

12 A. Yeah.

13 Q. Anybody else?

14 A. Like said, there are other people who changed
15 their names. They had it individual and put it in the
16 name of the company. That's why I'm going to have
17 difficulty. I can give them all to you by Monday, I'll
18 give you every single name. But people change their
19 names, somebody died, they turn it over to a son or
20 daughter, they have some multiple children. So there's
21 been, there's a lot of changes there. And so we're
22 going spend a half a day for me trying to figure out
23 which one dropped out, which one changed the name. And
24 I'd rather just give everything to you on Monday.

25 Q. Fair enough. If you can provide it to your

1 attorney, he can send it over to me. Then I'll move on.

2 What other companies are you involved in --

3 oh, wait. Sorry. What does Royal Palm Beach Shopping
4 Plaza do?

5 A. It's a shopping center built in '81 in phases
6 over the five year period. It's about 96,000 square
7 feet of tenants, multiple tenants. Built from '81 to
8 '85. That's a typical neighborhood grocery shopping
9 center.

10 Q. Like with a grocery center?

11 A. We had a grocery store that closed and so now
12 it's a charter school. So the Western Academy is also a
13 tenant involved in the Royal Industrial and also a
14 tenant in the Royal Palm Beach Shopping there, again,
15 side by side.

16 Q. Okay.

17 A. Oh, there's probably I don't know, 25, 30
18 tenants.

19 Q. Of Royal Palm Beach Shopping Plaza?

20 A. Yeah.

21 One of the tenants Andy Schaller is very
22 familiar with, because he used to go there to meet me
23 for breakfast at Hilary's Restaurant.

24 Q. Hilary's Restaurant?

25 A. Oh, yeah.

1 Q. You eat there for breakfast?

2 A. Oh, yeah. And he and I ate there, too, for
3 breakfast when we were in very friendly terms.

4 Q. Well, that sounds nice.

5 Okay. What other companies do you own?

6 A. Royal Florida Communities, that's the real
7 estate company that's a licensed broker where my wife is
8 the licensed broker.

9 Q. That's where you and your wife hang your
10 brokerage license?

11 A. Yeah, she's the one who is the licensed
12 broker. I only have a real estate license. She is the
13 one who has a licensed brokerage. And my son also is a
14 licensed broker.

15 Q. Which son?

16 A. Christopher.

17 And my daughter is also a licensed realtor in
18 the same company.

19 Q. So you and your daughter are licensed
20 realtors in that company and your wife and your son
21 Christopher are licensed brokers in that company?

22 A. Brokers.

23 And that one is a real estate company that is
24 100 percent Santamaria company.

25 Q. By 100 percent Santamaria company --

1 A. There's no partner.

2 Q. Just you or just your family?

3 A. Primarily, and my wife. Because she's the
4 broker. So it's really, you might say on paper she's
5 100 owner of Royal Florida Communities. But it's nobody
6 else was involved, never was. Nobody else was ever
7 involved throughout its existence.

8 Q. And what does that company do? Do they buy
9 and sell real estate?

10 A. Anything and everything to do with real
11 estate. Anything and everything to do with real estate.
12 Anything that the real estate companies are allowed to
13 do, buying, selling, renting, managing, leasing.
14 Whatever a real estate company is licensed to do, it
15 does.

16 Q. Does it deal with just your properties or --

17 A. Primarily. Primarily. At one time we did
18 general real estate. But now it's primarily our own
19 business.

20 Q. Does Vincent have a real estate license?

21 A. He did once upon a time. But I'm sure he let
22 it lapse after he moved out of the area. When he left
23 Palm Beach County probably, to go to college. He was
24 licensed when he was still here, but when he left I
25 doubt if he bothered to renew.

1 Q. Does anybody else work for that company other
2 than your family?

3 A. Primarily us.

4 Q. What other companies are you involved in?

5 A. J.R. Santamaria, LLC.

6 Q. And what does that company do?

7 A. It's kind of the umbrella.

8 Q. Like --

9 A. It's my umbrella company.

10 Q. Like the parent company?

11 A. The umbrella, as per the advice of my CPA
12 firm and the advice. They advised me to put
13 everything -- to have one company that is the umbrella
14 so everything flows through.

15 Q. And when you say everything flows through,
16 you mean the profits of your other companies?

17 A. Everything flows through according to my CPA
18 firm, Templeton and Co., who does my accounting work,
19 advised me to form a company that everything can flow
20 through. So for tax purposes, everything flows through.
21 So if one company makes a profit, it goes in. If one
22 company loses money, it goes in and you deduct the loss
23 of one with the profit of the other.

24 So everything flows through that company.

25 That's it.

1 Q. Right.

2 A. I don't know how else to explain it.

3 Q. I understand.

4 Is it also an asset protection vehicle? Do
5 you know what asset protection is?

6 MR. MARIANI: Objection. I'll direct the
7 witness not to answer that question.

8 MS. KITTERMAN: Based on what?

9 MR. MARIANI: Based on what I'm directing him
10 not to answer.

11 MS. KITTERMAN: What is your basis for
12 directing him not to answer?

13 MR. MARIANI: Respectfully, that's my
14 business.

15 MS. KITTERMAN: Respectfully, it's not your
16 business. This is my deposition. Unless you have
17 a privilege, that's the reason you are instructing
18 him not to answer, you can't instruct him not to
19 answer.

20 MR. MARIANI: Well, it's based on privilege.
21 I'm not going to explain it to you. But it's based
22 on privilege.

23 MS. KITTERMAN: What privilege?

24 THE WITNESS: I would like to answer it.
25 Because the answer is very simple, John. I'm not

1 going to introduce anything different than what
2 I've already said. The only thing I know --

3 MR. MARIANI: Go ahead, answer if you choose.

4 THE WITNESS: The only thing I know is this
5 is the advice Templeton, to let everything flow. I
6 have really no interest in asset protection.

7 That's why I want to answer it.

8 MR. MARIANI: Okay.

9 THE WITNESS: I have no interest in asset
10 protection. I am the type of person who stands
11 behind all of my businesses. I personally
12 guarantee all of my loans. I never hide behind any
13 corporate veil. I'm a person who is ready, willing
14 and able to confront anybody anytime anywhere.

15 So I am not interested in asset protection.
16 I, as some of you know, I donate my entire pay as a
17 county commissioner, I donate all of my income from
18 government. I don't want to make a penny out of
19 government. I actually donate more than I earn
20 from government.

21 So that's why the word asset protection has
22 no meaning to Jess Santamaria, because I don't need
23 to protect anything. And that's why I want to
24 answer that question.

25 I am doing this because my -- I'm saying for

1 the third time and the last time, that the reason
2 that there is Jess Santamaria, LLC, is to have one
3 company flow everything through. That's what my
4 accountant told me and that's what I did, period.

5 MS. KITTERMAN: Fair enough.

6 THE WITNESS: That's it.

7 BY MS. KITTERMAN:

8 Q. Does Jess Santamaria, LLC, is it listed as
9 the general partner as in all of your other companies,
10 or is it Jess Santamaria personally; do you know?

11 A. I have nothing else to say. I am telling you
12 everything I know. Jess Santamaria is the company that
13 combines everything. All of the income and all of the
14 losses flow through that company.

15 I'm following my account's advice. If you
16 want to depose my accountant, you can go and depose my
17 accountant. I don't know anything else to tell you.
18 Because that's it. Period.

19 Q. Okay. I understand what you're saying.

20 A. That's it.

21 Q. My question is whether you know, when you say
22 that you're a general partner of, for example,
23 Wellington Mall Limited Partnership, is it under your
24 personal name, Jess R. Santamaria or is it
25 J.R. Santamaria, LLC? That's all I'm asking.

1 A. J.R. Santamaria, LLC.

2 Q. Okay. Fair enough. Is anybody else involved
3 with J.R. Santamaria, LLC?

4 A. Just me and my wife.

5 Q. Okay. Any other companies in which you're
6 involved?

7 A. There is a Jess Santamaria, Inc. And right
8 now the only thing it does is it's the entity of the
9 general partner of the Wellington Mall.

10 Q. Okay.

11 A. So the Wellington Mall's general partner is
12 Jess Santamaria, Inc.

13 Q. Do you have any partners --

14 A. No.

15 Q. -- in Jess Santamaria?

16 A. No.

17 Q. Are there any other companies that you're
18 involved in?

19 A. That's all I can think of -- oh, yeah,
20 Willows Plaza, Inc. Willows, W-i-l-l-o-w-s, Plaza, Inc.

21 Q. What does Willows Plaza, Inc., do?

22 A. Well, that's one building, one building. And
23 there are two other -- I own 50 percent of the entity.
24 It's one building of about 8,000 square feet. And the
25 other two partners are James Udell, U-d-e-l-l, and David

1 Dave -- Dave... Dave... Right now my mind is going
2 blank. If I remember it along the way, the other
3 partner -- he's a tenant. The other partner is a
4 tenant. The other partner is a tenant. That one, he's
5 a tenant. We are talking about Print-It Plus is the
6 name of the tenant.

7 Q. Printed Plaza?

8 A. Print, P-r-i-n-t, Print-It Plus. It's a
9 printing company.

10 Q. Oh, Print.

11 A. Print-It Plus.

12 Q. Okay, Print-It Plus.

13 A. And they occupy most of the building. And he
14 is a 25 percent partner. David and Kimberly Leland.
15 Leland is the last name. L-e-l-a-n-d. David and --
16 well, he's the limited partner -- no, not limited
17 partner. 25 percent stock holder. That one is a
18 corporation.

19 Q. Right.

20 A. So he's 25 percent stock holder, James Udell
21 is 25 percent stock holder, and Jess Santamaria 50
22 percent stock holder. I'm the president of Willows
23 Plaza, Inc.

24 Q. Where is that located?

25 A. Royal Palm Beach. Royal Palm Beach and

1 Okeechobee Boulevard.

2 Q. And you said that tenant there is primarily
3 Print-It Plus?

4 A. Yes, print It Plus and Congress Auto Parts
5 and a beauty shop. More than 50 percent, about 60
6 percent is this Print-It Plus. And then there is
7 Congress Auto Parts and a beauty shop, small beauty
8 shop.

9 Q. Okay. Any other companies that you're
10 involved in?

11 A. At the moment I cannot think of any other
12 company.

13 Q. What about an entity called Timber Creek
14 Townhomes and Villas homeowners association, are you an
15 owner of that?

16 A. I built 21 townhouses. The association is an
17 association like any other association. I sold all of
18 the 21 townhouses. But over the years, some of the
19 owners of some of the townhouses asked me to take back
20 the townhouse and they would have me build a bigger
21 house. So I took back over the years, over a 25,
22 30-year period, I took back 16 of the 21 units. And I
23 built them houses, those 16.

24 So the association existed way back when,
25 when that development was built in the late '70s. So it

1 was built in the late '70s. I am on the board of the
2 association, but that's the extent of -- I don't own the
3 association. I'm a board member of the association. I
4 now own 16 and I rent the 16 units. That's it.

5 Q. Okay. You said -- I thought you said 16 of
6 the --

7 A. 16 of 21 I have repurchased.

8 Q. You've repurchased so that those people could
9 go out and buy another house somewhere else?

10 A. Right.

11 Q. Did they buy another house from you somewhere
12 else?

13 A. Right. Many of them asked me to build a
14 bigger house. In other words, they were moving up. So
15 they bought a townhouse. And maybe 15, 20 years later,
16 they said build me a house, but I need sell this one,
17 here, take it back. So I took it back.

18 Q. Are you in the business of building houses?

19 A. I built a lot of houses in the '80s and 90s,
20 yes. I was a builder with a partner under the name
21 Royal Professional Builders.

22 Q. Who was your partners?

23 A. Wally Sanger. Wally Sanger, S-a-n-g-e-r.
24 Wally stands for Wallace. We were partners. And in
25 February of 2002, I sold all of my interests. We were

1 50/50 partners from 1982 to 2002. 2002, I sold my 50
2 percent ownership in Royal Professional Builders, Royal
3 Wall, and Royal Concrete Products. So those three
4 companies that we were 50/50 partners were turned over
5 to him in February 2002.

6 So that's when I -- I have not done any
7 building for others, although I have built for myself in
8 the properties I'm already involved in.

9 So the answer to your question is I was a
10 builder with a partner. Since I sold out my interests I
11 have not done any building for others.

12 Q. Why did you sell out your interest?

13 A. He -- we had run out of land in Royal Palm
14 Beach. And he wanted to move north. He moved to
15 Port St. Lucie. And I had no interest in moving outside
16 of the area. So I sold my interest with him and that's
17 it.

18 Q. Is he still operating those companies?

19 A. I don't know. He was, he may have sold some
20 of the companies. But you'll have to call him and
21 depose him.

22 Q. That's fair enough. I don't want you to tell
23 me what you don't know.

24 Was there any other reason that you sold your
25 interest to him?

1 A. That's it. That's it. We ran out of land in
2 Royal Palm Beach.

3 I have no interest in building or doing any
4 business out of the Wellington, Royal Palm Beach -- my
5 basic principal in business is that I have to be able to
6 get to the business within a five-minute drive. So
7 Wellington, Royal Palm Beach, the acreage, anything --
8 when we formed the partnership, or Royal Palm Beach
9 Builders, that was the condition. If you get an offer
10 to build outside of the area you have to turn it down.
11 And so we ran out of land.

12 The answer I'm going to give you is the only
13 answer I'm going to give you no matter how many times
14 you ask it.

15 I sold my interest because we ran out of
16 land. He wanted to move out of the area about an hour
17 and a half drive. And I have no interest in moving out
18 of the area. So I have no interest in doing other than
19 what I have always done, just stick to my immediate
20 neighborhood.

21 Q. When you say you ran out of land --

22 A. We --

23 Q. Hold on.

24 -- does that mean you, your company that you
25 were a partner with, Wally Sanger, that your companies

1 owned property that you were building on?

2 A. We were developers. We actually bought large
3 tracts of land, subdivided it, and built homes on those
4 properties.

5 Q. Okay. So those were finished when you built
6 them all up?

7 A. (Witness nodding.)

8 COURT REPORTER: You need to answer audibly.

9 THE WITNESS: Yes. Yes, our developments
10 were built out. And I had no interest in buying
11 land somewhere else.

12 BY MS. KITTERMAN:

13 Q. Did the events on September 11, 2001, have
14 any effect on your business with Wally Sanger?

15 A. None whatsoever.

16 Q. Do you know an entity known as Royal Commerce
17 Park II, Condominium Association?

18 A. Yeah, that's the same thing. It's a
19 condominium association -- oh, yeah. It's a condominium
20 association.

21 It's going to require a little drawing here.
22 Royal Plaza North, which has one building of 4,000 feet,
23 which I own hundred percent (indicating) --

24 Q. Would you like a piece of paper to draw on?

25 A. No, it's very simple. It's very simple.

1 Q. Okay.

2 A. It's part of a land that I was building two
3 buildings. So if this is the land, if this is an acre
4 of land, and I was approved to build two buildings on
5 the same land -- this is a bigger one than that
6 (indicating). This is 4,000 square thousand feet, this
7 might be, I don't know, 6,000 square feet (indicating),
8 bigger building.

9 I was going to build and rent both of them,
10 both of them. But somebody offered to buy this
11 building, offered to buy this building (indicating).

12 Q. When you say this building, you're referring
13 to the 6,000 square feet?

14 A. They offered to buy and I agreed to sell.

15 Q. I understand. The only reason I'm restating
16 what you're saying is because she needs to take it down
17 for the record, that's all.

18 A. That's an acre of land which I got approval
19 to build two buildings (indicating). Before I started
20 construction, somebody approached me to buy this larger
21 building of the two. I agreed to sell it. But it's
22 only one piece of land.

23 To maintain the whole 1 acre, to maintain the
24 whole 1 acre -- so to maintain the whole 1 acre by two
25 owners of different buildings, we formed a commercial

1 association so we could share in the costs of the
2 maintenance of the drive, parking and the landscaping
3 and the irrigation and the maintenance of the land and
4 landscaping. So we shared in the costs of the
5 maintenance of the land. That's the reason for the
6 association.

7 We have two owners, two owners who are on the
8 board of the association.

9 Q. Who is the owner of that, the 6,000 square
10 foot building?

11 A. I don't remember his name now. I don't
12 remember his name. But I'll be glad to get it for you.

13 Q. Okay. Is it the same owner that purchased it
14 from you --

15 A. Yes.

16 Q. -- that owns it today?

17 A. Yes.

18 Q. Is he still on the board with you?

19 A. Yes.

20 Q. Where is that property located?

21 A. It's in the same general area as the Royal
22 Hotel, Royal Plaza Shopping Center, Royal Industrial,
23 Ltd., Royal Plaza North. They're all within -- they're
24 all right there next door to each other.

25 Q. So what street is it on?

1 A. Well, it's at the corner of Southern
2 Boulevard, Royal Palm Beach Boulevard. And within the
3 properties, there are private roads that I named Royal
4 Plaza and Royal Commerce Road. So it depends how you
5 want to name. It's at the corner -- all of these
6 properties are at the intersection of Southern Boulevard
7 and Royal Palm Beach Boulevard.

8 And within this property here, I named a
9 driveway, it's not really a road road, it's a driveway.
10 I named it Royal Plaza. Then I named another road,
11 another driveway, Royal Commerce Road.

12 Q. Okay. Do you know an entity by the name of
13 Royal Garden Villas Homeowners Association?

14 A. Yes.

15 Q. What is your involvement with that?

16 A. Same thing. Exactly the same thing. The
17 Royal Garden Villas Association in principal is exactly
18 the same as Timber Creek Townhomes and Villas, exactly.
19 Except instead of having 21 units, this one has ten
20 units. It's ten units. There's four-plex, a four unit
21 building, a two-unit, a duplex and a four-plex.

22 Same thing happened. I sold them and some
23 people sold them back to me so that they could build a
24 bigger home. So I took back six of the ten. I own six
25 of those ten. And four other people own the four

1 others. My son owns one of the others.

2 Q. Which son?

3 A. Christopher.

4 And so there's, same thing, the association,
5 other than being a member of the board, I don't have
6 ownership in the association. I'm just a member of the
7 board, as one of the owners of the land, as other
8 members are also members of the association. Similar to
9 Timber Creek, same thing here.

10 Q. Okay. What about the company named We The
11 People, Inc. -- We The People United, Inc.? Do you have
12 any involvement in that?

13 A. I'm the founder. I'm the founder, president,
14 chairman, CEO of the entity. I'm a founder of that
15 entity. It's an activist group watching over government
16 for any shenanigans.

17 Q. How does it watch over the government?

18 A. Well, it's me.

19 Q. It's just you?

20 A. I'm the one who's always been watching over
21 government. You might find in records six lawsuits I
22 filed against local government of which I won all
23 seven -- seven lawsuits of which I won all seven.

24 So I keep an eye on any anomalies of
25 government and I put them to task.

1 Q. The seven lawsuits that you're talking about,
2 were they in the name of We The People, Inc. (sic), when
3 you sued?

4 A. No. No. The answer is no. Most of them
5 were actually in my own personal name.

6 Q. In your personal name, okay, fair enough.
7 Were any of them in the name of We The
8 People, Inc. -- United, Inc.?

9 A. We the people is just an entity that I have
10 used and will use for basically uniting people against
11 corrupt government, dishonest government. So it's an
12 ongoing entity. The basic principals on which it's
13 founded is in fact, honest government, honest business,
14 protection of the environment, protection of children,
15 safe streets, safe homes. Those are our objectives.
16 Honest government, honest business, protection of the
17 environment, protection of children, safe roads, safe
18 streets.

19 Q. Does anyone else work for that company?

20 A. No. At the moment it's 100 percent me.

21 Long before I was an elected official, I used
22 to have monthly meetings, basically to excite the
23 community against dishonest government, against abuses
24 of government through that entity. It's been about ten
25 years ago when I first formed it. And I would invite

1 speakers from government and from the environmentalist
2 movement to speak, basically to educate my fellow
3 residents in the Wellington, Royal Palm Beach area, to
4 educate them, to get them involved in active oversight
5 of government.

6 Q. So is it a not-for-profit company?

7 A. Not for profit.

8 Q. So We The People United, Inc., would sponsor
9 like these talks and --

10 A. Yes.

11 Q. -- bring in speakers?

12 A. Right. Yes.

13 Q. And the issues that you would you deal with
14 were the ones that you mentioned?

15 A. Right. Yes.

16 Q. Okay.

17 A. I'm what you say, I'm a one man government
18 watchdog.

19 Q. Tell me some of the things you've done as a
20 government watchdog.

21 A. One of the things I've done, I've sued
22 seven -- I've sued government for seven wrongdoings.
23 And I've won all seven either by court ruling or by them
24 backing off. So, what I have done, I watch over them
25 and when I see something that is not right, I put them

1 to task.

2 So that's -- and I ran for Palm Beach County
3 Commissioner because of the "corruption county" title,
4 it was something I was very ashamed of. And I was going
5 to do something about changing that title of corruption
6 county. So that's why I'm a commissioner today.

7 Q. Let's talk about those seven lawsuits that
8 you said you've filed. What is the first one that you
9 can remember?

10 A. The mayor and some councilmen fired the chief
11 of Police.

12 Q. In what city?

13 A. In Royal Palm Beach.

14 Q. Okay. So what was the lawsuit based on?

15 A. He was fired wrongly. He was fired wrongly
16 because the mayor tried to make him do things during an
17 election that was wrong. And the friends of the mayor
18 were massaging the female employees in City Hall. And
19 he was fired.

20 And he came to me and asked for my help. So
21 I told him I would testify in his behalf together with
22 other residents in the community who were also
23 interested in justice. So we filed a lawsuit and --
24 well, he filed the lawsuit and we supported him,
25 actually. He filed the lawsuit and we supported him.

1 And we testified in a Federal court. And he
2 was awarded 380 some thousand dollars punitive damages,
3 and got back his job.

4 Q. What was his name?

5 A. Clifford Pittard.

6 Q. Clifford what?

7 A. Clifford Pittard.

8 Q. How do you spell that?

9 A. P-i-t-t-a-r-d.

10 Q. And who was the mayor at the time that he got
11 fired?

12 A. Sam Lamstein.

13 Q. Sam? L-a --

14 A. Lamstein, L-a-m-s-t-e-i-n.

15 Q. Okay, what was the next lawsuit?

16 A. When Mayor Masilotti was the mayor of Royal
17 Palm Beach, he together, he was able to get all of the
18 council to approve changing a golf course zoning to
19 build three hundred homes, basically ruining the
20 community by replacing a golf course with 300 homes.
21 And we filed a suit.

22 Q. When you say we filed suit, who are you
23 talking about?

24 A. There was a bunch of residents. I forget now
25 how the suit was actually filed. But the suit was filed

1 and after five years, the city and the developer backed
2 off. They got the approval, but we stopped them by the
3 suit. And at the end of five years, they realized they
4 were going to lose the lawsuit so they then withdrew and
5 they withdrew their obligation to build 300 homes.

6 So we now have a beautiful golf course called
7 Madison Green.

8 So we protected, we protected our quality of
9 life in Royal Palm Beach by that suit.

10 Q. And you said that was Mayor Masilotti?

11 A. Masilotti. Who was subsequently --

12 Q. Can you spell that?

13 A. M-a-s-i-l-o-t-t-i.

14 Q. Go ahead. He was what?

15 A. Who subsequently has received a five year
16 sentence in jail. He's the one I replaced as the County
17 Commissioner.

18 Q. So what year was he the mayor?

19 A. I don't remember what year, but he was the
20 mayor during eight years. I don't remember exactly what
21 years, but he was a mayor for an eight year period.

22 Q. So he was the mayor of Royal Palm Beach when
23 he did this?

24 A. Yes.

25 Q. When I say "this," I mean the golf course

1 rezoning. And then he subsequently became a Palm Beach
2 County Commissioner?

3 A. Uh-huh.

4 Q. And when the suit was filed, was it filed
5 against Mayor Masilotti or actually the city of Royal
6 Palm Beach?

7 A. The city. That's the city. Obviously those
8 are all public records.

9 Q. Okay. And what would the third lawsuit be?

10 A. The same person, before he was mayor, bid
11 on a piece of property and bid on a piece of property
12 in Royal Palm Beach. He was not yet mayor, he was a
13 chairman of one of the government committees. He bid
14 on a property, a very valuable piece of property at the
15 intersection of Okeechobee and Royal Palm Beach
16 Boulevard. And in his bid, the bid was supposed to be
17 all cash. And he bid 600,000 all cash.

18 And being suspicious, I decided I was going
19 to get a copy of the contract to see whether the winning
20 bid was followed according to the rules of all cash.
21 When I finally got a copy of the contract, the contract
22 was changed without public, without notifying the
23 public. It was public land that was sold to this
24 individual, private individual at the time.

25 Q. That was Masilotti?

1 A. He was a private individual. He bid
2 600,000 in cash. When I finally got a copy of the
3 contract it was zero down, 100 years to pay, interest
4 only for a hundred years. And interest not to begin
5 until the building was built and a certain percentage
6 occupied. So it was really an outrageous contract that
7 was hidden from the public.

8 That one we filed a suit again -- that one
9 other residents contributed money to fund the suit.
10 That one we won by judge's ruling. Judge Edward Rogers
11 ruled by summary judgment that that was a complete
12 anomaly by government, changing the contract from cash
13 to no money down, hundred years to pay, interest only.
14 We won that lawsuit.

15 Q. Was the lawsuit against Masilotti or the
16 city?

17 A. Both.

18 Q. Both, Royal Palm Beach?

19 A. Both.

20 Q. The City of Royal Palm Beach?

21 A. Both, yeah. Of course they, they manipulated
22 the contract. So everybody was in on it, was
23 responsible.

24 Q. So because of the lawsuit, did the sale not
25 go through?

1 A. That's correct. It was declared null and
2 void by Judge Rogers, who is now chair of the Ethics
3 Commission.

4 Q. Of Palm Beach County?

5 A. Palm Beach County.

6 Q. Okay. What was the fourth lawsuit?

7 A. Oh, it was a city board called Board of
8 Adjustment, an independent board of five men and women.
9 This is a city government board that the mayor -- also
10 at that time mayor Lamstein. When he was not getting
11 what was his direction -- that board was supposed to be
12 independent, but the mayor felt he could dictate how
13 they would rule. So when they were not following his
14 orders, he terminated the entire board. He just
15 abolished the entire board.

16 And again We The People United and other -- I
17 was also part of another group called Citizens For Open
18 Government -- we again filed suit to reinstall the
19 board. And we succeeded. We filed a suit, but we did
20 not have to go to trial. Because the following year the
21 mayor lost in the election. So we helped dethrone that
22 mayor the following year. So that board was
23 reinstalled.

24 Q. And what was that mayor's name again?

25 A. Lamstein, same one.

1 Q. Lamstein.

2 And what was the fifth lawsuit?

3 A. There was a lady who was hired by the city
4 manager for a secretarial position.

5 Q. For the City of --

6 A. I'm still in Royal Palm Beach.

7 Q. Okay.

8 A. The city mayor -- no, the city manager hired
9 a lady to be secretary. The mayor wanted somebody else.
10 So after she was already hired but before she started
11 working, he kind of spoke not flatteringly of this lady
12 because he wanted somebody else hired.

13 So this lady was embarrassed, came to me and
14 explained. I didn't know her from Adam, I didn't know
15 her at all. But she had heard that I help people who
16 are taken advantage of, so she came for my assistance.

17 So I hired a lawyer on her behalf and paid
18 for the lawyer's legal fees to file suit against the
19 City.

20 Q. What was her name?

21 A. I forget her name now. it's been, it's been
22 quite a while. I forget her name. We can get it if you
23 need it. And --

24 Q. Do you know --

25 A. What is that?

1 Q. I was going to say, do you know what the
2 outcome of that lawsuit was?

3 A. The outcome of that lawsuit was they, they
4 meaning the city, settled with her by paying her legal
5 fees and apologizing for what happened, paying her legal
6 fees and apologizing. And also this was also the time
7 that we finally got the mayor out of office.

8 Q. Which mayor was that?

9 A. Same mayor, Lamstein.

10 Q. So when they settled to pay the legal fees,
11 you actually got reimbursed, not her, because you paid
12 the legal fees?

13 A. Probably I got back the -- it was about
14 10,000, yeah.

15 Q. Okay. Okay. And what was the sixth lawsuit?

16 A. This was a, I believe he was a Columbian
17 immigrant who sold ice cream on the streets in one of
18 those ice cream trucks. And for some reason the code
19 enforcement people penalized him and accused him of
20 doing business out of his house. And he again came for
21 my assistance. And I, again, offered to pay his legal
22 fees.

23 I hired a lawyer to represent him because he
24 was not -- he was selling on the road. And they claimed
25 he was selling it there. And so they were penalizing

1 him thousands of dollars. And we were able to prove
2 that he was not doing business out of his house. So,
3 again, they settled. The city again settled.

4 So he continued selling ice cream on the
5 street. And we saved him the penalties, he was
6 penalized like six, \$7,000 for doing business out of his
7 home.

8 This was a different mayor, Lodwick, and this
9 was a different administration. This was after, after
10 Lamstein and after Masilotti, as well.

11 Q. Lodwick? Can you spell that?

12 A. Lodwick, L-o-d-w-i-c-k.

13 So there have been three Mayors and three
14 city councils involved over all of these lawsuits over
15 maybe a 20-year period of time that there were seven
16 lawsuits filed with three different entities.

17 And I either won them in a court ruling or
18 they withdrew and paid off the legal fees and either
19 apologized or did something to rectify the problem.

20 Q. And what was the seventh lawsuit?

21 A. The seventh was an approval of a development
22 that was -- again Lamstein, this was Lamstein again, who
23 recommended, who wanted a project approved which
24 included gasoline pumps in a convenience store. But
25 then when some neighbors came and said, oh, gasoline

1 pumps cause gas fumes and gas fumes cause cancer. So
2 some of the friends of the mayor at that time were
3 against the convenience store with gas pumps. But the
4 mayor was the one who initially encouraged that
5 development. So he backed off when the friends objected
6 to that.

7 So again I had to file a suit. I said,
8 you're the one who wanted it. And now there's not --
9 there is no violation of any code. So anyway, we won
10 the lawsuit in a court of law. The Judge ruled that the
11 convenience store with gas was in fact an approved use
12 and you could not turn it down.

13 So seven out of seven, three or four were by
14 court ruling.

15 Q. And who filed that lawsuit?

16 A. I did.

17 Q. You personally?

18 A. Personally.

19 Q. What was your interest in that?

20 A. That was my project.

21 Q. The gas station was your project?

22 A. That was my -- that was the only one that
23 related to my business, out of the seven. One of the
24 seven related to my business so I needed -- the mayor
25 first was the one who approached me to do the project,

1 because they needed development in that area. So I
2 followed his instructions. And after following his
3 instructions, some of his friends said, no, we don't
4 want it. So he changed his mind and said take it out.
5 And I said, no I'm not going to take it out. See you in
6 court. That one we won by a court ruling.

7 Q. And where is that property located?

8 A. Royal Palm Beach.

9 Q. What streets?

10 A. Okeechobee, on a major road.

11 Q. Okay. Okeechobee and what, is it on a
12 corner?

13 A. Partridge Lane. P-a-r-t-r-i-d-g-e.

14 Q. Okay. So I think we covered the seven
15 lawsuits, right, that were involved with this government
16 watchdogs?

17 A. Uh-huh. Haven't lost one yet.

18 Q. Okay. What is your involvement with an
19 organization named Brother's -- My Brother's/Sister's
20 Keeper Charitable Trust, Inc.?

21 A. Founder, CEO, chairman of the board, all of
22 the above. I founded that about 17, 18 years ago. No,
23 no, that one is probably ten years ago, ten years ago.
24 The objective is to help the needy in Palm Beach County.
25 The mission statement sums it up. The mission statement

1 is the strong and the fortunate have an obligation to
2 assist the weak and less fortunate among us until they
3 are able to help themselves.

4 So that's one of my missions in this life is
5 to help the handicapped, the disadvantaged, the bullied,
6 the abusive, and correct the injustice on the little
7 people.

8 Q. Do you have any -- are there any employees or
9 volunteers that work for that organization?

10 A. No, I pay all of the overhead personally.
11 Sometimes there are fundraisers and every nickel, every
12 penny goes to help the needy in Palm Beach County.

13 Q. Is there a specific area that helps or just
14 all over the county?

15 A. We -- our two areas of special interest are
16 the Lord's Place Homeless, we contribute to them because
17 that's an objective as well, getting people off the
18 streets, counsel them, train them for employment, and
19 get them jobs. And the Belle Glade, the poor area in
20 the Glades.

21 Q. The Belle Glade what?

22 A. The Glades is considered one of the poorest
23 areas in the county.

24 Q. And what does it do for Belle Glade?

25 A. Two things. Well, whenever families are

1 having hardships and applies for funding, we evaluate
2 their situation in a case-by-case basis, donate money,
3 whether it's to pay for the rent or pay for food.

4 Every December, I bring in together with -- I
5 notify the deputies in Belle Glade to get me the
6 hundred, the hundred neediest families who can use some
7 help for Christmas. And we bring them to the Wal-Mart
8 in Royal Palm Beach. And upon their arrival, we give
9 them a 150 to \$200 checks to buy food and clothing prior
10 to Christmas. So about a hundred families benefited for
11 the last five years or so that we've been bringing them
12 in.

13 So, basically, helping the needy. The one
14 that is specific and that has been pretty regular every
15 year is bringing a hundred families to Wal-Mart here to
16 shop. And upon arrival, we hand them checks. And
17 the --

18 Q. Sorry. Go ahead.

19 A. And the other one, also during the Christmas
20 holidays, we ask the Lord's Home Place to bring their --
21 they call them clients, they're the homeless people,
22 bring them to the Wellington Mall and we have a
23 celebration. We get them a nice dinner and get all of
24 their children gifts for the holidays with Santa Claus
25 handing the gifts. Those are some of the things we do.

1 Q. Who picks out the hundred neediest families
2 in --

3 A. The deputies.

4 Q. -- Belle Glade?

5 A. Because they're the ones -- the deputies.

6 Q. The deputies?

7 A. The deputies, yeah. So the deputies are the
8 ones who pick out the poor families. Lately, I have an
9 assistant who is also helping pick out families. I
10 hired a guy that I paid for personally. He also
11 recommends poor families to bring them in.

12 Q. Who is that?

13 A. Jermaine Webb.

14 Q. Can you spell that?

15 A. J-e-r-m-a-i-n-e, Jermaine Webb, W-e-b-b. He
16 also helps pick out families. But mostly the deputies.

17 Q. And you said you personally hired
18 Jermaine Webb.

19 A. Yes, this year.

20 Q. This year?

21 A. This year.

22 Q. This year meaning 2012 or --

23 A. Within the last, I don't know, six months or
24 so. 2012.

25 Q. Does he do anything else for you?

1 A. Yes, he's my eyes and ears in the Glades.

2 Q. In the Glades? What, does he report back to
3 you what is going on?

4 A. Yes, sure. Yeah. Every week --

5 Q. What type of ways?

6 A. He represents me in meetings there. So he
7 attends meetings, Chambers of Commerce. He meets with
8 the mayors there, yeah. And he also sends me students
9 in the summer that I employ for odd jobs here and I
10 provide employment for three, four, five youngsters. He
11 also helps me in providing vocational courses for the
12 young men and women that are roaming the streets. I
13 funded the vocational -- I gave \$40,000 to Palm Beach
14 State College for vocational courses for welding and
15 heavy equipment and beauty shop, whatever you call it,
16 for hair.

17 So we fund vocational courses through me with
18 the state college. And he is the one who promotes that
19 program of training young men and women to be
20 self-sufficient.

21 Q. Do people apply to get to go to the Palm
22 Beach College through your vocational program?

23 A. Yes.

24 Q. He doesn't just pick the people?

25 A. He passes the word out that there is this

1 program available that you can take advantage of. So he
2 just spreads the news.

3 Q. Does he live in Belle Glade?

4 A. Yes, he's a native born Belle Glade resident.
5 He's college educated, articulate young man.

6 Q. How did you meet him?

7 A. Oh, he came to my office actually. He came
8 to my office about two, three years ago and was -- he
9 hated the government, he hated the deputies, the
10 sheriffs, he hated business. He was a guy who was very
11 frustrated with government and business and so I gave
12 him my undivided attention.

13 I felt he had a lot of potential. He was an
14 angry man who wanted to improve the world, from a
15 different angle than mine. My angle of improving the
16 world is a little different than his. Mine is a little
17 more subdued.

18 So I felt we could in the future work
19 together. So I gave him my undivided attention for over
20 a year and eventually started these little programs for
21 the Glades.

22 Q. How well do you know Jermaine Webb?

23 A. What's that?

24 Q. How well do you know him?

25 A. I think I told you how well I know him. I

1 already told you how I know him. He came to my office
2 like any other constituent who makes appointments to
3 meet with me. And he had lots of complaints about
4 government.

5 Q. Do you know anything about his background?

6 A. Do I know about -- I told you what I know. I
7 don't know. I have not investigated him, no.

8 Q. Are you aware that he has been investigated
9 by law enforcement?

10 A. No.

11 Q. Are you familiar with any writings that he
12 does?

13 A. Some. I've seen some of his writings and
14 they're writings that he criticizes, like I said,
15 government and business. He's critical of government,
16 or had been critical.

17 Q. Do you agree with what he writes?

18 A. Some yes, some no. I don't like his
19 approach. I think he's toned down his approach.

20 Q. Since he's been mentored by you?

21 MR. MARIANI: Objection, form.

22 BY MS. KITTERMAN:

23 Q. I put that word into your mouth. I didn't
24 mean to imply that you're mentoring him.

25 Since he has been working with you has he

1 toned it done a little?

2 A. Oh, yeah. Yeah. He has to.

3 He has to tone it down because he's -- his
4 methods of anger are not really effective. That's not
5 how you accomplish goals, is not by anger. You
6 accomplish goals by following the law to the letter. So
7 that's basically my advice to him is follow the law and
8 make other people follow the law, but not by anger.

9 Q. Were you familiar with his involvement with
10 an underground newspaper called The Undergrind,
11 Da Undergrind?

12 A. I don't know what you mean by underground,
13 really. Underground? I'm not familiar of any
14 underground stuff.

15 Q. Okay. Are you familiar with --

16 A. But whatever he has, my knowledge of him,
17 whatever he's doing, he's doing it over ground, openly.
18 Everybody knows about it and there is nothing
19 underground or underhanded.

20 Q. Fair enough.

21 A. The way you're explaining it, as if it's
22 underground meaning something --

23 Q. No.

24 A. Well, that's the way it sounded to me.

25 Q. No. And I apologize if that's the way you

1 think it sounded. What I was saying was, are you
2 familiar with a newspaper called Da, D-a, Undergrind?

3 A. I have no idea what the name of the paper is.

4 Q. Have you ever heard of it?

5 A. All I know that he does write. And he does
6 write in the past -- I don't know if he is still writing
7 today. But in the past, he did write and he wrote
8 strong letters objecting to the same things I object to,
9 which is corruption and abuse of people in power.

10 So his target was corrupt government and
11 abusive by people in authority. And I agree, we cannot
12 tolerate corrupt government and we cannot tolerate abuse
13 of power, people who abuse their power. That's all I
14 know.

15 And --

16 MR. MARIANI: Wait for a question.

17 THE WITNESS: Well, I'm -- I'm answering the
18 same question, that I think is relevant to the
19 question, what do I know about this man.

20 He wrote a letter to the newspaper strongly
21 supporting the Office of Inspector General. And
22 anybody who supports the Inspector General has good
23 intentions because the Inspector General is
24 supposed to clean government in Palm Beach County.

25

1 BY MS. KITTERMAN:

2 Q. Do you know when that letter was written?

3 A. Oh, within the last 60 days.

4 Q. Have you ever read this, an article dated
5 October 30th, 2003, by Susan Eastman, it was titled,
6 "Death and Doubts." I'll show it to you to see if
7 you've ever seen this before. I'll show it to your
8 counsel first. I'm not going to mark it.

9 A. No, this is the first time I see this.

10 Q. Okay.

11 A. It's probably interesting reading. I'd like
12 to have a copy of that.

13 MR. MARIANI: We'll copy that.

14 BY MS. KITTERMAN:

15 Q. If you could turn to Page 5 of ten.

16 MR. MARIANI: Let's mark this if you're going
17 to ask him about it.

18 MS. KITTERMAN: Okay.

19 (Defendant's Exhibit 3 was marked for
20 identification.)

21 BY MS. KITTERMAN:

22 Q. Actually, all I'm going to do is request that
23 you read the bottom paragraph, there is a star next to
24 it, and the top paragraph on the following page.

25 A. Okay. In the underground newspaper --

1 Q. You don't have to read it out loud.

2 A. Okay. I read it.

3 Q. Okay. In those two paragraphs that I asked
4 you to read, it appears that Mr. Webb is claiming that
5 he and his brothers need to take this crime into their
6 own hands. That was my interpretation. Was that your
7 interpretation, or what was your interpretation?

8 MR. MARIANI: Objection, form.

9 BY MS. KITTERMAN:

10 Q. What was your interpretation?

11 MR. MARIANI: Objection, form.

12 THE WITNESS: Let me start by saying I --
13 reading that, it's dated 2003. I am not surprised
14 that he would have written something like that. I
15 would not interpret it the way you're interpreting
16 it. But I'm telling you now I am proud that I have
17 taken him under my wing because I have changed that
18 specific type of feeling.

19 So now I'm glad I'm doing what I am doing
20 because I have changed that young man. He's got so
21 much potential. He's an intelligent man. But,
22 yes, he was angry at the entire world. And I --
23 he's not the same person that wrote that paragraph
24 or whatever that was written on. He's a different
25 man today.

1 And I would like to take a little bit of
2 credit that I have redirected his energy according
3 to law because that's all I believe in. I believe
4 in following the letter of the law all of the time
5 in every situation.

6 So now that you showed me that, no, I didn't
7 see it before, I didn't see that paragraph or
8 whatever you want to call it. Seeing what he
9 supposedly wrote, I'm not surprised that he did.
10 But normal -- even now reading that, I'm glad I
11 took him under my wing because I think I have
12 changed him.

13 BY MS. KITTERMAN:

14 Q. Would you condone him writing something like
15 that now?

16 MR. MARIANI: Objection.

17 THE WITNESS: No, absolutely not. Absolutely
18 not. I don't condone anything like that. All of
19 my methods are peaceful and legal.

20 BY MS. KITTERMAN:

21 Q. All your what?

22 A. All my methods are peaceful and legal.

23 Q. Okay. Do you know how old Jermaine Webb is?

24 A. Mid 30s, somewhere in there. Thirty-four,

25 35, 36.

1 By the way, I think it's important since we
2 are talking about this young man, I've helped him
3 organize basketball tournaments, I've financed some of
4 his basketball tournaments. So, yeah, those are the
5 things that he's doing now. He's getting people to play
6 ball, getting people to train in useful vocational
7 courses for employment. That's what he's doing today.

8 Q. The basketball leagues in --

9 A. In the Glades, in Belle Glade.

10 Q. Okay. We just talked about the organization
11 called My Brother's/Sister's Keeper Charitable Trust.
12 Is there a difference between that organization and my
13 Brother's/Sister's Keepers Scholarship?

14 A. They are different, completely independent of
15 each other. The similarity is it's the same founder,
16 the same CEO, the same chairman of the board, the same
17 person who finances the whole project, Jess Santamaria.

18 So, yes, I founded -- now, that one is the
19 one that is older. That one is like 17, 18 years old.
20 And part of the reason I founded that was because of --
21 at that high school, that there was this reckless
22 killing by this student. What's the name of that high
23 school. Sometime 16, 17 years ago, there was a killing
24 and I think it was in the Midwest. And what my
25 conclusion of that is people who are average, average in

1 this world, who are not high IQ's or physically endowed
2 or good looking, they kind of get put aside and are
3 ignored by society so that they end up trying to get
4 attention by violence, like killing their fellow
5 students.

6 So I decided I was going to see what I could
7 do in our own community. So for the last 16, 17 or 18
8 years, I approached every public school in my community.
9 There are usually about 20 of them, elementary school,
10 middle school and high school. And I asked all of the
11 principals to send me the student in that school that
12 exemplifies caring for others. I don't care about their
13 grades, I don't care about their athletic ability, I
14 don't care how good looking they are, just send me a
15 good human being in your school who cares about his
16 fellow students, cares about his neighbors, cares about
17 his family and we will reward that student just for
18 being a good human being, a good caring human being, by
19 providing him scholarships.

20 So at the end of the year, I get all of these
21 students sent to me by the principals, sometime in May,
22 so it's coming up, we're now into April. So I will be
23 starting this in the next 30 days, I will be sending a
24 letter to the principal, send me your best, caring
25 student in your school.

1 So then we assemble them in the
2 Wellington Mall again, my Wellington Mall, the parents,
3 the teachers, the grandparents, they're all there. And
4 I notify these young men and women that you are our
5 future. You have -- you are the ones who show that you
6 care for your fellow man. And I'm -- you're going to be
7 rewarded not by your grades, not by your athletic
8 ability, not by your good looks, but simply because
9 you're a good, caring human being, and I give them
10 scholarships from 500 to a thousand dollars.

11 And they can win the scholarship in grade
12 two, three, four, and all the way through the fourth
13 year in high school. So they could win consecutive
14 years. That money is deposited in a bank account in
15 their name, accumulating interest until graduation.
16 Upon graduation, they present the diploma and acceptance
17 to a college or a trade school, and all of the money
18 accumulated over the years is used for their continuing
19 education, whether it's college or vocational courses.
20 They don't have to go to college, they can go to a trade
21 school.

22 But the message is you don't have to be born
23 with a high IQ, you don't have to be 7-foot tall so you
24 can play basketball, you don't have to be a 300-pounder
25 to be a football player, you just be a good human being

1 and society will award you. That's my
2 Brother's/Sister's Keeper Scholarship Foundation.

3 Q. And that's just you, solely you?

4 A. Yes -- well, no, I invite other people to
5 join me in giving the scholarships. So if I -- usually
6 what happens is I might get six or seven others to give
7 scholarships, represent the scholarship.

8 Q. Like volunteers on the day?

9 A. Yeah. Like if Andy Schaller wanted to donate
10 a scholarship for Wellington High School, I would invite
11 him to attend the awards night, and Andy Schaller would
12 get a certificate with his name on it saying
13 Andy Schaller awards this thousand-dollar scholarship to
14 Mary Jane Smith for all of the good works you've done.
15 So it would be in his name to the specific -- so he will
16 hand the scholarship to the student himself.

17 So I do have -- if there are 20,
18 25 scholarships, there might be six, seven or eight from
19 people who join me. They can join me and I will cover
20 the balance. So if I get eight and I need 20, I will
21 handle the 12 other scholarships. But I do want to get
22 the community also involved, so I do have some doctors,
23 I do have some, you know, other individuals who join me.

24 Q. How do they know to join you?

25 A. Well, they know of its existence.

1 Q. And they ask you if they could be a part?

2 A. Yeah. They know that I invite others.

3 Q. Okay. What is your involvement with an
4 organization called Waterway Plaza of Royal Palm Beach?

5 A. I forgot about that one. That's one of those
6 I forgot. That is another limited partnership. I do
7 have partners. That one is at the moment vacant land.
8 I never got to build. I was hoping to build another
9 hotel on that land, and office buildings.

10 So it was formed, I don't know, 20 years ago
11 and with the intent of developing it for a hotel and
12 office buildings. But because of the economy, it's not
13 as good as I would like it to be, I put it off and put
14 it off and put it off. So in a way, it's costing me
15 money in taxes. It's fully paid. There is no debt on
16 it. It's just land waiting for development, hopefully,
17 in the near future. And I do have probably -- oh,
18 probably four partners, four or five partners to it.

19 Q. Who are they?

20 A. One of them is the same family of my nephew's
21 wife. That's one of the partners. Another one is --

22 Q. Urrea family?

23 A. Urrea family. One of them is the same
24 family. And another one is the same Villonco, also.
25 Romeo Villonco, I used that name. He would be also one

1 of that. And another one is South Pacific Enterprises.
2 One of my partnerships is also a partner because it was
3 going to be a hotel. So I felt it would be good to --
4 one hotel could be a -- it's about 50 percent owner of
5 the other future hotel. So that's -- those are the
6 partners.

7 Q. South Pacific Enterprises owns Royal Inn?

8 A. South Pacific owns Royal Inn, who is a
9 partner in Waterway Plaza.

10 Q. Right.

11 A. I forgot about that because it's really
12 been -- really been dormant so far.

13 Q. So any other partners in that Waterway Plaza?

14 A. I think I also included Royal Industrial is
15 also a partner. Royal Industrial.

16 Q. Royal Industrial?

17 A. That's my own -- that's another one of my
18 partnerships who is a partner in this one as well.

19 Q. Any others?

20 A. That's all I can think of right now. That's
21 it.

22 Q. Okay. Where is that --

23 A. And, of course, me. I'm a partner. As an
24 individual, I'm a partner.

25 Q. Okay. Where is that piece of land located?

1 A. It's on Royal Palm Beach Boulevard just a
2 thousand feet from Okeechobee Boulevard, go north. It's
3 on the main road, Royal Palm Beach Boulevard, just north
4 of Okeechobee Boulevard on the west side of the street.

5 Q. Okay.

6 A. There is a sign there. There is a sign
7 because I sold off a piece. There is a --
8 Dunkin' Donuts is there already. There's already a
9 Dunkin' Donuts. They own their land, part of the land.
10 They bought part of the land, they put up their own
11 building. There is a gas station. Same thing, they
12 bought an acre and they built their own gas station,
13 so...

14 Q. Uh-huh.

15 A. But the Waterway Plaza itself right now owns
16 nothing but vacant land.

17 Q. What about an organization called Wellington
18 Mall Tenants Association, what is your involvement with
19 that?

20 A. That's exactly what it is, a tenants
21 association. It's like a homeowners association for a
22 residential development. It is a tenants association to
23 promote their business. So that's what it is. That's
24 pretty typical of many commercial projects, you have an
25 association to promote the people occupying space in the

1 center. So they continued, they continued and that
2 money is used to advertise and promote the business.

3 Q. What is your position with that association,
4 are you on the board?

5 A. I'm on the board. You have to be on the
6 board as the owner of the building.

7 (Discussion held off the record.)

8 BY MS. KITTERMAN:

9 Q. As we've gone over all these companies, we've
10 talked about a lot of properties that these companies
11 own.

12 A. Uh-huh.

13 Q. Do you own any other properties in your
14 personal name that were not mentioned?

15 A. Yes, I have residential rentals. At
16 Timber Creek, I have 16 rentals. Royal Garden Villas, I
17 have six that I rent. Then I have two duplexes, two
18 duplexes means four dwellings, which I built and rent.
19 So that's 16 plus six is 22, plus four is 26. Those are
20 the multi-family units.

21 Then I have built some single-family homes in
22 my development, which I kept for myself. I think I have
23 another six others that are single individual homes.
24 Four or five are in Saratoga Lakes, where I built a lot
25 of homes and I'm renting them out. I built one for my

1 son and he lives in one of them, my son Christopher.
2 And then there is one more in Elysium, another
3 development that we built and I kept for myself. So
4 that's what I can think of. So that's 32, I think I
5 counted 32.

6 So I have maybe 26 multi-family units in
7 three projects and six single-family homes that I built
8 that I'm also renting.

9 Elysium, E-l-y-s-i-u-m. It's a development.
10 It's a name of a development. We built about 30 homes
11 and I kept one for myself.

12 Q. Does your daughter live in any of your
13 properties?

14 A. No, I wish she did. I wish she did. I had
15 built her a house also next to my other son. I actually
16 built three. I actually built three homes side by side
17 hoping that all three would live in Royal Palm Beach.
18 Christopher lives in one of them. Michelle decided she
19 wanted to go -- completely be independent of the father.
20 So she bought a condo. So she sold me her house next to
21 the brother to use the money to buy a condo that she
22 paid \$260,000 in City Place, a block from here. She
23 paid 260. I had it appraised a couple of months ago, it
24 dropped to 95,000 from 260. That's what she gets for
25 not following her father.

1 Q. Unbelievable.

2 A. From 260 in 2006 to 95,000 a few months ago.

3 So I hope she learns her lesson.

4 So that's -- and then my son Vincent is
5 renting his house next to the other side of his brother.

6 So Vincent is in one rental house, Chris is
7 living in his house. Those are all side by side. And
8 Michelle sold me back her house so she could get the
9 condo.

10 Q. When you said Vincent is renting his house,
11 you mean he's renting it to other people?

12 A. Yeah, to other people.

13 Q. Right.

14 A. We're actually renting it for him.

15 Q. Okay. But he lives --

16 A. It's in his name.

17 Q. Okay.

18 A. I'm hoping that he'll still move here in the
19 foreseeable future. I'm still working on it.

20 Q. Any chance of that happening?

21 A. Oh, I'm very persistent.

22 Q. Yes?

23 A. I'm very persistent. I'm not going to give
24 up.

25 Q. I have to imagine you want your grandkids

1 next to you.

2 Do you own any properties in any other
3 countries?

4 A. No, I have zero ownership anywhere. When I
5 left the Philippines, the only thing I had was a vacant
6 lot. And I sold it and I've never looked back. I have
7 nothing -- no interest whatsoever. I had one lot that
8 was sold and I invested in my education at the Wharton.
9 And I've never looked back.

10 I went back -- I came to the U.S. in '68, I
11 went back in Christmas of '69 after my brother-in-law
12 died and have never been back. Never been back. I have
13 no interest in anything. I have no plans of going back.

14 So the answer is zero. Zero ownership, zero
15 business interests in the Philippines or anywhere else,
16 or anywhere else.

17 Q. Anywhere else in the United States?

18 A. Anywhere else. Everything I own is within --
19 it used to be -- everything I own is within a 3-mile
20 radius of my house in Royal Palm Beach, and only one in
21 Wellington. Everything is in Royal Palm Beach within
22 walking distance and the Wellington Mall in Wellington,
23 which is also walking distance.

24 Q. On all of your real estate properties, have
25 you ever had an IRS lien or a tax lien on any of them?

1 A. I believe I had -- no, no, I've never had an
2 IRS lien, tax. There was some vacant land in Wellington
3 that I -- I had title to and I decided I was going to
4 give it up. So there were -- there were -- this better
5 be on record, maybe two or three vacant lots that I had
6 intended for my partner Wally and I to build on.

7 We had bought about six or seven of them. We
8 built on three or four in my name, and then I would turn
9 it over to Royal Professional Builders and we would
10 build the house and sell it. But I think there's two or
11 three that I just let go.

12 Q. What do you mean when you say --

13 A. I didn't pay the taxes. I just it let go.

14 Q. Let go of the property?

15 A. So someone else eventually bought it in a tax
16 deed.

17 Q. In a tax sale?

18 A. Yeah.

19 Q. That's the property tax that you're talking
20 about?

21 A. Yes. Yeah, that's probably 15 years ago.

22 Q. Of all of your properties, are they all paid
23 off or do you have loans on them?

24 A. I would say most have loans. And some -- I
25 probably on the residential side, I would probably have

1 ten that are free -- ten or 12 that are free and clear.
2 The others would have loans.

3 Q. Have you ever defaulted on a loan?

4 A. No. I've never missed a payment. I've never
5 missed one payment in my entire life anywhere.

6 Q. Okay. I think you stated earlier that you
7 became a citizen of the U.S. in 1990?

8 A. Correct.

9 Q. Maybe January of 1990?

10 A. That's correct. Right.

11 Q. How did you go about applying for your
12 citizenship?

13 A. Right after my MBA, right after -- when IBM
14 offered me a job, right then and there, I applied.

15 Q. How did you apply?

16 A. The normal way. The normal way. My chemical
17 engineering -- I was told at that time that my
18 engineering background would qualify me.

19 Q. For citizenship?

20 A. For citizenship. So I got approved for
21 citizenship. I got approved for a green card like
22 everybody else. But it's my technical background and my
23 business background that made me qualify. And then I
24 had to wait for the usual processing.

25 Q. Okay. So back in what?

1 A. '70.

2 Q. '70s?

3 A. '70s, when I applied for my green card, Visa.

4 Q. And you applied for that in Philadelphia?

5 A. Philadelphia.

6 Q. Do you know Vivian Ferrin?

7 A. Very well. Of course, he is deceased.

8 Q. How do you know him?

9 A. Vivian Ferrin, his wife is Phyllis Ferrin.

10 After I started my MBA, my wife applied, she had worked
11 for Pan American Airlines in the Philippines. So it was
12 natural for her to apply at Pan American Airlines in
13 Philadelphia. And because she had a lot of experience
14 in reservations, she was immediately accepted. So right
15 away, she started working.

16 Thank God she was accepted and working
17 because I was going to run out of money. I only had
18 enough money for my tuition. I didn't have money for my
19 board and lodging and expenses. That's why she had
20 to -- she was given a degree upon my graduation. She
21 was given a Ph.T, putting hubby through, because she
22 paid for the rent and the food on the table. And, of
23 course, typing my reports.

24 She worked for Pan Am. She was seated next
25 to a lady by the name of Adrian Ferrin and they became

1 very good friends. And we became very good friends for
2 the entire Ferrin family. Vivian is the husband who was
3 the head of the passport division in Philadelphia. So
4 they were our first friends and great friends.

5 She is the Godmother of my son Vincent.
6 That's how close we became. And we were like family
7 during our entire stay in Philadelphia. And when we
8 moved to Florida, Royal Palm Beach, they soon followed.
9 She first followed us. She and her daughter -- and
10 daughter, they followed us to Royal Palm Beach. We
11 built them a house in Royal Palm Beach.

12 The father Vivian was still working for the
13 U.S. government in Washington. And when he retired, he
14 moved and joined his family in Royal Palm Beach and ran
15 for City Council and became a councilman with the
16 biggest ever -- he is a black man who had the most votes
17 ever in the history of Royal Palm Beach and soon became
18 the vice mayor of Royal Palm Beach. And we've been
19 friends ever since. Unfortunately, he passed away about
20 two years ago.

21 Q. I'm sorry for your loss.

22 A. And the -- and the park in Royal Palm Beach
23 that used to be named after Masilotti, after he was
24 indicted and jailed, his name was taken out of the park,
25 Masilotti Park, and that park is now the Vivian Ferrin

1 Park.

2 Q. When did that happen?

3 A. Within the last couple of years. After
4 Masilotti went to jail, that's about five years ago,
5 they had to rename it something. And Vivian Ferrin, who
6 had a very good reputation in Royal Palm Beach and he
7 had already died, they decided to substitute his name
8 into the -- so it's now Vivian Ferrin Park.

9 Q. Did you have any say in that?

10 A. No. No, I had not. No, that was completely
11 the decision of the --

12 Q. City?

13 A. -- City Council.

14 Q. Right.

15 Did Vivian ever help you with anybody's
16 immigration issues?

17 A. No, we had nothing to do with immigration. I
18 didn't need -- I didn't need anybody's help because I
19 had all the qualifications. No, there was no --

20 MR. MARIANI: No, the question was did she
21 ever help you with anybody else?

22 THE WITNESS: No. No.

23 MS. KITTERMAN: Thank you, John.

24 THE WITNESS: No, he was never involved. He
25 really did not have any input with any -- he was

1 passport. Passport division has nothing to do with
2 immigrations. No, he never had anything do with
3 immigrations, with us. I don't know if he did with
4 anybody else.

5 BY MS. KITTERMAN:

6 Q. When you originally applied for your green
7 card.

8 A. Uh-huh.

9 Q. You filled out an application for that?

10 A. Yes.

11 Q. What name did you use on that application?

12 A. Jesus, because that was still my legal name.

13 Q. Jesus?

14 A. That was still my legal name. So I used my
15 legal name.

16 Q. Jesus Santamaria?

17 A. Also, legal-wise on contracts, I was Jesus on
18 contracts, on business matters that I had to sign my
19 legal name. At that time, it was Jesus. But in dealing
20 with people, it's always been Jess. I've always been
21 known as Jess.

22 So in Philadelphia, there may have been some
23 people in the beginnings, my classmates when they would
24 see my name on paper, they would see -- and they would
25 use the words Jesus, and that always made me uneasy when

1 somebody called me Jesus. So that's the history on that
2 name. Once they got to know me, I made sure that
3 everybody called me Jess. But on the papers, I had to
4 put my legal name, which was J-e-s-u-s.

5 Q. I understand.

6 Did you use Jesus Ros Santamaria or
7 Jesus Vincente Santamaria, do you recall?

8 A. Yeah, I would use Jesus, usually R. Usually
9 R, but occasionally it might have been Ros. But I would
10 say usually just the initial R.

11 Q. Okay. Do you know when you applied for your
12 actual citizenship?

13 A. As soon as I was allowed to. In other words,
14 there's a process and you wait your turn. When they
15 call you, when it's time, then it's time. So sometime
16 prior to 1990, probably -- probably six months before
17 that, sometime in -- oh, no, it's five years. It's
18 five years -- you get -- sometime in '85, I must have
19 gotten the official green card because you wait in line
20 to actually have the green card. You don't get the
21 green -- when you apply, they don't get -- they tell
22 you, you qualify, but you have to wait your turn.

23 So I wait my turn and sometime in '85, when I
24 probably got my green card, and I immediately applied
25 for citizenship because it takes five years. So when

1 you get your green card, normal way -- as a general
2 rule, it's five years to get your citizenship, you're
3 sworn in. So that's why I was sworn in five years after
4 my obligation in January of 1990.

5 Q. Do you still have a copy of your green card?

6 A. I don't know. I wouldn't need it. I don't
7 know if I have it. I would have to check with my wife.
8 She is the keeper of all of our documents.

9 Q. She's your historian?

10 A. She's the keeper of all of the documents. So
11 I have no need for the green card. I have -- the
12 important one is the citizenship.

13 Q. Do you recognize that document (indicating),
14 Mr. Santamaria?

15 A. I don't know, what is it? I see my
16 signature, but...

17 Q. It appears to be a petition for
18 naturalization. So just take a second to look at it and
19 tell me if you recognize it.

20 A. Well, I don't know if I could possibly
21 remember. What is the date on it? March 1990, January
22 1990, yes. So that's about the time I got my
23 citizenship.

24 What is the question? I mean, do I recognize
25 it? It's 12 years ago, so I don't remember it. But I

1 see my signature.

2 MR. MARIANI: No, it's 20, 22 years ago.

3 THE WITNESS: Oh, 1990. 1990. Yeah,
4 22 years ago. That's when I got my citizenship,
5 22 years ago.

6 BY MS. KITTERMAN:

7 Q. Okay. And what was the name, total true and
8 correct name on this petition for nationalization that
9 you placed on here in Line 1?

10 A. Line 1, Jesus Vicente Santamaria.

11 Q. And on Line 4, it says, "I request that my
12 name be changed to," and it says none; is that correct?

13 A. Where do you see it?

14 Q. Line Number 4.

15 A. I don't know why it was not at that time.
16 But I know that either at the time of citizenship or
17 immediately after -- whenever I was allowed -- I don't
18 know why this is none. All I know is immediately after
19 my citizenship, I got the name -- the name Jess R.
20 became my official legal, approved name by whatever
21 agency is supposed to approve it.

22 Q. Do you know what agency that was?

23 A. No, I don't know. Again, I don't remember
24 what agency. Even today, I don't know who handles it.
25 But I must have been guided by a lawyer who guided me on

1 filling out forms.

2 Q. Okay. Do you know who that lawyer may have
3 been?

4 A. I don't know. The lawyer that guided me
5 through the citizenship process, I could have done it on
6 my own. But I got -- I don't remember it now, but I can
7 get it for you. I'll be glad to provide you with the
8 name. I can get it to you on Monday.

9 Q. Okay.

10 (Discussion held off the record.)

11 (Defendant's Exhibit 4 was marked for
12 identification.)

13 BY MS. KITTERMAN:

14 Q. Take a second and glance at that.

15 A. I agree a hundred percent with everything
16 here. I took this oath. It's an oath that is valid
17 then and valid today.

18 Q. So my question is: Do you recognize that
19 document?

20 A. Well, again, it has my signature on it. And
21 I'm reading every word and I agree a hundred percent
22 that I have adhered to everything in this oath of
23 allegiance. I read it then, I agreed with it then, and
24 I followed it to the letter. And if I were to sign it
25 today, I would sign it again today. So what else can I

1 say? I am fully in support of every word in this
2 document.

3 Q. Okay. And that is your signature at the
4 bottom?

5 A. Absolutely, yeah.

6 Q. What name did you use to sign this oath of
7 allegiance?

8 A. Jess Ros Santamaria. I would expect that by
9 that time, I was already legally Jess Ros. So by the
10 time I signed this one, I probably applied and got
11 authorization for the name Jess Ros as my true legal
12 name.

13 Q. What date was this signed?

14 A. March. So that makes sense. The other one
15 was dated January and this was dated March 26th. So
16 that means -- it appears to me now that after gaining my
17 citizenship, I then made my name Jess Ros official and
18 legal soon after, soon after I was given citizenship.
19 That makes perfect sense to me. I got my citizenship,
20 now is the time to legalize my name as Jess.

21 Q. And just for clarification purposes, this is
22 dated March 26th of 1990?

23 A. Yeah, precisely. Right after I got
24 citizenship in January.

25 Q. Right.

1 A. March 26th, 1990.
2 (Discussion held off the record.)
3 (Defendant's Exhibit 5 was marked for
4 identification.)

5 BY MS. KITTERMAN:

6 Q. I apologize the copy is so bad. Take a look
7 at that and let me know if you recognize it.

8 A. Since 1990...

9 MR. MARIANI: The question is: Do you
10 recognize this document?

11 What does it say across the top? I'm sorry,
12 I can't read it.

13 MS. KITTERMAN: I believe it says Certificate
14 of Nationalization.

15 MR. MARIANI: Oh, okay.

16 MS. KITTERMAN: This was sent to me by
17 Dan Barsky.

18 THE WITNESS: I didn't know what you mean by
19 recognize. Obviously, it's a document -- that's a
20 standard document for nationalization. So I don't
21 know what else there is to recognize. Of course,
22 it's my picture and my signature.

23 (Defendant's Exhibit 6 was marked for
24 identification.)

25

1 BY MS. KITTERMAN:

2 Q. Okay. And what name did you sign on to
3 this --

4 A. Jess. Jess Ros Santamaria and it's dated the
5 same thing. I think it's March -- is it March? Where
6 is that? This --

7 Q. It's March 26th, 1990?

8 A. Yeah, March 26th.

9 Q. It looks like it was the same date maybe as
10 the oath of allegiance was signed?

11 A. Yeah. Yeah, it all fits in.

12 Q. So sometime between January of 1990 and March
13 of 1990, you think that you changed your name legally to
14 Jess Ros Santamaria?

15 A. It has to be, of course.

16 Q. Do you have any documents to show that legal
17 name change?

18 A. I presume whatever is needed, I have.
19 What -- again, I don't have it in my possession now. I
20 don't have it in my pocket.

21 Q. I understand.

22 A. You're asking -- whatever I had to do has
23 been done. And, obviously, those are all proof that
24 whatever had to be done, it was done and there it is. I
25 don't know what else you're -- I really don't understand

1 what you're trying to drive at.

2 Q. I'm trying to ask you whether you have the
3 documentation or the proof that you legally changed your
4 name from what you --

5 A. I have --

6 MR. MARIANI: Let her finish the question.

7 BY MS. KITTERMAN:

8 Q. From when you signed your petition for
9 nationalization, when you signed that as Jesus Vincente
10 Santamaria, to the time when you signed your certificate
11 of nationalization as Jess Ros Santamaria. So I'm
12 asking you if you have anything to show that your legal
13 name was changed in between those two dates?

14 A. The answer is the same answer. This is the
15 proof that I did everything that had to be done,
16 everything that had to be filled, to produce these
17 documents, which confirms my citizenship and change of
18 names. That's the proof, that's the evidence.

19 Do I have anything else? I'll be glad to
20 have my wife check, and she keeps everything. And when
21 I find out if there is anything else, I will give it to
22 you, too. Whatever I have, you can have. But what else
23 I need, I don't know what else I need other than that's
24 self-evident what it is. It is what it is.

25 Q. I appreciate that.

1 A. I don't know what else you're looking for.

2 Q. I'm actually looking for the document that
3 shows that you legally changed your name. That's all
4 I'm looking for.

5 A. The answer is the same. Whatever had to be
6 done was done. If I have anything left that's in the
7 file, I will give it to you.

8 Q. I appreciate that.

9 A. If you ask me a fifth time, I'll give you the
10 same answer.

11 Q. I appreciate that.

12 Do you recall filling out any paperwork that
13 you changed your name?

14 A. I did change my name and filled out all the
15 forms that my lawyer and whoever else advised me. My
16 memory is not as perfect as you'd like it to be 22 years
17 ago. But I did everything legally, proper at the time I
18 was asked to.

19 Q. Was anybody advising you other than your
20 lawyer?

21 A. No.

22 Q. And you said you would get me your lawyer's
23 name?

24 A. Yes.

25 MS. KITTERMAN: I actually think this is a

1 good stopping point. So we can stop today and
2 return tomorrow at noon.

3 MR. MARIANI: Can we make it 1:30 tomorrow?

4 MS. KITTERMAN: 1:30? Sure.

5 MR. MARIANI: And how many more hours do you
6 think you have?

7 MS. KITTERMAN: I'm not sure. It depends on
8 how long the answers are.

9 Thank you, Mr. Santamaria, Mr. Mariani.

10 MR. MARIANI: Okay. Thank you as well.

11 (Deposition suspended at 4:00 p.m., to be
12 continued on the following day.)

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1 CERTIFICATE OF OATH

2 STATE OF FLORIDA

3 COUNTY OF PALM BEACH

4
5
6 I, the undersigned authority, certify that
7 JESS R. SANTAMARIA personally appeared before me and was
8 duly sworn.

9
10 Dated this 24th day of March, 2012.

11
12
13
14
15 _____
16 Pamela J. Sullivan, RPR, FPR, CLR
Notary Public - State of Florida
My Commission Expires: June 10, 2014
My Commission No.: DD 993731

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C E R T I F I C A T E

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, Pamela J. Sullivan, Registered Professional Court Reporter and Notary Public in and for the State of Florida at Large, do hereby certify that the aforementioned witness was by me first duly sworn to testify the whole truth; that I was authorized to and did report said deposition in stenotype; and that the foregoing pages are a true and correct transcription of my shorthand notes of said deposition.

I further certify that said deposition was taken at the time and place hereinabove set forth and that the taking of said deposition was commenced and completed as hereinabove set out.

I further certify that I am not attorney or counsel of any of the parties, nor am I a relative or employee of any attorney or counsel of party connected with the action, nor am I financially interested in the action.

The foregoing certification of this transcript does not apply to any reproduction of the same by any means unless under the direct control and/or direction of the certifying reporter.

Dated this 24th day of March, 2012.

Pamela J. Sullivan, RPR, FPR, CLR