

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

JESS R. SANTAMARIA,

4 Plaintiff,

5 -vs-

VOLUME II

6 ANDREW F. SCHALLER,

7 Defendant.



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12 CONTINUED DEPOSITION OF JESS R. SANTAMARIA
13

Sunday, March 25, 2012

14 1:45 p.m. - 5:15 p.m.

15 525 Okeechobee Boulevard

Suite 1100

16 West Palm Beach, Florida 33401
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19 Reported By:

Pamela J. Sullivan, RPR, FPR, CLR

20 Signature Court Reporting, Inc.

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1 APPEARANCES:

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3 On behalf of the Plaintiff:

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On behalf of the Defendant:

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15 Present:

16 ANDREW F. SCHALLER

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I N D E X

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WITNESS: CONTINUED DIRECT CROSS REDIRECT

JESS R. SANTAMARIA

BY MS. KITTERMAN 142

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E X H I B I T S M A R K E D

- - -

DESCRIPTION PAGE

Defendant's Exhibit No. 7 237

(Plaintiff's Answers to Interrogatories)

P R O C E E D I N G S

- - -

(Proceedings continued from Volume I of the previous day.)

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.

CONTINUED DIRECT EXAMINATION

BY MS. KITTERMAN:

Q. Good afternoon, Mr. Santamaria. Thank you again for coming back today.

A. Good afternoon.

Q. Again, my name is Christina Kitterman. I'm not sure if I actually told you that yesterday. But I represent Andy Schaller. We're here to follow up or continue your deposition.

Yesterday we talked a lot about your business interests. And right now, I'd actually like to go into

1 your government position. When did you decide to run
2 for County Commissioner?

3 A. The summer of 2006.

4 Q. Summer of 2006. Was there something that
5 happened that made you decide to run for
6 County Commissioner?

7 A. Yes. Palm Beach County was given the title
8 Corruption County, and I felt it was a shameful title to
9 live in a community that is Corruption County. And I
10 thought I'd see what I would do to regain public trust
11 in government. So that's what made me decide for
12 County Commission. And I wanted to do things that were
13 quite a bit different than everybody else, starting with
14 not accepting campaign funds from anybody doing business
15 with the County and recording my meetings with
16 for-profit entities that did business and needed
17 approvals from county government. So that's what I felt
18 was different. And I was hoping that other people would
19 follow my example.

20 And I also decided I was going to show a
21 different example. Instead of being somebody who uses
22 their position to increase their financial position, I
23 gave up just about every nickel I earn from the County
24 and gave it to different worthy organizations, such as
25 the Lord's Place and Max Planck, Palm Beach State

1 College, and needy people who needed assistance.

2 Q. Okay. When you said that you recorded
3 meetings with businesses that would have a --

4 A. For profit, for-profit entities that did
5 business with the County.

6 Q. What do you mean when you say you recorded
7 the meetings?

8 A. I had them tape recorded. I had my assistant
9 record those meetings --

10 Q. Okay.

11 A. -- in my office. And there was always one of
12 my assistants present in the room. Unlike most other
13 commissioners who did private meetings, and that's where
14 some of them took advantage of the privacy of those
15 meetings and acted improperly for personal gain.

16 Q. Do you have copies of all of these tape
17 recordings?

18 A. Yes. Yeah. You're welcome to come to my
19 office and they'll provide you copies of all of those
20 recordings.

21 Q. I appreciate that, that won't be necessary.

22 So did you only record meetings that happened
23 between you and businesses --

24 A. Right.

25 Q. -- that had an interest or was trying to do

1 business with the County?

2 A. Yeah. Applying for some approval, like
3 zoning approvals and things like that or vying for
4 services, like services with Palm Tran, providing
5 services or -- in other words, in anything that would
6 gain financial benefit through the for-profit entity.

7 Q. And you said that was in your office?

8 A. Yes.

9 Q. Did you ever meet with any of those type of
10 entities outside of your office?

11 A. There might have been a couple of occasions
12 where we also tape recorded them, yes. We had -- I know
13 we had one at Palm Beach Aggregates.

14 Q. Palm Beach?

15 A. Palm Beach Aggregates.

16 Q. Aggregates?

17 A. Yes, we had that recorded as well.

18 I seldom meet outside. Most of the meetings
19 were in my office. So whenever I was invited somewhere,
20 then I would bring my assistant to also record the
21 meetings.

22 Q. What assistant would you bring? Which
23 assistant?

24 A. Whoever was available. It could be any one
25 of the three. I have three assistants, they're all

1 equal. So it could be any one of the three.

2 Q. Who are your three assistants currently?

3 MR. MARIANI: Objection, asked and answered.

4 Go ahead.

5 MS. KITTERMAN: Actually, I asked him who
6 they were back then.

7 THE WITNESS: Johnnie Easton, Fred Pinto,
8 Paul Razza, R-a-z-z-a. Pinto, P-i-n-t-o.

9 BY MS. KITTERMAN:

10 Q. And Paul Razza, you said?

11 A. Paul Razza is the third one.

12 Q. And how long has Johnnie Easton worked for
13 you?

14 A. From the time I became a commissioner.

15 Q. And that was --

16 A. She was already working for my -- the prior
17 commissioner and I continued her employment.

18 Q. And how long has Fred Pinto worked for you?

19 A. Probably somewhere in the vicinity of --
20 somewhere in the vicinity of one year. Again, you're
21 welcome to check it in my office. It's all public
22 records. So all you have to do is request for all of
23 those employment dates.

24 Q. I appreciate that. I'm just asking --

25 A. Because I'm not the type who memorizes very

1 second of my assistant's activities.

2 Q. I understand. I'm just asking you
3 roundabout, what your best recollection is.

4 How long has Paul Razza worked with you?

5 A. Somewhere in the vicinity of five or six
6 months.

7 Q. Are the job responsibilities of all three
8 assistants the same?

9 A. I would say they're all the same except
10 Johnnie Easton was the most familiar with office
11 procedures, does a good part of the office procedures.
12 Although I also let her know that she has to train the
13 other staff members in case she's sick or on vacation or
14 for any other reason that she's unable to attend, then
15 the others should be able to cover for whatever she
16 normally does for office type work, like checking on
17 files and things like that.

18 Q. What else would their responsibilities be,
19 like Fred Pinto?

20 A. Do research on any topic I ask them to do.
21 For example, research on the budget, research on agenda
22 items. Attend some functions that I cannot attend or
23 even if I want to attend, if I need somebody else to
24 join me. Attend ribbon cutting ceremonies and meetings
25 that I want them to attend a meeting, whether I attend

1 or not.

2 Q. Okay. And Paul Razza?

3 A. Same.

4 Q. The same as --

5 A. The two of them have the same
6 responsibilities. So theirs is mostly assisting me in
7 research work, attending meetings and a little office
8 work; whereas, Johnnie Easton is the reverse. So if I
9 were to use the figure 80/20, 80 percent, 80 percent
10 research and 20 percent office, then Johnnie would be
11 the opposite. She would be more like 80 percent office
12 and 20 percent research.

13 Q. Who worked with you before Fred Pinto? Did
14 Fred Pinto replace somebody?

15 A. Well, you asked me that same question, I
16 think, and I have the same answer. Charles Suits, I
17 think is -- somebody found the name Suits. I had
18 forgotten his last name.

19 Q. Yes. And who did Paul Razza replace?

20 A. Dennis Lipp. We went through this exercise
21 yesterday. We're repeating it. And I spelled it -- you
22 asked for the spelling and I said L-i-p-p. So the same
23 question, the same answer.

24 Q. Okay. And how long did Mr. Suits work with
25 you?

1 A. Probably less than a year, less than a year.

2 I don't remember.

3 Q. And how long did Mr. Lipp work with you?

4 A. Probably about a year.

5 Q. About a year?

6 A. Again, same thing, I don't remember. All of
7 these things, you know, you can find by public request.

8 So you can get all of those, that number by having a
9 public request with my office. Why don't you do that
10 tomorrow, you can get precise dates.

11 Q. That's actually not what I'm looking for.
12 I'm just trying to find out what your knowledge is
13 because I need your deposition for this lawsuit, not a
14 public records request; okay?

15 A. But you're asking me questions that you
16 already have the answer for.

17 Q. It doesn't matter if I know the answer.

18 MR. MARIANI: Jess, just...

19 BY MS. KITTERMAN:

20 Q. I need to know what you know.

21 A. Testing my memory.

22 Q. That's fine. How is it doing? Good?

23 What did Dennis Lipp do for you?

24 A. Same thing, the same items that I already
25 described.

1 Q. Research?

2 A. Exactly the same as Paul Razza and
3 Fred Pinto.

4 Q. When you began in office originally, did you
5 attend any orientation?

6 A. I did attend an orientation.

7 Q. Was that back in 2006?

8 A. In 2006.

9 Q. Did you have to do a refresher course --

10 A. No.

11 Q. -- when you were reelected?

12 A. No.

13 Q. What year were you reelected?

14 A. 2010.

15 Q. What did the -- if you recall, what did the
16 orientation entail?

17 A. The orientation entailed just general
18 information about the different departments, the
19 function of different departments. That's mostly it,
20 the function of different departments. They told me
21 about vacation. They also gave me some idea of the
22 employee benefits of vacation and health insurance,
23 things like that.

24 Q. Did you have a comprehensive sit-down with
25 the county administrator or his staff, Bob Weisman?

1 A. No, that's one of the things I actually told
2 them that they needed to improve on the orientation,
3 that I felt that they should have spent more time and
4 more specifics.

5 Q. With you or with all commissioners?

6 A. They should do it with everybody, with all
7 commissioners.

8 Q. What type of specifics were you asking them
9 to --

10 A. I don't remember. I just felt that there was
11 need for more. No particular type of specifics. Just
12 in general, I just felt that there should be more
13 expansive orientation. So I hope they're doing it now
14 with the new ones.

15 Q. Do you know if they are?

16 A. What's that?

17 Q. Do you know if they are?

18 A. No.

19 Q. Did you ever sit down with the county
20 attorney and have a meeting with the county attorney
21 when you first came on board?

22 A. Most probably, but probably I met with them
23 as a group. It was a conference room and there must
24 have been nine or ten department -- seven, eight, nine
25 department heads all around the room, each one

1 describing what they do, including the attorney.

2 Q. Okay. Was that just for you, or were there
3 other new commissioners in there as well?

4 A. I was the only new commissioner.

5 Q. Okay. In the beginning, were you given
6 training with regard to the Sunshine laws?

7 A. Yes, I'm quite familiar with the
8 Sunshine Law. I've always been interested in the
9 Sunshine Law. So I would say I'm probably the most --
10 I'm pretty knowledgeable about the Sunshine Law because
11 that's an area I feel is not being strictly followed by
12 other elected officials. And that's another area that I
13 keep an eye on, on Sunshine Law violations because I'm a
14 stickler for Sunshine Law violations.

15 MR. MARIANI: The question was, was there
16 training. Was there training?

17 THE WITNESS: There might have been some
18 training. I don't remember now. There must have
19 been some training, and I was probably given a
20 handbook.

21 BY MS. KITTERMAN:

22 Q. Okay. Would that handbook be called "The
23 Guide to the Sunshine Law"?

24 A. Must be that. That must be the one.

25 Q. You just said that you watch over other

1 individuals --

2 A. Yeah, that's an area that concerns me
3 specifically because I feel it's not being followed. So
4 I do pay attention to not only -- not only the County,
5 but that goes -- I've been following that issue way back
6 at the municipal level with city commissioners, city
7 councilmen.

8 Q. Are there any specific individuals that you
9 have discovered violating the Sunshine laws?

10 MR. MARIANI: Objection, calls for a legal
11 conclusion.

12 THE WITNESS: I don't know if they are. I
13 just have suspicions, but I don't have any
14 specifics.

15 BY MS. KITTERMAN:

16 Q. You don't have any specific people in mind?

17 A. Do I have any specific people in mind?

18 Q. Yes.

19 A. No.

20 Q. No other County Commissioner you believe may
21 be in violation of a Sunshine Law?

22 A. I -- again, I don't know.

23 Q. Okay. Would you believe Commissioner
24 Burt Aaronson would be in violation of a Sunshine Law?

25 MR. MARIANI: Objection, form.

1 THE WITNESS: I believe anyone and everyone
2 could possibly be in violation of the Sunshine Law.
3 I would say I would be suspicious of anyone and
4 everyone.

5 BY MS. KITTERMAN:

6 Q. Okay. Do you have any specific information,
7 though, that would lead you to believe one of the
8 commissioners was in violation of a Sunshine Law?

9 A. I have -- the one that I have -- might be
10 able to suspect was violated, okay, I will tell you one.
11 In fact, I notified -- I notified both the Sun Sentinel
12 and The Palm Beach Post that the -- in the last
13 reorganization where the chairman and the vice chairman
14 were to be appointed, before the -- before the election
15 and vote, the name of Shelley Vana was already shown as
16 the chair. And so that made me feel that how could she
17 have been the chair on a document, on a document a few
18 days before, when the vote was going to still be coming
19 up a few days later.

20 So I did contact Bob Weisman and informed him
21 that I -- that that shows that that was already
22 prearranged. So he said that was a mistake by some
23 employee. The explanation I was given is it's a
24 mistake. And then as they already -- they were -- the
25 week before the appointment of the chair and the vice

1 chair, the seating arrangement was already set up
2 because when I spoke -- we already had been assigned
3 seats.

4 So somebody who already said -- expected to
5 be chair already said who is going to sit where. To me,
6 that was a pretty clear indication that somebody must
7 have spoken to somebody and it was already decided who
8 was going to be chair and vice chair.

9 So I did report it to Mr. Weisman and the
10 Palm Beach Post and the Sun Sentinel. And I did give
11 him a copy of the document which already showed the name
12 of the chair.

13 So, yeah, you could say those suspicions
14 are -- that's one example where my suspicions were, as
15 far as I was concerned, was proven in that document.

16 Q. What, Bob Weisman told you that it was a
17 mistake that her name just was accidentally added on?

18 A. You would have to ask Mr. Weisman. All I can
19 remember him telling me was it was a mistake of an
20 employee. Now, if you want the details, you'll have to
21 call Mr. Weisman yourself.

22 Q. Okay. Do you know who --

23 A. And then I suppose the reporters must have
24 done their own investigation after that because it did
25 come out in the papers.

1 Q. Okay. Do you know who created the seating
2 chart?

3 A. I'm presuming it was the chair, Shelley Vana.

4 Q. The chair? Okay.

5 A. That's who decides who sits where.

6 Q. Did she ultimately become the chair?

7 A. Absolutely.

8 Q. Yeah. Who was the vice chair?

9 A. Steve Abrams.

10 Q. Did that ultimately come to a vote?

11 A. Yes. Yes. And it went one, two, three, it's
12 over. One, two, three, Shelley Vana is chair, she runs
13 chair, no contest. So those are the things that as far
14 as I'm concerned is certainly an appearance of violation
15 of the Sunshine Law, that this is a vote for the future
16 that is predetermined ahead of time. And, again, that
17 was conveyed through what I considered the proper party.

18 Q. Okay. Okay. So you said that you were given
19 the Guide to the Sunshine Law, and then were you given a
20 guide --

21 A. Yeah, now I'm going to have to -- now I'm
22 remembering it. The same thing happened with -- when --
23 yes, Burt Aaronson became chair. He was lobbying to be
24 the chair. The reason I know he was lobbying is he
25 lobbied me. And I presume he contacted everybody else.

- 1 Q. When was that?
- 2 A. The year before he got -- became the chair.
- 3 So that would have been three years ago.
- 4 Q. So go ahead, you were saying that --
- 5 A. So he became the chair. He became the chair
- 6 because he lobbied the commissioners.
- 7 Q. Oh, I understand.
- 8 A. And the same thing happened, it was one, two,
- 9 three, it was over.
- 10 Q. Right. So he came to talk to you personally?
- 11 A. No, he called me on the phone.
- 12 Q. Oh, he called you on the phone? In the
- 13 office?
- 14 A. On my cell phone.
- 15 Q. On your cell phone. Do you recall what he
- 16 said?
- 17 A. That he should be the chair because he only
- 18 had been chair once and the other one being considered
- 19 for chair was Karen Marcus and she had already been
- 20 chair three times. So he felt there was a second,
- 21 second time -- since she had three and he only had one,
- 22 he should have the next available --
- 23 Q. Next shot?
- 24 A. Next shot.
- 25 Q. It's his turn?

1 A. Right. And he must have succeeded in
2 lobbying the other commissioners.

3 Q. What did you say to him when he called you on
4 your cell phone, when he asked you to appoint him chair?

5 A. I told him I was not going to vote for him.

6 Q. Okay.

7 A. And I also reported that to --

8 Q. You reported the phone call?

9 A. To -- I reported the lobbying to Bob Weisman,
10 the administrator, who is the proper party to report
11 those things.

12 Q. Did Jeff Koons ever discuss a new chair with
13 you?

14 A. Yes.

15 Q. Prior to a vote?

16 A. That's why -- he did. He wanted
17 Karen Marcus. That was the -- it was Burt Aaronson
18 lobbying for himself and Jeff Koons lobbying at least to
19 me for Karen Marcus.

20 Q. Oh, I got you. Did you report Jeff Koons'
21 phone call to anybody?

22 A. To the same person.

23 Q. To Bob Weisman?

24 A. To Bob Weisman.

25 Q. And this was for the same time period?

1 A. The same time period, within 48 hours.

2 Q. Would you --

3 A. This lobbying was within the same 48-hour
4 period.

5 Q. Okay.

6 A. Karen did not lobby me, it was Jeff Koons,
7 correct.

8 Q. Okay.

9 A. I'm surprised you know that. So you have
10 your own sources of information, huh?

11 Q. Okay. And then you said you got a guide to
12 the Sunshine Law. And did you get a "Guide for the Nuts
13 and Bolts of County Government"?

14 A. I'm sure I have guides for everything. We
15 have manuals, we have lots of manuals on everything.

16 Q. Do you read them?

17 A. I read what I can, when I can.

18 Q. Did you read them when you first started?

19 A. Yes.

20 Q. Was there anything that was new to you
21 because I know you were very familiar with the
22 government?

23 A. I don't remember what was new or what was not
24 new. But I have a general -- familiar with quite a bit
25 long before. Most of what is there is good common

1 sense. And since I have been very active in civic work,
2 I'm pretty knowledgeable. I would expect that I know
3 80 percent before I was an elected official.

4 Q. Why didn't you run for a position within the
5 City of Royal Palm Beach?

6 A. I never was interested in politics at all. I
7 was never interested in politics. I'm interested in
8 public service, but public service can be done as a
9 private individual. So I believe I have been in public
10 service all my life. I have been serving the public as
11 a private person. I've been serving the public since I
12 was in high school.

13 So to me, that's public service. I don't
14 have to run for office. I have never been interested in
15 political positions.

16 Q. Right. But you went to the County and not
17 the City. I was just wondering if there was a reason
18 that you went to the County instead of the City.

19 A. Corruption County, I knew that it was pretty
20 bad in the county.

21 Q. Well, that makes sense.

22 Do you keep pocket calendars?

23 A. Yes.

24 Q. What do you do with the pocket calendars?

25 A. I write all of my appointments, things to do.

1 My wife tells me to go to the grocery store, pick up
2 something at the drug store, pick up bread and milk,
3 reminders of birthdays, anniversaries, dinners,
4 appointments with county people asking for appointments.
5 They're all jammed up, yeah, in the same book.

6 Q. And you sync those with your electronic
7 county calendars?

8 A. No, I never felt I had to. I never felt I
9 had to. All -- up to now I believe -- I believe up to
10 now, I still believe it's not necessary. But after I
11 was told by the Inspector General that I should, then I
12 said I'll be glad to follow your instructions.

13 Even today, I don't believe it's legally
14 necessary to call in -- I do have an official office
15 calendar managed by my assistant. In this case, it used
16 to be the other fellow, Suits, during his time. But now
17 it's Johnnie Easton.

18 So I do have an electronic calendar. That's
19 my official calendar. Up to today, I do not believe
20 it's a requirement. And I've checked it with lawyers.
21 And my lawyers confirm that it's not a requirement. But
22 I'm doing it now just to be cooperative.

23 Q. Okay. Do you give your calendar to
24 Johnnie Easton and she syncs it for you?

25 A. No.

1 Q. How does that work?

2 A. No, I do my own.

3 Q. Oh, you sync your own?

4 A. I do my own. I do my own calendar. She does
5 keep official office electronic calendar. And whatever
6 else she does for backup, that's her business. She runs
7 my appointments and that's the official one. My pocket
8 one is my pocket one that everything goes in there.

9 Q. Do you write in your pocket calendars,
10 whatever you see on your electronic calendars --

11 A. No.

12 Q. -- so that you know?

13 A. Sometimes I do, sometimes I don't.

14 Q. Who provides you with those county pocket
15 calendars?

16 A. I buy it myself.

17 Q. You buy your own pocket calendars?

18 A. I buy it myself.

19 Q. Have you always?

20 A. As far as I know, I have always bought my
21 pocket calendars.

22 Q. The County has never provided you with pocket
23 calendars?

24 A. I don't -- they might have provided me once.
25 But I donate \$92,000 of salary. A ten-dollar pocket

1 calendar is not going to break the bank. So the answer
2 is it's my intention -- if it was paid by the County, it
3 was inadvertent. If it was inadvertent, it's possible
4 that Johnnie Easton without my asking her to do it,
5 might have bought it at one time.

6 But she knows now that I take care of all of
7 my own stuff, all of my own pens, all of my own type
8 paper. I don't need county assistance for those things.
9 So 99 percent of the things I use, I pay personally.

10 Q. Okay. Do you keep possession of your pocket
11 calendars?

12 A. Yes.

13 Q. Where do you keep possession of them?

14 A. In my pocket.

15 Q. No, how about used ones, do you keep them?

16 A. I throw the month away. After the month is
17 over, I get the next one. I don't need it anymore.

18 Q. Okay.

19 A. In other words, if there is anything left
20 over in the month of February, on March 1st, I transfer
21 anything that I need to follow up in the month of March.
22 I no longer need February, it goes in the trash can.

23 Q. Okay. So you don't have possession of any
24 used pocket calendars at this point?

25 A. No. Now, after the Inspector General

1 Sheryl Steckler said you should -- see, I'm a very
2 obedient person. It's such a simple thing. She said
3 you got to keep 12 months. So now, since the time that
4 she told me I should keep them, I do keep them for
5 anybody's purview.

6 So from the moment she instructed me, even if
7 I disagreed with her, mentally, I followed her
8 instructions. So from that moment, I now keep on my
9 desk. So anybody who wants to keep -- see that, it's
10 right there. And that should, it should coincide now
11 with the electronic calendar.

12 Q. Okay. So you don't have any pocket calendars
13 from maybe 2010, prior to 2010?

14 A. It's in the county garbage, one of those --
15 what do they call it, one of those piles of garbage.

16 Q. Trash bins?

17 A. Somewhere in the mountain of garbage. So if
18 somebody cares to look for them, there's some are there.

19 Q. I don't think anybody wants to go digging
20 through that.

21 Have you ever received any gifts from anybody
22 who works at the Palm Beach County government?

23 A. Palm Beach County government? No.

24 Q. Government.

25 A. Government?

1 Q. Yes.

2 A. No, not that I'm aware of I didn't receive
3 any gift. County government? Oh, yeah, ice cream, come
4 to think of it. Jeff Koons, Christmastime gives ice
5 cream. He does give ice cream.

6 Q. What kind of ice cream?

7 A. He asked us to choose. I think I choose
8 strawberry ice cream.

9 Q. Like a bucket or an ice cream cone?

10 A. Just a little -- it's a pint. It's a pint.
11 So he used to give us a pint of ice cream and he used to
12 ask us what flavor.

13 Q. Anything else?

14 A. That's all I can think of at the moment.
15 That's all I can think of at the moment. I can't think
16 of anybody else giving anything else. I think he also
17 had Christmas parties that he probably paid for, for the
18 employees. And I probably paid for a Christmas party or
19 contributed to the expense -- cost of a Christmas party
20 at one time.

21 Q. Was a Christmas party thrown at a private --

22 A. No, right there in the 12th floor of the
23 county building.

24 Q. County building?

25 A. It happens to be right next to my office.

1 Q. How is it paid for? People just donate money
2 towards a Christmas party?

3 A. Now, that's the way I think it's done now.
4 Those who want to attend just give cash to whoever is
5 organizing it.

6 Q. Okay.

7 A. Because I know I paid for my three employees.

8 Q. Did you ever build a bathroom at
9 Willows Park?

10 A. Willows Park bathroom. My company did. My
11 company did.

12 Q. Which company was that?

13 A. Royal Professional Builders.

14 Q. Okay.

15 A. Again, I don't remember -- I know we built a
16 bathroom. I don't think it was the bathroom, I think it
17 was called a -- it's a baseball field concession stand.
18 It was really my partner Wally who was contacted by the
19 Recreation Department of Royal Palm Beach. So I was not
20 directly involved.

21 So he -- whatever the details were of that
22 construction, you'd have to depose Wally Sanger. And
23 the Recreation Department of Royal Palm Beach --

24 Q. Okay.

25 A. -- because I was not involved in it directly.

1 My partner did all of the construction. So
2 I -- that's about all I can tell you right now is I was
3 not directly involved.

4 Q. When was that --

5 A. That was actually -- when was? It probably
6 was a good 15 years ago. You have to depose Wally.

7 Q. Maybe I will.

8 A. You should.

9 Q. Do you know where he is?

10 A. He's around. He's around. I can give you
11 his number, 798-0901. That's his business number.

12 Q. Okay. Do you still speak with Wally?

13 A. Oh, once in a while. The last time was about
14 two months ago.

15 Q. Are you guys on good terms?

16 A. Yes.

17 Q. When you were a County Commissioner, did you
18 ever have meetings with him, with Wally Sanger,
19 regarding any school buildings?

20 A. No, never. No, that's -- he -- I had nothing
21 to do with school buildings or anything to do with Royal
22 Professional Builders business. It was 100 percent his
23 business. So I had no reason to talk to him.

24 Q. But you were a partner?

25 A. Not anymore.

1 Q. Okay.

2 A. No, our partnership ended. I thought I
3 mentioned it to you yesterday.

4 Q. You did.

5 A. February, 2002.

6 Q. You did. I apologize.

7 A. I have good short-term memory, but long-term
8 memory is not so good.

9 Q. Did you ever have any meetings with Wally
10 regarding the Wellington Medical Arts District?

11 A. Not regarding the Wellington Arts District.
12 Well, he called me and he wanted to -- he set up a
13 meeting. He did set up a meeting between officials of
14 Wellington, staff members of Wellington and himself and
15 me at Hilary's. And at that meeting, they said what a
16 grand -- great thing they had in mind about this
17 Medical Arts. They were going to bring in this school.
18 I think they said they were going to bring up a medical
19 school. So they were bragging about how great this
20 project was and that --

21 Q. Who was -- I'm sorry, who was bragging?

22 A. All of them in the room.

23 Q. Wally?

24 A. There must have been two members of the staff
25 of Wellington and Wally. I think Bob Basehart was the

1 one name I remember that was there. Bob Basehart,
2 B-a-s-e-h-a-r-t. He worked for Wellington as a planner
3 of some kind.

4 So there were four of us in the room and they
5 were all basically with the objective of having me
6 convince the County to donate our land to the Village of
7 Wellington.

8 Q. To convince?

9 A. To donate the County -- we have two pieces of
10 land within the Medical Arts District.

11 Q. The County does?

12 A. We, the County.

13 Q. Right.

14 A. Palm Beach County does.

15 Q. Okay.

16 A. Which is still outside of Wellington. It's
17 not part of Wellington yet. So, first, they tried for
18 me to give up the land for just as a gift to Wellington.
19 And they failed. They did not succeed. Wally is
20 interested in building the building at the Medical Arts
21 District, so he's trying to help put this thing together
22 so he can be the builder of the building.

23 I'm not interested in donating the land to
24 anybody. Whoever wants that land will have to pay for
25 it. So that was their involvement in trying to get me

1 to donate.

2 Then the next thing is -- the next thing is
3 he set up another meeting with Roger Fina (phonetic).
4 Roger Fina, who owns another of those vacant pieces. I
5 had met with Roger Fina in the past. And the objective
6 there is for me to convince, again, the County --
7 lobbying me to convince the County to give the land or
8 sell the land to Roger Fina at a low price. And that
9 won't do either.

10 So the answer again, so my ex-partner -- see,
11 people feel that because we're ex partners, I'm going to
12 be extra nice to him. And the answer is no way, Jose,
13 everybody is treated equally in my book. Nobody gets
14 any special advantage. So partner or not, or ex-partner
15 or not, the answer is the same for everybody. Whoever
16 wants that land is going to pay full market price today.
17 So that failed, too.

18 Q. Is the land for sale?

19 A. The land is available for whoever is
20 interested in it to pay full market price. Is it for
21 sale? You'd have to talk to Bob Weisman.

22 Q. Okay.

23 A. I'm not selling it personally.

24 Q. I understand. I just didn't know if it was
25 something that the County was actively looking to sell

1 this land.

2 A. I would expect the County would consider
3 selling it at full market price.

4 Q. If they got the right offer?

5 A. Market price.

6 Q. Right. How long ago was that meeting?

7 A. Oh, within the last -- both meetings, one was
8 with the Wellington staff and the other one with
9 Roger Fina, both meetings would have been within a
10 30-day span over the last hundred -- four months. Over
11 the last four months.

12 So sometime over the last four months both
13 occurred within a 30-day period, the first one being
14 with the Wellington staff and the second one being with
15 Roger Fina.

16 Q. Do you know whether they've talked to any
17 other County Commissioner with regard to trying to build
18 their Wellington --

19 A. No, I don't know who had --

20 Q. You don't know?

21 A. I don't know.

22 Q. Has it ever been brought to a vote to the
23 County that they would donate or sell this land?

24 A. No. We -- we voted within the last two weeks
25 to agree to annexation. We still own it. We have --

1 Wellington has taken steps to annex those parcels. And
2 we have agreed to be annexed subject to certain
3 conditions. So we have -- we're willing to let
4 Wellington annex it, but we also need to know what the
5 terms are going to be.

6 Q. What are those conditions?

7 A. You'd have to go to -- you'd have to talk to
8 Bob Weisman. I don't get into those details.

9 Q. Would you be opposed to a Wellington Medical
10 Arts District going up?

11 A. Not at all.

12 MR. MARIANI: Objection, form.

13 Go ahead.

14 THE WITNESS: Would I be opposed? Not at
15 all. I'd love to see a real -- my real problem
16 with not only with -- see, these are all public
17 statements, I've said over and over and over again.
18 Whenever I see a developer, for-profit developer
19 come to us to rezone and increase the value of the
20 real estate with the promise of thousands of jobs,
21 in the case of Medical Arts, six to 7,000 jobs.
22 Whenever I hear that, the first question -- I did
23 the same thing with Callery Judge. They said there
24 were going to be 10,000 jobs.

25 And the question is, can you name me one

1 entity that's indicated an interest in providing a
2 plant or factory or institution that will create
3 those jobs, name me one who's shown some interest.
4 And I don't even want to see a contract. I get a
5 blank stare. They don't have anybody in mind.

6 I asked that to Nat Roberts when they were
7 applying for 10,000 homes and 4 1/2 million feet of
8 commercial industrial, he didn't have a single
9 person in mind.

10 I had the same thing with Wellington, when
11 they came and said we have this grandiose plan of
12 medical facilities, this, this, this and that, and
13 we want you to allow us to double the square
14 footage of buildings from 1.1 million to over 2
15 million, same question. But Jess Santamaria, can
16 you name me one entity medical or health related
17 that has spoken to you that would be interested in
18 putting up a medical health business? And another
19 blank stare. Zero, nothing.

20 So you want to us double the amount of
21 buildings, but you don't have a single person
22 interested. So show me a real user, and not just
23 somebody going to increase the value of the real
24 estate of not only the vacant land but the
25 surrounding properties. Don't give me grandiose

1 dreams with nothing substantial. And I use this
2 statement, all you're showing me is an empty shell
3 with no foundation. See, that's all on public
4 record.

5 I would love to see something real. Not an
6 imagination with someone trying to increase the
7 value of real estate, double the amount of
8 buildings and create additional congestion in the
9 roads that are already over capacity. Their roads
10 are already over capacity. They need to come to
11 us -- the only reason they need to come to us is
12 they want to double. It's something called CRALLS.
13 I don't know if you have heard of CRALLS.

14 CRALLS means getting permission from the
15 County to put more traffic on already over capacity
16 roads. And I -- those are the things that really
17 burn me up, when they want things to increase the
18 value of their real estate, but they don't have
19 anything concrete. Empty shell with no foundation.

20 BY MS. KITTERMAN:

21 Q. That makes sense. You brought up
22 Callery Judge. Tell me what that deal was about.

23 A. 10,000 homes and 4-1/2 million feet of
24 commercial industrial.

25 Q. And where was that going to be located?

1 A. In the middle of the orange groves.

2 Q. Were you opposed to that development?

3 A. Absolutely. Absolutely. I told Nat Roberts
4 the owner, look, cut it in half, give it 10,000 homes.
5 And I asked him same question about employment. And I
6 wasn't even going to agree -- I was going to agree to
7 give him the industrial commercial, you know, out of
8 this thing, but even he didn't have a single potential
9 user.

10 But I said not 10,000 homes. 10,000 homes is
11 20,000 cars and your neighbor next door is bigger than
12 you. If I give you 10,000 homes and your neighbor is
13 20 percent bigger, he's going to want 12 to
14 15,000 homes. I said, it's going to be a domino. He's
15 going to get -- you're going to get ten, the next guy's
16 going to get anywhere from 12 to 15,000. I said, no,
17 I'm not going to do that. You give me 5,000 and I'll
18 support you. And he insisted on 10 and he got -- the
19 vote was four to two. And I was one of the four who
20 voted against it.

21 Q. When did that vote come about?

22 A. Oh, the year after I got elected. That
23 was -- I was elected in 2006 or 2007.

24 Q. 2007. Was it -- was the vote presented at a
25 typical County Commission meeting?

1 A. Yes. Absolutely, yes, normal.

2 Q. Was there ever a hearing about it, like a
3 quasi-judicial hearing?

4 A. Oh, yeah, multiples hearings. Many hearings.
5 And I met with Mr. Roberts, also.

6 Q. Just you and Mr. Roberts?

7 A. Yeah. Just -- we met, that's correct. He
8 actually -- he actually was lobbying me before I got
9 elected. He was already lobbying me.

10 Q. Did you record any conversations with
11 Nat Roberts?

12 A. Not before I was elected.

13 Q. Did you record any afterwards?

14 A. Afterwards.

15 Q. Did you ever pay for any food for a group of
16 people to attend a government meeting regarding the
17 Callery Judge?

18 A. No, I paid for food after the meeting for
19 people who were with my son. I did not say, if you come
20 to the meeting, I'm going to pay your food. No, they
21 were already there, there was a continuation in the
22 afternoon, and they joined my son at the Chinese
23 restaurant. And I paid for the lunch.

24 And that's -- I pay for lunches every time.

25 It's just -- I don't allow anybody to pay for my

1 lunches, but I do pay for lunches any time -- anybody
2 who has lunch with me, I pay. Unless they offer to pay
3 and then, of course, I let them pay. If they offer to
4 pay, they are welcome to pay whatever they want. But I
5 always pay for my own lunch.

6 Q. Which son was that, was that Christopher?

7 A. Christopher.

8 Q. Was Christopher with this group --

9 A. Yes.

10 Q. -- of people?

11 A. Yes.

12 Q. And they were all at the meeting to oppose --

13 A. They were all at the meeting, yeah. They
14 were all at the meeting to oppose. There must have been
15 hundreds and hundreds of people. And the people who
16 went to that lunch, it might have been 12, 15 of them.
17 And those would be -- those would be friends, neighbors,
18 friends of my son. They were together sitting down at
19 the meeting and they were together when they went to
20 lunch and, yes, I did pay for the lunch.

21 Q. Were you at the lunch?

22 A. No, I was not, no.

23 Q. So how did you pay for the lunch?

24 A. I got the receipt and I paid it. I go to the
25 same restaurant, the restaurant regularly. They know

1 me. They deliver food to my office. I probably, I
2 don't remember, I probably had it delivered to my
3 office.

4 Q. The receipt?

5 A. Yes.

6 Q. For you to sign?

7 A. Yes -- not to sign. Just -- well, to give my
8 credit card.

9 Q. Oh, okay. So somebody brought the receipt to
10 you to give them your credit card?

11 A. Uh-huh. Yes. The answer is yes. My
12 recollection is it was brought to my office and I paid
13 it.

14 Q. Okay.

15 A. And then what I do remember, because I found
16 out through the grapevine that Mary McCarty who was not
17 too happy that I got elected, a few commissioners really
18 would rather I wasn't elected, Mary McCarty I believe
19 called the Sun Sentinel and said, Jess Santamaria paid
20 for these people to go to lunch.

21 So that was the source of the Sun Sentinel
22 report. Mary McCarty was the one who called the
23 reporter there saying that I'm buying lunches for people
24 to show up at the meeting.

25 Q. How did she find out that you bought the

1 lunch?

2 A. Somehow she found out. I think she found
3 out -- I don't know how she found out. I think what
4 happened was when the restaurant brought it to the -- to
5 the receptionist, I think. When the Chinese restaurant
6 brought the check for me to pay, it went to the
7 receptionist. And I think the receptionist didn't know
8 who -- I think they said commissioner.

9 So she was calling the different
10 commissioners, including Mary McCarty. And she took
11 that opportunity, she said, no, I'm not the one. Then
12 if I'm not the one, it was Jess Santamaria. So then she
13 then contacted the papers because she was one of those
14 who would have preferred I wasn't around. And, of
15 course, she's one of those who served jail sentences.

16 Q. Did you ever pay for T-shirts or
17 transportation for the people to that meeting?

18 A. For what meeting?

19 Q. For a Callery Judge meeting.

20 A. I don't know about who paid for the T-shirts.
21 And the bus, I don't remember, but it's possible I did.
22 I don't remember. I can't tell you for sure.

23 Q. Would anybody have helped you order the
24 T-shirts or order the bus?

25 MR. MARIANI: Objection, form.

1 THE WITNESS: No.

2 BY MS. KITTERMAN:

3 Q. It would have been you that would call up and
4 say I need to buy T-shirts?

5 MR. MARIANI: Objection to the form.

6 THE WITNESS: No, neither. Neither. I did
7 not order -- I did not order any T-shirts.

8 BY MS. KITTERMAN:

9 Q. Do you know who did?

10 A. I don't.

11 Q. Was there T-shirts?

12 A. There were some T-shirts, but I don't know
13 who provided the T-shirts.

14 Q. What did the T-shirts say?

15 A. I don't remember. You -- I'm sure there were
16 pictures that appeared in the papers.

17 Q. And you don't recall if you ordered the bus
18 for the people to attend a Callery Judge meeting?

19 A. I don't recall.

20 Q. Did you ever announce that you were not going
21 to support the Callery Judge Groves development plan
22 prior to evidence being introduced at a quasi-judicial
23 zoning meeting?

24 A. I don't understand the question. Say it
25 again slowly.

1 Q. Okay. Did you ever publicly say that you
2 were going to oppose the Callery Judge development plan
3 prior to the judicial, quasi-judicial meeting and
4 hearing the evidence?

5 A. No, I did not because I was not opposing the
6 plan, I was opposing the 10,000 homes. I did --
7 everybody knew that as long as you reduce it from 10,000
8 to 5,000, I would have supported it. The issue was not
9 that I was opposed to the plan. I was opposed to the
10 intensity, that it was going to flood our streets, that
11 it was going to destroy the quality of life of my
12 community.

13 And I was -- and that's one of the things
14 that I run for is to oppose abusive government. And to
15 me, that was abusive government. That was wrong. That
16 was destroying the quality of life in my neighborhood.
17 I know my neighborhood. I'm a builder/developer for
18 over 30 ears. I know my neighborhood, I know what the
19 people want. The people did not want 10,000 homes.

20 It's not Jess Santamaria who didn't want
21 10,000 homes, it's the people. The people came,
22 hundreds of people that were strongly opposed.
23 Thousands of people signed petitions. I was
24 exercising -- I was expressing the will of the people.
25 That's what I was expressing, it was not

1 Jess Santamaria.

2 So had it gone down to 5,000 -- now he's got
3 3,000. He didn't even get the 5,000. So now he's
4 approved for 3,000. I was willing to go to 5,000.

5 Q. Did you talk to these people prior to the
6 quasi-judicial hearing?

7 MR. MARIANI: Objection, form.

8 Which people?

9 BY MS. KITTERMAN:

10 Q. The people that were opposing. I apologize.
11 The people that were opposing the --

12 A. I have monthly forums.

13 Q. Hold on one second just because I know she's
14 probably typing up us talking at the same time. So I
15 know you probably anticipate my question, but let me
16 just get it out and then you can respond.

17 Did you have discussions with your -- with
18 the people that were opposing the Callery Judge prior to
19 the quasi-judicial hearing where it was decided whether
20 or not that development would go forward?

21 A. I have monthly forums.

22 Q. Okay.

23 A. Every third Wednesday of the month, 7:00
24 p.m., I have monthly forums. Mr. Schaller occasionally
25 attends those forums. And he's very welcome to attend

1 those forums, if he behaves, like everybody else.

2 In the monthly forums, we discuss things like
3 this. And, of course, I express my opinion on different
4 matters.

5 Q. Uh-huh.

6 A. Absolutely. So that's where the people learn
7 where I stand. And I just -- it's no secret that I did
8 not want a high density development of 10,000 homes
9 because not only was I going to approve ten, the domino
10 was going to continue, the next developer was going to
11 ask for 15,000. In fact, he actually did already have
12 an application for 15,000 and I was going to stop it
13 right there.

14 So during my monthly forums, those things are
15 discussed openly.

16 Q. And that -- that was prior to the judicial
17 hearing, the quasi-judicial hearing?

18 A. Exactly. Yes. Prior and during because
19 there were multiple public hearings with the
20 County Commissioners.

21 Q. Okay. So I guess the point is that -- or I
22 guess the question is, you had your mind made up
23 before --

24 A. No, my mind was made up that I would not
25 support 10,000 homes. That's what I told you three

1 times and I'm going to keep on repeating the same
2 question, the same answer. I was not against
3 Callery Judge, I was against the excessive density. I
4 hope that is the last time I'm going to have to repeat
5 that. I was not against the project. I was against the
6 excessive density.

7 Q. Okay. What evidence was introduced at the
8 quasi-judicial hearing regarding the Callery Judge?

9 A. What is that?

10 Q. Was there any evidence introduced during that
11 quasi-judicial hearing to support why they would want
12 10,000 homes?

13 A. To explain to you in evidence and it's all in
14 public record. You will have to go to the public record
15 because I have -- my memory will not go to those
16 conditions.

17 Q. Okay. So you don't recall?

18 A. Yeah, I don't recall all of the reasons to
19 request 10,000 homes and all of the reasons why I didn't
20 agree to do 10,000 homes. You'll have to go to the
21 records.

22 Q. Okay. And I believe that you said that as a
23 result of that hearing, it was denied four to two; is
24 that correct?

25 A. Yes.

1 Q. Okay. And that's something that's still
2 pending because you've said there was -- he's been now
3 approved for 3,000 homes?

4 A. He has approval for 3,000. 2,900 and
5 something homes. Just under 3,000. And I voted for it.

6 Q. Was this at a regular County Commission
7 meeting or was it another quasi-judicial hearing?

8 A. At a regular County Commission meeting.

9 Q. Back to the -- I'm sorry, I didn't mean to go
10 off track. Back to your Royal Professional Builders, do
11 you know whether Royal Professional Builders received an
12 impact credit when they built a bathroom or concession
13 stand, whatever it was, at Willows Park?

14 A. I don't remember. You'll have to ask
15 Wally Sanger.

16 Q. That was after you were no longer involved
17 with the company.

18 A. No, that was before. Long before. That's
19 15 years ago. That's why I told you to depose Wally.
20 He's the one that was involved in that, not me.

21 Q. Did you claim to the public that you donated
22 funds to build that bathroom or concession stand,
23 whatever it was?

24 A. I really don't remember the details.
25 Whatever is on record is on record. I don't remember

1 what -- I don't remember much about the bathroom because
2 I was not directly involved with it. Whether I
3 mentioned it or didn't mention it, I don't remember.
4 It's at least 15 years ago. Probably more than 15,
5 probably more like 20 years ago.

6 Q. Okay.

7 A. So whatever is on record is on record.

8 Q. During your election campaign, did you take
9 credit for getting funding for Glades water treatment
10 plant?

11 A. Did I take credit?

12 Q. Plant.

13 MR. MARIANI: I'm sorry. Would you repeat
14 the question, please?

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

17 THE WITNESS: Obviously, I think I -- I
18 advertised that during my term, X number of dollars
19 were spent for the benefit of the Glades community.
20 I took out an ad and that -- that page came from
21 our economics department. The economics department
22 provided me what during my term funded -- I did not
23 say I got the money, I said the County got the
24 money during my term. In the same way that I have
25 said during my term, taxes have gone down so many

1 millions.

2 It's not that Jess Santamaria did it all by
3 himself, but it's a County process that provided
4 funding for the people in the Glades. Not me
5 personally. I contributed in some way to effect
6 some -- those funds. But that was the intent of
7 that ad, to show that during my four years in
8 office, these monies were invested in the Glades.

9 And I -- in saying the same way I said the
10 same thing on taxes. Taxes have gone down when I
11 got elected and they had gone up every year before
12 I got elected, but they started going down after I
13 got elected. That implies I was one of the seven
14 commissioners, not the sole commissioner.

15 In the case of the county, it takes four to
16 tango. One commissioner can't do it alone. You
17 need four members to vote on it.

18 BY MS. KITTERMAN:

19 Q. So the issue of taxes being reduced had come
20 up for vote in front of you since you've been --

21 A. And I voted to reduce taxes.

22 Q. -- in office?

23 A. I voted to reduce taxes. I voted to reduce
24 together with the others who voted to reduce.

25 Q. And you said -- where did you get that? The

1 money that was spent in the Glades during your term,
2 where did you get that spreadsheet?

3 A. From the economics department,
4 Shannon LaRocque provided me that list.

5 Q. And why did you ask for that list, or did you
6 ask for that list?

7 A. I did ask for the list.

8 Q. And why did you ask for the list?

9 A. To show that there was investment -- because
10 I had heard statements made that nothing is being done
11 for the Glades. So I said, hey, we must have done
12 something. So I went to our economics department and
13 she gave me the information.

14 Q. Who made the statements that nothing was
15 being done?

16 A. Who knows who made the statements? People in
17 the street. I don't know who made the statements. I
18 was just informed that the County is not doing anything.
19 I don't know who specifically. You might say my
20 adversaries, including somebody who supported
21 Mr. Schaller. Commissioner Greer, probably. I'm saying
22 those people who don't like me in the Glades.

23 There's always people who don't like you. So
24 those people who don't like you will find something to
25 say negative about you. So there was some rumors that

1 we had not done anything for the Glades.

2 So I said, hey, have we done something? So
3 that's when I went to Shannon LaRocque, hey, what has
4 the County done in the last four years? That's when she
5 provided me the list. That was my rebuttal to those
6 people who said we hadn't done anything for those in the
7 Glades.

8 Q. Were you surprised to hear that people
9 thought you didn't do anything for the Glades?

10 A. Of course I was surprised because we had done
11 plenty for the Glades.

12 Q. And everything that you've done for the
13 Glades, was it reflected on that spreadsheet? And when
14 I say you, I mean the County.

15 A. I don't know. All I know is whatever I was
16 given by our economics department, who should know how
17 much money has been invested for what project. It was
18 itemized for the hospital, for the water plant, for
19 anything that was spent. For the marinas. Everything
20 that was spent was listed there in big numbers.

21 Q. Do you know who Michael Jackson is?

22 A. Well, there's two Michael Jacksons that I
23 know of. One is a singer and the other one is a -- is
24 a -- was both a city manager for South Bay and also a
25 commissioner of South Bay, and who I hired in my first

1 term. He is quite an active person in the Glades and I
2 felt he would be a good person to represent me in the
3 Glades during my first four years.

4 Q. Just so I can clarify, I'm not talking about
5 the singer. I am talking about the person that works
6 with you.

7 A. Well, that's the one I just described.

8 Q. Yes.

9 A. Whom I hired.

10 Q. Okay. So you hired him during your first
11 term. And what was his job duties?

12 A. He was an assistant. But I -- there was, I
13 don't know, some technicality that Bob Weisman's office
14 felt that he had to -- he had to be paid through the
15 economics department. So you'll have to ask Bob Weisman
16 why he was not an employee.

17 In other words, he was not an employee of
18 District 6, but he was really reporting and he --
19 through Shannon LaRocque of the economics department.
20 Why there was a need to do that, you'd have to go to
21 Mr. Weisman.

22 Q. Did he report to you?

23 A. He reported to me and Shannon LaRocque. He
24 had a monthly report, weekly report through
25 Shannon LaRocque, which I got a copy of.

1 Q. What was that?

2 A. But I would give him jobs to do. I would
3 similar -- similar to what I'm doing to my assistants
4 now, he did similar work. He did similar work. He
5 would attend meetings for me, and he would give me
6 suggestions. And I would -- so he was my assistant. He
7 was my assistant, but he reported to Shannon LaRocque.
8 And he's -- again, I don't -- I don't know why it had to
9 be done that way.

10 But for the third time, again, because I end
11 up repeating three times because you keep asking the
12 same question and I have to give you the same answer. I
13 don't know the mechanics. If you want to know the
14 mechanics of his employment, you'll have to go to
15 Bob Weisman. I'm telling you that he reported both to
16 me and to Shannon LaRocque. He provided a monthly
17 report of his activities to Shannon LaRocque, a copy
18 furnished to me. That's what I can tell you.

19 But he would do what I tell him. He would
20 organize meetings for me, he would do similar things
21 that Fred Pinto and Paul Razza are doing for me today.

22 Q. The jobs that he would do for you, would they
23 be included on those monthly reports that he gave to
24 Shannon LaRocque?

25 A. I would say so, yes. Sure. Everything that

1 he did was supposed to be in that report.

2 Q. Did you ever make a statement that the people
3 in the Glades are not fit to be shining your shoes?

4 A. No. That's the first time I hear it now.
5 No, absolutely not. I mean, that's insane. That's
6 completely -- whoever made that statement that I made it
7 is out of his mind. Not fit to shine my shoes?

8 Q. Right.

9 A. Boy, that's a good one.

10 Q. That they should be shining your shoes
11 because they need you, not the other way around?

12 A. That's the -- you're the first -- that's the
13 first time I hear it, and that's insane. And the person
14 who said it had to be insane.

15 Q. Did you say at a State Road 7 meeting that
16 people were too busy staying home and drinking beer to
17 come out and vote on the State Road 7 expenditure?

18 A. Not me.

19 Q. You never said that?

20 A. Not me. Nope.

21 Q. Do you know what Mr. Jackson was paid?

22 MR. MARIANI: Do you mean the amount?

23 MS. KITTERMAN: Yes.

24 BY MS. KITTERMAN:

25 Q. A yearly amount.

1 A. I don't remember. I don't remember. That
2 was arranged by Bob Weisman. That's all -- again, I did
3 not arrange that. That was arranged by the office of
4 Bob Weisman through Shannon LaRocque. So you would have
5 to go to Bob Weisman's office for that.

6 Q. Would you be surprised to know if he made
7 \$60,000 a year?

8 A. No, I'm not surprised at all. No, why would
9 I be surprised? That's what the County felt was the
10 amount that he should be paid, so that's -- and that
11 could be paid based on the budget in my district. I'm
12 sorry, I don't know how the mechanics work. But it was
13 based on what my district was allocated. But for some
14 reason, it had to go through the economics department
15 for the fifth time or sixth time I've said it.

16 Q. I wasn't asking about --

17 A. But I'm not surprised of what he made because
18 that's what he made. Obviously, that's --

19 Q. Did you have any input on what he made, the
20 salary?

21 A. No. My input was pay him what he is able to
22 pay based on the budget in my department.

23 Q. Do your current aides get paid the same, do
24 you know?

25 A. He has a different arrangement.

1 Michael Jackson -- my employees get the base pay. They
2 have health insurance paid by the County, they have
3 vacation pay, they have sick pay. They have all kinds
4 of these benefits.

5 Michael Jackson -- they have car allowance.
6 The reason that he's paid 60,000 is because they used
7 those vacation pay, health insurance, 10,000 -- whatever
8 other benefits, car insurance, all of those were built
9 into that 60,000 you're naming. I had nothing to do
10 with that. That's Bob Weisman's job. So it was he who
11 arranged all of that.

12 Q. Okay.

13 A. He did not get any benefits at all. It was a
14 gross pay. He had his own car, he paid for his own
15 gasoline, he paid for his own food. He had no vacation
16 pay.

17 Q. Okay. And since I just was talking about the
18 State Road 7, were you opposed to the extension of State
19 Road 7 when you were a private citizen?

20 A. Opposed? No. No, I was for it. No, I've
21 been for it from Day One. We need that road.

22 Q. Have you ever claimed credit for it being
23 open?

24 A. For me to claim credit? No, the whole
25 community wants it. Again, that would be insane if I

1 claimed credit for it. I'm pretty sane. I'm pretty
2 sane. I'm a people person. I support what the people
3 want. The people want that road.

4 Q. Have you ever taken any elected officials on
5 vacation to Sanibel or Captiva?

6 A. Taken any elected -- any who?

7 Q. Elected officials.

8 A. No, I didn't take anyone for a vacation, no.
9 I took Mayor Wilson of -- mayor of Belle Glade to show
10 him South Seas Plantation because that's what I want to
11 do for his marina. So I took him for one day to show
12 him the Belle Glade -- to show him the South Seas,
13 Captiva Island development because I said that's where I
14 go every year and that's what I want to do for you in
15 your marina.

16 Q. Did you stay overnight?

17 A. Yes, one night. Him and his wife went there
18 for one night and then came back the next day.

19 Q. Did you bring your wife?

20 A. Yes.

21 Q. Was anybody else there? Did anybody else go
22 with you on that --

23 A. My assistant went there, too.

24 Q. Your assistant?

25 A. My assistant, Dennis Lipp.

1 Q. Anybody else?

2 A. That was it.

3 Q. Who paid for that trip?

4 A. I did because I already have -- it's not that
5 I paid for it. I already have accommodations there.

6 Q. Like a timeshare?

7 A. Yes. I already have the accommodations. So
8 I didn't have to pay any more than what I pay on a
9 timeshare.

10 Q. I think I've been there. Is it like -- do
11 you have like a condo there, just one?

12 A. Yes.

13 Q. And it has a couple of rooms?

14 A. Yes.

15 Q. And is that where all of you stayed?

16 A. Yes.

17 Q. Did you discuss any official business on that
18 trip?

19 A. No, I just wanted to show him. I'd been
20 planning to take him there for a long time because I
21 wanted to get him excited that that's what I wanted to
22 do in his marina. That's where I got the idea of
23 enhancing the Belle Glade marina is because I'm going to
24 one of those for the last 23 or 24 years, I've been
25 going to that same place.

1 Q. How is that project coming along? Are you
2 working on the Belle Glade marina?

3 A. Still working. Still working on it, yeah.
4 We've already put in I think almost \$4 million in
5 improvements. And I'm now working on getting another
6 75,000 for another study for the next phase of
7 expansion.

8 Q. And when exactly was that trip with
9 Mayor Wilson? Do you know what year?

10 A. Maybe a year ago.

11 Q. A year ago.

12 A. Again, about a year ago. It could be nine,
13 ten, 11 months.

14 Q. Okay. Did you have the same plan for that
15 marina in the past?

16 A. I had the same idea from the first year I was
17 a commissioner.

18 Q. From 2006?

19 A. From the first year I was a commissioner, I
20 said this is what we need to do here to put the
21 Belle Glade and the other, other communities on the map.
22 This is what is needed here is something that is going
23 to be a family attraction. It's attracted -- the South
24 Seas Plantation attracts people from all over the world.
25 It's attracted me for 30-some years -- 20-some years,

1 since my kids were little ones up to now.

2 So if that -- if we do something like it in
3 Belle Glade, that would be a big source of employment
4 and income.

5 Q. So since 2006 --

6 A. From the first year I was a commissioner.

7 Q. -- to now?

8 A. I said we've got to do something on a smaller
9 scale. It can't be as elaborate as South Seas, but I
10 think if it's a small scale of the same concept. As a
11 family attraction, it already has a golf course. The
12 South Seas has a nine-hole golf course. Belle Glade has
13 an 18-hole golf course.

14 There are already some basic things. The
15 water, the Okeechobee Lake looks like an ocean. You
16 can't tell the difference between an ocean and the Gulf
17 of Mexico. When the sun sets, it looks like the same
18 thing. So I just felt that that would be -- that would
19 be a real asset. It's a diamond in the rough that needs
20 to be shined.

21 Q. Why has it taken so long?

22 MR. MARIANI: Objection.

23 BY MS. KITTERMAN:

24 Q. It's not just been pushed through?

25 A. I've been looking for a billionaire to fund

1 it.

2 Q. Have you been trying to get a marina built
3 there for a long time, even as an individual?

4 MR. MARIANI: Objection to form.

5 THE WITNESS: No, I was not aware of the
6 Belle Glade marina until I got elected. The first
7 time I saw it was after I got elected.

8 BY MS. KITTERMAN:

9 Q. So you didn't try to get support for the
10 marina about 15 years ago?

11 A. I didn't know it existed.

12 Q. Okay. After you had been elected as a County
13 Commissioner, have you ever had any conversation with
14 any other County Commissioner while not at a publicly
15 noticed meeting, other than the two conversations we've
16 already talked about on the phone?

17 MR. MARIANI: Objection to form.

18 THE WITNESS: Nothing. I don't talk to any
19 commissioner -- I don't talk to any commissioner on
20 any business related matter of the county that is
21 going to be on the agenda. I am very careful about
22 that. I am a stickler not to talk about anything
23 that is going to be voted on, hundred percent of
24 the time. I do not -- I do not do that.

25

1 BY MS. KITTERMAN:

2 Q. Do you talk to any other County Commissioner
3 not at a public meeting about anything else?

4 A. Commissioner Aaronson invited me in my first
5 year to visit his district, and I graciously accepted.
6 He gave me a real good tour of his district. And I
7 spent a good four hours with him. That's -- I guess
8 that counts as talking to him. So he showed me his
9 district and I was very happy to.

10 I was also invited to go to a park by two
11 commissioners, Koons and Karen Marcus, in Marcus's
12 district twice, together with John Davis of the
13 environmentalist group. So, yes, I've visited parks
14 with commissioners.

15 Just recently, we went on tours. We had two
16 tours of farms and other open environment -- other
17 areas. So those are events that I've attended with
18 other commissioners, that they're official.

19 Q. Anything else that was not official?

20 A. Not that I can think of anything -- nothing
21 that I can think of, no. I haven't -- I haven't been --
22 I haven't met with them, period, that I can think of at
23 the moment. I've had lunches in my first year, not in
24 the recent past, with both Aaronson. I've had a lunch
25 with Koons, with Karen Marcus. I took them to lunch,

1 although each one paid his own, when I was going for
2 surgery. When I was going for my heart surgery, I
3 wanted them to know that I was going to be away for a
4 while. So those are the type of activities that I did
5 with them.

6 (Discussion held off the record.)

7 BY MS. KITTERMAN:

8 Q. After being elected a County Commissioner,
9 have you voted on anything relating to the Wellington
10 Regional Medical Center or the Palms West Hospital?

11 A. Yeah, there were -- my recollection is the
12 first time it was presented, I voted no. I voted no
13 because they were -- there was nothing health or medical
14 related in their desire to double the buildings that
15 they could build. And I voted no because they could
16 have built -- I asked my planner, Lorenzo, I said, can
17 they build all retail and not a single square inch of
18 medical? So you're naming it Medical Arts District, but
19 is it possible that there would be no medical
20 whatsoever, and the answer was yes.

21 And for those two reasons, I said, no, my
22 vote is a no. The vote was, I believe, five to two.
23 They got five votes. So it still was sent to
24 Tallahassee after the vote because it passed five to
25 two. Again, the second time it came back from

1 Tallahassee with a lot of objections and a lot of
2 criticism, then I said if you want my vote, you will
3 have to make it 65 percent medical related, medical or
4 health related. If you make it the condition of
5 approval that the new buildings will be 65 percent
6 medical and/or health related, you would get my vote.
7 They did.

8 That became a condition of approval, but they
9 still didn't have anybody in mind. But that time, since
10 there was a condition that 65 percent was medical
11 related, I voted yes. And that was unanimous -- no, no,
12 it wasn't unanimous. It might have been 6-1. I think
13 Karen Marcus still voted no. But I voted yes. So at
14 that time, it was a 6-1 vote.

15 And the last one was the annexation, which we
16 discussed a few questions ago. And that one, I voted
17 yes.

18 Q. You stated that you asked Lorenzo about
19 whether or not it could -- essentially, they could build
20 all retail and not put in any medical. Who is Lorenzo?

21 A. He's the head planner, director of planning.
22 We have a planning director, we have a zoning director,
23 and we have a building director. And then you have an
24 overall planning, zoning, and building. Lorenzo is like
25 the head of the planning department. Lorenzo Aghemo,

1 A-g-h-e-m-o.

2 Q. Is that the same for the Palms West Hospital?

3 MR. MARIANI: Objection, form.

4 THE WITNESS: What is that?

5 BY MS. KITTERMAN:

6 Q. Your answer to --

7 A. What's the question?

8 Q. -- what I just asked you, have you ever voted
9 on anything related to the Palms West Hospital?

10 A. I don't know if there is anything relating to
11 the hospital.

12 Q. There was no vote?

13 A. I don't know of anything -- what in
14 particular about the hospital? I don't --

15 Q. I'm just asking if there was a vote on the
16 Palms West Hospital?

17 MR. MARIANI: Objection, form.

18 THE WITNESS: There has been no application.

19 There has been no application that I know of that
20 pertains to the Palms West Hospital by itself. I
21 don't remember the hospital coming to the County
22 for anything. Do you? What do you know? I don't
23 know of anything.

24 BY MS. KITTERMAN:

25 Q. No.

1 A. Maybe you know more than I do.

2 Q. No. No, this is just my -- me asking you
3 questions. If you don't know, you don't know.

4 As a County Commissioner, have you ever voted
5 on any issue related to the Village of Wellington?

6 A. At the moment, I don't remember what -- there
7 probably has been something other than the Medical Arts.
8 There probably has been, but at the moment, I can't
9 remember of anything.

10 Q. As a County Commissioner, have you ever voted
11 on any issue related to the Village of Royal Palm Beach?

12 A. At the moment, I can only remember of a
13 extension for landscaping using County funding of -- I
14 think it was 400,000. I don't exactly know the amount,
15 but they needed more time to put the landscaping that
16 was going to be funded by the County. And I approved --
17 I voted together with all of the others. There was no
18 opposition on the County side. That might have been a
19 year or two ago. I can't think of anything else at the
20 moment.

21 Q. Have you ever voted on anything for or
22 related to the Palm Beach County Sheriff's Office?

23 A. The budget is the only thing we're involved
24 in. The budget. The budget is the only thing we're
25 involved. Our involvement with the Sheriff's Office is

1 the budget.

2 Q. Have you ever voted on anything for or
3 related to Palm Beach State College or when it was
4 formerly known as Palm Beach Community College?

5 A. Yeah, there was something that had to do
6 recently with funding for the small business, small
7 business something that was initially voted down. And I
8 brought it back and I believe it has since been voted
9 in. It had to do with 50-some-thousand dollars for
10 small business classes, lectures. Something along those
11 lines.

12 Q. Is that in any way related to the money that
13 you're donating to people --

14 A. No, nothing. Nothing to do with it.

15 Q. -- out in Belle Glade? Sorry, I'm just
16 trying to finish the question for the record.

17 Have you ever voted on anything for or
18 related to the Florida Department of Law Enforcement?

19 A. Not that I can think. I'm -- not that I can
20 think of.

21 Q. Have you ever voted on anything for or
22 related to the Palm Beach County State Attorney's
23 Office?

24 A. Yeah, they're remodeling or expanding their
25 offices. We voted for expanding their offices. That

1 was the past year.

2 Q. Anything else?

3 A. I don't know if there was some other funding,
4 computers or -- I don't remember. There could have been
5 some other stuff that had to do with the computers or
6 furnishings. The only thing I can remember right now is
7 the -- I know that I had been contacted by the Office of
8 the State Attorney on the expansion of the offices.
9 That was really in the past six months, eight months
10 ago. And then there had been something else maybe a
11 year and a half ago that had to do with their
12 operating -- again, funding.

13 Q. Do you what know a Form 8 conflict of
14 interest form is?

15 A. Form 8 conflict?

16 Q. Yes. A Form 8, the number 8.

17 A. I don't -- I know what the conflict of
18 interest is. But I don't know -- I'm not familiar with
19 the Form 8. Eight or A?

20 Q. Eight, the number 8.

21 A. I don't recall what it is.

22 Q. Are you familiar with a conflict of interest
23 form?

24 A. I'm not familiar with the conflict of
25 interest form. I am only familiar with the term

1 conflict of interest.

2 Q. Are you aware of any conflict of interest
3 form a County Commissioner would have to fill out in
4 order to vote on certain issues that they may have a
5 conflict with?

6 A. Maybe. Why don't you show me a conflict? I
7 don't remember the form. Why don't you show me the
8 form.

9 Q. No, I don't have the form. I'm just asking
10 if you know what it is.

11 A. I don't believe I've used it. I don't
12 remember using it.

13 Q. Do you know if you have to fill one out if
14 you have a conflict?

15 A. I don't remember -- I would know if I have a
16 conflict, absolutely. I would know. I would never do
17 anything that is a conflict of interest to me. I've
18 never done anything that is a conflict of interest.

19 Q. Okay. So you would know if you had a
20 conflict of interest with something that you might have
21 to vote on?

22 A. Sure.

23 Q. You're not aware that you have to fill out a
24 form that identifies that conflict of interest?

25 MR. MARIANI: Objection, form.

1 THE WITNESS: Yes.

2 BY MS. KITTERMAN:

3 Q. Yes, you're not aware?

4 A. No, I'm not aware. I've never been presented
5 with that form that I can remember. I wish you'd show
6 me one, maybe then it would help me.

7 Q. Have you been told that you need to fill out
8 any conflict of interest form for anything?

9 A. I don't remember ever being told that I had
10 to fill out a conflict of interest form.

11 Q. Okay.

12 MS. KITTERMAN: I'm actually going to take a
13 break now because it's a good stopping point.

14 (A brief recess was taken.)

15 BY MS. KITTERMAN:

16 Q. We were just talking about this Form 8. And
17 I guess the name actually is a Form 8B and it's a
18 Memorandum of Voting Conflict for County, Municipal and
19 Other Public Officers. Have you ever heard of that?

20 A. No, I have not. I don't remember. I don't
21 remember. I'm sure there are such forms, but I
22 personally don't remember being presented with one.

23 Q. Okay. Do you know what the rule is for
24 disclosing if you have any business relationship to the
25 County?

1 MR. MARIANI: Objection, form.

2 THE WITNESS: I would expect based on the --
3 based on the knowledge of people that I have heard
4 bring up the topic that -- because I have had
5 occasion where I offered not to vote in the
6 County Commission. I had offered not to vote and
7 the County lawyers insisted that I should vote
8 because I had no financial gain.

9 So based on that statement, I'm concluding,
10 I'm concluding that anytime you have a financial
11 benefit, yourself, or probably a close relative
12 like your wife, your son, your daughter, that that
13 would disqualify you from voting and you should
14 recuse yourself from it.

15 So all I could tell you is there's been
16 occasions where I said I don't want to vote because
17 of the perception of conflict. But they said, no,
18 you are not gaining financially, therefore, you
19 have to vote. So that is my understanding of
20 conflict is when you or your immediate relative has
21 some financial gain.

22 BY MS. KITTERMAN:

23 Q. Do you recall any of the instances when you
24 did not want to vote and they said you can vote?

25 A. Yes.

1 Q. What were they?

2 A. Oh, when Wally Sanger was selling some land
3 through a developer, it was the developer who came to
4 see me, to approve the development in the County. When
5 I found out that the land, the seller of the land was my
6 ex-partner, then I informed that I would like to recuse
7 myself because of prior relationship with Wally Sanger.
8 And they said, no, but you're not going to benefit
9 personally, and you have to vote.

10 Q. Any other instance?

11 A. There is an instance where he actually
12 lobbied me to support rock mining.

13 Q. When you say "he," you mean Wally Sanger?

14 A. Wally. Wally approached me, again, this is
15 maybe two or three years ago. He said that it's
16 important that you support and approve the rock mining
17 request because it's -- we need the concrete. So the
18 same thing. And I publicly, in fact, he was physically
19 present in the chamber. And I said I have been
20 approached by my former partner. And I would rather not
21 have to vote on it. Because he's in favor of rock
22 mining. And so the same thing. I actually voted
23 against it.

24 And I -- so I -- once again, I was forced to
25 vote and I voted against it. On the other one I did

1 vote for it and the second one I voted against it.

2 Q. Any other instance?

3 A. That I can think of at the moment, none.

4 Q. Okay.

5 A. Whenever I feel there is even a perception, I
6 don't even want the perception of conflict.

7 Q. Do you now or have you ever done business
8 with the Village of Wellington?

9 A. Have I ever -- oh, yeah, they're my tenants,
10 they rent from me. That's got to be -- as a landlord,
11 they were my tenants for quite a number of years. And
12 they still are. They rented two different spaces from
13 me. One they have already left because the lease ended
14 in March. The other one is still in existence.

15 Q. Have you disclosed your business relationship
16 with the Village of Wellington to the County Commission?

17 A. Have I disclosed it? No, I -- well, I
18 presume they -- I presume they know or should have
19 known. But I did not disclose the landlord tenant
20 relationship.

21 Q. Have you voted on anything that related to
22 the Village of Wellington?

23 A. Well, we just discussed it earlier. The
24 Medical Arts district.

25 Q. Okay. Anything else?

1 A. That's it.

2 Q. Do you now or have you done any business or
3 have any business contractual relationship with the Palm
4 Beach Sheriff's Office, Palm Beach County Sheriff's
5 Office?

6 A. No, I have no business relationship with the
7 Sheriff's Office.

8 Q. Have you ever?

9 A. No.

10 Q. Are you aware of whether the County ever
11 received a public records request or an inquiry from a
12 municipality as to whether you needed to file a Form 8B?

13 A. I'm not aware of it. Like whom?

14 Q. I'm just asking you if you know of any. If
15 you know of any public records request that has come
16 from a municipality?

17 A. Like whom? The answer is no, but you must
18 have something in mind. And I'm asking you who -- what
19 municipality do you have in mind?

20 Q. Village of Wellington. The Village of
21 Wellington?

22 A. Yeah. Okay. What about them?

23 Q. Have they requested -- have they done a
24 public records request to your office?

25 A. Not that I'm aware of.

1 Q. Okay.

2 A. Wait a minute. Does this have to do with a
3 public request of -- there is a lawyer from the
4 lawyer of -- there is a letter that I recall from the
5 lawyer of Wellington hinting that there could be a
6 conflict regarding the annexation. But I voted for, in
7 favor of the annexation.

8 So I don't know what, if -- I would be happy
9 not to vote on it, but I have voted in favor of
10 approving the annexation. But there was a letter from
11 their lawyer to our lawyer saying that there could be a
12 conflict.

13 Q. Okay. Anything else?

14 A. So it's up to them to settle it up because I
15 would follow whatever I am told. I have no interest in
16 voting unless I am forced to.

17 Q. Anything else?

18 A. I can't think of anything else.

19 Q. Has the Sheriff's Office ever rented space
20 from you?

21 A. No. It was through the -- the Sheriff's
22 Office, the lease is with the Village of Wellington.
23 That's the one that is still in existence.

24 Q. Okay.

25 A. The Village of Wellington is the one who

1 asked to rent the space.

2 Q. But the Sheriff doesn't have any rental
3 space?

4 A. No. The rent, the rent -- the lease is
5 signed by the mayor of Wellington and the checks that I
6 receive are checks with Village of Wellington heading.
7 So the source of the funding is the Village of
8 Wellington. No, I have not received any check or any
9 agreement signed by the Sheriff's Office.

10 Q. Okay. But do they have an office within one
11 of your spaces --

12 A. One more time.

13 Q. -- or a location?

14 A. One more time. Let me again repeat. The
15 Village of Wellington asked to rent space from me. I
16 rented space from them similar in terms to the other
17 lease with the Village of Wellington. They can rent
18 that space -- or not -- they can turn over that space to
19 ABC Corporation in Timbuktu or they can rent it to
20 XYZ Corporation in Tanzania, Africa. I don't care who
21 they -- who uses the space. My contract is with the
22 Village of Wellington.

23 Q. I understand that.

24 A. I have no dealings with the Sheriff's Office.

25 Q. That was not my question.

1 A. What is your question?

2 Q. I'm asking you if they have an office in that

3 space. So you keep referring to --

4 A. I do see --

5 Q. Hold on one second.

6 You keep referring to the fact that Village

7 of Wellington has rented the space and that they can let

8 anybody go into that. So who is currently in that

9 space?

10 A. Nobody.

11 Q. Nobody?

12 A. Nobody is in the space. They told me they

13 were going to turn it over to the senior citizens. But

14 at the moment, it's vacant.

15 Q. Okay.

16 A. They're still paying me rent for the next two

17 years.

18 Q. And you were just about to say you do see --

19 A. In the past, I saw sheriff cars and sheriff

20 deputies there.

21 Q. At the Village of Wellington space?

22 A. At that space.

23 Q. Okay. Do you know who Rup Nagala is?

24 A. Rup Nagala is a doctor in North Dakota who

25 purchased some land from me in Royal Palm Beach, who we

1 have a friendly relationship for some ten, 12 years.

2 He's a medical doctor.

3 Q. When did he buy property from you?

4 A. I don't -- ten, 12 years ago. Vacant land.

5 Q. When he brought the property from you, did he
6 disclose what he was buying it for?

7 A. Investment.

8 Q. Have you been involved in any other real
9 estate transactions with Dr. Nagala?

10 A. He's bought maybe another property that has
11 since been resold. He had another land that he also
12 bought through me and that's been sold at a profit to
13 him. He sold it on his own. And this property that he
14 has now, he's also trying to sell. He has been trying
15 to sell for the last few years. So he basically bought
16 it for appreciation and resale as far as I know. I
17 don't think he intended to build on it.

18 Q. Did you ever write a letter to Indian Trail
19 Improvement District on your behalf or Dr. Nagala's
20 behalf?

21 A. I don't remember the -- whether I wrote a
22 letter or didn't write a letter. All I can remember is
23 that there was an issue on an easement and there was a
24 difference of opinion between the lawyers of Royal Palm
25 Beach on which the land is, my lawyer and the -- who is

1 also the lawyer of Dr. Nagala, because his being in
2 North Dakota, he depends on me to refer him to legal
3 counsel, and the lawyer -- and some people in
4 Indian Trails.

5 There is a difference of opinion whether the
6 easement is here (indicating) -- if you look at these
7 two lines (drawing), there is a -- our lawyers and the
8 lawyer of the City of Royal Palm Beach contend that the
9 easement is here, or rather here in the upper, upper --
10 upper line; whereas, the Indian Trail folks feel it's
11 here (indicating).

12 So there's a difference of opinion on where
13 that easement is. And that's, that's the knowledge that
14 I have. Who wrote what letter, to whom, where, when, I
15 don't remember. All I know is there's been that issue.

16 Since that time to -- as a result of this
17 difference of opinion, it could have been settled in a
18 trial and a court of law, or the Indian Trails requested
19 to solve this by payment of X dollars. And Dr. Nagala
20 decided just to get this over with and so he did, he
21 issued a check to Indian Trails and it's resolved.

22 Now, all of the details of who said what
23 when, I don't remember.

24 Q. So now he, Dr. Nagala --

25 A. Has now solved the problem of where the

1 easement is.

2 Q. Indian Trail no longer has an interest in the
3 easement?

4 A. That's correct -- well, no longer has a
5 question about the location of the easement.

6 Q. I got you. And who is the attorney that you
7 were using for Dr. Nagala?

8 A. Bob Jones.

9 Q. Bob Jones. Is he local?

10 A. Yes.

11 Q. Do you know Richard Sluggett?

12 A. Yes.

13 Q. Who is that?

14 A. An owner of some land in the Acreage.

15 Q. How do you know him?

16 A. Came to my office. He's applying for -- he
17 has applied for development for his property at the
18 corner of Southern Boulevard and Seminole, Pratt Whitney
19 Road.

20 Q. What has he applied for specifically?

21 A. To build a shopping center.

22 Q. Has that been voted on?

23 A. Yes.

24 Q. What was voted on?

25 A. On the shopping center.

1 MR. MARIANI: Objection, form.

2 THE WITNESS: On the shopping center.

3 BY MS. KITTERMAN:

4 Q. Was it approved?

5 A. Yes.

6 Q. Did that require a change in the land use?

7 A. Yes.

8 Q. What was it originally?

9 A. Agricultural.

10 Q. Agricultural. And now it's zoned commercial?

11 A. Commercial.

12 Q. Have you ever had breakfast, lunch, or dinner
13 with any Palm Beach County judge?

14 A. Palm Beach County judge, breakfast, lunch or
15 dinner. Why don't you ask me who? I can't think at the
16 moment. Breakfast, lunch, or dinner with a judge. Do
17 you have any specific judge in mind?

18 Q. No, I'm just asking if you've had any meal
19 with a judge.

20 A. I don't remember having a meal with a judge.
21 I'm going to have to give it a lot of thought. I mean,
22 I have meals with a lot of people. With a particular
23 judge, I might have, but I can't think of it right now.
24 I might have.

25 In fact, I've been planning to have lunch

1 with the chief judge, what is the name of the new --
2 what's his name, the current chief judge because we're
3 on the same committee -- Blanc, Blanc. Peter Blanc,
4 that is his name. Does anybody remember? Yep,
5 Peter Blanc, I believe is his name.

6 We've been talking about having lunch and we
7 still have not. Who else? Cohen, I was planning to
8 have lunch with Cohen, never have had lunch yet. I know
9 of several judges, but I don't know of -- who have I had
10 lunch with? I can't remember -- I can't think of anyone
11 that I had a meal with.

12 It's possible I did because I would be glad
13 to have lunch with any judge. But at the moment, I
14 can't think of who I may have had lunch or breakfast or
15 dinner with. If somebody comes to mind before we leave
16 this afternoon, I'll be glad to give you the person's
17 name, but I can't think of having lunch with anybody at
18 the moment.

19 Q. Okay. Yesterday we talked a lot about as I
20 said earlier, your companies and the real estate that
21 your companies and you own. Did we pretty much cover
22 those areas? And by those areas, I mean you own
23 property in the western communities, in the Royal Palm
24 Beach -- yeah, Royal Palm Beach, Wellington. Any other
25 areas?

1 MR. MARIANI: Objection, form.

2 THE WITNESS: I don't know of any other areas
3 where I have any interests at all. I did remember
4 the name of the owner of the larger building that
5 we -- that I didn't remember yesterday. His name
6 is Chet Biernet. Chet, C-h-e-t, Biernet,
7 B-i-e-r-n-e-t, Chet Biernet. He is the owner who
8 bought that larger building in Royal Plaza North
9 that there is a commercial condo association. So I
10 told you I would get you that name.

11 BY MS. KITTERMAN:

12 Q. I'm just trying to find where I wrote that
13 down in my notes.

14 A. And I do own timesharing in South Seas
15 Plantation. I have about ten weeks of timesharing.
16 That's real estate, I guess.

17 Q. Okay. Do you recall what entity that was
18 involving, the gentleman whose name you recalled just
19 now?

20 MR. MARIANI: Objection, form.

21 THE WITNESS: Well, it's the association
22 of -- the association.

23 BY MS. KITTERMAN:

24 Q. Which association?

25 A. You brought up -- you were the one who

1 brought up the association and I told you there were two
2 buildings on the same -- on an acre of land. And I told
3 you we needed to form a condo type association to --
4 because there was one land and two buildings and two
5 owners.

6 Q. All right. I found it. What was the name
7 again?

8 A. Chet.

9 Q. Chet?

10 A. C-h-e-t, first name. Last name is a French
11 name. It's pronounced Biernet, and it's spelled,
12 B-i-e-r-n-e-t, as in Tom.

13 Q. Thank you. And yesterday you stated that you
14 owned the Royal Inn; right?

15 A. Yes.

16 Q. Do you --

17 A. Well, I am one of the owners.

18 Q. One of the owners. Who are the other owners
19 that was mentioned yesterday?

20 MR. MARIANI: Objection, form.

21 THE WITNESS: I already gave you the names.

22 I already gave you the names.

23 BY MS. KITTERMAN:

24 Q. Okay. How many employees does it have?

25 A. About 30.

- 1 Q. 130?
- 2 A. About 30, three zero.
- 3 Q. Is your wife an employee?
- 4 A. Yes.
- 5 Q. What is her job at the Royal Inn?
- 6 A. Office manager.
- 7 Q. Does she have an office at the Royal Inn?
- 8 A. Yes.
- 9 Q. Do you have an office at the Royal Inn?
- 10 A. Yes.
- 11 Q. Is that your main office other than your
12 county office?
- 13 A. It's the only office I have.
- 14 Q. Well, you have a county office; correct?
- 15 A. It's the only business office that I have.
- 16 Q. Do you have meetings, business meetings at
17 the Royal Inn?
- 18 A. Sure.
- 19 Q. Do you require the Royal Inn employees to
20 stand when your wife enters the room or you enter the
21 room?
- 22 A. Another insane question. The answer is
23 absolutely, positively, no. Whoever dreamed up that one
24 is another insane person.
- 25 Q. Do you have security cameras at the property?

1 A. Yes.

2 Q. What are they for?

3 A. In case there is a burglary or vandalism. We
4 occasionally have vandalism and we do have security
5 cameras. But most places should. I have a security
6 camera in my house. So for burglary, for any type of
7 anomaly, you want to see if you can get some evidence of
8 the transgression to provide the law enforcement. And
9 we do that all the time.

10 Q. You supply law enforcement with video?

11 MR. MARIANI: Objection, form.

12 THE WITNESS: Whenever there is a probable
13 burglary or vandalism or any type of damage to our
14 property and we can videotape individuals in the
15 vicinity of the problem, we provide it to law
16 enforcement.

17 BY MS. KITTERMAN:

18 Q. Has law enforcement ever requested a
19 surveillance video from you?

20 A. I don't even get involved with day-to-day
21 business. You should depose my son Christopher. He
22 kind of helps me manage my properties. So with respect
23 to that question should be referred to my son,
24 Christopher Santamaria, attorney.

25 Q. Have you ever heard of law enforcement

1 requesting a surveillance video?

2 A. I don't -- all I know is that we have
3 provided video film to law enforcement on some
4 occasions. And sometimes they even ask us to allow
5 to -- we have had the bank next door being, being
6 robbed. And they said that the perpetrator occupied a
7 room. So we did provide the video film to that
8 situation.

9 Q. Do you know if law enforcement has ever
10 arrested anybody at any of those properties?

11 A. I'm sure they have.

12 Q. Do you know of any --

13 A. I'm sure they have, but that request should
14 be referred to my son. I do not get involved with the
15 day-to-day business of the Royal Inn. The person to ask
16 is my son, Christopher R. Santamaria, attorney at law.

17 Q. Would he be the person that they would talk
18 to, the law enforcement would talk to --

19 A. Yes.

20 Q. -- about any --

21 A. He is the man in charge.

22 Q. -- issues on your property?

23 A. He is the general manager on all my real
24 estate.

25 Q. He's the general manager?

1 A. Yes.

2 Q. Do you know whether law enforcement has ever
3 confiscated any illegal drugs from any of your
4 properties?

5 A. I suggest you refer that to my son.

6 Q. Well, I know, but I'm asking if you know.

7 A. Probably, but I don't know. I don't get
8 involved with the specifics of the daily business.
9 That's my son's responsibility.

10 Q. Do you know whether there has been any deaths
11 at any of your properties?

12 A. There was one young boy who died in the pool
13 by accident during the time that I allowed the Village
14 of Royal Palm Beach to supervise the pool for the
15 benefit of Royal Palm Beach residents. So there was a
16 time in the summer that the Village of Royal Palm Beach
17 provided lifeguards.

18 So it was under their control when this
19 unfortunate accident happened with a boy, with the
20 family right around there. There were family members
21 and there was this boy somehow drowned, but the people
22 controlling the supervision was Royal Palm Beach.

23 Q. You said the boy's family was there?

24 A. Yeah. That's one of the other things, the
25 boy's family was right there. I think they were

1 celebrating somebody's birthday. So they were right
2 there and they didn't see that boy go under water.

3 Q. Do you know whether they were guests of the
4 hotel or they were just --

5 A. I believe they were guests. Yeah, they were
6 guests of the hotel. But -- I think they were guests of
7 the hotel. And the Village of Royal Palm Beach was
8 involved in whatever, whatever the family -- whatever
9 the family did with respect to any complaint filed, they
10 filed it against the Village of Royal Palm Beach since
11 they were in control.

12 Q. Okay. Have you ever been in a business
13 partnership that owns warehouses?

14 A. We have Royal Industrial International, Royal
15 Commerce Park, that's warehouses. Yeah, we had
16 warehouses there.

17 Q. What property is the Ideal School located on?

18 A. That's the same. The original -- what's
19 Royal Industrial International built three buildings
20 under one property and they're a d/b/a Royal Commerce
21 Park. One of the tenants in one of the buildings was
22 the Ideal School. The Ideal School paid rent for I
23 don't know, a couple of years. After a couple of years
24 of paying rent, they asked to buy the building and I
25 sold it to them. So they bought one of the three

1 buildings.

2 A few years later after the hurricane, there
3 was a hurricane, I guess, six years ago, the second
4 building was damaged. And while it was damaged and the
5 tenants were vacating the building, the tenant at that
6 time happened to be Royal Professional Builders paying
7 me rent because I was no longer a partner at that time.

8 So I was the landlord, Royal Professional
9 Builders was the tenant, the hurricane made the building
10 unusable. Royal Professional Builders, Wally Sanger,
11 rented somewhere else. The building was vacant and
12 damaged. Ideal School offered to buy the second
13 building and I agreed sell it to them. They now own two
14 of the three buildings, and I only have one building
15 left known as Royal Industrial International.

16 Q. When you built that property, did you pay
17 impact fees on it?

18 A. Of course. I paid whatever the law required.
19 I always pay whatever the law required. Don't ask me
20 how much I paid, when I paid it. Obviously, the Village
21 makes sure they collect impact fees. Whatever it was,
22 whatever I was supposed to do, it was done.

23 Q. It was never -- or to your knowledge was it
24 ever represented that there was going to be a charter
25 school at that location?

1 MR. MARIANI: Time frame, objection.

2 BY MS. KITTERMAN:

3 Q. When it was built.

4 A. No. When it was built, there was no -- I
5 never imagined what was going to go in there. I didn't
6 know. The charter school came in much later, much
7 later, maybe 10, 12 years later. I have no idea there
8 was going to be any school. It was going to be an
9 industrial development. So I expected industrial users,
10 and I did have industrial users in the beginning. But
11 in time, things changed.

12 So the answer is absolutely, no, I had no
13 idea there was going to be a charter school.

14 Q. Do you know Ray Limberti, Liberti, Liberty
15 (phonetic)?

16 A. Ray Liberti was a planner. He actually
17 worked for the County. Ray Liberti was a County
18 employee in the Planning and Zoning Department of the
19 County in the '70s. He became a state representative.
20 He did some consulting work. He became a West Palm
21 Beach Commissioner who was indicted and convicted of
22 some -- he broke the law regarding some transaction and
23 served a jail sentence. And now he's out. That's what
24 I know about Ray Liberti.

25 Q. Do you or have you ever had a personal

1 relationship with Mr. Liberti?

2 A. I hired him to do some -- he did some
3 consulting work for me on one job. And that's how I --
4 he did some consulting work with me on one of my
5 developments.

6 Q. Do you recall which one?

7 A. The -- one of my buildings on Okeechobee,
8 which I no longer own.

9 Q. Do you recall when that was?

10 A. Probably in the early '80s. That was the
11 first and last time. I never used him again. I used
12 him once and never again.

13 Q. Did you ever have any other meetings with him
14 with regard to real estate?

15 A. No.

16 Q. Any other business relationships with
17 Mr. Liberti?

18 A. No, not that I know of. Not that I know of.

19 Q. You mentioned you have security cameras at
20 your house. And that's to protect you and your family
21 from any burglaries?

22 A. Uh-huh. Yes.

23 Q. Do you have a housekeeper?

24 A. No.

25 Q. Have you ever had a housekeeper? Have you

1 ever had a housekeeper?

2 A. We -- we had somebody for a while. Had
3 somebody for a while.

4 Q. Do you know whether that -- he or she was a
5 citizen of the United States?

6 A. No, that person was -- that person was a --
7 from Peru, from Peru. She worked for both -- she really
8 worked for both the -- the sister of my wife.

9 Q. And what was the house --

10 A. She helped out once in a while in the house.

11 Q. What was her name?

12 A. What was her name. Thomasa (phonetic). I
13 don't remember what her last name was.

14 Q. Thomasa?

15 A. Thomasa.

16 Q. Do you know whether she was married?

17 A. Yes, she was married because she had
18 grandchildren.

19 Q. Do you know who Emilio Jison is?

20 A. My wife's father.

21 Q. Your wife's father?

22 A. My wife's father, who is deceased.

23 Q. He's deceased? When did he pass?

24 A. I think in the summer in the '70s, a long
25 time ago.

1 Q. What is your -- does your wife have any
2 siblings?

3 A. Yes. Why didn't you ask all of these
4 questions to my wife when you deposed her recently?

5 Q. You don't get to ask me questions. I get to
6 ask you questions.

7 A. Well, it's just surprising. You had my wife
8 here.

9 Q. And now I'm asking --

10 A. And now you're asking me about her family
11 background. It's simple common sense, common sense.

12 MR. MARIANI: Jess, let's just... Let her
13 ask questions.

14 THE WITNESS: It's just quite surprising that
15 you deposed my wife just a few days ago. You're
16 asking me questions pertaining to her family.

17 BY MS. KITTERMAN:

18 Q. Yes.

19 A. Okay.

20 Q. Who are her siblings?

21 A. She's got eight. All I know is there are
22 eight. Eight sib -- there are eight. She is one of
23 eight.

24 Q. Do any of them live here?

25 A. The one who lived in our development died.

1 That was Maria Elena. Maria Elena. She died two years
2 ago I think. Anybody else living here, I don't think
3 anybody else lives here. There is another one who died,
4 also, in California. So actually three, three have died
5 of the eight. Two boys and one girl have died.

6 Q. Okay. Have you ever been arrested?

7 A. No.

8 Q. Have you ever been convicted of a crime in
9 any other country?

10 A. No.

11 Q. Have you ever been accused of a crime in any
12 other --

13 A. No.

14 Q. -- country?

15 A. The answer is no.

16 Q. Has your wife ever been arrested?

17 A. No.

18 Q. Have you ever received a traffic ticket?

19 A. Yes.

20 Q. When?

21 A. About three years ago, because I told the
22 cop -- he knew I was a County Commissioner and I told
23 the deputy, do what you got to do regardless of my
24 title. So he gave me a ticket and I paid it.

25 Q. What was the ticket for?

1 A. Speeding.

2 Q. How did he know you were a County
3 Commissioner?

4 A. Must be my good looks.

5 Q. He recognized you?

6 A. Must be my good looks.

7 Q. Has your wife ever received a traffic ticket?

8 A. You'll have to ask her. I don't know.

9 Q. And yesterday I asked you if you had ever
10 been involved in a lawsuit in the United States and you
11 said yes.

12 MR. MARIANI: Objection, form.

13 BY MS. KITTERMAN:

14 Q. Is that correct? Have you ever been involved
15 in a lawsuit in the United States?

16 A. I have been involved in a lawsuit in the
17 United States.

18 Q. Do you know how many?

19 A. No, I don't know how many.

20 Q. Do you know whether it's more than ten?

21 A. With respect to people not paying their rent
22 on time, there probably is more than ten. Yeah, we have
23 people who don't pay their rent and try to get away with
24 it without working it out. There probably would have
25 been a lawsuit for collection, for collection of rent.

1 I gave you seven with respect to the Village of Royal
2 Palm Beach. I'm sure you don't want me to repeat those
3 seven.

4 Q. Nope, I'm good.

5 Other than payment of rent lawsuits --

6 A. Yeah.

7 Q. -- and the seven that we discussed yesterday,
8 do you recall any other type of lawsuits you've been
9 involved in?

10 A. Oh, there was a issue about commission, a
11 commission, real estate commission. There was a lawsuit
12 on a real estate commission.

13 Q. Somebody -- you were suing somebody or
14 somebody sued you?

15 A. Somebody sued me for a commission.

16 Q. Anything else?

17 A. At the moment, I can't think of anything
18 else. Obviously, that is all public record so all you
19 have to do is pull the records.

20 Q. Yes, I realize that. Thank you. I'm
21 actually looking at a list right now.

22 A. So you're just testing my memory, right?

23 Q. Nope. I'm asking you what your knowledge is
24 of things.

25 A. For the last 38 years.

- 1 Q. Whenever you can remember.
- 2 A. Very good.
- 3 Q. I guess while I'm looking for something, have
4 you ever been involved in a lawsuit outside of the
5 United States?
- 6 A. No, never, n-e-v-e-r.
- 7 Q. Have you ever signed your wife's name to a
8 legal document?
- 9 A. No, never, n-e-v-e-r.
- 10 Q. You got that spelling.
- 11 A. Make sure you got it right with an
12 explanation point.
- 13 Q. Do you own a gun?
- 14 A. Yes.
- 15 Q. How many?
- 16 A. Two.
- 17 Q. What type?
- 18 A. Smith & Wesson, .38 caliber.
- 19 Q. Both?
- 20 A. No, the other one is a little gun that's -- I
21 don't remember what it is. It's been a good 20-some
22 years. It's sitting -- it's really right next to my
23 bed.
- 24 Q. Do you have a concealed weapons permit?
- 25 A. No.

1 Q. Does your wife own a gun?

2 A. No.

3 MS. KITTERMAN: I'm going to mark this as
4 Defendant's 7.

5 (Defendant's Exhibit 7 was marked for
6 identification.)

7 MS. KITTERMAN: Plaintiff's notice of serving
8 amended answers to interrogatories, and the actual
9 plaintiff's amended answers to interrogatories. If
10 you would like to take a look at that, John.

11 BY MS. KITTERMAN:

12 Q. If you could take a look at that document,
13 Mr. Santamaria, I'm actually just going to direct you to
14 the back for the purpose of this question. And there's
15 attached to the exhibit, there is an Exhibit 1 that was
16 attached to the answers to interrogatories. And it
17 appears to be a list of all cases that you have or your
18 companies have been involved in.

19 I would like you to take a look at that list
20 and let me know if that appears to be a full list of
21 litigation that you or your companies have been involved
22 in.

23 A. Day Enterprises versus Leonard Mark,
24 Plaintiff. Day Enterprises, how do I fit into this,
25 versus Leonard Mark?

1 Q. I don't know.

2 A. I don't recall. I know Day Enterprises. I
3 know the people who Day Enterprises is. Leonard Mark
4 Kleiman, I don't recall the name, Leonard Mark Kleiman.
5 And I don't know why this is -- I don't know what this
6 lawsuit is about. But it does have my name as well. It
7 says unavailable. I don't understand it.

8 I know the person behind Day Enterprises,
9 that's all I know. I don't know who Leonard Mark
10 Kleiman is. And I don't know, I'm shown here as Jess R.
11 Santamaria. I have no interest in Day Enterprises and I
12 have no interest in Leonard Mark Kleiman, the plaintiff
13 or is the plaintiff. So to say that the defendant is
14 Day Enterprises or are they plaintiffs as well? I don't
15 understand it. So the answer is I don't know what this
16 is all about.

17 Q. The first one?

18 A. The first one.

19 The second one, Royal Palm Shopping Plaza, we
20 were talking --

21 MR. MARIANI: Well, let me ask, are you
22 seeking a comment on each item?

23 MS. KITTERMAN: No. No.

24 MR. MARIANI: If you can rephrase your
25 question.

1 BY MS. KITTERMAN:

2 Q. Actually, I said if you could take a look at
3 that and tell me if it's an accurate document that shows
4 the litigation you've been involved in.

5 A. I mean, I'm willing to stay here all night.
6 I can go through each one. I have no problem.

7 Q. Yeah, but you don't need to -- I'm not asking
8 you to state on the record what exactly each one was
9 involving. But you can identify if you don't recall
10 one.

11 A. Yeah, I don't recall what -- I don't know
12 where I fit in to this one.

13 Q. The first one?

14 A. I don't even know why my name is there,
15 period. The second one, Santamaria my company versus
16 Alan Nicholson, plaintiff. Alan Nicholson. I am
17 presuming Alan Nicholson is a tenant. The only thing I
18 can think of, he must have been a restaurant tenant.
19 And if he's the plaintiff, I have no idea what this
20 plaintiff is about. And again, Jess Santamaria,
21 unavailable. The name Alan Nicholson is probably a
22 restaurant operator who rented from me.

23 Royal Palm Beach Shopping Plaza Lifestyle.
24 The second one is Alan Nicholson. I'm presuming that he
25 was a restaurant operator who rented from me. I don't

1 know.

2 (Discussion held off the record.)

3 THE WITNESS: Royal Palm Beach Shopping Plaza
4 is one of my limited partnerships. V Total
5 Lifestyle is probably a tenant that probably didn't
6 pay rent and probably was a collection.

7 The next, Roberts C. Lupo Supermarkets.

8 BY MS. KITTERMAN:

9 Q. You can actually read these to yourself
10 because I don't need it all on the record. I just want
11 you to basically read through each of these to yourself
12 and let me know if any of them are not involving you or
13 you don't recollect that actual lawsuit.

14 A. I don't recollect Robert Lupo Supermarkets,
15 defendant.

16 Q. Okay.

17 A. I don't know who Robert Lupo is.

18 MR. MARIANI: This is the date here.

19 THE WITNESS: Okay.

20 MR. MARIANI: If that helps.

21 THE WITNESS: No, more important than the
22 date is the name of the entity. Like I said,
23 Robert Lupo doesn't ring any bells at all,
24 supermarkets, as a defendant. So probably it's a
25 collection again.

1 Patricia Nicholson is probably the wife of
2 Alan Nicholson, above there. So it's probably the
3 same, the same thing. One is the husband, one is
4 the wife. I don't -- it's probably a collection
5 type situation.

6 John Lopez, probably collection.

7 Small Silver, I don't recognize the name,
8 Small Silver.

9 Body Mind & Spirit, it's probably collection.

10 Andrew Schaller, there you are. Case,
11 Andrew Schaller. I think I know that person.

12 BY MS. KITTERMAN:

13 Q. Who?

14 A. Andrew Schaller.

15 Q. Oh.

16 A. Andrew F. Schaller. Familiar name.

17 Q. That's this lawsuit?

18 A. Familiar name, yeah. This one is Santamaria
19 and Santamaria. That's me twice.

20 Q. Which one are you referring to?

21 A. It says Santamaria, defendant --
22 Jess Santamaria, defendant, and then Santamaria again.
23 So am I a defendant and plaintiff at the same time,
24 Santamaria and Santamaria?

25 MR. MARIANI: No, there's no reference there.

1 THE WITNESS: There is no reference.
2 Jess Santamaria, Village of Royal Palm Beach,
3 petitioner. I don't know what this is.
4 Petitioner, 25 -- I don't know what that is.

5 Richard Gentry, Concrete Products. This is
6 something that is really -- Wally would be the one
7 who would know about this. This would have been --
8 I don't know why my name stands alone because I
9 know Richard Gentry, somebody Wally did business
10 with. He's a lobbyist from Tallahassee, but it's
11 Concrete Concepts. This would be a Wally issue,
12 put my name here as a partner of Wally.

13 Cumberland Farms. This would be a rent
14 issue, Cumberland Farms. Maybe this is the
15 commission issue.

16 Danny Goff, I don't recognize. Must be
17 collection, but I don't remember.

18 MS. KITTERMAN: G-o-f-f.

19 THE WITNESS: Certified Grocers is a
20 supermarket chain that closed. That has to do with
21 collection, I'm sure.

22 Cumberland Farms, same thing.

23 This one is the commission, I think, that I
24 mentioned earlier. Douglas Howell. He's a broker.
25 This would be a commission issue.

1 MS. KITTERMAN: H-o-w-e-l-l.

2 THE WITNESS: The next one, Wellington

3 Ladies, probably collection.

4 Yogurt, probably collection.

5 Michael Buss. Michael Buss, he's a tenant,

6 probably collection.

7 Michael Buss again, probably collection.

8 Probably the same. The same name twice, it's

9 probably the same. He had a restaurant. So it's

10 probably the same issue twice here.

11 Family Video, that's collection.

12 Michael Buss, again, same issue. Michael

13 Buss again, same issue.

14 Secretarial Services has to be collection.

15 Joseph Pace has to be collection.

16 Bath Emporium, collection.

17 Doug Howell, must be the same commission

18 issue.

19 BY MS. KITTERMAN:

20 Q. When you say commission issue, what do you

21 mean by that?

22 A. He felt he should be paid a commission and I

23 felt he shouldn't be paid a commission.

24 Q. Okay. A real estate commission?

25 A. A real estate commission. When I use the

1 word commission, it's real estate commission.

2 Q. Okay. I was getting confused between real
3 estate commission and County Commission. I just wanted
4 to make sure it wasn't an official.

5 A. Whenever I use commission here, it's real
6 estate commission.

7 Q. Okay.

8 A. Giuseppe Badalamenti, probably collection.
9 Kevin Sickel, I forget. I don't know who
10 that is anymore. Maybe, maybe collection.

11 Paul Chait, maybe collection.

12 Royal Palm Video, collection.

13 Family Video, collection.

14 Gideon Investments, no idea what this would
15 be.

16 Florida Realty, collection.

17 Luisa Galvez, don't recall the name.

18 Vonni Goldberg, don't recall the name.

19 Florida Realty, probably collection.

20 Ronald Jones, don't recall the name.

21 Q. When you're speaking, will you speak up a
22 little bit because I know she's probably straining to
23 hear you.

24 A. Florida Realty, probably collection.

25 Fun to the Max, collection.

1 Q. Do you recall what this Jess R. Santamaria
2 versus State of Florida Department is?

3 A. No.

4 Q. Okay.

5 A. What's the year of this?

6 Q. It looks to be 2001.

7 A. 2001?

8 Q. Yes.

9 A. No. I'd like to know what it is.

10 THE WITNESS: Maybe if you can help me find
11 out what it is because I don't. John, if you can
12 help me find out what it is.

13 BY MS. KITTERMAN:

14 Q. No, it's okay. I'm just asking your
15 recollection.

16 MR. MARIANI: No, she's just trying to
17 exhaust your recollection.

18 THE WITNESS: I'd like to know.

19 Fun to the Max, collection.

20 Fred Cabibbo, probably collection.

21 MS. KITTERMAN: C-a-b-i-b-b-o.

22 THE WITNESS: Keith Baxter, don't recall the
23 name.

24 Michael Howard, don't recall the name.

25 Many of those that I don't recall the name

1 are probably collections because I've had hundreds
2 of tenants and obviously I don't remember the name
3 of every single tenant.

4 BY MS. KITTERMAN:

5 Q. That's understandable.

6 A. Village of Wellington -- no, Village of Royal
7 Palm. Am I reading this right? Village of Wellington
8 and then Village of Royal Palm?

9 Q. That's what it appears to say.

10 A. Those are two governmental agencies.

11 Q. It looks like a case that was filed in 1997.

12 A. I have no idea what this is. Two cities, no
13 idea. No idea. I'd be interested in finding out what
14 this is.

15 Royal Palm Restaurant, probably collection.

16 Royal Cayco Investments, probably collection.

17 MS. KITTERMAN: C-a-y-c-o.

18 THE WITNESS: RDI, Inc., I don't know what
19 that is.

20 RDI, Inc., again. I don't know what that is.

21 Peter Baraban, probably collection.

22 Monty Morales, don't recall the name. I
23 don't recall the next name.

24 RDI again, I don't know what that is.

25 Twins Restaurant, this is collection.

1 Bogdan, probably collection.

2 MS. KITTERMAN: B-o-g-d-a-n.

3 THE WITNESS: Charles Joseph Reis, don't

4 recall the name.

5 MS. KITTERMAN: R-e-i-s.

6 THE WITNESS: Richard Kingrey, don't recall

7 the name.

8 Corlyss Larson, don't recall the name.

9 Thomas Close, don't recall the name.

10 RDI again, I don't know who that is.

11 James Brown, probably collection.

12 Stephen Black, don't recall the name.

13 Herman Laster, don't recall the name.

14 Marvin Smith, don't recall the name.

15 Dina, don't recall the name.

16 Will Ronald Wagner, probably collection.

17 Cornerstone Realty, this is probably another

18 commission, commission issue.

19 William Zimmerman, Michael -- these are

20 not -- I don't understand it because both the

21 defendant and the plaintiff, I don't recognize

22 either one.

23 BY MS. KITTERMAN:

24 Q. Which one is that?

25 A. William Zimmerman and Michael Chiuchiolo.

1 This is one against the other, but I don't recognize.
2 My name doesn't appear there, does it? Oh, that's me?
3 I'm the plaintiff and these are the defendants? I don't
4 remember that. Maybe collection. See, but this is my
5 name individually. I could not have been the plaintiff
6 individually in all of this. That's why what confuses
7 me, on this side it's my name. It says name and
8 corporation. Here is my name. I could not have been --

9 MR. MARIANI: And here it shows the party.

10 THE WITNESS: Yeah, but I could not have been
11 the plaintiff individually on all of this. It
12 would have been -- collection would have been the
13 shopping centers is what I'm saying. It wouldn't
14 have been me individually.

15 BY MS. KITTERMAN:

16 Q. He's not allowed to answer your questions
17 during the depositions.

18 A. Yeah, I'm just looking -- no, he doesn't have
19 to answer my question. I'm just saying it's confusing
20 to me because it's my name as an individual and there's
21 a bunch of entities that most probably are collections.
22 But I don't sue individually as plaintiff, I sue in the
23 name of the shopping center. That's why it's confusing.
24 I could not have been an individual plaintiff for
25 20-some suits.

1 Q. I understand. I'm just asking you what your
2 understanding of all of this is.

3 A. My understanding is I don't understand it.

4 Basically, it's the same thing. The great
5 majority of this, I don't recognize the names. Probably
6 tenants that just -- maybe the tenant was in the name of
7 an entity, but I did not know the name of the individual
8 behind the entity. And these are most probably
9 95 percent collections, if not more.

10 And for the record, over the years I have
11 probably had six, seven, 800 tenants. It might be a
12 thousand tenants since 1981 through 2012. How many
13 years is that? Thirty, 32 years? I probably have a
14 thousand tenants. And then there's residential tenants.
15 There's commercial tenants, there's residential tenants.
16 So over a 32-year period, I probably had over a thousand
17 tenants. And 95 percent or more of those would have
18 been nonpayment of rent.

19 Q. Okay. If you look at Page 13 of that
20 document, take a look at it and let me know if that is
21 your signature.

22 A. Yeah, I signed it. Okay, that's my
23 signature. He has read and signed those answers to
24 interrogatories. Where are the interrogatories?

25 Q. It's the first few pages.

1 A. Okay.

2 Q. So your signature on the back of Page 13 is
3 you saying that you read these amended answers to
4 interrogatories and that the information contained in
5 there is true and correct to the best of your knowledge.

6 A. Okay.

7 Q. Okay. In answer number -- or question
8 Number 23 on Page 10, the question asks whether you have
9 ever been a party, whether plaintiff or defendant to a
10 lawsuit and, if so, state the matter -- state whether,
11 I'm sorry, you were a plaintiff, defendant or claimant,
12 the nature of the action, and the date and court or
13 administrative body in which the suit was filed.

14 And that's where I got that exhibit. The
15 Exhibit 1 was attached as these were all of the lawsuits
16 or any other type of action that you have been involved
17 in. Since you've had a chance to review it, do you
18 recollect anything else that you were involved in, any
19 other lawsuit or claim?

20 A. No. You mean after this particular --

21 Q. Other than --

22 A. What's the last date on this one? What's the
23 date?

24 MR. MARIANI: Let's see what the date is.

25

1 BY MS. KITTERMAN:

2 Q. September 9th, 2011.

3 A. September 9th, 2011. Well, I'd have to check
4 with my son, if he filed any other lawsuits for
5 nonpayment of rent.

6 Q. Okay. But as of September 9th, 2011, this
7 case list that is attached as Exhibit 1 is a correct
8 representation of the lawsuits that you have either been
9 a plaintiff, defendant or some way, somehow involved in?

10 A. As far as I can remember.

11 Q. Okay. Have you ever been involved in any
12 other type of administrative action that's not contained
13 within this Exhibit 1?

14 A. I can't think of any.

15 MS. KITTERMAN: Hello, you cannot coach him
16 during a deposition.

17 MR. MARIANI: Okay. We'll take a break.

18 MS. KITTERMAN: No, you can't take a break
19 and coach him during a deposition.

20 MR. MARIANI: No, I'm not going to coach him.
21 We're going to take a break.

22 MS. KITTERMAN: Okay. Well, you can take a
23 break and I'm going to ask him what you talked
24 about.

25 MR. MARIANI: Fair enough. We're going to

1 take a break. There is no question pending.

2 (A brief recess was taken.)

3 MS. KITTERMAN: Okay. I'm doing something
4 productive on the record. I've just advised
5 Mr. Mariani that it's Sunday night and I would like
6 to conclude in about an hour or so and reconvene on
7 Thursday, another day that Mr. Santamaria has been
8 properly served a subpoena to appear for
9 deposition. Mr. Mariani has advised that he would
10 take it under advisement as to whether or not his
11 client will appear.

12 He has stated that Mr. Santamaria didn't
13 appear for a noticed deposition on Wednesday,
14 September -- or, I'm sorry, March 21st. What is
15 today? That he advised me that they were not
16 available that day and that I was advised that the
17 deposition would (sic) be going forward.

18 So I would like the record to note that I had
19 to subpoena Mr. Santamaria for deposition since
20 counsel was not willing to coordinate or appear for
21 the deposition.

22 Okay. Now I'll get on to some more
23 productive things.

24 BY MS. KITTERMAN:

25 Q. While you were out on your break with your

1 counsel, what did you discuss?

2 A. As we were walking out, I said this is a test
3 of my memory for 30-plus years. I said it in disgust,
4 that somebody is trying to test my memory over a 30-plus
5 year period. And Mr. Mariani paused and said, are you
6 tired? And I said, no, I am not. And that was the end
7 of the conversation. We turned around and came right
8 back in.

9 Q. That's it?

10 A. That's it.

11 Q. Okay. Do you want to answer my question,
12 then, as to whether you know of any other administrative
13 charges or hearings or anything that you had been
14 involved in?

15 A. No, probably I need to -- administrative
16 charges? What do you mean by do I know of any
17 administrative charges? I don't understand what you're
18 trying to ask.

19 Q. You don't know what an administrative charge
20 is?

21 A. No.

22 Q. Do you know what an administrative body is?

23 A. Some administrative body, obviously is a body
24 of administrators. So you'd have to give -- give me an
25 example.

1 Q. Okay. The Florida Ethics Commission.

2 A. Okay. That's an administrative body, okay.

3 Q. Uh-huh.

4 A. Okay. I have not received any administrative
5 charges by them.

6 Q. Did you go through administrative hearings?

7 A. Have I gone through? No, I haven't gone
8 through an administrative hearing unless I'm losing my
9 mind. I don't recall going through an administrative
10 hearing. By the Ethics Commission?

11 Q. By anything, any administrative body.

12 A. Over what period of time are we talking
13 about?

14 Q. Any.

15 A. You mean for the last hundred years?

16 Q. Yep.

17 A. The only thing that I relate to
18 administrative is when we sued Royal Palm Beach in
19 the -- I think it was South Florida Water Management
20 District. And there was another administrative body
21 that presided before it was officially going to -- we
22 wanted to go through an administrative process. And
23 that was about mid '90 -- late '90s, we went to some
24 administrative proceedings that we were the plaintiffs
25 on a case -- on one of the seven cases, which was the

1 golf course. I don't recall going through any other
2 administrative body.

3 Q. Okay. Do you or your family members have any
4 interest in any of the sugar businesses in any other
5 country?

6 A. I have no interest in any sugar business in
7 any country, in the entire United -- in the entire
8 world, entire universe.

9 Q. What about --

10 A. My wife's family, they're involved in the
11 sugar business in their province of -- in their
12 province. But I don't know and have no interest in what
13 they do or don't do.

14 Q. Do you know whether they've ever been
15 involved in a lawsuit?

16 A. No, not only do I not know, I have no
17 interest in anything that they do. I am completely
18 independent of their business. I have never been
19 involved. I have no interest in their business.

20 So you have to -- I assume these are
21 questions you should have asked my wife, especially now
22 that I'm telling you I have no interest ever nor will I
23 have any interest in their business because I'm too darn
24 independent financially. I don't need to be involved in
25 anybody else's business, never was, never am, and never

1 will be.

2 So any future -- any questions you want to
3 ask me regarding sugar, talk to my wife.

4 Q. Throughout this deposition, you've said to me
5 several times that I should ask somebody else, and I
6 understand that you have a position that you may not
7 know the answer to my question. But I'm going to ask it
8 anyway; okay? So what I'm asking for is your knowledge,
9 not anybody else's knowledge, I'm asking what you know.
10 That's it; okay?

11 Do you know anybody by the name of Rose Marie
12 Santamaria?

13 A. That question came up yesterday. That
14 question came up yesterday.

15 Q. No.

16 A. And I think I told you, she is the mother of
17 Bong (phonetic) Santamaria, whom you also mentioned, who
18 owned the restaurant in Boca Raton. We talked -- didn't
19 we talk about the restaurant in Boca Raton yesterday?

20 Q. No.

21 A. We'll have to look at the -- at these minutes
22 here.

23 The Rose Marie Santamaria is not related to
24 me by blood. It is somebody that I met. And I told --
25 unless I'm daydreaming here or -- yesterday, we

1 discussed this.

2 There's a Rose Santamaria. It's been known
3 as Rosemary, who is the mother of Bone Santamaria, who
4 owned the restaurant, but they spell their name
5 different than my name. They spell their name S-t-a,
6 period, Maria. I spell my name S-a-n-t-a-m-a-r-i-a,
7 where I'm related. They contacted me because they heard
8 about me and they invited me to their restaurant.

9 I have no business relationship with them. I
10 have -- I attended for the last three years an
11 invitation on Christmas day. That's -- so once a year,
12 I see them on Christmas day and that's about the extent
13 of -- I've been to the restaurant a few times, maybe
14 three times. And I've been to their house on Christmas
15 day for the last two or three years. That's it.

16 Q. Have you ever given money to them?

17 A. No.

18 Q. Do you know Ferdinand Marcos?

19 A. No, I don't know of -- other than he's the
20 President of the Philippines sometime in the past. I
21 have never met Ferdinand Marcos, the former President of
22 the Philippines.

23 Q. So since you've never met him, I would assume
24 that you've never done work for him?

25 A. Zero, never, nil.

1 Q. Have you ever picked up someone related to
2 him at an airport?

3 A. If I did, I didn't know they were related. I
4 have no interest in anything to do with the family of
5 Ferdinand Marcos, ever, zero. I never met him other
6 than I see him in pictures.

7 Q. Okay. And just now you were saying that
8 you've never taken any money from anybody and you're a
9 pretty independent person.

10 A. Yes.

11 Q. So have you or anybody in your family ever
12 received money from anybody in the Philippines since
13 you've been here?

14 A. I can only speak for Jess Santamaria. I've
15 never received any money from anybody in the
16 Philippines.

17 Q. Okay. And who is Santamaria Kahn?

18 A. My sister.

19 Q. Your sister?

20 A. I think we also spoke about her yesterday.

21 Q. No, we spoke about your nephew, I believe,
22 Raymond Kahn.

23 A. But her name came up. But she's my sister
24 and she's the mother of Raymond Kahn.

25 Q. Okay. And what's your relationship with

1 Francisco Santamaria?

2 A. Francisco Santamaria. My father was
3 Francisco Santamaria.

4 Q. Anybody else?

5 A. There's a nephew who has the same name,
6 Francisco Santamaria. He is the son of my brother,
7 Antonio Santamaria.

8 Q. Do you know who Ninoy Aquino is?

9 A. He was a guy who was shot when he went back
10 to the Philippines. He was an opponent of the Marcos
11 regime. And when he went back to the Philippines, he
12 came out of the plane, he was shot dead. And his wife
13 became the next President of the Philippines.

14 Q. Did you know him personally?

15 A. I had no idea. I have never met him. I
16 never was in his presence in the same room at any time
17 ever. I only know him from the newspapers. And that
18 goes for both the Marcos family, the entire Marcos
19 family and the entire Ninoy Aquino family, I had zero
20 relationship with either of those families, ever.

21 So I don't know. You have some insane
22 sources of information, madame.

23 Q. Have you ever paid or directed any
24 compensation to a sign company owned by Mr. Headrick?

25 A. I don't recognize the name. Who is Headrick?

1 Q. Mr. Headrick.

2 A. I don't know a Headrick.

3 Q. You don't know a Headrick?

4 A. No. What's his first name?

5 Q. I'm not sure.

6 A. I don't know any Headrick owns a sign
7 company.

8 Q. Have you paid for or bought any political
9 signs for any candidates?

10 A. Have I paid for any political signs for any
11 candidates? I don't know, you'd have to give me names.
12 I don't know what you're talking about.

13 Q. It's a simple question. Have you ever
14 purchased any signs --

15 A. I've paid for my own signs. I don't remember
16 paying for other people's signs.

17 Q. Have you ever been involved in an auto
18 accident?

19 A. I have only been involved in minor nicks and
20 dents. I never had an accident, accident. I once
21 backed up and somebody hit me from the back. There was
22 one time somebody hit me from my back. But none
23 where -- once in the County Commission, it was the same
24 thing, backing out of the parking lot. Most of these
25 accidents I've had were little dents. And most of them

1 if I was at fault, I just gave them the cash. I've
2 never been in an accident, accident where there was
3 serious damage or anybody getting hurt.

4 Q. Do you know Andrew Schaller?

5 A. Yes, I do. He's right in this room.

6 Q. How do you know him?

7 A. He came to my office asking for help to pave
8 his road. He came to my office and said he needed help
9 to get his road paved.

10 Q. His road?

11 A. The road in front of his house.

12 Q. Which road is that?

13 A. I believe it's Fargo Road.

14 Q. Fargo Road?

15 A. Yep.

16 Q. And when you first met Mr. Schaller, what was
17 your opinion of him?

18 A. He seemed to be a decent person and I was
19 willing to help him out. He seemed to be a nice guy.
20 So I felt that let's see what I can do for him.

21 Q. And what happened?

22 MR. MARIANI: Objection, form.

23 THE WITNESS: I tried to help him get his
24 road paved.

25

1 BY MS. KITTERMAN:

2 Q. How did you try to help him get his road
3 paved?

4 A. I tried to arrange meetings with the staff of
5 the Palm Beach County.

6 Q. Who did you arrange meetings with?

7 A. The main person was George Webb.

8 Q. George Webb? And who is George Webb?

9 A. The county engineer.

10 Q. How many times did you meet with
11 Mr. Schaller?

12 A. Numerous times. Numerous. I spent a lot of
13 time trying my darndest to help him. We've had
14 breakfast. I had to have spent over a hundred hours of
15 my personal time really trying my darndest to do
16 everything I could to get that road paved.

17 Q. Did Mr. Schaller ever ask you to go out and
18 look at Fargo Avenue?

19 A. Yes.

20 Q. Did you ever go?

21 A. No, I went later on. But not to -- there was
22 no -- I did not see any benefit because whatever I would
23 see would make not -- would make no difference because I
24 wanted to get the road paved. Basically, the
25 information he gave me, this is something that requires

1 the engineering department to recommend the paving of
2 the road. I wanted to help him. So I did everything
3 possible to help him.

4 I did offer, I said, if you have to -- if
5 your -- if the County cannot help you with paying
6 50 percent of the cost, I said I'll even give you 10,000
7 of my personal money to help him.

8 So I was willing to do anything and
9 everything that I possibly could to help him. But I --
10 my visual look at the street had zero benefit. The real
11 thing was for the engineer to look at the situation and
12 say, yeah, this is something that could be paved by the
13 County. And it's just a question of following this MSD
14 (phonetic) program, which I myself was not very familiar
15 with the MSD program.

16 So I was relying on the engineer to do all of
17 the studies and all of the recommendations. But I
18 really gave him my -- more than I've tried to help
19 anybody. He's one of those I've tried to help more than
20 just about anybody else in the entire, in the entire
21 county. I said over a hundred hours. I've never spent
22 as much time with any one individual as I did for
23 Andy Schaller.

24 And I had it approved. I got it approved.
25 All the commissioners voted for it until we found out

1 later on that Burt Aaronson said send a notice to the
2 other owners. When the other owners got the notice and
3 they had to contribute to his project, to his street,
4 all hell broke loose because the other people said we
5 are not going to contribute to your road. Said you
6 didn't contribute to our road, why should we contribute
7 to your road?

8 So they said, no, we're not contributing.
9 They showed up at the meeting in front of the
10 commissioners and they screamed bloody murder, we are
11 not contributing to Andy Schaller's road. That's when
12 one of the commissioners, I forget, it must have been
13 Burt Aaronson, made a motion to rescind the vote. And
14 somebody else also seconded that motion.

15 And everybody -- and I did, I had no choice.
16 I had to go along. You had a mob of people saying we're
17 not going to contribute to this road. None of the
18 commissioners was willing to contribute -- or was
19 willing to approve the paving. They made the motion,
20 seconded the motion to rescind it, and I did join
21 everybody. So it was a unanimous vote to approve it.
22 It was a unanimous vote to rescind it.

23 And I don't know how the hell he thought I
24 was responsible, when I did everything I could to help
25 him. And when he came back at the next meeting and said

1 not only did I waste my time, I spent \$4,000. He said,
2 I paid \$4,000. I felt sorry for Andy. I felt sorry for
3 Andy because I felt the notice to the owners should have
4 been sent before the first vote, not after the vote.
5 The residents should have been informed before the vote
6 that they were going to contribute to this road.

7 So when he said he lost 4,000 -- or he spent
8 4,000, I said I'll reimburse you for your 4,000. I felt
9 sorry for the man that his approval was revoked. I felt
10 bad about it. I felt the mistake of the County was not
11 sending the notice ahead of the first vote. We would
12 have solved a lot of headache, had the people been
13 notified ahead, not after the vote.

14 So I am up to this minute dumbfounded. I do
15 not understand how I was responsible for his road not
16 being paved after all I tried to do for him. It's mind
17 boggling to me up to today.

18 Q. You seem very angry.

19 A. I am angry because I did, I did all I could
20 for him. And I do all -- I could -- I've never done
21 what I did for him for others. I just up to today
22 cannot understand what he did.

23 Q. What he did?

24 A. What he did to me afterwards.

25 Q. What did he do to you afterwards?

1 A. I'm not going to -- you know what he did to
2 me.

3 Q. What did he do?

4 A. What did he do?

5 Q. Yes.

6 A. He blasted me with all kinds of e-mails. I
7 was the guilty party for his not getting approved. I
8 was the bad guy for his not getting approval. That's
9 what he did. He blasted me to the press. He blasted me
10 everywhere. Then he handed 119 pages of false
11 accusations. That's what he did. It's insane. It's
12 insane.

13 Q. What is insane?

14 A. You don't -- what's insane. I just finished
15 telling you what's insane. Somebody who tried
16 everything to help you and then you go back and do what
17 you did, make all of those 119 -- the 119 pages is
18 insane of false accusations.

19 Q. Okay.

20 A. That's insane.

21 Q. Okay. It's let's talk about the --

22 MR. MARIANI: Let's break now, we'll come
23 back Thursday. It's 5:15 on Sunday. Thank you.

24 MS. KITTERMAN: Well, hold on. Are you
25 agreeing then that you're going to come back on

1 Thursday?

2 MR. MARIANI: If you do it at a reasonable
3 time and you finish. How many hours? I want a
4 representation on the record. How many hours?

5 MS. KITTERMAN: I'm just now getting into the
6 meat of the matter.

7 MR. MARIANI: That's your decision. You
8 spent two days deposing this witness.

9 MS. KITTERMAN: I'm actually entitled to
10 depose him as long as I need to.

11 MR. MARIANI: No, you're not. You're not.

12 MS. KITTERMAN: Yes, I am, John.

13 MR. MARIANI: Well, then give me a
14 representation of how many hours.

15 MS. KITTERMAN: I can't.

16 MR. MARIANI: You have ten hours.

17 MS. KITTERMAN: I don't know how long he's
18 going to be talking.

19 MR. MARIANI: Well, you tell me how many more
20 hours you think you have, please. We have trial
21 next Monday.

22 MS. KITTERMAN: I have been trying to ask
23 real questions and I have been getting long
24 answers. So if you're asking me how long my
25 questions are, I can tell you it's going to be a

1 few hours. If you're going to ask me how long his
2 answers are going to be, I can't tell you.

3 MR. MARIANI: No, I'm asking what's a few
4 hours. Give me a representation.

5 MS. KITTERMAN: I honestly cannot tell you,
6 John. I cannot tell you. But I know we have a
7 hearing Thursday morning. So we can come back to
8 your office right after the hearing.

9 MR. MARIANI: Well, there's four other
10 depositions set for Thursday.

11 MS. KITTERMAN: No, that's Wednesday.
12 Wednesday is all the depositions. Thursday is --

13 MR. MARIANI: Well, let me talk to my client
14 for a moment because I have the days confused then.
15 I thought they were on Thursday.

16 MS. KITTERMAN: Okay.

17 (Discussion held off the record.)

18 (Deposition suspended at 5:15 p.m.)

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CERTIFICATE OF OATH

STATE OF FLORIDA

COUNTY OF PALM BEACH

I, the undersigned authority, certify that
JESS R. SANTAMARIA personally appeared before me and was
duly sworn.

Dated this 25th day of March, 2012.

Pamela J. Sullivan, RPR, FPR, CLR
Notary Public - State of Florida
My Commission Expires: June 10, 2014
My Commission No.: DD 993731

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 25th day of March, 2012.

Pamela J. Sullivan, RPR, FPR, CLR