

EXHIBIT 3

13-1388-cr

IN THE
United States Court of Appeals
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee,

—against—

PAUL M. DAUGERDAS, ERWIN MAYER, DONNA GUERIN, DENIS FIELD,
ROBERT GREISMAN, RAYMOND CRAIG BRUBAKER, BDO USA, LLP,

Defendants,

DAVID PARSE,

Defendant-Appellant.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

**APPENDIX
VOLUME XVI OF XVII
(Pages A-5633 to A-6085)**

UNITED STATES ATTORNEY'S
OFFICE FOR THE SOUTHERN
DISTRICT OF NEW YORK
One St. Andrew's Plaza
New York, New York 10007
(212) 637-2346

UNITED STATES DEPARTMENT
OF JUSTICE
TAX DIVISION, APPELLATE SECTION
P.O. Box 502
Washington, DC 20044
(202) 514-8030

*Attorneys for Appellee
United States of America*

SHAPIRO, ARATO & ISSERLES LLP
500 Fifth Avenue, 40th Floor
New York, New York 10110
(212) 257-4880
*Attorneys for Defendant-Appellant
David Parse*

TABLE OF CONTENTS

	PAGE
Docket Entries	A-1
Indictment—Redacted S3	A-84
Email from William Kermode to Adam Hollander and others, November 2, 2010, attaching bill of particulars	A-157
Transcript—Conference, December 8, 2010	A-166
Transcript—Conference, February 9, 2011	A-182
Transcript—Conference, February 28, 2011	A-207
Transcript—Jury Selection, Day 1, March 1, 2011	A-222
Transcript—Jury Selection, Day 2, March 2, 2011	A-290
Transcript—Jury Selection, Day 3, March 3, 2011	A-338
Transcript—Trial, Day 1, March 3, 2011	A-345
Transcript—Trial, Day 2, March 4, 2011	A-378
Transcript—Trial, Day 3, March 7, 2011	A-404
Transcript—Trial, Day 4, March 8, 2011	A-462
Transcript—Trial, Day 5, March 9, 2011	A-525
Transcript—Trial, Day 6, March 10, 2011	A-587
Transcript—Trial, Day 7, March 11, 2011	A-642
Transcript—Trial, Day 8, March 14, 2011	A-677

	PAGE
Transcript—Trial, Day 9, March 15, 2011	A-730
Transcript—Trial, Day 10, March 16, 2011	A-788
Transcript—Trial, Day 11, March 17, 2011	A-851
Transcript—Trial, Day 12, March 18, 2011	A-913
Transcript—Trial, Day 13, March 21, 2011	A-949
Transcript—Trial, Day 14, March 23, 2011	A-958
Transcript—Trial, Day 15, March 24, 2011	A-1020
Transcript—Trial, Day 16, March 25, 2011	A-1089
Transcript—Trial, Day 17, March 28, 2011	A-1139
Transcript—Trial, Day 18, March 29, 2011	A-1204
Transcript—Trial, Day 19, March 31, 2011	A-1274
Transcript—Trial, Day 20, April 1, 2011	A-1342
Transcript—Trial, Day 21, April 4, 2011	A-1383
Transcript—Trial, Day 22, April 5, 2011	A-1449
Transcript—Trial, Day 23, April 11, 2011	A-1514
Transcript—Trial, Day 24, April 12, 2011	A-1580
Transcript—Trial, Day 25, April 13, 2011	A-1645
Transcript—Trial, Day 26, April 14, 2011	A-1724
Transcript—Trial, Day 27, April 15, 2011	A-1786

	PAGE
Transcript—Trial, Day 28, April 26, 2011	A-1826
Transcript—Trial, Day 29, April 27, 2011	A-1897
Transcript—Trial, Day 30, April 28, 2011	A-1962
Transcript—Trial, Day 31, April 29, 2011	A-2022
Transcript—Trial, Day 32, May 2, 2011	A-2060
Transcript—Trial, Day 33, May 3, 2011	A-2128
Transcript—Trial, Day 34, May 4, 2011	A-2200
Transcript—Trial, Day 35, May 5, 2011	A-2288
Transcript—Trial, Day 36, May 6, 2011	A-2356
Transcript—Trial, Day 37, May 9, 2011	A-2389
Transcript—Trial, Day 38, May 10, 2011	A-2445
Transcript—Trial, Day 39, May 11, 2011	A-2499
Transcript—Trial, Day 40, May 12, 2011	A-2566
Transcript—Trial, Day 41, May 13, 2011	A-2594
Transcript—Trial, Day 42, May 16, 2011	A-2598
Transcript—Trial, Day 43, May 17, 2011	A-2610
Transcript—Trial, Day 44, May 18, 2011	A-2616
Transcript—Trial, Day 45, May 19, 2011	A-2625
Transcript—Trial, Day 46, May 20, 2011	A-2632

	PAGE
Transcript—Trial, Day 47, May 23, 2011	A-2637
Transcript—Trial, Day 48, May 25, 2011	A-2644
Requests To Charge Of The United States, May 2, 2011	A-2652
Letter from Stanley J. Okula, Jr. to Judge Pauley, May 3, 2011	A-2734
Letter from Laurie Edelstein to Judge Pauley, May 4, 2011	A-2742
Letter from Laurie Edelstein to Judge Pauley, May 5, 2011	A-2746
Email from Nicholas Cutaia, May 6, 2011, attaching revised draft jury charge	A-2814
Letter from Laurie Edelstein to Judge Pauley, May 8, 2011	A-2882
Court Exhibit 3—Note from Catherine Conrad, May 10, 2011	A-2955
Defendant David Parse's Motion For Judgment Of Acquittal Pursuant To Rule 29, June 7, 2011	A-3021

Government's Trial Exhibits

GX12-60 Deutsche Bank Alex. Brown Confirmation	A-3027
GX24-5A Fax from Carrie Yackee to John Beery, August 29, 2002	A-3035
GX24-16 Deutsche Bank Alex. Brown Client Statement	A-3076
GX24-22 Letter from Matt Coleman to David Parse, December 24, 2001	A-3083
GX24-23 Letter from Matt Coleman to David Parse, December 28, 2001	A-3085
GX37-4 Documents Relating To C.R. Gibb	A-3360

GX43-1 Letter from Paul M. Daugerdas to Michael Hammer, August 28, 2002	A-3486
GX54-1 Letter from Donna Guerin to David K. Parse, January 24, 2001	A-3594
GX73-5 Documents Relating To Oxford Bloomfield Investors, Inc.	A-3875
GX82-2a Letter from Donna Guerin to Michael Toporek, February 18, 2002	A-3984
GX82-20 Deutsche Bank Alex. Brown Client Statement	A-4149
GX82-21 Deutsche Bank Alex. Brown Client Statement	A-4159
GX201-3a Letter from Michael Toporek to David Parse, December 28, 2001	A-4168
GX201-39a Letter from Michael Toporek to David Parse, December 28, 2001	A-4325
GX201-253 Fax from John Beery to Michael Hammer, December 4, 2001	A-4327
GX300-28a Email from Robert Greisman to Charles Bee and others, November 6, 2001	A-4446
GX300-40 Email from Lisa Hurley to Nicole Bencik, February 26, 2001	A-4449
GX400-23 Email from Carrie Yackee to Sheila D. Denzler, April 4, 2002	A-4450
GX400-24 Email from Carrie Yackee to Sheila D. Denzler, February 9, 2001	A-4457
GX400-29 Email from Carrie Yackee to Heather Loeser, February 11, 2002	A-4461
GX400-43 Email from Carrie Yackee to Dawn Forbes, December 21, 1999	A-4463

GX400-50 Email from Carrie Yackee to Sheila D. Denzler, February 11, 2002	A-4464
GX400-195 Email from R. Craig Brubaker to Todd Clendening, November 15, 2000	A-4473
GX400-260 Email from R. Craig Brubaker to emayer@jenkens.com, October 18, 1999	A-4475
GX401-9 Deutsche Bank Alex. Brown Client Statement	A-4492
GX401-10 Fax from Carrie Yackee to Judy Gagnon, April 25, 2002	A-4496
GX401-44 Letter from Matt Coleman to David Parse	A-4499
GX401-47a Letter from Daniel Aronoff to David Parse, December 19, 2000	A-4500
GX401-48 Deutsche Bank Alex. Brown Client Statement	A-4503
GX401-74 Deutsche Bank Alex. Brown Client Statement	A-4508
GX401-97 Fax from Carrie Yackee to Nicole Bencik, March 13, 2001	A-4513
GX401-98 Letter from Daniel Aronoff to David Parse, December 19, 2000	A-4544
GX401-99 Letter from Daniel Aronoff to David Parse, December 19, 2000	A-4545
GX401-100 Letter from Daniel Aronoff to David Parse, December 19, 2000	A-4546
GX401-101 Change Form	A-4547
GX700-19 Fax from Judi Gagnon to John Beary, April 29, 2002 ..	A-4549
GX1000-52 IRS Certificate Of Official Record, March 11, 2009 ..	A-4565
GX1001-209 Fax from John V. Ivsan to John Beery, April 6, 2001	A-4756

GX1002-64 Fax from Lisa Hurley to James D. Beumel, May 16, 2003.....	A-4777
GX1002-122 Letter from Lisa Hurley to James D. Beumel, March 3, 2003	A-4810
GX1002-124 IRS Form 4564 for Larry H. and Nancy C. Moore .	A-4816

Defendants' Trial Exhibits

DX2169 Letter from Erwin Mayer to R. Craig Brubaker, December 16, 1998	A-4852
DX2635a Letter from Erwin Mayer to Bob Price, December 17, 1998	A-4886
DX2667 Email from r.craig.brubaker@db.com to emayer@jenkens.com, November 5, 1999	A-4887
DX2703 Memorandum from Michael L. Cook and Bryan W. Lee to Board of Directors, Roger Hayse, November 16, 2000	A-4891
DX3278 Confidential J&G Notes	A-4892
DX3396 Email from R. Craig Brubaker to Ross Crawford, October 27, 1999	A-4894
DX5577 Change Form	A-4913
Letter from Stanley J. Okula, Jr. to Judge Pauley, June 22, 2011.....	A-4936
Memorandum Of Law In Support Of Defendants' Motion For A New Trial Or, In The Alternative, For An Evidentiary Hearing Concerning Juror No. 1, July 8, 2011	A-4941
Declaration Of Theresa Trzaskoma In Support Of Defendants' Motion For A New Trial Or, In The Alternative, For An Evidentiary Hearing, Concerning Juror No. 1, redacted version, July 8, 2011 .	A-4979
Exhibit 1 to Trzaskoma Declaration— Page 6 from the Jury Department's Panel Selection Report.....	A-4984

Exhibit 2 to Trzaskoma Declaration— Juror Questionnaire	A-4986
Exhibit 3 to Trzaskoma Declaration— Letter from Catherine Conrad to Stanley J. Oklua [sic], Esq., May 25, 2011	A-4989
Exhibit 4 to Trzaskoma Declaration— Attorney Registration Information for Catherine M. Conrad as of June 24, 2011	A-4994
Exhibit 5 to Trzaskoma Declaration— <i>In the Matter of Catherine M. Conrad</i> , 48 A.D.3d 187 (1st Dep’t Dec. 18, 2007)	A-4996
Exhibit 6 to Trzaskoma Declaration— <i>In the Matter of Catherine M. Conrad</i> , 80 A.D.3d 187 (1st Dep’t Dec. 9, 2010)	A-4999
Exhibit 7 to Trzaskoma Declaration— Deed for 16 Parkview Drive, Eastchester, New York	A-5003
Exhibit 8 to Trzaskoma Declaration— Mortgage, December 27, 2004, recorded on 16 Parkview Drive, Bronxville, New York	A-5006
Exhibit 9 to Trzaskoma Declaration— Nevada Marriage License for Frank Rosa and Catherine Morgan Conrad, June 20, 2007	A-5021
Exhibit 10 to Trzaskoma Declaration— Nevada Marriage Certificate for Frank Rosa and Catherine Morgan Conrad, June 20, 2007	A-5023
Exhibit 11 to Trzaskoma Declaration— New York Criminal History Record Search results for Catherine Conrad	A-5026
Exhibit 12 to Trzaskoma Declaration— Certificate of Disposition, Criminal Court of the City of New York, County of Bronx, <i>People v. Catherine Conrad</i> , August 21, 1998	A-5031

Exhibit 13 to Trzaskoma Declaration— Certificate of Disposition from the Criminal Court of the City of New York, County of Bronx, <i>People v. Catherine Conrad</i> , May 17, 1998.....	A-5033
Exhibit 14 to Trzaskoma Declaration— Winslow, Arizona Police Department records for Catherine Conrad	A-5035
Exhibit 15 to Trzaskoma Declaration— Records from the Criminal Court of the City of Yonkers related to May 6, 2009 arrest of Catherine Rosa, Docket No. 09-2763....	A-5057
Exhibit 16 to Trzaskoma Declaration— Records from the Criminal Court of the City of New Rochelle for the May 6, 2009 arrest of Catherine Rosa	A-5061
Exhibit 17 to Trzaskoma Declaration— Records from New Jersey and Westlaw relating to Frank Rosa ...	A-5076
Exhibit 18 to Trzaskoma Declaration— State of New Jersey Department of Corrections information sheet for Frank J. Rosa	A-5124
Exhibit 19 to Trzaskoma Declaration— Criminal records from Nassau County, New York for Frank Rosa	A-5127
Exhibit 20 to Trzaskoma Declaration— Summons and Verified Complaint, <i>Conrad v. Manessis, et al.</i> , Index No. 27056-03 (N.Y. Sup. Ct., Bronx County), November 10, 2003	A-5183
Exhibit 21 to Trzaskoma Declaration— Note of Issue, <i>Conrad v. Manessis</i> , March 7, 2009.....	A-5192
Exhibit 22 to Trzaskoma Declaration— Order with Notice Of Entry, <i>Conrad v. Manessis</i> , December 5, 2008	A-5198
Exhibit 23 to Trzaskoma Declaration— Affidavit of Catherine Conrad, <i>Conrad v. Manessis</i> , January 19, 2009	A-5205

x

PAGE

Exhibit 24 to Trzaskoma Declaration— Order, <i>Conrad v. Manessis</i> , February 5, 2009	A-5212
Exhibit 25 to Trzaskoma Declaration— Affirmation of Victor M. Serby in Opposition to Defendants' Motion to Dismiss the Complaint, <i>Conrad v. Manessis</i> , June 4, 2010.....	A-5215
Exhibit 26 to Trzaskoma Declaration— Judgment, Verdict Sheet and Exhibit List, <i>Conrad v. Manessis</i> ...	A-5257
Exhibit 27 to Trzaskoma Declaration— Excerpts of the trial testimony of Catherine Conrad, <i>Conrad v. Manessis</i>	A-5267
Exhibit 28 to Trzaskoma Declaration— Order, <i>Conrad v. Manessis</i> , March 24, 2011.....	A-5315
Exhibit 29 to Trzaskoma Declaration— Federal Election Commission contribution records for Robert J. Conrad at 16 Parkview Drive, Bronxville, NY 10708 ...	A-5392
Transcript—Conference regarding motion for new trial (unsealed), July 15, 2011	A-5399
Letter from Susan E. Brune to Judge Pauley, July 21, 2011 attaching Westlaw Report	A-5416
Affidavit of Paul H. Schoeman, Esq., dated August 17, 2011	A-5438
Affidavit of Susan E. Brune, dated September 15, 2011	A-5441
Exhibit A to Brune Affidavit— Juror Questionnaire	A-5446
Exhibit B to Brune Affidavit— Email from Randy Kim to Viviann Stapp, February 25, 2011....	A-5449
Exhibit C to Brune Affidavit— Juror Snapshot.....	A-5451

Exhibit D to Brune Affidavit— Email from Viviann Stapp to Randy Kim, March 1, 2011	A-5466
Exhibit E to Brune Affidavit— Jury Selection Materials	A-5475
Exhibit F to Brune Affidavit— Jury Selection Materials	A-5479
Exhibit G to Brune Affidavit— Jury Selection Materials	A-5481
Exhibit H to Brune Affidavit— Jury Selection Materials	A-5489
Exhibit I to Brune Affidavit— Email from Suann Ingle to Kendra Melrose, May 11, 2011	A-5494
Exhibit J to Brune Affidavit— Internal Brune & Richard emails	A-5496
Exhibit K to Brune Affidavit— Memorandum from DB to Parse File, May 17, 2011	A-5559
Supplemental Memorandum Of Law Of United States In Opposition To Defendants' Motion For A New Trial Pursuant To Rule 33 Of The Federal Rules Of Criminal Procedure, October 7, 2011	
Exhibit 1— Affidavit of Daniel Nardello, September 28, 2011	A-5593
Transcript—Telephone Conference, August 8, 2011.....	A-5595
Transcript—New Trial Hearing, Day 1, February 15, 2012	A-5608
Transcript—New Trial Hearing, Day 2, February 16, 2012	A-5699
Hearing Exhibit 20— <i>In re Conrad</i> , 80 A.D.3d 168 (1st Dep't 2010)	A-5840
Declaration of Steven Gillers, April 6, 2012	A-5843

Exhibit A to Gillers Declaration— Curriculum Vitae of Stephen Gillers	A-5852
Affidavit of David Parse, August 3, 2012	A-5872
Transcript—Oral Argument, October 12, 2012	A-5903
Letter from Paul Shechtman to Judge Pauley, March 7, 2013	A-5930
Exhibit G to Government's Sentencing Memorandum, March 15, 2013— Jenkens and Gilchrist Clients—Restitution Calculation	A-6041
Amended Sentencing Memorandum of the United States Regarding Defendant David Parse, March 18, 2013	A-6074
Letter from Paul Schechtman to Judge Pauley, March 18, 2013	A-6115
Reply Of The United States Regarding Defendant David Parse, March 20, 2013	A-6125
Transcript—Sentencing of David Parse, March 22, 2013	A-6134
Letter from Paul Schechtman to Judge Pauley, March 22, 2013	A-6161
Notice Of Appeal, March 29, 2013	A-6163
Judgment, April 12, 2013	A-6168

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau3	Trzaskoma - redirect	Page 93	C2frdau3	Trzaskoma - redirect	Page 95
1	A. No. I actually thought that the more likely explanation		1	together. And we were benefited greatly by the fact that Ms.	
2	was that the Westlaw report was conflating two people, two		2	Conrad had included her phone number at the top of her letter	
3	people named Catherine Conrad, one who was our juror and one		3	to Mr. Okula.	
4	who was the suspended lawyer.		4	Q. You are conflating two issues. My question is about the	
5	Q. During your conversation with Ms. Edelstein and Ms. Brune		5	civil lawsuit. You had a chance to review those documents	
6	or at any point afterwards, did anyone discourage you from		6	after the trial, right?	
7	pursuing any additional information about Catherine Conrad or		7	A. I did.	
8	the Westlaw report that had been sent to you?		8	Q. You know that in Ms. Conrad's testimony in that suit she	
9	A. No. I believe, as I told you earlier, at the conclusion of		9	says she has a law degree, right?	
10	my discussion with Ms. Edelstein and Ms. Brune I said something		10	A. I did. But it took me days to pull all that together and	
11	along the lines of, do we need to do anything further, and Ms.		11	to find that in the files.	
12	Brune said, no, just leave it. Based on that, I called Mr.		12	Q. Weren't there several days between May 12th and the jury	
13	Benhamou.		13	verdict?	
14	I went to my children's school to pick them up for the		14	A. Yes.	
15	first time in many months, maybe years, and on my way to pick		15	Q. With respect to the motion that you filed, did you make a	
16	them up at school, my recollection is I called Mr. Benhamou to		16	conscious decision not to disclose the information that you had	
17	ask him whether he had gotten the lawsuit. He said that he		17	in your possession during the trial in your motion?	
18	hadn't, that they couldn't find it online, and if we wanted to		18	A. No, it was not, in my mind.	
19	get it, our managing clerk would have to go to the Bronx in the		19	MR. HERNANDEZ: May I have a moment, your Honor?	
20	morning. I said, we don't think it is her, so you can stand		20	THE COURT: Yes. Take your time.	
21	down.		21	MR. HERNANDEZ: No further questions, your Honor.	
22	Q. Did at any point anyone suggest that you not send any		22	THE COURT: Go ahead, Mr. Shechtman.	
23	emails about Conrad any further?		23	RECORD-EXAMINATION	
24	A. No.		24	BY MR. SHECHTMAN:	
25	Q. You said that you weren't aware of any other juror		25	Q. Ms. Trzaskoma, at any time were you trying to sandbag the	
C2frdau3	Trzaskoma - redirect	Page 94	C2frdau3	Trzaskoma - recross	Page 96
1	misconduct case where the lies of this magnitude were involved.		1	Court or plant error in the record as to Juror No. 1, Ms.	
2	Do you remember that testimony?		2	Conrad?	
3	A. I do.		3	A. Absolutely not.	
4	Q. Do you recall on direct you testified that in your mind on		4	MR. SHECHTMAN: No further questions.	
5	May 12th there were two possibilities: There was either the		5	THE COURT: Ms. Trzaskoma, I have a question for you.	
6	possibility that Conrad had lied during voir dire or the		6	On the third day of jury deliberations, May 16th, this Court	
7	information you had was for the wrong person?		7	was confronted with a juror who needed to have an emergency	
8	A. Yes.		8	medical procedure. After conferring with all counsel and over	
9	Q. Is it fair to say that in your mind on May 12th they were		9	the government's objection, I excused Juror No. 11, replaced	
10	not just lies that you were contemplating but in your mind		10	Juror No. 11 with an alternate, and instructed the jury to	
11	unprecedented lies as one possibility?		11	restart anew their jury deliberations. During that entire	
12	A. I think that what I understood Mr. Shechtman to be asking		12	episode did you ever revisit the question of Juror No. 1 and	
13	me was about the totality of Ms. Conrad's lies. I can tell you		13	the possibility that she might be someone other than who she	
14	that on May 12th I certainly did not contemplate that Ms.		14	said she was in voir dire?	
15	Conrad was not only a suspended lawyer but was on criminal		15	THE WITNESS: I did not. I genuinely believed that	
16	probation, had been arrested numerous times, had a bench		16	Juror No. 1 was who she said she was.	
17	warrant for her arrest, was a severe alcoholic, and was married		17	THE COURT: Any further inquiry based upon the Court's	
18	to a man who himself had served 7 years in a New Jersey state		18	inquiry?	
19	prison. That never entered my head.		19	MR. HERNANDEZ: No, your Honor.	
20	Q. Those facts that you had you didn't have during the trial,		20	MR. SKLARSKY: No, your Honor.	
21	right?		21	MR. SHECHTMAN: No, your Honor.	
22	A. We did not.		22	MR. ROTERT: No, your Honor.	
23	Q. If you had researched Ms. Conrad's civil lawsuit, you might		23	MS. McCARTHY: No, your Honor.	
24	have learned about them during the trial, right?		24	THE COURT: Ms. Trzaskoma, you are excused as a	
25	A. It's possible, but it took us a long time to put things		25	witness. You may step down.	

UNITED STATES OF AMERICA, v.
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau3	Page 97	C2frdau3	Page 99
1 (Witness excused)		1 my letter, which I know the Court has furnished to counsel, I	
2 THE COURT: Before the defendants call Juror No. 1, I		2 informed the Court prior to today that on advice of counsel Ms.	
3 have before me an application on behalf of Juror No. 1		3 Conrad will be asserting her Fifth Amendment right against	
4 concerning closure of the courtroom. I have reviewed the		4 self-incrimination. She will be doing that once called into	
5 letter submissions of the parties. Ms. Sternheim, do you wish		5 this courtroom. Obviously, if she is granted immunity, she	
6 to be heard further on that application?		6 will answer the questions as ordered.	
7 MS. STERNHEIM: Very brief briefly, your Honor.		7 THE COURT: Thank you, Ms. Sternheim.	
8 THE COURT: Please. Take the podium.		8 Does any other counsel wish to be heard further on the	
9 MS. STERNHEIM: I am aware that aspects of Ms.		9 question of the sealing of the courtroom?	
10 Conrad's alcohol dependence are in the record, as we have heard		10 MR. GAIR: No, your Honor.	
11 today. However, I maintain that she does have the right to		11 MR. OKULA: No, your Honor.	
12 confidentiality regarding her condition and any treatment she		12 MR. ROTERT: No, your Honor.	
13 may have received. I do not suggest that it should not be an		13 A VOICE: Your Honor, may I be heard?	
14 area of inquiry, but I don't believe that it needs to be an		14 THE COURT: It's really not necessary. Have a seat.	
15 area disclosed publicly. The record can be created so that all		15 By letter dated February 8, 2012, Catherine Conrad	
16 the parties of interest in this matter have the facts that they		16 requests that any questioning during this hearing concerning	
17 need to make their respective arguments.		17 her medical suspension in proceedings held before the	
18 The other part of my letter, which I don't have with		18 departmental disciplinary committee of the First Judicial	
19 me for the moment, concerns aspects -- does the Court have the		19 Department be conducted in a closed courtroom.	
20 letter there? May I see it? Or does any counsel have a copy?		20 A party seeking to close the courtroom to the public	
21 THE COURT: I've got it.		21 must demonstrate "an overriding interest that is likely to be	
22 MS. STERNHEIM: Thank you.		22 prejudiced, the closure must be no broader than necessary to	
23 THE COURT: These letters will be docketed and filed		23 protect that interest, the trial court must consider reasonable	
24 if they haven't already been.		24 alternatives to closing the proceeding, and the trial court	
25 MS. STERNHEIM: The other aspects were HIPAA concerns		25 must make findings adequate to support the closure." Presley	
C2frdau3	Page 98	C2frdau3	Page 100
1 regarding her personal medical conditions.		1 v. Georgia, 130 S.Ct 721, 724 (2010) quoting Walker v. Georgia,	
2 With regard to inquiry concerning the disciplinary		2 467 U.S. 39, 48 (1984).	
3 committee, my request is based on the fact that disciplinary		3 The information Ms. Conrad seeks to shield from public	
4 proceedings, at least in the First Department, are not public		4 view has already been disseminated. But the various court	
5 proceedings, and it is my understanding that sealed records		5 filings in support of the defendants' motion for a new trial	
6 were unsealed for the purpose of this matter. However, again,		6 include, among other things, Conrad's disciplinary records and	
7 that I believe was so that the parties would have opportunity		7 related court filings and her psychological evaluations. Given	
8 to make their record here. I still maintain because it is a		8 these prior disclosures, there is no overriding interest of Ms.	
9 pending matter in the First Department, it should not be opened		9 Conrad that is likely to be prejudiced. Moreover, the rights	
10 to the public.		10 of the defendants in this criminal case to a public proceeding	
11 Once again, I am not stating in any way that counsel		11 trump Ms. Conrad's own parochial interest. Accordingly, her	
12 for either party should not be permitted to inquire. I		12 application is denied.	
13 understand the relevance of it. However, again, I do not		13 I'd ask at this time that the marshals bring Ms.	
14 believe that the inquiry into a matter which in and of itself		14 Conrad out.	
15 was a closed proceeding, although revealed for purposes of		15 MR. OKULA: Your Honor, before they bring her out, may	
16 this, and still pending should be a matter dealt with in open		16 I be heard briefly?	
17 court.		17 THE COURT: Certainly.	
18 So, my request again is should counsel wish to inquire		18 MR. OKULA: I have spoken with Mr. Gair, and we	
19 into the underlying aspects of an alcohol dependency and the		19 understand that the procedure is that Mr. Gair is going to call	
20 disciplinary committee and the proceedings, that that be a		20 Ms. Conrad and that she is going to invoke her Fifth Amendment	
21 matter that is not for public consideration.		21 rights. Your Honor has before you an application that we have	
22 THE COURT: Thank you, Ms. Sternheim. Is there any		22 submitted requesting that she be compelled to testify and be	
23 other matter that you want to bring to the Court's attention		23 given use immunity in connection with that testimony.	
24 before the witness is called?		24 I want to be perfectly clear that in connection with	
25 MS. STERNHEIM: Yes, your Honor. In connection with		25 this hearing, although Mr. Gair is calling Ms. Conrad as a	

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

C2frdau3	Page 101	C2frdau3	Conrad - direct	Page 103
1 witness, we would have otherwise called Ms. Conrad in order to		1 this proceeding?		
2 elicit these facts, so somebody looking back on this record		2 A. Yes, sir.		
3 later on has no misimpression of a defendant calling a witness		3 Q. Ms. Conrad, did you take the same oath on March 1, 2011, to		
4 who the government selectively decides to immunize. We were		4 tell the truth in this courtroom that you took a few moments		
5 going to call this witness ourselves. We made a decision that		5 ago?		
6 her testimony is in the public interest; that's why we are		6 A. I can't answer that. I'm not sure of the date.		
7 seeking the immunity. I just wanted to make that clear to your		7 Q. Apart from the date, do you recall that in connection with		
8 Honor.		8 United States v. Daugerdas, you appeared as a juror, a		
9 THE COURT: Fine, Ms. Sternheim, if you would like,		9 prospective juror, correct?		
10 you may take a seat in the jury box during her examination.		10 A. Yes, sir.		
11 MS. STERNHEIM: Thank you, Judge.		11 Q. At the beginning of the trial you took an oath, did you		
12 THE COURT: Let's bring out Ms. Conrad.		12 not?		
13 MS. STERNHEIM: Your Honor, may I take the seat		13 A. I'm not exactly sure when, sir.		
14 closest?		14 Q. At some point during the voir dire, did you take an oath to		
15 THE DEFENDANT: Yes, come on down.		15 tell the truth, the whole truth, and nothing but the truth?		
16 CATHERINE M. CONRAD,		16 A. Probably, yes, sir.		
17 called as a witness by the defendant,		17 Q. You didn't do that, did you?		
18 having been duly sworn, testified as follows:		18 A. There were omissions, yes, sir.		
19 THE COURT: Would you take a seat and state your full		19 Q. There were omissions in your testimony, is that correct?		
20 name and spell your name slowly for the court reporter.		20 A. Yes, sir.		
21 THE WITNESS: Catherine with a C, C-A-T-H-E-R-I-N-E,		21 Q. There were lies in your testimony, were there not?		
22 Conrad, C-O-N-R-A-D.		22 A. Yes, sir.		
23 THE COURT: Mr. Gair, you may inquire.		23 Q. So you didn't tell the truth, the whole truth, and nothing		
24 DIRECT EXAMINATION		24 but the truth, isn't that correct?		
25 BY MR. GAIR:		25 A. Yes, sir.		
C2frdau3	Conrad - direct	C2frdau3	Conrad - direct	Page 104
1 Q. Ms. Conrad, the oath that you just took, is that the same		1 Q. Today did you call the chambers of Judge Pauley at about 10		
2 oath that you took to tell the truth in voir dire on March 1st		2 minutes to 8:00 this morning?		
3 of 2011 in this case?		3 A. Yes, sir.		
4 A. Upon advice of my counsel, I plead the Fifth. Thank you.		4 Q. Did you inform the deputy clerk in Judge Pauley's chambers		
5 Q. On March 1st and 2nd of 2011, were you present in this		5 that you would not be coming to court today?		
6 courtroom for the trial of United States v. Daugerdas?		6 A. Yes, sir.		
7 A. Upon advice of my counsel, I plead the Fifth. Thank you.		7 (Continued on next page)		
8 Q. Let me ask you one more question. Is it your intention to		8		
9 assert your Fifth Amendment privilege to any question that I		9		
10 ask you concerning your service in United States v. Daugerdas?		10		
11 A. Yes, sir.		11		
12 MR. GAIR: Your Honor?		12		
13 THE COURT: Does the government have an application at		13		
14 this time, Mr. Okula?		14		
15 MR. OKULA: We do, your Honor. We have submitted to		15		
16 your Honor papers applying for an immunity order, and we		16		
17 respectfully ask that your Honor sign that order.		17		
18 THE COURT: Ms. Conrad, in view of your assertion of		18		
19 the Fifth Amendment privilege, I have signed just now an order		19		
20 granting you immunity, that is, use immunity, with respect to		20		
21 your testimony in this proceeding.		21		
22 You may proceed, Mr. Gair.		22		
23 BY MR. GAIR:		23		
24 Q. Do you understand, Ms. Conrad, that given the grant of use		24		
25 immunity, you are required to answer appropriate questions in		25		

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 105	C2FFDAU4	Conrad - direct	Page 107
1	Q. Did you know that you were under court order to appear in court today?		1	A. I don't know how to answer that question, I'm sorry.	
3	A. Yes, sir.		2	Q. Do you understand what rational behavior is?	
4	Q. And did you know that a United States --		3	A. I'm not a psychologist, but yes, I understand you.	
5	A. Well, there was a subpoena.		4	Q. And you don't know whether that was a rational thing for you to say or an irrational one?	
6	Q. Did you know that a United States district judge had the power to subpoena you to court today?		5	A. I don't know how to answer you.	
8	A. Probably.		7	Q. It might have been either one?	
9	Q. Well, you're a trained lawyer. You know that the Court can issue a subpoena, correct?		8	A. I don't know how to answer you.	
11	A. Yes, sir.		9	Q. Okay. And did you further tell the deputy clerk that you would not be testifying today?	
12	Q. And you were standing in front of Judge Pauley when the subpoena was served on you on December 20th, is that right?		11	A. I believe so.	
14	A. The 20th, yes.		12	Q. And did you understand that the government had prepared an order of immunity that when conferred by Judge Pauley would require you to testify?	
15	Q. Okay. So you knew you were under court order to appear today, correct?		15	A. No.	
17	A. Yes, sir.		16	Q. So you had no idea that you were going to receive immunity when you came here to testify today?	
18	Q. And you knew that court order was lawful. In other words, you knew by your training as a lawyer that Judge Pauley had the power to issue that order to you, correct?		18	A. That's correct, sir.	
21	A. Yes, sir.		19	Q. You're represented by counsel?	
22	Q. And yet you told Judge Pauley's clerk that you were not coming today, did you not?		20	A. Yes, sir and it was -- yes, sir.	
24	A. Yes.		21	Q. And it's your testimony -- have you had a chance to meet with your counsel?	
25	Q. And you would agree with me that that is irrational behavior, is it not?		23	A. Yes, sir.	
	MR. OKULA: Objection, objection.		24	Q. Can you point her out?	
3	A. I'm not University of Chicago trained --		25	A. Right to my left.	
	MR. OKULA: Objection.				
5	THE COURT: Sustained as to form.				
6	Q. Interesting question. How did you know I was University of Chicago trained --				
8	A. I Googled you after the trial.				
9	Q. After the trial, is that correct?				
10	A. Yes, sir.				
11	Q. You didn't Google me during the trial, is that correct?				
12	A. No. Yes, you're correct.				
13	Q. Okay. Now, Ms. Conrad, can you explain how a person with legal training recognizing that they are under court order to appear could call a federal judge and say "I'm not coming"?				
16	A. No.				
17	Q. There's no rational explanation for that conduct is there?				
18	A. Object --				
19	MR. OKULA: Objection, your Honor. What kind of question is that?				
21	MR. GAIR: May I be heard, your Honor?				
22	THE COURT: On this question I'm going to overrule the government. All right? She can answer that question.				
24	Q. There's no rational basis for your having stated to the deputy this morning that you were not coming to court, correct?				

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 109	C2FFDAU4	Conrad - direct	Page 111
1	know whether you have a reason for doing or not?		1	correct?	
2	A. I'm not sure how to answer that if you're not a		2	A. Yes, I'm here.	
3	psychologist.		3	Q. And do you remember you made some statements at that time.	
4	Q. Had you been drinking this morning, Ms. Conrad?		4	A. I'm sure I did. Thank you.	
5	A. No.		5	Q. Did you say, and I quote, "You're being very stupid, Judge,	
6	Q. When was the last time you were drinking?		6	and I know you went to Duke and God bless you because I love	
7	A. Last night.		7	all the players there, but, you know, come on, this is anything	
8	Q. How much did you have to drink last night?		8	in favor of the defendants and they brought the motion against	
9	A. A cup and a half, maybe.		9	the prosecution. It's ridiculous. If you want another Clinton	
10	Q. Of?		10	appointment, it's not going to happen."	
11	A. A liquor.		11	A. I absolutely said that. Thank you for refreshing my	
12	Q. What kind of liquor?		12	recollection.	
13	A. A very cheap vodka.		13	Q. Now, let me break that down a little bit. When you said,	
14	Q. And before that when was the last time you had been		14	"You're being very stupid, Judge," what were you referring to?	
15	drinking?		15	A. I don't recall.	
16	A. Sunday, January 8th.		16	Q. Well, were you referring to anything?	
17	Q. How is it that you remember the date Sunday, January 8th?		17	A. I don't recall.	
18	A. Because alcoholics generally do that.		18	Q. And when you said, "I know you went to Duke and God bless	
19	Q. Now, Ms. Conrad, you last appeared in the federal		19	you," what were you referring to there?	
20	courthouse on December 20th to appear before Judge Pauley and		20	A. I like his football team.	
21	received instructions, is that correct?		21	Q. You like Duke's football team?	
22	A. Yes, you're correct.		22	A. Yes, sir.	
23	Q. Now, during that court appearance, were you intoxicated?		23	Q. You mean its basketball team?	
24	A. No.		24	A. No. Football.	
25	Q. Had you had anything to drink?		25	Q. You like Duke's football?	
C2FFDAU4 Conrad - direct Page 110			C2FFDAU4 Conrad - direct Page 112		
1	A. No.		1	A. I know, they're sort of losers, but that's okay.	
2	Q. When was the last time before your court appearance on		2	Q. Is that what you like about them?	
3	December 20th that you had anything to drink?		3	A. I'm not going to answer this.	
4	A. The night before.		4	MR. OKULA: Objection, your Honor. Why she likes the	
5	Q. And had the effects of that alcohol worn off by the time		5	Duke football team?	
6	you arrived in court at noon on December 20th?		6	THE COURT: Sustained.	
7	A. Yes.		7	Q. Are you under the impression as you sit up there today that	
8	Q. And so whatever you did in that court appearance on		8	you are the judge of deciding what questions you will and you	
9	December 20th was not caused by alcohol intoxication, is that		9	will not answer?	
10	correct?		10	A. No, sir.	
11	A. I believe it was caused by a subpoena that I had to appear		11	Q. And yet that's what you just did, correct?	
12	here, sir.		12	A. I think even yourself sees the ridiculousness (sic) of that	
13	Q. The things that you said to the Court on that day were not		13	question.	
14	influenced by being intoxicated at the time, is that correct?		14	Q. Let me try to repeat that question again. Didn't you just	
15	A. I believe you're correct.		15	state, contrary to your own knowledge of legal procedures, that	
16	Q. And was your behavior, would you characterize your behavior		16	you were not going to answer my question?	
17	as rational or irrational?		17	A. I don't understand your question. I'm sorry.	
18	A. I can't answer that. That's in your eyes, sir.		18	Q. Now, do you feel like you have the same level of	
19	Q. Now, do you recall that you received some instructions from		19	understanding of what's going on around you today that you had	
20	the Court?		20	during the trial?	
21	A. I don't know what you're talking about. When?		21	A. I don't understand the meaning of that question.	
22	Q. On December 20th did you receive some instructions from		22	Q. Now, can you explain to us what Judge Pauley having	
23	Judge Pauley?		23	attended Duke University had to do with the discussion about	
24	A. Of course. I received a subpoena.		24	your appearing for a hearing today?	
25	Q. And Judge Pauley ordered you to appear today, is that		25	A. Absolutely nothing.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 113	C2FFDAU4	Conrad - direct	Page 115
1	Q. It was irrational, was it not?		1	filed in the court, sir. Everyone can look it up. It's a	
2	MR. OKULA: Objection, your Honor.		2	matter of public record.	
3	THE COURT: Overruled.		3	Q. And in your judgment the motion was ridiculous, is that	
4	A. I don't know what "irrational" means. I'm not a		4	what you meant to convey?	
5	psychologist.		5	A. I don't recall, no. I don't recall.	
6	Q. And would you agree with me that at least there was no		6	Q. Well, when you said it was ridiculous, what did you mean?	
7	logical connection between Judge Pauley having attended Duke		7	A. I don't recall.	
8	University 30 years or more ago and the hearing that you were		8	Q. Well, did you mean that you thought there was no merit to	
9	present for and the instructions you were receiving on		9	it?	
10	December 20th.		10	A. I don't recall.	
11	A. You went there too, but I really don't know what your		11	Q. I mean, you know there's merit to it, right?	
12	question means.		12	A. I don't recall.	
13	Q. When you say you went there too, you mean I went there too?		13	Q. Do you know -- I'm not asking about your recall right now.	
14	A. Yes. I Googled you.		14	I'm asking you whether or not there is merit to a motion that	
15	Q. And you know that I attended that as an undergraduate?		15	said you came into court and lied and lied and lied on March 1,	
16	A. I believe so.		16	2011.	
17	Q. Is that responsive to the question I just asked you?		17	MR. OKULA: Objection to the form, your Honor.	
18	A. I told you, I can't answer your question, sir.		18	THE COURT: Sustained as to form.	
19	Q. I have now posed a different question. I am now asking you		19	Q. So you don't know why you said it was ridiculous?	
20	to explain for us whether there's a logical connection between		20	A. You're correct. I'm not a psychologist.	
21	Judge Pauley's attendance at Duke University and your statement		21	Q. Now, when you went on to tell Judge Pauley "If you want	
22	to the Court in the proceedings on December 20th?		22	another Clinton appointment, it's not going to happen" -- do	
23	A. I can't parse it down. I'm not a psychologist, sir.		23	you remember saying that?	
24	Q. Now, then you went on to say, "Come on, this is anything in		24	A. I don't recall.	
25	favor of the defendants and they brought the motion against the		25	Q. So you do not remember saying that?	
C2FFDAU4	Conrad - direct	Page 114	C2FFDAU4	Conrad - direct	Page 116
1	prosecution. It's ridiculous." Now, what were you trying to		1	A. If it's in the record, I probably did say that, sir.	
2	get at when you said "this is anything in favor of the		2	Q. Okay, so it's in the record. So why did you say it?	
3	defendants"?		3	A. Probably just being smart.	
4	A. I don't recall.		4	Q. Just being smart.	
5	Q. Well, what you were trying to get at is --		5	A. Smart a-s-s.	
6	A. Are you testifying for me, sir?		6	Q. So you were being a smart ass to a federal judge, is that	
7	7	what you call it?	7	A. If you need to say it that way, that's your words, not	
8	Q. What you were trying to get at, ma'am, you thought that		9	mine.	
9	anything that might be in favor of the defendants would be		10	Q. Okay, well, let me ask you this: Are you under the	
10	ridiculous, is that correct?		11	impression that the President of the United States is named	
11	A. Absolutely not.		12	Clinton?	
12	Q. Because you had decided that they were fricken crooks,		13	A. I Googled -- no. Please, stop. No.	
13	isn't that correct?		14	Q. Why did you refer to another Clinton appointment?	
14	A. Absolutely not.		15	A. Because I Googled the judge after the trial was over and I	
15	Q. You haven't decided that?		16	saw he was a Clinton appointee. End of story. Why don't we	
16	A. Absolutely not.		17	get on to the meat of this?	
17	Q. Did you think -- and when you said and they brought the		18	Q. Ms. Conrad, can you explain for us the connection between	
18	motion against the prosecution did you think that Judge Pauley		19	Judge Pauley ordering you to appear for a hearing on	
19	was unaware of who filed the motion and who was responding to		20	February 15th and the prospect that Judge Pauley would receive	
20	the motion concerning the request for a new trial?		21	another appointment to the bench from somebody --	
21	A. You have to break that question down for me, because Pacer		22	A. No.	
22	is a public record, sir.		23	Q. -- who is not President?	
23	Q. Can you explain to me what the fact that Pacer is a public		24	A. No.	
24	record has to do with the question of whether Judge Pauley		25	Q. Would you agree with me that in the common parlance that	
25	would know who filed the motion?				

February 15, 2012

UNITED STATES OF AMERICA, v.
PAUL M. DAUGERDAS, ET AL.,

C2FFDAU4	Conrad - direct	Page 117	C2FFDAU4	Conrad - direct	Page 119
1	was crazy talk?		1	A. I can't dispute if you're reading from the transcript, sir.	
2	MR. OKULA: Objection.		2	So --	
3	A. No, I'm not a psychologist.		3	Q. I'm asking if you remember saying it.	
4	THE COURT: Sustained.		4	A. If you're reading from the transcript then I said it. It	
5	Q. Can you explain the connection, if any, between what you		5	doesn't matter, I guess, if I remember it or not. But I recall	
6	said about Judge Pauley receiving another Clinton appointment		6	that.	
7	and the matters that were going to be discussed?		7	Q. You do recall?	
8	A. No.		8	A. Vaguely.	
9	Q. And did you have any special insight when you said "it's		9	Q. Now, would you agree with me in your career as a lawyer	
10	not going to happen" that Judge Pauley would not receive		10	that it is an uncommon response for a person ordered by a judge	
11	another appointment?		11	to appear in court to testify to say no, I'm not going to do	
12	A. No.		12	that?	
13	Q. Now, when you came to the hearing on December 20th, did you		13	MR. OKULA: Objection, your Honor.	
14	understand that you had been compelled to come to that hearing		14	THE COURT: Overruled.	
15	by having an order served on you at your home?		15	A. Could you please repeat the question?	
16	A. Yes, I had a subpoena served upon me.		16	Q. Based on your experience as a lawyer, would you agree with	
17	Q. By two deputy U.S. marshals, correct?		17	me that your conduct in responding to the judge's instructions	
18	A. I believe so, yes.		18	by saying you were not going to appear was unusual?	
19	Q. And you understood that you had to obey that order,		19	A. I'm not a psychologist. I don't know. I don't know how to	
20	correct?		20	answer you, sir.	
21	A. Yes, sir.		21	Q. Well, you are a lawyer, correct?	
22	Q. And you understood that you couldn't leave, correct, till		22	A. No. I was.	
23	Judge Pauley told you you could leave?		23	Q. Have you been disbarred?	
24	A. I don't really know what that means.		24	A. No.	
25	Q. Well, do you remember telling the deputy clerk at that time		25	Q. So you're a suspended lawyer?	
C2FFDAU4	Conrad - direct	Page 118	C2FFDAU4	Conrad - direct	Page 120
1	that your time was being wasted and you were going to walk out		1	A. Correct.	
2	of the courtroom?		2	Q. You had legal training?	
3	A. No, I don't.		3	A. Yes. I went to law school.	
4	Q. Did you do that?		4	Q. How many times have you ever heard a person ordered by a	
5	A. If I told you I don't remember, how can you ask me the next		5	judge to appear and testify say "I'm not going to"?	
6	question?		6	A. I have no idea.	
7	Q. Did Judge Pauley explain to you at that hearing you're		7	Q. It might happen all the time?	
8	ordered to appear as a witness at a hearing on February 15th		8	A. I don't know how to answer your question, sir.	
9	concerning your role as a juror in United States v. Daugerdas?		9	Q. Would you agree that that is not -- to tell a federal	
10	A. I don't specifically recall him.		10	judge, and I quote, "I'm not showing up" when you've been	
11	Q. Do you recall something like that?		11	ordered to show up is conduct that is not rational?	
12	A. Yes, sir.		12	A. I am not a psychologist. I am not part of the disciplinary	
13	Q. And do you recall that your response, or do you recall that		13	committee, so I don't know how to answer your question, sir.	
14	later in that hearing he told you again you're going to have to		14	Q. Do you know what the word "rational" means?	
15	testify at a hearing. Do you recall that?		15	A. I'm not a psychologist. There are variations that are	
16	A. Not specifically, no, sir.		16	shades of gray.	
17	Q. Do you recall that your initial response to being told that		17	Q. Have you ever been treated for a mental illness?	
18	you had to appear at a hearing is to say, "No, I don't. No,		18	A. I'm not going to answer this.	
19	no, no"?		19	THE COURT: You are directed to answer it.	
20	A. If you're reading from the transcript, then that's what I		20	A. No.	
21	said, sir.		21	Q. Ma'am, has anybody ever told you that you suffer from	
22	Q. And do you recall that when the Judge gave you instructions		22	bipolar disorder?	
23	about retaining a lawyer you said, and I quote, "For what? I'm		23	A. Not at all.	
24	no, I'm not. I'm not going to court for anything. I'm not		24	Q. What medications do you take?	
25	testifying for anything, sir." Do you remember saying that?		25	A. Water.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 121	C2FFDAU4	Conrad - direct	Page 123
1	Q. Do you regard water as a medication?		1	Q. Would your conduct be sane if irrational?	
2	A. It calms me down. Sure.		2	A. I'm not going to answer that. Of course not. Insanely?	
3	Q. Besides water, what other medications do you take?		3	Is that what you said, sir?	
4	A. Tylenol for PMS.		4	THE COURT: Why don't you put another question?	
5	Q. Do you take any prescription medication?		5	Q. Was your conduct in rejecting the subpoena that the judge	
6	A. Not at all.		6	ordered served on you and saying that you were not going to	
7	Q. At any time in the last, say, two years have you taken any		7	appear and the judge would have to have you arrested, was that	
8	prescription medication?		8	conduct irrational?	
9	A. No, sir.		9	A. Absolutely not. Nobody wants a subpoena served on them.	
10	Q. Now, did you tell the judge that, after he reminded you		10	Q. Now, have you ever witnessed an officer of the court in	
11	that a subpoena had just been served on you on December 20, did		11	your career as a lawyer, have you ever witnessed an officer of	
12	you tell the judge, "I reject the subpoena. I reject it and		12	the court telling a judge that the judge would have to have	
13	you're going to have to arrest me because nothing is going to		13	them arrested because they weren't going to appear as ordered?	
14	change."		14	A. I don't know how to answer that. I don't know.	
15	A. I don't specifically remember that, but I'm sure I told him		15	Q. Do you know what your own experiences are?	
16	that if it's in your record.		16	A. If you're asking if I did it? You just told me I did it.	
17	Q. Would you agree with me that that is uncommon conduct for		17	Q. I'm asking you -- are you able to understand my question?	
18	an officer of the Court?		18	A. Yes, but these questions are ridiculous.	
19	A. I'm not a psychologist. I don't know what common conduct		19	Q. Why are they ridiculous?	
20	quote-unquote, what your terms mean.		20	A. Pose it again, please.	
21	Q. So you're not really in a position to judge whether		21	Q. Can you answer me why -- you just said my questions are	
22	something is common or uncommon, correct?		22	ridiculous. What did you mean when you said they were	
23	A. I'm not a judge, like you just said.		23	ridiculous?	
24	Q. And you're not in a position to judge whether something is		24	A. How would I know whether an attorney, what another attorney	
25	rational or irrational, right?		25	said to another judge? I don't understand your questions.	
C2FFDAU4	Conrad - direct	Page 122	C2FFDAU4	Conrad - direct	Page 124
1	A. Common knowledge is common knowledge, sir.		1	Q. Okay. Now, would you agree with me that a good part of	
2	Q. Are you in a position to judge whether something is		2	that hearing on December 20th was about Judge Pauley advising	
3	rational or irrational?		3	you that you should get a lawyer.	
4	MR. OKULA: Objection, Judge. We're getting into this		4	A. Yes, sir. I understand the underlying reason why we're	
5	rational/irrational. Different people have different ideas		5	here is not lawyer or lawyer up, whether I did or didn't, it's	
6	about it.		6	whether the underlying fact of the verdict.	
7	THE COURT: And he's exploring the witness' view of		7	Q. Did you understand that the hearing on December 20th was to	
8	that. Overruled.		8	give you instructions which included instructing you about your	
9	A. Can you please say that again, sir?		9	right to a lawyer?	
10	MR. GAIR: Your Honor, can I ask that the court		10	A. I guess partly, sir.	
11	reporter read back the question?		11	Q. Okay. And Judge Pauley told you that he would appoint a	
12	THE COURT: Madam court reporter, would you kindly		12	lawyer for you if you qualified financially, correct?	
13	read back the question for Ms. Conrad?		13	A. I don't recall specifically. I don't recall.	
14	(Record read)		14	Q. Well, didn't you -- you don't recall whether the judge told	
15	A. In what context, sir?		15	you that you would have to -- that he could only appoint a	
16	Q. In the context of conduct of a lawyer appearing before a		16	lawyer if you couldn't afford to hire one yourself?	
17	federal judge, do you know what kind of conduct is rational and		17	A. Sir, I don't specifically remember that.	
18	what kind of conduct is irrational?		18	Q. Did you say that you didn't have the money to pay for	
19	A. Probably, sir.		19	counsel?	
20	Q. Was your conduct irrational when you said, "I reject the		20	A. Oh, I don't recall.	
21	subpoena. I reject it and you're going to have to arrest me		21	Q. Did you have the money to pay for counsel?	
22	because nothing is going to change"?		22	A. No.	
23	A. I consider it irrelevant.		23	Q. Well, let me just ask you to look, there's a big black	
24	Q. I beg your pardon?		24	binder in front of you, and I'm going to ask you about a	
25	A. Irrelevant, not irrational.		25	document in that binder, Exhibit 3.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 125	C2FFDAU4	Conrad - direct	Page 127
1 A. Sir, tab 3?			1 A. Yes, sir.		
2 Q. Tab 3, yes.			2 Q. Why did you say "this is garbage"?		
3 A. All right.			3 A. I really don't know why.		
4 MR. GAIR: Your Honor, at this time I would move the			4 Q. So that's another instance where you did something but you		
5 admission of PMD3.			5 don't know why you did it, correct?		
6 THE COURT: Any objection?			6 A. I'm not going to adopt your characterization of anything,		
7 MR. OKULA: No, your Honor.			7 sir.		
8 THE COURT: PMD 3 is received in evidence.			8 Q. Is that an instance in which you said something but you		
9 (Exhibit PMD 3 received in evidence)			9 don't know why you said it?		
10 Q. If you would look at page 10 of the transcript, it's got			10 A. I give you my same answer, sir.		
11 page 5 at the bottom, but then on the right side there are page			11 Q. I can do this all day, Ms. Conrad. Did you in fact make a		
12 numbers 9, 10 and 11. Tell me when you've got that.			12 statement to the Court, "this is garbage," without knowing why		
13 A. Okay. Yes, sir.			13 you were saying it?		
14 Q. Okay, and if you look at beginning at line 8, the Court			14 A. I really don't know what your question means.		
15 says, "Do you want to complete this affidavit now so that I can			15 Q. Why did you say to the Court "this is garbage"?		
16 make a determination as to whether or not you can afford			16 A. I don't know, sir.		
17 counsel?"			17 Q. So this would be an instance where you did something in a		
18 And you said, "I can't afford counsel, that's correct,			18 matter you knew was important and you don't know why you did		
19 sir."			19 it, correct?		
20 Do you remember that happening?			20 A. No. I'm not going to adopt your mischaracterization, sir.		
21 A. If it's here then it happened, sir.			21 Q. What have I mischaracterized?		
22 Q. And I'm asking you now do you remember it?			22 A. That you're implying that I do things that I don't know		
23 A. Yeah, probably.			23 what I'm doing.		
24 Q. Okay. And you understood that you needed to qualify in			24 Q. Didn't you just tell us that you didn't know why you were		
25 order to have an attorney appointed for you, correct?			25 doing what you just did?		
C2FFDAU4	Conrad - direct	Page 126	C2FFDAU4	Conrad - direct	Page 128
1 A. I didn't know specifically, specifically what the			1 A. It was probably a knee jerk reaction, sir.		
2 qualifications are or were.			2 Q. So you do know why you did it, it was a knee jerk reaction?		
3 Q. But you knew it was a financial qualification, correct?			3 A. If you want to characterize it that way.		
4 A. Probably.			4 Q. Was it irrational for you to tell Judge Pauley --		
5 Q. Okay. And you understood that you would have to fill out a			5 A. I'm not a psychologist.		
6 financial affidavit, did you not?			6 Q. Because you're not a psychologist you can't penetrate		
7 A. I don't know how to answer that. Maybe eventually.			7 mental states of other people and yourself, correct?		
8 Q. Well, when the Court said do you want to complete this			8 A. I don't know how to answer that.		
9 affidavit now so that I can make a determination as to whether			9 Q. Are you able to form a conclusion whether or not somebody		
10 or not you can afford counsel, did you understand at that point			10 is acting rational or irrationally?		
11 that you had to complete a financial affidavit?			11 A. Yes, and I was a very unbiased juror.		
12 A. I don't know, sir.			12 Q. Ms. Conrad, would you agree with me that your conduct in		
13 Q. All right. Look back on page 8. It's on the facing page			13 telling Judge Pauley that the affidavit was garbage was		
14 of this exhibit, line 6, Judge Pauley says if you would like a			14 irrational?		
15 lawyer but do not have the funds to retain one, you may make an			15 A. No. And it has nothing to do with the jury verdict that		
16 application to this Court to have an attorney appointed			16 was rendered against your client.		
17 provided that you make such application and submit a completed			17 Q. Are you under the impression that you are the determinant		
18 financial affidavit that demonstrates your inability to retain			18 in this proceeding of what is relevant and irrelevant		
19 counsel by December 23rd 2011, and then a form was tendered to			19 information?		
20 you. Do you remember that happening?			20 A. I'm not the judge, sir.		
21 A. Oh, yes, sir.			21 Q. But yet you just told me that my question was in essence		
22 Q. And do you remember what you said to Judge Pauley when you			22 irrelevant, correct?		
23 got the form?			23 A. I'm not going to mischaracterize your statements.		
24 A. Oh, yes. "This is garbage."			24 THE COURT: Mr. Gair, is this an appropriate place for		
25 Q. You said, "this is garbage"?			25 a luncheon recess?		

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 129	C2FFDAU4	Conrad - direct	Page 131
1	MR. GAIR: Yes, your Honor.		1	Q. Did you refuse to tell Judge Pauley whether you had money	
2	THE COURT: We're going to take a luncheon recess at		2	in checking or savings accounts?	
3	this time. We'll resume at 2:05.		3	A. I don't recall.	
4	(Luncheon recess)		4	Q. And this was just about two months ago that you had this	
5	000		5	conversation with Judge Pauley, correct?	
6	AFTERNOON SESSION		6	A. If we've established it was December 20th, right.	
7	2:05 p.m.		7	Q. And you don't recall whether he asked you whether you had	
8	THE COURT: I want to draw to counsel's attention two		8	money in checking or savings accounts and you refused to	
9	matters that developed over the luncheon recess. First,		9	answer?	
10	Ms. Sternheim presented me with a financial affidavit which she		10	A. Are you directing me to look at a specific page of the	
11	received from Ms. Conrad. Copies have been made and circulated		11	transcript?	
12	to all counsel and I've marked it as Court Exhibit 1.		12	Q. Actually, I was directing you to look at what I thought was	
13	Second, during the luncheon recess we discovered on		13	on page 11, but I am not finding it right now. It might be --	
14	our voice mail system that there is a voice mail message from		14	oh, yeah, I'm sorry. My notes were wrong. It's the bottom of	
15	Ms. Conrad. Much like a picture that's worth a thousand words		15	page 10 of the transcript.	
16	I'm going to play the voice mail message for all parties in		16	"The Court: Have you any cash on hand or money in	
17	open court now.		17	savings or checking accounts?"	
18			18	And your answer was, "As opposed to what? As opposed	
19	MS. CONRAD: (Voice mail) "Hi, it's Catherine Conrad.		19	to paying my rent next month or as opposed to what? That's not	
20	I won't be showing up to the hearing today. Thank you."		20	a fair question. I don't understand what you're saying, sir."	
21	THE COURT: Play the tape.		21	Now, do you recall, does that refresh your	
22	"8:33 a.m. on February 15th."		22	recollection that you were asked about whether you had cash or	
23	All right. There you have it. That was after her		23	money in checking or savings accounts?	
24	conversation with my deputy at 7:52. Are there any matters		24	A. Yes. Now it does, sir.	
25	that counsel want to raise before we bring Ms. Conrad out and		25	Q. And did you tell the judge that your personal finances had	
C2FFDAU4	Conrad - direct	Page 130	C2FFDAU4	Conrad - direct	Page 132
1	resume the inquiry?		1	nothing to do with this?	
2	MR. GAIR: No, your Honor.		2	A. I can't read as quickly as you're trying to lead me to,	
3	THE COURT: All right.		3	but --	
4	MR. OKULA: Judge, do you anticipate that we'll go to		4	Q. I don't want to make you go any more quickly than you can.	
5	5 today?		5	If you look on page 11, line 19, did you say, beginning line	
6	THE COURT: Do you anticipate finishing with		6	19, "My personal finances have nothing to do with this. Thank	
7	Ms. Conrad this afternoon?		7	you. They have nothing to do with this. I can get counsel any	
8	MR. GAIR: I do so anticipate.		8	time I want, federal or state. Thank you, sir." Did you say	
9	THE COURT: Good. Then I anticipate going to five.		9	that to Judge Pauley?	
10	If we have to work a little later to complete Ms. Conrad, I'd		10	A. Yes, before he told me to sit down.	
11	like to do that.		11	Q. We're going to get to where he told you to sit down, but	
12	Mr. Gair, you may continue with your examination.		12	when you told Judge Pauley your personal finances have nothing	
13	BY MR. GAIR:		13	to do with this, did you understand that in fact your personal	
14	Q. On December 20th when you were here pursuant to the Court's		14	finances had a great deal to do with whether or not he could	
15	order, Judge Pauley attempted to determine whether you had the		15	appoint a lawyer for you?	
16	financial ability to hire a lawyer. Do you recall that?		16	A. Had nothing to do with the guilty verdict I rendered	
17	A. Generally. Not specifically.		17	against your client.	
18	Q. And you understood -- well, he asked you whether you had		18	Q. So you were not telling the judge that your personal	
19	any money in checking or savings account, did he not?		19	finances had nothing to do with whether or not you could be	
20	A. I don't recall.		20	appointed a lawyer?	
21	Q. If we can look at Exhibit 3, it's tab 3, page 11 of the		21	A. Can you please rephrase that?	
22	transcript --		22	Q. Sure. What you said is that your personal finances had	
23	MR. GAIR: If I may have a moment, your Honor.		23	nothing to do with it and you could get a lawyer federal or	
24	THE COURT: Take your time.		24	state any time you wanted. Isn't that what you said?	
25	(Pause)		25	A. If that's what it sets, then that's what I said, sir.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 133	C2FFDAU4	Conrad - direct	Page 135
1	Q. So my question is, did you understand at that moment that		1	A. She's the only person that I care about whose opinion	
2	there was a logical connection between the question Judge		2	matters to me.	
3	Pauley was asking you about your finances and the matter he was		3	Q. Do you know whether you are a financial success as a	
4	discussing with you, that is, appointment of a lawyer?		4	lawyer?	
5	A. Yes, sir.		5	A. No, I have no idea. It's a sliding scale.	
6	Q. You did understand?		6	Q. How much money did you make as a lawyer the last year you	
7	A. Yes, sir.		7	were practicing law?	
8	Q. And yet you refused to answer those questions, correct?		8	A. Could I make? I have no idea.	
9	A. At that time.		9	MR. OKULA: Judge, relevance.	
10	Q. And in fact, you said your personal finances have nothing		10	THE COURT: Overruled.	
11	to do with this, correct?		11	Q. How much did you make practicing as a lawyer in 2007?	
12	A. And had nothing to do with the guilty verdict I rendered		12	A. I wasn't a practicing lawyer.	
13	against your client.		13	Q. What were you doing in 2007?	
14	Q. But it did have something to do with what you were being		14	A. Being a suspended lawyer.	
15	asked about, that is, your right to a lawyer, correct?		15	Q. How much money did you make in 2006 as a lawyer?	
16	A. I guess if that's what it says.		16	A. I don't recall.	
17	Q. Now, it turns out that you do have some cash resources?		17	Q. Was it over \$400?	
18	A. I'm not discussing my finances in open court, sir.		18	A. An hour?	
19	THE COURT: I'm directing you to answer questions that		19	Q. No, \$400 total in the year.	
20	are put before you.		20	A. Probably, sir.	
21	Q. Ms. Conrad, isn't it true that you have cash on hand or		21	Q. Probably. And were you self-employed?	
22	money in savings or checking accounts of approximately \$12,000?		22	A. Yes, at that time.	
23	A. If that's the affidavit of financial statement you received		23	Q. When was the last time you filed a tax return, Ms. Conrad?	
24	from my attorney this morning, then that is correct.		24	A. 2008 or 2009.	
25	Q. Well, I'm not -- I didn't make any reference to an		25	Q. 2008 or 2009. Didn't you tell the Bar in a sworn affidavit	
C2FFDAU4	Conrad - direct	Page 134	C2FFDAU4	Conrad - direct	Page 136
1	affidavit --		1	on February 28th of 2011 that you hadn't been -- the question	
2	A. I didn't have to, sir. How else would you know that?		2	attach your last two years federal and state tax returns the	
3	Q. Ms. Conrad, my question for you is a simple one. Do you		3	answer was none, not applicable.	
4	have \$12,000 cash on hand?		4	A. Absolutely, because that was the truth.	
5	A. Approximately. That has nothing to do with the guilty		5	Q. So you filed a tax return in 2009?	
6	verdict I rendered against Mr. Daugerdas, your client.		6	A. I filed the document about which you are speaking on	
7	Q. And do you also have about \$2,000 in stocks and bonds?		7	February 28, 2011.	
8	A. You can read my affidavit very correctly, yes. That you		8	Q. When was the last time you filed a tax return?	
9	received this morning.		9	A. Either 2008 or 2009. I'm not sure.	
10	Q. Is the answer to my question, yes, you do have \$2,000?		10	Q. Well, if it was filed in 2009, then your answer to the	
11	A. I don't know the exact amount. Approximately.		11	disciplinary committee question would have been untruthful,	
12	Q. So all together you have about \$14,000 in either cash or		12	correct?	
13	stocks and bonds, is that correct?		13	A. If you want to parse semantics.	
14	A. Correct. Much less than your client.		14	Q. Well, that's kind of what we do in court, Ms. Conrad.	
15	Q. You haven't been a very successful person, have you,		15	MR. OKULA: Objection, your Honor.	
16	Ms. Conrad?		16	THE COURT: Sustained.	
17	MR. OKULA: Objection, your Honor.		17	MR. GAIR: Sorry, your Honor. My apologies.	
18	A. I don't know what that means. Ask my mother.		18	Q. Ms. Conrad, do you know whether you gave a truthful answer	
19	THE COURT: Sustained as to form.		19	to that question on the disciplinary committee affidavit you	
20	Q. Have you been a successful -- have you achieved financial		20	filed on February 28th of 2011?	
21	success as a lawyer?		21	A. I believe I did.	
22	A. Ask my mother. I have no idea. I don't know what that		22	Q. Now, can you give us an idea, just to go back to finish off	
23	means.		23	this issue, would you characterize yourself by your own	
24	Q. I have to ask your mother whether or not you have achieved		24	standards as a financially successful lawyer?	
25	financial success as a lawyer?		25	A. I don't know what your question means.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 137	C2FFDAU4	Conrad - direct	Page 139
1	Q. Okay.		1	correct?	
2	A. I don't live an extravagant lifestyle like Mr. Daugerdas.		2	A. I don't recall.	
3	Q. Would you consider that Mr. Daugerdas was a financially		3	Q. And when Judge Pauley advised you that you should get a	
4	successful lawyer?		4	lawyer, retain a lawyer, you told him, "I'll retain myself or	
5	A. Sure, ripping off the government.		5	my husband, the convicted felon," is that correct?	
6	Q. And would you consider that --		6	A. If it's written somewhere I probably said it. I don't	
7	A. And this was only after the trial, might I add.		7	specifically recall, sorry.	
8	Q. Would you consider --		8	Q. So you don't remember telling the Court that you would	
9	A. In keeping with the verdict that myself and eleven other		9	either retain yourself or your husband the convicted felon?	
10	jurors rendered against your client.		10	A. Where are you directing me to look at?	
11	Q. Would you agree with me that you have not been very		11	Q. I'm asking you if you remember it, ma'am?	
12	financially successful as a lawyer?		12	A. Not specifically.	
13	A. I am fine, thank you.		13	Q. Do you have memory problems?	
14	Q. Okay. How is it that you're able to pay your \$800 a month		14	A. Certainly not.	
15	in rent?		15	Q. Certainly not. Never had blackouts, I take it?	
16	A. You got that from the financial affidavit as well this		16	A. I remember every day of this trial.	
17	morning. Yes. From savings.		17	Q. Have you ever had a blackout?	
18	Q. And is that how you pay all your expenses, from savings?		18	A. No.	
19	A. I don't have a lot of expenses, so, yes. I'm going to need		19	Q. And you have no memory problems?	
20	a job soon. I'm sure your office is not going to hire me,		20	A. No, sir.	
21	but --		21	Q. And yet you don't remember telling the Court, "I'll retain	
22	Q. Now, Ms. Conrad, when you filled out this affidavit today		22	myself or my husband the convicted felon"?	
23	did you understand that the purpose of this affidavit was to		23	A. Not specifically.	
24	allow the Court to determine whether or not you had the		24	Q. Is your husband a convicted felon?	
25	financial need for Ms. Sternheim to be appointed and funded by		25	A. Yes, sir.	
C2FFDAU4	Conrad - direct	Page 138	C2FFDAU4	Conrad - direct	Page 140
1	the federal court?		1	Q. Did you remember that on March 1 and 2nd of 2011 or did you	
2	A. However that's relevant, but yes.		2	forget?	
3	Q. Now, when you were asked back on December 20th if you owned		3	A. Sir, I did not reveal that to the Court.	
4	any stocks or bonds, you replied to the Court "none of your		4	Q. Did you remember it was my question.	
5	business." Is that correct?		5	A. Well, I'm answering part two of your question that's not	
6	A. If it's in the transcript, I probably said it, sir. I		6	asked yet, but yes.	
7	don't specifically recall.		7	Q. So you did remember that, right?	
8	Q. First I'm just asking if you remember it.		8	A. To repeat it a third time, yes.	
9	A. No, not offhand.		9	Q. Now, Ms. Conrad, do you remember that at the start of the	
10	Q. So let's look at the transcript on page 12. You are asked		10	voir dire in this case Judge Pauley explained the purpose of	
11	on line 13, "Do you own any stocks or bonds?"		11	voir dire?	
12	And you said to the Court on line 14, "None of your		12	A. I believe so, yes.	
13	business."		13	Q. Do you remember that he explained that voir dire means to	
14	Does that refresh your memory that when the Court		14	speak the truth. Do you remember that?	
15	asked a question about your ownership of stocks and bonds you		15	A. Yes, sir.	
16	said "none of your business"?		16	Q. And do you remember that Judge Pauley explained to you and	
17	A. Not specifically, but I see it written in front of me, so I		17	everybody else on the venire that that's precisely what you had	
18	must have said it.		18	just been sworn to do, to speak the truth.	
19	Q. But it was the Court's business, was it not?		19	A. Veneer, yes.	
20	A. That I -- I don't know.		20	Q. Do you remember that he explained to you that the purpose,	
21	Q. Why did you say "none of your business"?		21	the purpose of voir dire was to make sure that we have a jury	
22	A. It's probably what I felt at the time.		22	of citizens who will decide the issues in this case fairly and	
23	Q. Now, when Judge Pauley asked you or instructed you to take		23	impartially and without any bias or prejudice in favor of	
24	the oath so that he could ask you questions about your		24	either side or against either side. Do you remember saying	
25	financial situation, you refused to take the oath, is that		25	that?	

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.

C2FFDAU4	Conrad - direct	Page 141	C2FFDAU4	Conrad - direct	Page 143
1 A.	Exactly. Yes. And that's what we did.		1 Q.	Was it during the voir dire?	
2 Q.	So you knew from the outset of this trial that there was a		2 A.	I don't recall.	
3 connection between speaking the truth on voir dire and			3 Q.	Was it before you showed up for court the first day?	
4 ferreting out jurors who might have biases, didn't you, then?			4 A.	No, I don't think so.	
5 MR. OKULA: Objection, your Honor.			5 Q.	Was it after Judge Pauley told you that you had to speak	
6 THE COURT: Overruled.			6 the truth?		
7 A.	Can you please repeat that?		7 A.	I don't recall, sir.	
8 Q.	You understood based on what Judge Pauley told you in voir		8 Q.	In response to what question did you make the decision to	
9 dire that there was a connection between speaking the truth in			9 lie to the Court?		
10 answer to what you were being asked and the ability of the			10 A.	I didn't lie.	
11 Court to ferret out biases or other things that might make a			11 Q.	You did not lie?	
12 juror unsuitable?			12 A.	I omitted the fact that I was an attorney.	
13 A.	Yes, there is a nexus.		13 Q.	I just want to make sure I heard you right. You did not	
14 Q.	There is a nexus?		14 lie under oath, is that correct?		
15 A.	Mm-hmm.		15 A.	In my mind I didn't. I omitted the fact that I had a JD.	
16 Q.	And yet you deliberately decided to defy the Court, isn't		16 Q.	And that was not a lie in your mind?	
17 that correct?			17 A.	It was an omission.	
18 A.	If you want to mischaracterize it like that.		18 Q.	Is it a lie?	
19 Q.	I don't want to mischaracterize anything. I want you to		19 A.	You're the evidence professor.	
20 tell me whether you deliberately decided to mislead the Court			20 Q.	Did you lie to the Court --	
21 here.			21 A.	I omitted.	
22 A.	I did not reveal that I was an attorney.		22 Q.	Okay. So there's a distinction in your mind between	
23 Q.	That was not my question, ma'am.		23 omitting a truth and lying, is that correct?		
24 A.	Then please rephrase it.		24 A.	I'm not sure.	
25 Q.	Did you make a deliberate decision to lie to this Court?		25 Q.	Well, is the lie that you, or the omission that you	
C2FFDAU4	Conrad - direct	Page 142	C2FFDAU4	Conrad - direct	Page 144
1 A.	I did omit the fact that I had a JD.		1	remember an omission about being a lawyer?	
2 Q.	Was that the only fact you omitted?		2 A.	I don't know what that question means, sir.	
3 A.	No.		3 Q.	Well, let me try another question. Do you remember that	
4 Q.	We're going to come back to that, but right now I'd like to		4 the very first question that Judge Pauley asked you was where		
5 try to get an answer to my question. Did you make the			5 do you live.		
6 deliberate decision I'm going to lie to the Court?			6 A.	Yes. And we had to, I believe, state the county.	
7 A.	Not at first.		7 Q.	Okay, and in answer to the very first question that Judge	
8 Q.	Not at first.		8 Pauley asked you, you told a deliberate lie to Judge Pauley,		
9 A.	I --		9 isn't that true, ma'am?		
10 Q.	When did you make the deliberate decision that you were		10 A.	No. I don't know what you're talking about.	
11 going to lie to the Court?			11 Q.	Well, didn't you tell Judge Pauley that you lived in Bronx	
12 A.	It was omission.		12 Village in Westchester?		
13 Q.	So you did not tell any active lie to the Court, is that		13 A.	There is no such thing as Bronx Village.	
14 correct?			14 Q.	Well, that's what the transcript says. Did you tell Judge	
15 A.	I'm not really sure.		15 Pauley that you lived in Bronxville in Westchester?		
16 Q.	Is that because you don't remember what you said or because		16 A.	Yes.	
17 you don't know the difference between truth and lie?			17 Q.	And that's a lie, wasn't it?	
18 A.	Of course I know the difference, and the character		18 A.	No, it's my official address.	
19 assassination is, you know, well done, but the fact of the			19 Q.	Ma'am, Judge Pauley didn't ask you what your official	
20 matter is that you're here to discredit me and to discredit the			20 address is, he asked you where you live, right?		
21 fact that myself and eleven other jurors convicted your client			21 A.	Anyone can have more than one residence.	
22 across the board.			22 Q.	Did he ask you where you lived?	
23 Q.	Ms. Conrad, when did you make the deliberate decision to		23 A.	I don't remember the exact question. It might have been --	
24 lie to the Court?			24 Q.	no, it was, you had to give your county. No, he didn't ask.	
25 A.	I don't recall.		25 A.	No, I remember that.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 145	C2FFDAU4	Conrad - direct	Page 147
1	MR. GAIR: Your Honor, I move the admission of PMD		1	were living.	
2	Exhibit 2.		2	A. I sometimes stay in Bronxville as well.	
3	THE COURT: Any objection?		3	Q. And my question to you was on the day of voir dire when you	
4	MR. OKULA: No, your Honor.		4	woke up --	
5	THE COURT: PMD Exhibit 2 is received in evidence.		5	A. Oh, but that wasn't your question. The day of voir dire,	
6	(Exhibit PMD 2 received in evidence)		6	then that was in the Barker Avenue address, correct.	
7	Q. Let me ask you to direct your attention to page 203 of the		7	Q. Okay. How about on February 28th, the day before voir	
8	transcript. And I just want you to focus on lines 4 through 9.		8	dire. Where did you live on that day?	
9	Judge Pauley asked you, I think Ms. Conrad, Juror No. 3, that I		9	A. The same.	
10	was about to begin with you when we suspended yesterday. So		10	Q. The same what?	
11	first, would you tell us what neighborhood you reside in? And		11	A. Address.	
12	you answered Bronxville in Westchester. Is that correct?		12	Q. You lived on Barker Avenue in the Bronx?	
13	A. No, you're reading it in correctly. It says Bronx Village.		13	A. Yes, sir.	
14	Q. Okay, was your answer at the time Bronxville but possibly		14	Q. And we know you lived there on March 1 because that's the	
15	the court reporter got it down wrong?		15	first day of voir dire, right?	
16	A. Absolutely.		16	A. I'm not sure. I think March 1 was a Monday or a Tuesday.	
17	Q. So in answer to the question where you resided, you said		17	I'm not specifically sure.	
18	you resided in Bronxville, that's in Westchester County,		18	Q. In fact, ma'am, you had lived on Barker Avenue in the Bronx	
19	correct?		19	for the past two years at least, correct?	
20	A. Yes.		20	A. Oh, sure.	
21	Q. And you don't reside in Bronxville in Westchester County,		21	Q. Oh, sure.	
22	isn't that correct?		22	A. And this has everything to do with why Mr. Daugerdas, your	
23	A. No.		23	client, is guilty or not?	
24	Q. No, it's not correct?		24	Q. And when the Judge said where do you reside, you made a	
25	A. I have two addresses.		25	deliberate decision to tell the judge that you resided in	
C2FFDAU4	Conrad - direct	Page 146	C2FFDAU4	Conrad - direct	Page 148
1	Q. Let me ask you this: When you woke up on the morning of		1	Bronxville as opposed to on Barker Avenue in the Bronx,	
2	March 1 of 2011 and you got out of bed and you walked out the		2	correct?	
3	front door, were you on Barker Avenue in the Bronx?		3	A. That -- both are correct.	
4	A. That's confidential.		4	Q. So you were not trying to mislead this Court when you said	
5	Q. Or were you in Bronxville in Westchester?		5	I live in -- I live in Bronxville in Westchester County?	
6	A. Same answer.		6	A. And myself and the other eleven jurors did not mislead this	
7	THE COURT: It's not confidential. I'm directing you		7	Court when we rendered our fair and just and unbiased verdict.	
8	to answer the question.		8	MR. GAIR: Move to strike as non-responsive, your	
9	A. Barker.		9	Honor.	
10	Q. Because that's where you live.		10	THE COURT: Application granted.	
11	A. And what does this have to do with convicting your client?		11	Q. Okay, Ms. Conrad, the fact is -- let me just get a little	
12	Q. Ma'am --		12	background. Do you live with your husband?	
13	A. I--		13	A. Yes.	
14	Q. Do you -- the truth of the matter is that you lived on		14	Q. Your husband is a career criminal, right?	
15	March 1 and 2nd and every other day in March of 2011, you lived		15	A. So are most attorneys.	
16	at 2385 Barker Avenue, apartment 3H in the Bronx, isn't that		16	Q. And, Ms. Conrad, your father is an immigration judge for	
17	correct?		17	the United States Department of Justice?	
18	A. No.		18	A. DOJ.	
19	Q. What days did you not live there?		19	Q. Yeah. Are you trying to tell me that sometimes you and	
20	A. Probably the beginning of March.		20	your husband, the convicted felon, are living with your father?	
21	Q. At the beginning of March you did not live in, you did not		21	A. Love has no bounds.	
22	live in the Bronx?		22	Q. So do sometimes you and your husband live in the Bronx?	
23	A. That's my address and I also have a Westchester address,		23	A. We don't sleep in the same bedroom as my parents, sir.	
24	sir.		24	Q. Do you sometimes sleep in the Bronx with your husband, same	
25	Q. I didn't ask what your addresses were. I asked where you		25	house?	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU4	Conrad - direct	Page 149	C2frda5	Conrad - direct	Page 151
1	A. I hope so.		1	Yes, that's the date it was signed and notarized.	
2	Q. Let me --		2	Q. This was a statement that was sworn by you before you	
3	A. These are semantics, sir. Your client is still guilty as		3	submitted it to the First Department, correct, before you	
4	charged with our verdict, and that's it.		4	submitted it to the disciplinary authorities?	
5	Q. Well, I think --		5	A. Yes, sir.	
6	A. Myself and eleven other unbiased jurors determined that.		6	Q. They asked you the same question Judge Pauley asked you	
7	Q. Do you have a better handle on what the word "bias" means		7	three or four days later, didn't they?	
8	than you do on what the word "irrational" means?		8	A. I'm not specifically sure.	
9	A. Absolutely. I've been a plaintiff and a defendant and I've		9	Q. Let's look at the second page. Page 2, item number 2, asks	
10	also represented plaintiffs and defendants.		10	for your residence, and it says, "I reside at 2385 Barker	
11	Q. Okay. So is it your testimony that you resided at both		11	Avenue, apartment 3H, Bronx, New York, 10467," correct?	
12	places, both the Bronx and Bronxville, when you were questioned		12	A. Yes.	
13	on voir dire on March 1?		13	Q. When you were asked that question on February 26th, the	
14	A. If that was the date, yes.		14	date you executed the affidavit, you lived on Barker Avenue in	
15	(Continued next page)		15	the Bronx, but a few days later, on March 2nd, when Judge	
16			16	Pauley asked you the identical question, you resided in	
17			17	Bronxville in Westchester, correct?	
18			18	A. Yes, I answered that, correct.	
19			19	Q. Why?	
20			20	A. Because I just thought of myself having two residences.	
21			21	Q. Why didn't you put them both down?	
22			22	A. I really don't know. At that time I don't know.	
23			23	Q. Why did you put the Bronx down on one and tell Judge Pauley	
24			24	Bronx Village on the other.	
25			25	A. Bronxville.	
C2frda5	Conrad - direct	Page 150	C2frda5	Conrad - direct	Page 152
1	Q. Look at the heading "March 2nd." Do you see the heading on		1	Q. Bronxville.	
2	the transcript "March 2, 2011"?		2	A. Probably because it was a little more reputable.	
3	A. Oh, yes.		3	Q. Were you embarrassed by living in the Bronx?	
4	Q. You were asked where you resided, and you said you resided		4	A. No.	
5	in Bronxville, but you actually resided in two places?		5	Q. What does the fact that Bronxville is more reputable than	
6	A. Both, yes.		6	the Bronx have to do with anything?	
7	Q. You resided both places, I see. Now, you filed two days		7	A. The average household income.	
8	earlier a sworn affidavit with the First Department		8	Q. Why did it matter to you that you portray yourself in this	
9	disciplinary committee, is that correct?		9	court as living in a more affluent area than you actually lived	
10	A. Yes. I don't know if it was two days prior, but around		10	in?	
11	there.		11	A. You're from Chicago. You don't really know that. So I	
12	Q. They asked you where you lived, didn't they?		12	don't know how to answer your question.	
13	A. I don't specifically recall.		13	Q. You don't know how to answer my question because you don't	
14	Q. Let's see if we can help.		14	know what I don't know?	
15	A. Thank you.		15	A. I don't know how to answer that even.	
16	Q. If you would look at Exhibit 21, tab 21 in your book. Is		16	Q. That I'm not surprised by.	
17	this the affidavit you filed in support of your application to		17	MR. OKULA: Objection, your Honor.	
18	be reinstated to the practice of law?		18	THE COURT: Sustained. Put a question to the witness.	
19	A. It seems to be, yes, sir.		19	The last question was unanswerable.	
20	Q. Was it filed on February 28th in the Supreme Court		20	Q. Ms. Conrad, was it your intention to portray yourself to	
21	Appellate Division First Department?		21	this Court as living in a more affluent area than you actually	
22	A. Yes.		22	lived in?	
23	Q. Was the affidavit executed by you two days earlier, on		23	A. No, not really. No, I never thought of it like that.	
24	February 26th?		24	Q. Isn't that what you just said?	
25	A. Let me get there. If that's the date I signed, it is.		25	A. Bronxville is an affluent community. My parents are there,	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau5	Conrad - direct	Page 153	C2frdau5	Conrad - direct	Page 155
1	I'm from there. I live there sometimes. I live at my Bronx		1	A. I did not wake up in Bronxville that day, probably not.	
2	address also.		2	Q. So you told a deliberate lie that day, correct?	
3	Q. Ma'am, my question is, did you say that you lived in		3	A. No.	
4	Bronxville in order to portray yourself as living in a more		4	Q. Was it an accidental misstatement?	
5	affluent community than you actually live in?		5	A. No.	
6	A. No, not specifically, no.		6	Q. Was it an oversight?	
7	Q. When you said a few minutes ago that the reason that you		7	MR. OKULA: Judge, we have been through this several	
8	gave the Bronxville address was because it was a little bit		8	times.	
9	more of an affluent community, that wasn't true?		9	THE COURT: Overruled.	
10	A. My statement was true, but you're twisting it, obviously.		10	A. No. I consider myself having two residences.	
11	Q. Why don't you tell me why, having sworn to the bar		11	Q. Then why didn't you tell the truth when you were asked that	
12	authorities on February 26th that you lived in the Bronx, you		12	question?	
13	swore to Judge Pauley on March 2nd that you lived in		13	A. I did.	
14	Bronxville. Tell us why.		14	Q. Did you say, I have two residences and, by the way, I've	
15	A. I consider myself living in both places.		15	been on both sides of criminal cases? Did you say that?	
16	Q. Why didn't you tell the Court that you lived both places?		16	A. I wasn't asked that, sir.	
17	A. Probably so I would be more marketable as a juror.		17	Q. We'll come to that. Did you say that you had two	
18	Q. Have you done any jury trials as a lawyer?		18	residences?	
19	A. Nonjury. No. One a few years ago.		19	A. No.	
20	Q. Why did you want to be more marketable as a juror?		20	Q. Did you tell the disciplinary authorities that you had two	
21	A. Because I knew I could be fair and unbiased. As I did		21	residences?	
22	mention a few minutes ago, I've been a plaintiff and a		22	A. They know.	
23	defendant on both the civil and the criminal sides, and I have		23	Q. Did you tell the disciplinary authorities in your affidavit	
24	also represented plaintiffs and defendants on both sides, and		24	that you resided in Bronxville?	
25	been unemployed, out of the courtroom. And I had never had a		25	A. Not in this one.	
C2frdau5	Conrad - direct	Page 154	C2frdau5	Conrad - direct	Page 156
1	tax shelter case or experience with tax law, and I knew I could		1	Q. Not in this one. Do you remember that a couple of years	
2	be an unbiased juror.		2	before this you were sworn to give a deposition under oath?	
3	Q. Because you knew that you could be an unbiased juror, you		3	A. March 24, 2009.	
4	decided to lie to get on a jury, is that right?		4	Q. You do remember, don't you.	
5	A. Probably subconsciously.		5	A. Yes, I do.	
6	Q. Subconsciously, Ms. Conrad, you wanted to do something		6	Q. You were asked where you lived, weren't you?	
7	worthwhile, is that right?		7	A. Probably.	
8	MR. OKULA: Objection to the form, your Honor.		8	Q. You said, truthfully, that you lived on Barker Avenue in	
9	THE COURT: Overruled.		9	the Bronx, didn't you?	
10	A. I don't know how you can characterize "worthwhile." If		10	A. I don't recall specifically.	
11	it's sending a -- rendering a verdict which I felt was just,		11	Q. Ma'am, you've lived on Barker Avenue in the Bronx for many	
12	then I can agree with you. But if there's something ulterior		12	years, isn't that true?	
13	to your question, I don't know how to answer that.		13	A. Sure.	
14	Q. When you started just then to say "sending a" and then you		14	Q. And every one of your neighbors on the third floor knows	
15	stopped, were you going to say sending a criminal to jail? Is		15	who you are, don't they?	
16	that what you were about to say?		16	A. Probably.	
17	A. No.		17	Q. Because you and your husband are constantly, every day and	
18	Q. You wanted to be part of the process, didn't you, ma'am?		18	night, engaged in screaming and fights and insults and threats,	
19	A. Sure.		19	right?	
20	Q. You wanted to be part of this process so badly that you		20	MR. OKULA: Objection, your Honor. Relevance.	
21	made yourself look like a different juror than you were,		21	THE COURT: Overruled.	
22	different person than you were?		22	A. Probably.	
23	A. That's not for me to judge.		23	Q. Yeah, probably. The police are there all the time, aren't	
24	Q. Can we agree that you lied about where you resided on March		24	they?	
25	2nd?		25	A. No.	

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

C2frdau5	Conrad - direct	Page 157	C2frdau5	Conrad - direct	Page 159
1	Q. How often do the police come to your apartment?		1	were telling the truth or lying to determining whether	
2	A. The last time someone came to my apartment was when the		2	witnesses were telling the truth or lying?	
3	marshals served me to come here back in December.		3	A. That's a nice spin on it.	
4	Q. When was the last time a New York police officer came to		4	Q. Do you have an answer to it?	
5	your apartment?		5	A. After all the evidence in the trial, it was overwhelming,	
6	A. Maybe three, four years ago.		6	and our verdict was a true, unbiased, fair verdict.	
7	Q. So, you have been living there for at least three or four		7	Q. So the end justifies the means, is that right?	
8	years, right?		8	MR. OKULA: Objection, your Honor.	
9	A. Haven't we established this?		9	THE COURT: Sustained as to form.	
10	Q. I guess we have, ma'am. Have we established that you told		10	Q. Let me try one more time. Did you apply your personal	
11	this lie on purpose?		11	sense of truthfulness to your evaluation of the witnesses who	
12	A. No.		12	testified in this case?	
13	Q. Let's move on to the next question you were asked. You		13	A. I believe all 12 of us jurors did.	
14	told a deliberate lie in response to that question, did you		14	Q. I didn't ask about anybody but you. Did you apply your	
15	not?		15	personal sense of truthfulness to evaluating the witnesses that	
16	A. You didn't ask me a question. What are you talking about,		16	you heard in this case?	
17	sir?		17	A. I can say so.	
18	Q. Let's look at again page 203, lines 10 through 12.		18	Q. You agree with me that when you said you had lived in	
19	A. Of what exhibit? I'm sorry.		19	Bronxville your whole life, that was not true, correct?	
20	Q. Exhibit number 2.		20	A. I've lived many places. That is my permanent residence	
21	A. OK.		21	and -- the horse is dead.	
22	Q. The second question Judge Pauley asked you was, "How long		22	Q. Did you make a deliberate decision to say that you lived	
23	have you lived at your current address?" and your answer was,		23	there your whole life when in fact you had lived in the Bronx	
24	"My whole life"?		24	or Brooklyn or other places?	
25	A. That's correct.		25	A. Please repeat it. I didn't say Brooklyn on voir dire.	
C2frdau5	Conrad - direct	Page 158	C2frdau5	Conrad - direct	Page 160
1	Q. Now, ma'am, am I right in thinking that that was a lie?		1	Q. You have lived various places in your life, have you not?	
2	A. No.		2	A. Oh, yes.	
3	Q. Had you lived in Bronxville your whole life?		3	Q. That statement that you just made, "oh, yes," is	
4	A. It's my permanent address my whole life. I went to school		4	inconsistent with the statement that you made to Judge Pauley	
5	in Boston, I went to school in Brooklyn, I studied abroad for		5	when he asked how long have you lived in Bronxville?	
6	two summers in Israel. That has been my permanent address,		6	A. I consider it my whole life because that is my other	
7	sir.		7	residence and that's my permanent residence.	
8	Q. When Judge Pauley asked you how long you have lived at your		8	Q. Then the Court asked you, "Do you own or rent?" So we have	
9	current address, you said your whole life, correct?		9	two questions. You were asked where you lived, and you didn't	
10	A. I just said that, correct.		10	tell the truth about that. You were asked how long you lived	
11	Q. OK. We have established that you live on a day-to-day		11	there --	
12	basis on Barker Avenue and that you have for years, right?		12	A. That's your interpretation.	
13	A. Correct.		13	Q. OK. And you didn't tell the truth about that either.	
14	Q. So you lied to the judge?		14	Let's go to the third question, "Do you own or rent?" You said	
15	A. I consider myself having two residences.		15	"We own."	
16	Q. Let me try and ask a more specific question. If a person		16	A. That was a lie, to skip questions 10 to a hundred.	
17	were to say "Where do you live?" and you were to say a place		17	Q. That was a lie, too?	
18	where you do not live on a regular basis as the answer to that,		18	A. Correct.	
19	do you consider that to be a lie?		19	Q. Why did you tell it?	
20	A. I consider your hypothetical a little silly.		20	A. I thought I would seem more juror marketable (gesturing).	
21	Q. It's actually what happened, right? Let me ask you this.		21	Q. You really wanted to be on this jury?	
22	Do you understand that the main job of a juror is to determine		22	A. Yeah. I knew I could do a fair, unbiased job.	
23	who is telling the truth and who is lying?		23	Q. Seems like a strange way to start, by lying, doesn't it?	
24	A. Of course.		24	MR. OKULA: Objection.	
25	Q. Did you apply that same acumen in determining whether you		25	THE COURT: Sustained.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau5	Conrad - direct	Page 161	C2frdau5	Conrad - direct	Page 163
1 Q. Had it occurred to you when you were telling these lies 2 that it was an odd way to start service as a juror, to lie to 3 the Court? 4 A. I don't know. 5 Q. You don't remember whether it occurred to you or not? 6 A. It's a weird question, sir. 7 Q. It's a weird answer, ma'am. 8 MR. OKULA: Objection, Judge. 9 THE COURT: Sustained. Please put a question to the 10 witness. 11 Q. Ma'am, was it a deliberate lie? Did you know you were 12 lying when you said it? 13 A. Yes. 14 Q. Then the judge asked you "Who are the other members of your 15 household?" You said, "I live with my husband. He's retired 16 at the present time," correct? 17 A. Yes. 18 Q. That was true, that you lived with your husband, correct? 19 A. Yes. 20 Q. But you never lived with your husband at the address you 21 had given, correct? 22 A. I didn't give any address on voir dire. 23 Q. You never lived with your husband at your parents' house in 24 Bronxville, did you? 25 A. No, no.	1 that date? 2 A. Maybe 25. I'm not really sure. 3 Q. What was the truthful answer to "What is he retired from," 4 ma'am? 5 A. Being a businessman. 6 Q. When was the last time he was a businessman? 7 A. I guess maybe 20 years ago. 8 Q. What he was actually retired from was being a criminal, 9 right? 10 A. Please. 11 Q. Well -- 12 A. I don't understand your question. 13 Q. What has your husband done since he left the New Jersey 14 penitentiary in 2004? 15 A. He's been a very faithful, good husband. 16 Q. Has he had a job? 17 A. No. 18 Q. Did you think that you were misleading the Court by saying, 19 in answer to the question "What is he retired from," "He owns 20 some bus companies"? 21 A. Owned. 22 Q. That's not what the transcript says. But let's say you 23 said "owned." Did you think you were misleading the Court when 24 the judge said, "What is he retired from?" and you said, "He 25 owned some bus companies"?				
C2frdau5	Conrad - direct	Page 162	C2frdau5	Conrad - direct	Page 164
1 Q. So, you created a false impression that you and your 2 husband owned a house there, correct? 3 A. I don't know what the judge's impression was. 4 Q. You were trying to create a false impression that you and 5 your husband were homeowners who owned a house and lived in 6 Bronxville, correct? 7 MR. OKULA: Objection, your Honor. I don't think 8 there is anything mentioned about a house there. 9 THE COURT: Overruled. 10 A. I don't know. 11 Q. You told the juror that he was retired, and the Court said, 12 "What is he retired from?" 13 A. Yes. 14 Q. You said he owned some bus companies? 15 A. Bus companies, yes. 16 Q. What bus companies does he own? 17 A. That was 30 years ago. My husband is 21 years older than I 18 am. Somewhere in Jersey. 19 Q. Do you know the name of a bus company? 20 A. Chinese ones that explode on I-95. I don't know. No, not 21 really. 22 Q. You said he owns some bus companies. Did he own any bus 23 companies at the time of the voir dire? 24 A. Oh, no, no. 25 Q. He had not owned any bus companies for some 30 years before	1 A. No, of course not. 2 Q. That wasn't misleading at all? 3 A. No. 4 Q. Did you apply that same standard of what is or is not 5 misleading in acquitting your function as a juror? 6 A. I don't really know what your question means. 7 Q. My question means you have an idea of what is misleading 8 and what is not misleading, right? 9 A. Of course. 10 Q. You think that what you said here about the bus companies 11 is not misleading, correct? 12 A. Not at all. Maybe it's a transcription, "own" or "owned." 13 That's it. 14 Q. In fact, did you apply that same standard in your mind of 15 what is or is not misleading in evaluating the evidence in this 16 case? 17 A. Of course we had to, and I had to, and I did. 18 Q. Then the Court asked you, "Do you work outside the home?" 19 And you answered, "No, I'm a stay-at-home wife," right? 20 A. Correct. 21 Q. Then the Court asked you, "Do you have any children," and 22 you said, "No." 23 A. I should have said that I know of. But no, you're correct. 24 Q. Then the judge said, "What is the highest level of 25 education you have attained?"				

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frda5	Conrad - direct	Page 165	C2frda5	Conrad - direct	Page 167
1	A. Sir, are we still on 203?		1	Q. Because you suspected that it would stop you from getting	
2	Q. Yes.		2	on the jury, you made a deliberate decision, having sworn an	
3	A. All right.		3	oath to tell the truth, you made a deliberate decision to lie	
4	Q. Actually, it goes over to 204.		4	to this Court?	
5	A. OK, thank you. Yes.		5	A. I don't know if I was sworn at that point, but I did not	
6	Q. Did you have any trouble understanding the question that		6	reveal the fact that I had a JD and was an attorney.	
7	Judge Pauley asked you?		7	Q. No, no, that's not the question I asked. The question I	
8	A. Not at all.		8	asked is, did you make a deliberate decision to lie to the	
9	Q. Did you know that Judge Pauley was going to ask you that		9	Court?	
10	question or something very like it?		10	A. Are we getting into the semantics of omissions again?	
11	A. Yes, because the prior day the same questions were asked of		11	Q. Did you make a deliberate decision to lie to the Court	
12	the other potential jurors.		12	about your highest level of education?	
13	Q. When did you make the decision about how you were going to		13	A. Yes.	
14	answer that question? Was it right then when he asked you or		14	Q. Did you do that because you believed that otherwise you	
15	was it before then?		15	would not be permitted to be on this jury?	
16	A. I think it was during the break between the two days.		16	A. Yes.	
17	Q. Can you remember how you reached the conclusion that you		17	Q. So it was your idea to thwart the voir dire process by	
18	should tell a lie in answer to that question?		18	telling the Court something that wasn't true about your	
19	A. Because I knew that anybody with a JD or legal experience		19	background?	
20	would be bounced.		20	A. I guess if you want to characterize it that way.	
21	Q. That's because there were lawyers who were on trial, right?		21	Q. You said, "I have a BA in English literature in classics	
22	A. I don't think the jury knew at that point that there were		22	and I studied archeology abroad," right?	
23	attorneys on trial. I'm not sure. I'm not sure.		23	A. Correct.	
24	Q. You knew, because Judge Pauley summarized the charges for		24	Q. Did you remember at that moment that you studied law at the	
25	you before the voir dire started, that there were lawyers on		25	Brooklyn Law School?	
C2frda5	Conrad - direct	Page 166	C2frda5	Conrad - direct	Page 168
1	trial charged with tax fraud in connection with a tax shelter		1	A. Of course.	
2	scheme, didn't you?		2	Q. At any point after you told these lies about your	
3	A. Yes, I remember now, yes.		3	residence, about how long you lived there, about your owning	
4	Q. Now that you remember, you knew that there's no way that a		4	your place, about your highest level of education, at any time	
5	lawyer would be left on a jury to decide the conduct of lawyers		5	did you think to yourself, wow, what I just did was wrong?	
6	who were being charged with a crime, right?		6	A. Of course I knew it was wrong.	
7	A. No, I didn't know that.		7	Q. But did you think to yourself, what I just did was wrong?	
8	Q. Didn't you just say that?		8	A. You just asked me that question.	
9	A. I didn't know that for a fact.		9	Q. And I'm asking it again because I didn't get an answer.	
10	Q. Did you strongly suspect that you would not be allowed to		10	Did you think that?	
11	sit on the jury if you revealed that you were a lawyer?		11	A. Yes.	
12	A. Of course.		12	Q. How many times did you think that?	
13	Q. That was connected, was it not, to the fact that there were		13	A. I really don't know, sir.	
14	lawyers on trial here, right?		14	Q. Was it present in your mind throughout the trial that you	
15	A. No, no. In any jury nobody wants an attorney. A jury		15	had lied in order to get on the jury?	
16	trial does not want an attorney sitting as a juror.		16	A. Probably.	
17	Q. If you were trying a case as a lawyer, you wouldn't want an		17	Q. Did you tell other people that you had lied to get on the	
18	attorney on your jury either, would you?		18	jury?	
19	A. That's incorrect.		19	A. I don't think so, not that I recall.	
20	Q. So you're not included in the "no one" you just referred		20	Q. Did you tell other people that you had concealed things to	
21	to?		21	get on the jury?	
22	A. I'm not sure.		22	A. I don't think so.	
23	Q. Didn't you just say no one would want an attorney on their		23	Q. Did you tell other people you were a lawyer?	
24	jury?		24	A. I don't know how to construe your question. But if your	
25	A. That generally seems to be the trend, yes.		25	question is did the other jurors know that I was an attorney,	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau5	Conrad - direct	Page 169	C2frdau5	Conrad - direct	Page 171
1	the answer is no.		1	no one asked you about being a lawyer?	
2	Q. How did you explain the note about respondeat superior?		2	A. Sir, that's posing the quantum theory if the tree doesn't	
3	A. Common knowledge. Actually, I didn't have to explain it.		3	fall and nobody sees it. No, of course the answer is no.	
4	I just handed it to Juror No. 2, who was our forewoman, and she		4	Q. Do you believe that you lied to the Court about being a	
5	submitted it to the Court.		5	lawyer?	
6	Q. When you were deliberating in this case, did you have it		6	A. I know I omitted that very pertinent fact.	
7	present in your mind that you had lied to get on to this jury?		7	Q. Do you believe that was a lie?	
8	A. I don't think I'm supposed to answer questions about jury		8	A. Yes.	
9	room deliberations, sir.		9	Q. Do you believe that it was the Court's fault for not asking	
10	THE COURT: You can answer that question.		10	you whether you were a lawyer?	
11	A. Could you please restate it.		11	A. No, of course not.	
12	Q. When you were deliberating in this case, did you have it		12	Q. No, because if you had told the Court that you went to law	
13	present in your mind that you had lied to get on the jury?		13	school, you would have been asked, right?	
14	A. No, no.		14	A. I would have been asked or axed, like they would have axed	
15	Q. Between the time when you told the lies and the time you		15	me from the jury?	
16	rendered your verdict, when did you stop having it present in		16	Q. Let me pose a different question. In voir dire when you	
17	your mind thinking about the fact that you had lied to get on		17	were being asked specific questions, did you tell the judge	
18	the jury?		18	anything that was true besides your admiration for Lynn Swann,	
19	A. Oh, sir, I don't know.		19	the fact that you have no children? Did you tell him anything	
20	Q. Was it when we were cross-examining witnesses and exposing		20	that was true?	
21	untruths that they had told?		21	A. Of course.	
22	A. I don't have a time estimate for it.		22	Q. What?	
23	Q. Do you remember when Mr. Shanbron was on the witness stand?		23	A. I have a BA in English literature.	
24	A. Shanbron, yes.		24	Q. OK.	
25	Q. Do you remember what a liar he was?		25	A. And I studied archeology abroad. And I consider my	
C2frdau5	Conrad - direct	Page 170	C2frdau5	Conrad - direct	Page 172
1	A. I'm not the judge.		1	residence in Bronxville, not Bronx Village. There were only	
2	Q. Do you remember at that time thinking, wow, I've told lies		2	seven questions that were posed, I believe.	
3	just like he did?		3	Q. You told the truth in just about all of them, right?	
4	A. No, I never thought that.		4	A. You have to qualify your question, because there were	
5	Q. When the marshals came out to serve you with an order on		5	questions that were asked to the jury panel as a whole and then	
6	December 15th to tell you to come to court, did you tell the		6	individually. I revealed the fact that -- well, whatever you	
7	marshals that you had lied about not being a lawyer?		7	said before.	
8	A. Will you please restate the question.		8	Q. One question we haven't covered there on page 204 is the	
9	9		9	last question. That question is, "The Court: All right. Is	
10	Q. Yes, I can. Do you remember when the marshals came out to		10	there anything you think it would be important for us to know	
11	serve you at your house?		11	about you in making a decision as to whether you should serve	
12	A. Yes, of course.		12	as a juror in this case?" Do you remember him asking that	
13	Q. By the way, was that on Barker Avenue?		13	question?	
14	A. Yes.		14	A. Absolutely.	
15	Q. When they came out to serve you, did you tell them, I think		15	Q. You said, "If the trial lasts more than three months, I'm	
16	I know what this is about?		16	still available."	
17	A. Oh, first I told them we have cats, and if you're allergic,		17	A. Correct.	
18	stay outside. But specifically I don't really recall what I		18	Q. Because you really wanted to be on this jury?	
19	said.		19	A. And I was available.	
20	Q. Do you recall telling them that in your view you had not		20	Q. You said it because you really wanted to be on this jury,	
21	lied, because no one asked you about whether or not you were a		21	right?	
22	lawyer?		22	A. I can't pinpoint at that time. I'm sorry.	
23	A. I don't recall. They were there for maybe a minute handing		23	Q. Did you think that there was nothing else that was	
24	me the subpoena, and that was about it.		24	important for us to know about you in making a decision as to	
25	Q. At any time since last August, have you thought, have you		25	whether you should serve as a juror?	

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

C2frdau5	Conrad - direct	Page 173	C2frdau5	Conrad - direct	Page 175
1	A. I'm sorry. Are you reading from the transcript?		1	A. I answered the question.	
2	Q. Just asking you a question.		2	Q. Did you think it would be important for us to know that?	
3	A. Oh.		3	A. No, because remission is remission.	
4	Q. When you said that the only thing you thought was relevant		4	THE WITNESS: And I don't think this is the proper	
5	for us to know was that you were willing to serve three months		5	forum to me to give a blank HIPAA authorization for the world,	
6	or more, did you think there was anything else that we might be		6	Judge.	
7	interested in?		7	Q. Let me just ask my questions and go from there. Your	
8	A. Of course. The fact that I had a JD.		8	belief was it would not have been of any relevance to us to	
9	Q. The fact that the Appellate Division had found in December		9	know that you were an alcoholic, is that right?	
10	2007 that your conduct "evinces a shocking disregard for the		10	A. However you want to characterize it.	
11	judicial system," would that have been relevant?		11	Q. Would it have been of any relevance to the Court, do you	
12	A. No, because it's boilerplate in the First Department to say		12	think it would have been of importance to the Court to know	
13	that.		13	that you had been suspended from the practice of law on grounds	
14	MR. GAIR: Your Honor, at this point I move the		14	of disability by reason of mental or physical infirmity?	
15	admission of PMD Exhibit 14, which is the December 18, 2007		15	A. Do I think it would have been important?	
16	report.		16	Q. Yes.	
17	THE COURT: Any objection?		17	A. It's not the truth. It's the boilerplate First Department	
18	MR. OKULA: No, your Honor.		18	renderings.	
19	THE COURT: PMD Exhibit 14 is received in evidence.		19	MR. GAIR: Your Honor, I move the admission of PMD	
20	(Exhibit PMD 14 received in evidence)		20	Exhibit 20, which is the Supreme Court Appellate Division's	
21	Q. Whether or not you think it is boilerplate, do you think		21	order of December 9, 2010, Presiding Justice Sachs, Justices	
22	that I might want to know that an appellate panel had found		22	Friedman, Sweeney, Nardelli, and McGuire.	
23	that your conduct evinces a shocking disregard for the judicial		23	MR. OKULA: No objection, your Honor.	
24	system?		24	THE COURT: PMD Exhibit 20 is received in evidence.	
25	A. If you take the boilerplate language literally.		25	(Exhibit PMD 20 received in evidence)	
C2frdau5	Conrad - direct	Page 174	C2frdau5	Conrad - direct	Page 176
1	Q. Do you think Judge Pauley would have wanted to know that?		1	MR. GAIR: Your Honor, I'd also like to offer PMD 17,	
2	A. Of course.		2	which is the March 29, 2009, testimony of Catherine Conrad in	
3	Q. But you didn't tell him that, did you?		3	the Supreme Court Appellate Division departmental disciplinary	
4	A. No.		4	committee.	
5	Q. Did you think that we might want to know that you had		5	MR. OKULA: No objection.	
6	suffered from a terrible disease of alcoholism for more than a		6	THE COURT: PMD Exhibit 17 is received in evidence.	
7	decade? Did you think we might want to know that?		7	(Exhibit PMD 17 received in evidence)	
8	A. That's your twist on it.		8	Q. Now, you told the disciplinary committee in March of 2009	
9	Q. Do you suffer from alcoholism?		9	that you were an alcoholic, correct?	
10	A. One's never cured.		10	A. I'm not sure of my specific words, sir.	
11	Q. Have you suffered from alcoholism for more than a decade?		11	Q. If you look at Exhibit 17, page 54, line 3, the question	
12	A. I don't know.		12	was asked of you, "Have you been diagnosed by any doctor or any	
13	Q. Have you been in and out of treatment programs?		13	facility as an alcoholic?	
14	A. Yes, I did.		14	"A. Yes, and I have pancreatitis."	
15	Q. Have you admitted under oath you're an alcoholic?		15	Was that the question and did you give that answer	
16	A. I'm not sure.		16	under oath?	
17	Q. Are you an alcoholic?		17	A. Yes, sir.	
18	A. Probably.		18	Q. The pancreatitis in fact is related to alcoholism?	
19	Q. Do you think that we would have wanted to know, that the		19	A. Yes.	
20	Court would have wanted to know, that you had suffered from		20	Q. Did you think it would be important for the Court to know,	
21	alcoholism?		21	in judging your fitness as a juror, that your first attempt to	
22	A. I'm not the Court. I can't judge that.		22	be reinstated to the practice of law was rejected by the court	
23	Q. I'm asking you what you think. The Court asked you a		23	after you had submitted a psychiatric evaluation?	
24	question, which was, "Is there anything else you think it would		24	A. Your chronology of events doesn't make sense, first of all.	
25	be important for us to know?"		25	And the answer to the question is no.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frda5	Conrad - direct	Page 177	C2frda5	Conrad - direct	Page 179
1	Q. Did you attempt to be reinstated to the practice of law 2 before February of 2011?		1	Q. 2½ years before February of 2011 would have been --	
3	A. I submitted my reinstatement papers, which we have already 4 gone over, on February 28th, and they were signed on February 5 26th of 2011.		2	A. August 2009.	
6	Q. Before that, though, you had tried to be reinstated a 7 couple of years earlier, right?		3	Q. No, that would have been August 2008. 2½ years before	
8	A. I was suspended indefinitely.		4	February of 2011?	
9	Q. You tried to be reinstated, saying that your alcoholism was 10 in remission, right?		5	A. Yes, you're correct.	
11	A. The chronology of it is that you have to formally submit 12 the reinstatement documents, which happened on February 28, 13 2011. I did not submit any reinstatement documents before that 14 time.		6	Q. You were not abstinent from August 2008 on, were you, 7 ma'am?	
15	Q. Let's go to this reinstatement petition, which is 16 Exhibit 21, which I believe is already in evidence. Can you 17 look at Exhibit 21. In particular I'd like you to look at 18 Exhibit 4 to that submission, which is a report from Dr. Warren 19 Seligman.		8	A. No.	
20	THE WITNESS: Judge, do I have to go through this in 21 open court?		9	Q. In fact, you got kicked out of a treatment program in 10 August 2009 because you were drinking, correct?	
22	THE COURT: Yes. I have ruled on that. I'm directing 23 you to answer. I overruled your counsel's application.		11	A. It was either 2008 or 2009. I'm not specifically certain 12 on that.	
24	Q. Do you see Dr. Seligman's report?		13	Q. Let's see if we can help you on that. Exhibit Number 29, 14 if you would.	
25	A. Yes, sir.		15	MR. GAIR: Your Honor, I move the admission of PMD 16 number 29, which is a multipage document relating to a case 17 called the People of the State of New York v. Catherine M. 18 Rosa?	
			19	THE COURT: Any objection?	
			20	MR. OKULA: No objection, your Honor.	
			21	THE COURT: PMD Exhibit 29 is received in evidence. (Exhibit PMD 29 received in evidence)	
			22	Q. Do you sometimes go by the name of Catherine Rosa?	
			23	A. Socially.	
			24	Q. When you were arrested for petit larceny in 2009, did you	
C2frda5	Conrad - direct	Page 178	C2frda5	Conrad - direct	Page 180
1	Q. You submitted this report as part of your petition for 2 reinstatement, correct?		1	give the name to the police Catherine Rosa?	
3	A. Yes.		2	A. Yes, sir.	
4	Q. Did you review the report before you submitted it?		3	Q. If you look at page 4, a number at the lower right-hand 4 corner of the document says 16-4. It's a report from the 5 Westchester Department of Community Mental Health. Do you see 6 that?	
5	A. Yes.		7	A. Yes.	
6	Q. Did you write the report or did he?		8	Q. You were receiving treatment at the Maxwell Institute?	
7	A. I think it was a combination of him and my attorney.		9	A. Yes. It was part of St. Vincent's, yes.	
8	Q. Him and your attorney wrote the report?		10	Q. Maxwell Institute reported in October of 2009 that you were 11 negatively discharged from the program in August 2009 due to 12 ongoing use of alcohol?	
9	A. Mm-hm.		13	A. Yes, that's true.	
10	Q. If you would look on the second page of Dr. Seligman's 11 report, it says near the bottom of the middle paragraph, "She 12 has taken the appropriate and effective actions to help 13 herself." Do you see that?		14	Q. You were recommended for a higher level of care, correct?	
14	A. Which paragraph, sir?		15	A. That's what the report says.	
15	Q. The middle paragraph, the third paragraph on the second 16 page.		16	Q. Were you recommended for a higher level of care?	
17	A. Oh, yes.		17	A. No.	
18	Q. "She has taken the appropriate and effective actions to 19 help herself," correct?		18	Q. You didn't get it, right, a higher level of care?	
20	A. Yes.		19	A. Clinically what do you mean?	
21	Q. Then it says, "She has been abstinent for over 2½ years and 22 has been committed to her recovery plan."		20	Q. If you don't understand what I mean, I'll move on to 21 another question.	
23	A. Yes.		22	A. Thank you.	
24	Q. Correct?		23	Q. You submitted a report from Dr. Seligman that was 24 inaccurate in that it said that you had been abstinent for 2½ 25 years when you had not been abstinent for 2½ years?	

UNITED STATES OF AMERICA, v.
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau5	Conrad - direct	Page 181	C2frdau5	Conrad - direct	Page 183
1	A. I was at that time, yes, I was.		1	influence, correct?	
2	Q. Now I'd like you to look at Exhibit 21, which is your		2	A. 1997?	
3	petition, and specifically paragraph 24 of that petition. This		3	Q. In April of 1998 you were convicted of DUI, correct?	
4	is the petition you filed at the end of February 2011, right?		4	A. That was the second one, yes, sir.	
5	A. February 28, correct.		5	Q. In the first incident you were charged not only with DUI	
6	Q. Under oath. You said that you had not been arrested,		6	but with assault, correct?	
7	charged with, indicted, convicted, tried, and/or pleaded guilty		7	A. Either the first or the second. I'm not sure.	
8	to the following violations, misdemeanors, and/or felonies		8	Q. In the one where you were charged with assault, who did you	
9	during the period of your discipline, correct?		9	assault?	
10	A. Correct.		10	A. I believe I punched the cop in his stomach. But that was	
11	Q. An outright lie, correct?		11	dropped.	
12	A. Yes.		12	Q. That conviction for DUI that involved an arrest for	
13	Q. Because you were arrested not once but twice in shoplifting		13	assault, resisting arrest, harassment, and leaving the scene of	
14	cases, were you not?		14	the accident, do you think that would have been something that	
15	A. Yes.		15	was responsive to Judge Pauley's question about arrests?	
16	Q. You were shoplifting very small items from convenience		16	A. Yes.	
17	stores, correct?		17	Q. Did you make a deliberate decision to lie about that?	
18	A. They obviously weren't that convenient.		18	A. I omitted deliberating, yes.	
19	Q. Is there something that you think is funny about these		19	Q. That's the same as a lie, right?	
20	proceedings?		20	A. If it has to be folded into that characterization.	
21	A. Not at all.		21	Q. In your mind, in your norms, does that have to be folded	
22	Q. Do you know that you lied your way on to a jury and your		22	into that characterization?	
23	conduct could send people to prison?		23	MR. OKULA: Objection to the form, your Honor.	
24	MR. OKULA: Objection, your Honor.		24	THE COURT: Overruled.	
25	THE COURT: Sustained.		25	A. Yes.	
C2frdau5	Conrad - direct	Page 182	C2frdau5	Conrad - direct	Page 184
1	Q. Why did you steal envelopes and newspapers and greeting		1	Q. So, you lied about that first arrest and conviction, and	
2	cards from a convenience store?		2	then you lied by not revealing that you had another arrest and	
3	A. I didn't. It was a bag of shrimp.		3	conviction in September of 1998, correct?	
4	Q. So, if the indictment said that you were stealing greeting		4	A. Oh, no. It was I believe April of '98 was the second DUI.	
5	cards, you never stole any greeting cards, you only stole a bag		5	Q. So you had two DUI convictions?	
6	of shrimp?		6	A. Yes, sir.	
7	A. Yes, sir.		7	Q. You also had a conviction for aggravated harassment,	
8	Q. In both cases, did you steal two bags of shrimp, one in		8	correct?	
9	each store?		9	A. Yes.	
10	A. I don't recall what the other one was.		10	Q. And criminal contempt?	
11	Q. Why did you steal a bag of shrimp?		11	A. I believe so.	
12	A. I was drunk.		12	Q. That was because you had violated the protection order and	
13	Q. Was that during the period of your abstinence?		13	you were threatening a romantic rival?	
14	A. The question sort of doesn't make sense, right?		14	A. It was phonecalls.	
15	Q. Do you even remember what you stole from the other store?		15	Q. You were threatening her over the phone?	
16	A. It might have been a videotape.		16	A. Correct.	
17	Q. The whole venire was asked questions at jury selection		17	Q. Would you say that that was rational behavior?	
18	about whether or not they had ever been arrested for or		18	A. Not when one is drinking.	
19	convicted of a crime, correct?		19	Q. It's not even rational when one is not drinking, correct?	
20	A. I remember, correct.		20	A. I can't be the judge of that.	
21	Q. You knew at the time that that question was asked that the		21	Q. Did you think that you should have revealed that answer in	
22	truthful answer was that you had been arrested and convicted of		22	response to the Court's question?	
23	crimes, correct?		23	A. Yes.	
24	A. Yes.		24	Q. You made a deliberate decision not to do so, correct?	
25	Q. You had been arrested and convicted for driving under the		25	A. Yes.	

UNITED STATES OF AMERICA, v.
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau5	Conrad - direct	Page 185	C2FFDAU6	Conrad - direct	Page 187
1	Q. When you did you make the deliberate decision not to reveal		1	Q. How did a judge in the Bronx come to rule upon whether or	
2	your criminal arrests and convictions?		2	not a warrant was issued by a different sovereign was defective	
3	A. Monday, March 1st, I believe was the first day of voir		3	or not?	
4	dire, and I was sitting in the third seat. Judge Pauley		4	A. Because I was a plaintiff in a personal injury case, and	
5	started the questioning the second day, I believe that was		5	the defense, I guess ran, ran me, for lack of better terms, and	
6	Tuesday, March 2nd, with me. It was probably that evening		6	they came up with this warrant and they wanted to bring it up	
7	between the 1st and the 2nd.		7	at trial, and the judge said it's a defective warrant.	
8	Q. You thought that you would get thrown off the jury if you		8	Q. I see. So the judge excluded it from evidence, correct?	
9	told the truth, right?		9	A. Yes, sir.	
10	A. Probably.		10	Q. Did the judge tell you that the warrant -- when was this	
11	Q. That's why you lied about it?		11	hearing that the judge did this on?	
12	A. Yes.		12	A. July 2, 2010.	
13	Q. You also lied in not disclosing the fact that you were		13	Q. Now --	
14	arrested in Winslow, Arizona, on August 4th of 2007, correct?		14	A. Somewhere about.	
15	A. I have no idea what the date was.		15	Q. At any time between August 4, 2007 and July 2, 2010, did	
16	Q. Do you know that you were arrested in a place called		16	you have reason to believe that there was a warrant for your	
17	Winslow, Arizona?		17	arrest?	
18	A. Yes, where I was -- yes.		18	A. Just because I know what happens to people who don't show	
19	Q. When you were arrested in Winslow, Arizona, that was a		19	up for court, but besides that, no physical proof, no.	
20	pretty memorable incident, right?		20	Q. So although you did not physically have a copy of the	
21	A. I remember it, of course.		21	warrant, you knew that people who do not show up for court get	
22	Q. Of course, because you called the police and told them that		22	a warrant issued by the Court, correct?	
23	your husband was beating you, but you ended up being the one		23	A. Yes, sir.	
24	who got arrested, correct?		24	Q. Did you think that that is something that if Judge Pauley	
25	A. Yes, sir.		25	knew about it that you had skipped on an OR bond and a warrant	
C2frdau5	Conrad - direct	Page 186	C2FFDAU6	Conrad - direct	Page 188
1	Q. For disorderly conduct, right?		1	had been issued, did you think that would keep you off this	
2	A. Yes.		2	jury?	
3	Q. You were released on a recognizance bond, correct?		3	A. I'm not in a position to answer that.	
4	A. There was no bond.		4	Q. Why did you hide it, then?	
5	Q. Do you know what a cognizance bond means?		5	A. I wasn't really thinking about that specific instance.	
6	A. I know I was ROR'd.		6	Q. Had you -- when Judge Pauley asked those questions about	
7	Q. OR'd?		7	your being -- you understood what the word "arrest" meant?	
8	A. ROR'd.		8	A. Yes, sir.	
9	Q. So you were let go on a bond that was simply your promise		9	Q. And you were arrested in August 2007 in Arizona, right?	
10	to appear for the next hearing, correct?		10	A. If that's the date, yes.	
11	A. I'm not sure.		11	Q. Had you forgotten about that incident?	
12	Q. Did you appear for the next hearing?		12	A. Of course not.	
13	A. Oh, no.		13	Q. So did you make a deliberate decision not to disclose that	
14	Q. Have you ever appeared for the next hearing?		14	incident to Judge Pauley?	
15	A. I've never subsequently been in Arizona.		15	A. No. It was part of the larger decision not to mention any	
16	Q. So you have never appeared for that next hearing, correct?		16	of the arrests, sir.	
17	A. There was a defective warrant.		17	Q. Now, you recall that Judge Pauley also asked whether	
18	Q. There was a defective warrant, what does that mean?		18	anybody's spouse or family, close family member had any arrests	
19	A. I believe there was no date or time or address on it.		19	or convictions. Do you recall that?	
20	Q. So you knew a warrant was issued for you?		20	A. He addressed the chosen panel that was sitting there, yes,	
21	A. Not really.		21	correct.	
22	Q. How do you know it was defective if you don't know if it		22	Q. And you understood that that included you.	
23	was issued?		23	A. And my husband.	
24	A. The judge in the Bronx deemed it that.		24	Q. You understood that you were being asked has your husband	
25	(Continued on next page)		25	ever been arrested or convicted.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU6	Conrad - direct	Page 189	C2FFDAU6	Conrad - direct	Page 191
1 A.	I understood that, sir.		1 voir dire commenced a year ago on March 1, because that was his		
2 Q.	And did you know in March of 2011 that your husband had		2 birthday.		
3 been in fact arrested and convicted a number of times?			3 Q.	Now, another question that was asked of the whole panel was	
4 A.	Yes, sir.		4 whether you or a close relative had ever been involved in or		
5 Q.	And did you know that he had been sentenced to prison in		5 appeared as a witness in a variety of types of investigations		
6 1980 for receiving stolen property?			6 including investigations by licensing authorities.		
7 A.	No, not 1980.		7 A.	Yes, sir. And in retrospect, I should have mentioned the	
8 Q.	Did you know that in 1981 he had been convicted of		8 disciplinary committee proceeding. I didn't just connect the		
9 possession of a controlled substance?			9 two at that time. And that was obviously a pertinent issue		
10 A.	Sir, I don't know the dates. I thought it was in the '70s.		10 that should have been raised.		
11 I'm not sure.			11 Q.	I see. So on March 1st or 2nd, you didn't think about the	
12 Q.	Did you know that he had been convicted of a probation		12 fact that you'd participated in a disciplinary proceeding?		
13 violation and of making terroristic threats?			13 A.	Please say it again.	
14 A.	That might have been '93. Vaguely I remember.		14 Q.	When you were testifying as a juror, potential juror here	
15 Q.	Did you know that he'd been indicted for check fraud and		15 on March 1 and 2nd, you weren't thinking about the fact that		
16 unlawful possession of weapons?			16 you had participated in disciplinary proceedings?		
17 A.	That was in Manhattanville, Kentucky in like 1976 when he		17 A.	No. I thought about testifying in my mind about having my	
18 tried to board an airplane with a gun.			18 personal injury case and more along those lines. No, it didn't		
19 Q.	So that's not the incident in August of 1985 in New Jersey?		19 occur to me.		
20 A.	Sir, I was ten years old probably then. I don't know. I		20 Q.	Even though you had filed your petition for reinstatement a	
21 can't tell you.			21 day or two before that?		
22 Q.	Was he indicted a second time for receiving stolen property		22 A.	I just didn't look at it that way.	
23 and burglary?			23 Q.	You believed that by serving on this jury you could get	
24 A.	Sir, I don't know.		24 some measure of vindication for yourself, didn't you?		
25 Q.	Did he get 18 months in prison in 1993 for harassment,		25 A.	Not at all. Vindication for what?	
C2FFDAU6	Conrad - direct	Page 190	C2FFDAU6	Conrad - direct	Page 192
1 burglary and terroristic threats?			1 Q.	You believed that you could somehow vindicate yourself as	
2 A.	I don't know.		2 having done something worthwhile after a career that was in		
3 Q.	Did you know that he was convicted for auto theft and		3 disgrace at that point?		
4 served, got a ten-year prison sentence for that?			4 A.	Are you trying to say that serving three months on a jury	
5 A.	Seven years, seven months.		5 is akin to some sort of penance? I don't understand really		
6 Q.	Served seven years and seven months.		6 what you're trying to tell me. It was my civic duty, which I		
7 A.	Paroled out, yes.		7 performed to the best of my capability and ability and I		
8 Q.	Did you know him while he was in prison?		8 believe I did it fairly, justly and unbiased.		
9 A.	No.		9 Q.	Was it your civic duty to perjure yourself in this court?	
10 Q.	You met him afterwards?		10 A.	It's nobody's.	
11 A.	Yes, sir.		11 Q.	So you didn't really do your civic duty, did you?	
12 Q.	And he disclosed his criminal history to you?		12 A.	Of course. Rendering the just verdict in an unbiased	
13 A.	Yes.		13 fashion, I certainly did.		
14 MR. OKULA:	Objection, your Honor, to marital		14 Q.	If you were on trial for a crime, would you want to know	
15 communications.			15 that one of the jurors who was judging the credibility of		
16 THE COURT:	I'll sustain any further inquiry along		16 witnesses and had your fate in his or her hands had perjured		
17 that line.			17 themselves repeatedly at voir dire? Would you want to know		
18 Q.	And you concealed your knowledge about your husband's		18 that?		
19 criminal career in order to make sure that you would get a seat			19 MR. OKULA:	Objection, your Honor.	
20 on this jury, is that correct?			20 THE COURT:	Overruled.	
21 A.	Yes, I concealed his career.		21 A.	Probably not, if I was a good criminal.	
22 Q.	Does your father work for the Justice Department right now?		22 MR. GAIR:	Your Honor, this would be a good place to	
23 A.	Yes, sir.		23 break.		
24 Q.	How old is he?		24 THE COURT:	All right. We're going to take a	
25 A.	On March 1 he'll be 80. And I remember specifically that		25 ten-minute recess and then we'll reconvene and endeavor to		

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU6	Conrad - direct	Page 193	C2FFDAU6	Conrad - direct	Page 195
1	complete the witness.		1	Q. And you were so anxious to speak with them that you wrote a	
2	(Recess)		2	letter to Mr. Okula the very next day, right?	
3	THE COURT: Mr. Gair, you may continue.		3	A. I don't know couching in those terms "so anxious" really is	
4	BY MR. GAIR:		4	the correct way to do it, but --	
5	Q. Ms. Conrad, do you have a driver's license?		5	Q. Well, you wrote a letter to him in which you told him you	
6	A. Yes.		6	wished that you would have had the opportunity to talk to him,	
7	Q. What name is on your drivers license?		7	7 correct?	
8	A. My married name, Rosa.		8	A. Oh, that's correct, yes.	
9	Q. So when you said you use Rosa socially, in fact you use it		9	Q. And you would have welcomed the pleasure to do so, right?	
10	for legal purposes too, correct?		10	A. Yes.	
11	A. Just on my license.		11	Q. Now, you never made any attempt to contact any of the	
12	Q. And when you were arrested, correct?		12	defense lawyers and tell them you would have liked to talk to	
13	A. I don't think it matters what name a person uses when		13	them, right?	
14	they're arrested. Your NYSID follows you.		14	A. There was no reason to.	
15	Q. Now, would I be right in thinking that you identified with		15	Q. But there was a reason to contact the prosecutor?	
16	the prosecutors in this case?		16	A. Yes.	
17	A. I don't know what you think, sir.		17	Q. And not only -- now, and you wrote a letter to Mr. Okula,	
18	Q. Did you identify with the prosecutors in this case?		18	now, this is not preprinted stationery, right, that you wrote	
19	A. I don't know what that question means.		19	on?	
20	Q. Well, you wrote to the prosecutors after the trial was		20	A. No, no.	
21	over, correct?		21	Q. This is just a caption that you made up for the letter,	
22	A. Correct.		22	correct?	
23	Q. You didn't write to any of the defense lawyers, correct?		23	A. Yeah, on my computer, yes.	
24	A. That's correct.		24	Q. On your computer. And where were you sitting when you	
25	Q. And not only did you write to the prosecutors, but you		25	wrote that letter on your computer?	
C2FFDAU6	Conrad - direct	Page 194	C2FFDAU6	Conrad - direct	Page 196
1	wrote to the prosecutors the very day after the verdict, isn't		1	A. In front of my cat.	
2	that correct?		2	Q. In front of your cat. Was your cat located at 2385 South	
3	A. I'm not really sure the exact date, sir. It was late May.		3	Barker Avenue or at 16 Parkview Drive at the time?	
4	MR. GAIR: Your Honor, I'd move the admission of PMD		4	A. Neither. It's Barker.	
5	Exhibit 7.		5	Q. Where was your cat located at the time you wrote this	
6	THE COURT: Any objection?		6	letter, ma'am?	
7	MR. OKULA: No objection, your Honor.		7	A. Next to my screen. On Barker Avenue, sir.	
8	THE COURT: PMD Exhibit 7 is received in evidence.		8	Q. Yeah. And yet you put, once again, that the return address	
9	(Exhibit PMD 7 received in evidence)		9	was 16 Parkview Avenue in Bronxville, New York, correct?	
10	Q. And if you would look at Exhibit 7, tab 7, you wrote the		10	A. No, Drive.	
11	prosecutors on May 25th of 2011, is that correct?		11	Q. You put the address was 16 Parkview Drive in Bronxville,	
12	A. Yes.		12	correct?	
13	Q. And that was one day after the verdict, the very day after.		13	A. Yes, mm-hmm. Yes.	
14	A. I believe the verdict was the 24th. Correct.		14	Q. That's not where you were when you wrote the letter, right?	
15	Q. And you were very anxious to talk to the prosecutors,		15	A. Correct.	
16	weren't you?		16	Q. And that was not the address you were living at when you	
17	A. Not just myself.		17	wrote the letter, correct?	
18	Q. Of course, I didn't ask you about anybody else. Were you		18	A. I still consider it both.	
19	very anxious to talk to the prosecutors?		19	Q. And that is not the address that goes with the phone number	
20	A. Yes. And along with the other eleven jurors, we had wanted		20	that you put right under that, is it?	
21	to speak with them after the verdict, when Judge Pauley had		21	A. Excuse me, that's my cell number.	
22	come into the jury room to speak with us after.		22	Q. That's exactly right. That is not your parents' home phone	
23	Q. Without worrying about what the eleven other people wanted		23	number at 16 Parkview Drive, is it, ma'am?	
24	or didn't want, were you anxious to speak with them?		24	A. No, it's my cell.	
25	A. Oh, sure.		25	Q. It's your cell number. Why don't you tell Judge Pauley why	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU6	Conrad - direct	Page 197	C2FFDAU6	Conrad - direct	Page 199
1	you put your cell number on your letter to Mr. Okula?		1	letter.	
2	A. Because that's how I'm most accessible, sir.		2	A. Yes, I probably did cut and paste it.	
3	Q. Because you wanted him to call you, didn't you, ma'am?		3	Q. What other letter?	
4	A. No, not at all.		4	A. I have no idea.	
5	Q. Well, then why did you care if you were most accessible		5	Q. Okay. Now, in this letter you told Mr. Okula, and I quote,	
6	that way or not?		6	"I solely held out for two days on the conspiracy charge for	
7	A. Just a heading I use. That's all.		7	him," referring to David Parse. "I wanted to convict	
8	Q. No, you just told us that you put that on that letter		8	100 percent not only on that charge." Do you remember that?	
9	because that's where you're most accessible.		9	A. Yes.	
10	A. That's true. But not with any forethought to an		10	Q. And you're sure about that, right? You wouldn't lie to	
11	expectation of a call from Mr. Okula.		11	Mr. Okula, would you?	
12	Q. Why did you care whether you were accessible or not? Why		12	MR. OKULA: Judge, object on 606 grounds.	
13	did you put a phone number on there?		13	MR. GAIR: May I respond, your Honor?	
14	A. Because that's usually what a heading has.		14	THE COURT: No. Overruled.	
15	Q. And you made a conscious decision to put your phone number		15	Q. Did you tell Mr. Okula, "I solely held out for two days on	
16	on there, right?		16	the conspiracy charge for Parse. I wanted to convict	
17	A. Sir, this is minutiae. I don't know. I can't answer that.		17	100 percent not only on that charge." Did you tell him that?	
18	Q. You were hoping to be accessible for a phone call from		18	A. You're reading it correctly.	
19	Mr. Okula, correct?		19	Q. Did you tell Judge Pauley on December 20th that "in my mind	
20	A. Absolutely not.		20	Parse should not have been convicted of number 1"?	
21	Q. And would you agree with me that at times the tone of your		21	A. Oh, I don't recall, sir.	
22	letter was playful?		22	Q. Well, let's look at Exhibit 3, page 16. Beginning at line	
23	A. Oh, sure.		23	3. "For what? For what? I'll retain myself or my husband,	
24	Q. Maybe even flirtatious, right?		24	the convicted felon. For what? For what, sir? To say that I	
25	A. That's -- please, Judge.		25	convicted everybody except the stupid Brubaker? Parse was an	
<hr/>					
C2FFDAU6	Conrad - direct	Page 198	C2FFDAU6	Conrad - direct	Page 200
1	THE COURT: You can answer the question.		1	idiot but we let him go because I had evidence enough that he	
2	A. Absolutely not.		2	really, he didn't really, in my mind he shouldn't have been	
3	Q. Did you tell Mr. Okula that something, words to the effect		3	convicted of number 1."	
4	that maybe he was on track to take Mr. Bharara's job from him?		4	Did you say that to Judge Pauley on December 20th?	
5	A. Oh, yes.		5	A. Yes, you're reading correctly.	
6	Q. Now, did you hope that he would call you back, ma'am?		6	Q. And that's a contradiction of what you said to Mr. Okula	
7	A. I'm not playing into this fantasy stuff. No, not at all.		7	the day after the trial, correct?	
8	Please.		8	A. I wasn't the only holdout.	
9	Q. Did you feel, did you think about putting the phone number		9	MR. GAIR: Your Honor, I'm going to ask that this	
10	that went with this address 16 Parkview Drive, did you think		10	witness be instructed not to discuss the jury deliberations. I	
11	about putting that phone number on the letterhead?		11	didn't ask about them.	
12	A. No.		12	THE COURT: Please --	
13	Q. Did you think about putting your real address on the		13	A. But in essence --	
14	letterhead?		14	THE COURT: Don't discuss the deliberations or the	
15	A. That is my real address as well.		15	split of the vote among the jury. Respect the sanctity of jury	
16	Q. Did you think about putting your Barker Avenue address on		16	deliberations, Ms. Conrad.	
17	the letterhead?		17	THE WITNESS: Yes.	
18	A. Sir, it was probably just cut and pasted from another		18	THE COURT: And respond directly to counsel's	
19	letter I had done. It wasn't conscious.		19	questions.	
20	Q. Did you just make that up, just this moment, it was		20	Q. Ma'am, isn't it true that the statement you made to Judge	
21	probably cut and pasted from another letter? Did you just make		21	Pauley on December 20th was directly contradictory to the	
22	that up?		22	statement you made to Mr. Okula in his letter, in your letter	
23	A. I'm answering your question, sir.		23	of May 25th?	
24	Q. No, I want to know if you just made that up or if you had		24	A. I don't know.	
25	any reason to believe that you cut and pasted this from another		25	Q. Well, is it contradictory to say that a person should have	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU6	Conrad - direct	Page 201	C2FFDAU6	Conrad - direct	Page 203
1	been convicted of Count One and that a person should not have		1	Q. Did you believe that Mr. Brubaker was an idiot?	
2	been convicted of Count One? Do you see the contradiction		2	A. Yes.	
3	there?		3	Q. Did you believe Mr. Parse was just stupid?	
4	MR. OKULA: Objection, Judge. Those are not the		4	A. For the backdating, yes.	
5	facts.		5	Q. And do you believe that there's really no reason for this	
6	THE COURT: Yes, sustained.		6	hearing to be undertaken at all because these people are just	
7	Q. Now, in the letter, in the letter you say -- by the way,		7	fricken crooks and it doesn't matter?	
8	did you choose the stamp specially for this letter that you put		8	A. Is that a question?	
9	on?		9	Q. Yes, it is.	
10	A. What?		10	A. Well, the answer is no.	
11	Q. Did you choose the stamp that you put on the letter		11	Q. Did you tell the Court that you thought this was all	
12	specially?		12	ridiculous on December 20th because these people are fricken	
13	A. I don't know what you're talking about.		13	crooks?	
14	Q. Well, do you see the copy of the envelope?		14	A. I'm not sure.	
15	A. That was, that was the eternity stamps or something like		15	MR. GAIR: May I have a moment, your Honor?	
16	that.		16	THE COURT: Yes. Take your time.	
17	Q. Do you see --		17	Q. Were you suspended in the Southern District of New York?	
18	A. Oh --		18	A. Sure. I must have been. Yes.	
19	Q. Do you see what the stamp says?		19	Q. Did you know you were suspended in the Southern District of	
20	A. Sorry. You're going a little too far here, Mr. Gair.		20	New York when you testified at voir dire?	
21	Q. I'm just asking you if you chose that stamp specially.		21	A. Yes. Yes.	
22	A. I'm sure I didn't.		22	MR. GAIR: Your Honor, I would move the admission of	
23	Q. So you didn't have any other stamps, this was just one that		23	several exhibits. PMD 1, 24, 25, 26 and 45.	
24	was laying around?		24	MR. OKULA: No objection, your Honor.	
25	A. A book of stamps is a book of stamps, sir.		25	THE COURT: All right. PMD Exhibits 1, 24, 25, 26 and	
C2FFDAU6	Conrad - direct	Page 202	C2FFDAU6	Conrad - direct	Page 204
1	Q. Now, in the letter in the second paragraph, you say, "I		1	45 are received in evidence.	
2	thought that you, Miss Davis and Mr. Hernandez did an		2	(Exhibits PMD 1, 24, 25, 26 and 45 received in	
3	outstanding job on behalf of our government." Do you see that?		3	evidence)	
4	A. Yes, sir.		4	MR. GAIR: Nothing further, your Honor. Thank you.	
5	Q. Is there anything unusual that you see with your knowledge		5	THE COURT: Mr. Okula.	
6	of English literature in that sentence?		6	MR. OKULA: I didn't know if there were any other	
7	MR. OKULA: Objection to the form, your Honor.		7	defense lawyers who intend to question.	
8	A. I don't know what that means.		8	THE COURT: Any other defense counsel wish to inquire?	
9	THE COURT: Overruled.		9	MR. ROTERT: Thank you, your Honor, no inquiry for	
10	Q. Okay. Did you capitalize the word "our"?		10	Ms. Guerin.	
11	A. Oh, yes.		11	THE COURT: Mr. Schectman?	
12	Q. And did you capitalize the word "government"?		12	MR. SCHECTMAN: Briefly, Judge.	
13	A. Yes.		13	THE COURT: Go ahead.	
14	Q. Is it your opinion that in that sentence "our government"		14	DIRECT EXAMINATION	
15	is a proper noun?		15	BY MR. SCHECTMAN:	
16	A. Government is.		16	Q. Ms. Conrad, could you look at your letter to Mr. Okula	
17	Q. Is "our government" a proper known?		17	again, Government Exhibit 1, I believe.	
18	A. I don't know.		18	A. Number 7, correct?	
19	Q. You capitalized it not because you believed it was a proper		19	THE COURT: PMD 7.	
20	noun, but because you wanted to emphasize that you were talking		20	Q. PMD 7. Do you have that?	
21	about his government and your government, correct?		21	A. Yes, sir.	
22	A. You're slanting that. No.		22	Q. And I think your testimony was that as you sit here today	
23	Q. Well, I didn't use the word "our government" and I didn't		23	you don't recall why you capitalized "our government," is that	
24	capitalize it. Why did you do it?		24	correct?	
25	A. I don't know.		25	A. Yes.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU6	Conrad - direct	Page 205	C2FFDAU6	Conrad - direct	Page 207
1	Q. You also say that you fought the good fight, correct?		1	Q. Well, you knew most of that stuff.	
2	A. Yes.		2	A. I don't even know if I knew most of it.	
3	Q. And that was your way of telling Mr. Okula that you were		3	Q. You knew when you married him that he just finished a seven	
4	fighting for his side.		4	and a half year sentence.	
5	A. Not necessarily. After all of the evidence and		5	A. We got married three years after he finished his sentence.	
6	deliberations, the jury felt that we reached a fair verdict.		6	Q. And you knew he was unemployed.	
7	Q. I'm not asking about the jury. I'm asking about your		7	A. Yes.	
8	writing "I fought the good fight." That was your way of		8	Q. And you knew he hadn't owned a bus company since 25 years?	
9	telling Mr. Okula that you were fighting for his side.		9	A. About that.	
10	A. At one point.		10	Q. And so when you said today "so are most lawyers," that was	
11	Q. And when you say you threw in the towel, I take it that's		11	just smart ass.	
12	also a sports image?		12	A. Sure.	
13	A. I can't answer that.		13	Q. And when you were asked and the jurors were asked whether	
14	Q. At some point you stopped fighting the good fight.		14	you had any unpleasant experiences with lawyers, accountants,	
15	A. Meaning?		15	financial planners, you didn't raise your hand on that question	
16	Q. That's when you threw in the towel.		16	or in voir dire, did you?	
17	A. That was probably an incorrect way to describe the taking		17	A. That's correct.	
18	into consideration all of the evidence at the end of the day.		18	Q. And you had had unpleasant experiences with lawyers, hadn't	
19	Q. What did you call it? An odd way? A what sort of way?		19	you?	
20	A. I said at the end of the day.		20	A. I don't know what you mean.	
21	Q. You said some sort of way, improper way? I couldn't		21	Q. Well, I mean, two of them referred you to the Bar	
22	remember the objective.		22	Association for disciplinary action.	
23	MR. GAIR: Incorrect.		23	A. I don't look at it that way, sir.	
24	Q. An incorrect way. That was an incorrect way of saying it.		24	Q. That was a pleasant experience?	
25	A. Maybe I said improper, I'm not sure.		25	A. It's just an experience. I don't have my endorphins go	
<hr/>					
C2FFDAU6	Conrad - direct	Page 206	C2FFDAU6	Conrad - direct	Page 208
1	Q. So when you said you fought the good fight and you've		1	wild over it, so I don't really know what you're getting at.	
2	thrown in the towel that was just an incorrect way of saying		2	Q. So you didn't feel you had any obligation to tell the Court	
3	you were unbiased.		3	when the Court asked whether you had any unpleasant experiences	
4	A. At the end of the day after all the evidence was pored		4	with lawyers that two had referred you to the disciplinary	
5	over.		5	committee, that the disciplinary committee brought charges	
6	Q. When you say numbers don't lie, what numbers were you		6	against you and that a panel of judges, indeed two panels,	
7	referring to?		7	right, suspended you?	
8	A. From Dr. DeRosa, the expert.		8	A. A job's a job, sir. That's how I see it.	
9	Q. His numbers.		9	Q. So you didn't think you had any obligation to tell the	
10	A. Sure, and, to not get specific, but the lack of economic		10	Court any of that because a job's a job.	
11	substance in the transactions.		11	A. I don't think that was your original question, but -- that	
12	Q. So that's what you were referring to, Mr. Parse's knowledge		12	was another omission, sir.	
13	of the lack of economic substance in the transactions?		13	Q. That was an omission?	
14	A. No. Not at all.		14	A. Yes.	
15	Q. So what is it you were referring to?		15	Q. Now, I take it that one of the things we've learned today,	
16	A. It was one component of the whole big picture.		16	Ms. Conrad, is that all of your omissions and lies, whatever	
17	Q. I see. Now, I think you told us earlier today you were		17	you call them, were done to make you more marketable as a	
18	asked whether your husband is a convicted felon, and you said		18	juror, is that correct?	
19	so are most lawyers. And lots of people laughed. Do you		19	A. Those were my words.	
20	remember saying that?		20	Q. And that would be correct, right?	
21	A. Yes.		21	A. That's what I said. Whether it was correct or not, that's	
22	Q. And was that being, I think your word is smart a-s or smart		22	not for me to decide.	
23	A-blank-blank?		23	Q. No, that's totally for you to decide. Are those words	
24	A. Sure. Mr. Gair was asking me things about my husband that		24	accurate? Were you trying to be a more marketable juror?	
25	I'm finding out right now today.		25	A. I said this, yes.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU6	Conrad - direct	Page 209	C2FFDAU6	Conrad - direct	Page 211
1	Q. So those words are not an omission and they're not a lie,		1	THE COURT: Any inquiry, Ms. McCarthy?	
2	they're true?		2	MS. McCARTHY: Your Honor, just a housekeeping matter.	
3	A. Correct.		3	I'm not sure if this is admitted. PMD 23. Has that been	
4	Q. And that is to say that you thought that if these lawyers		4	offered in evidence yet? Mr. Gair offered some at the end.	
5	knew who you actually were, and maybe if that judge knew who		5	I'm not sure.	
6	you actually were, you wouldn't have been a juror in this case.		6	THE COURT: No. You're offering PMD 23?	
7	A. I knew I could be unbiased and fair.		7	MS. McCARTHY: I am your Honor.	
8	Q. No, no. Let's try to answer some questions. You knew if		8	THE COURT: Any objection?	
9	people knew who you actually were, if these lawyers knew who		9	MR. OKULA: None, your Honor.	
10	you actually were, perhaps if that judge knew who you actually		10	THE COURT: All right, PMD 23 is received in evidence.	
11	were, you wouldn't have been a juror in this case? You knew		11	(Exhibit PMD 23 received in evidence)	
12	that.		12	THE COURT: Mr. Okula, you may inquire.	
13	A. Probably not, right.		13	MR. OKULA: Thank you, your Honor.	
14	Q. Let's not say probably. Let's see if we can get you to be		14	CROSS-EXAMINATION	
15	accurate.		15	BY MR. OKULA:	
16	THE COURT: Just stay back by the podium,		16	Q. Ms. Conrad, let me pick up where Mr. Schectman left off	
17	Mr. Schectman.		17	where he asked you a question and you answered something about	
18	Q. Let's try to be accurate.		18	connecting the dots about determining whether the defendants	
19	MR. OKULA: Judge, could we stop the speeching, have		19	were crooks. Do you remember that question?	
20	him ask a question?		20	A. Yes.	
21	THE COURT: If you have an objection as to form, you		21	Q. Did you make up your mind about those defendants that you	
22	can state it. And Mr. Schectman is going to stay behind the		22	found guilty prior to hearing all of the evidence and prior to	
23	podium.		23	hearing the judge's instructions in this case?	
24	MR. SCHECTMAN: He is indeed.		24	A. Absolutely not.	
25	Q. You knew that if these lawyers knew who you really were,		25	Q. Ms. Conrad, you didn't attempt to try to get on this jury	
C2FFDAU6	Conrad - direct	Page 210	C2FFDAU6	Conrad - cross	Page 212
1	there was no chance of your being on this jury?		1	in order to carry out some personal vendetta or agenda with	
2	A. I can't read people's minds, sir.		2	respect to the defendants, did you?	
3	Q. Well, you read their minds well enough to keep an enormous		3	A. No, sir.	
4	amount of information from them, didn't you?		4	Q. And you didn't have any vendetta against the government,	
5	A. I can't qualify enormous.		5	correct?	
6	Q. Ms. Conrad, I don't want to go through it --		6	A. Correct.	
7	A. More likely than not I wouldn't have been picked, yes.		7	Q. And similarly, you didn't think that you would cast	
8	Q. Try a higher standard. Beyond a reasonable doubt you		8	yourself in a good light with the government if you voted in	
9	wouldn't have been picked.		9	favor of the government, notwithstanding what the evidence was,	
10	A. I can't put words into your mouth, I'm sorry.		10	is that correct?	
11	Q. If they knew you were a suspended lawyer with a history of		11	A. I believe so.	
12	alcoholism with three misdemeanor convictions, with a husband		12	Q. So when you failed to tell the truth about your education	
13	who had seven felony convictions, who had involvement with		13	and failed to reveal your criminal record and your status as a	
14	licensing authorities, who had an outstanding warrant from		14	suspended attorney, it was not because you were biased against	
15	Arizona, is it your view that these lawyers would have seen you		15	one party or another, is that correct?	
16	as a different person, a far different person than the one you		16	A. Correct.	
17	portrayed yourself to be?		17	Q. Did you have any personal bias or animus against Paul	
18	A. I would think the defense counsel would be wild to have me.		18	Daugerdaas at the beginning of the case?	
19	Q. Why is that, Ms. Conrad?		19	A. No, not at all. I didn't know anybody.	
20	A. Well, my husband seems to be a professional defendant, so I		20	Q. So you didn't know any of the defendants, is it fair to say	
21	probably would have in their mind been a keeper for their side.		21	that you had no personal bias or animus or feelings one way or	
22	Q. Because your view is they wanted people who were crooks		22	another with respect to them, is that fair?	
23	because they were crooks.		23	A. That's absolutely correct.	
24	A. If that's connecting the dots logically.		24	Q. And it's true, isn't it, Ms. Conrad, that you hadn't made	
25	MR. SCHECTMAN: I'll stop there.		25	up your mind once you were selected to be a juror in this case	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU6	Conrad - cross	Page 213	C2FFDAU6	Conrad - cross	Page 215
1	before you started hearing any evidence, is that correct? In		1	A. No.	
2	other words, you hadn't prejudged the case after you were		2	Q. Now, Mr. Gair went through and Mr. Schectman did also to	
3	selected that you were going to find the defendants guilty or		3	some extent some of your criminal cases with you. Do you	
4	rule in favor of the government, is that correct?		4	remember that?	
5	A. That's correct, yes.		5	A. Yes.	
6	Q. And is it also true that you didn't make up your mind with		6	Q. For instance, you went through your driving under the	
7	respect to the guilt or innocence of any of the defendants		7	influence offenses and your harassment offense, the contempt	
8	until you heard all the evidence in the case and listened to		8	offense and the shoplifting offenses. Do you remember that?	
9	the judge's instructions, is that fair?		9	A. Yes.	
10	A. Absolutely.		10	Q. And were you also asked about the disorderly conduct	
11	Q. Let me pick up on a section where Mr. Gair was asking you		11	offense that you were arrested for that you didn't appear on in	
12	about things you said with respect to David Parse. Do you		12	Winslow, Arizona. Do you recall that?	
13	remember those questions?		13	A. Yes, sir.	
14	A. Yes.		14	Q. Now, none of those cases, Ms. Conrad, had anything to do	
15	Q. And Mr. Gair referenced the letter that you sent to me		15	with the subject matter involved in this trial, correct?	
16	after the return of the verdict, do you remember that?		16	A. That's correct.	
17	A. Yes.		17	Q. In other words, these offenses, those local offenses that	
18	Q. And you were also asked questions about the fact that you		18	you were arrested for, none of them had anything to do with	
19	referred to fighting the good fight. Do you recall that?		19	taxes or tax evasion or tax shelters, is that fair?	
20	A. Yes.		20	A. That's correct.	
21	Q. Without getting into your deliberations with the other		21	Q. And is it also fair, Ms. Conrad, that your involvement in	
22	jurors, is it correct that as you said in the letter that you		22	those criminal cases did not cause you to be biased in one	
23	viewed initially during your, when you began deliberating, that		23	matter or another against any party or any attorney in this	
24	Mr. Parse should have been found guilty?		24	case?	
25	A. Yes.		25	A. That's correct.	
C2FFDAU6	Conrad - cross	Page 214	C2FFDAU6	Conrad - cross	Page 216
1	Q. And you also note in your letter, though, that you		1	Q. Now, let me ask you this, Ms. Conrad. Did the fact that	
2	ultimately relented after hearing a jury charge from Judge		2	you were a criminal defendant in a prior case affect you from	
3	Pauley about the definition of knowingly and willfully,		3	fairly and impartially judging the evidence in this case and	
4	correct?		4	weighing and applying Judge Pauley's legal instruction?	
5	A. Yes.		5	A. Absolutely not.	
6	Q. So is it fair to say that when you personally deliberated		6	Q. Did the fact that you were arrested by a police officer on	
7	with respect to Mr. Parse, you reached your conclusion based on		7	a number of occasions in your criminal cases in any way affect	
8	the legal instruction that Judge Pauley gave you and without		8	your ability to be fair and impartial?	
9	bias to any side. Fair?		9	A. No.	
10	A. 100 percent. Correct.		10	Q. Did your involvement in the disciplinary proceedings where	
11	Q. Now, when you were selected to serve on the jury, did you		11	lawyers made complaints about you and you were asked questions	
12	have any personal knowledge with respect to any of the		12	by disciplinary counsel, did that affect your ability to	
13	defendants in this case?		13	carefully and appropriately and fairly weigh the evidence and	
14	A. No, none.		14	the legal instructions in this case?	
15	Q. And is it also fair that you didn't have any personal		15	A. No, not at all.	
16	knowledge of any of the defense lawyers, correct?		16	Q. Did the fact that you were a suspended attorney affect your	
17	A. Correct.		17	impartiality in this case?	
18	Q. You didn't know any of the prosecutors in the case or any		18	A. No.	
19	of the IRS agents, correct?		19	Q. Now, do you remember you received legal instructions from	
20	A. No. That's correct.		20	Judge Pauley on a number of occasions during the case, both	
21	Q. And you weren't factually involved in any of the underlying		21	during voir dire at the beginning of the trial and at the end	
22	events at trial, correct?		22	of the trial?	
23	A. Never.		23	A. Yes.	
24	Q. And did you have any financial motive in the outcome of the		24	Q. And in particular, do you remember a jury instruction that	
25	case?		25	went somewhat, I know it's a long time ago and you may not	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2FFDAU6	Conrad - cross	Page 217	C2FFDAU6	Conrad - cross	Page 219
1	remember every word, but do you remember an instruction that		1	Q. And that was in a way justifying the result that you	
2	went along these lines: You will have to decide what the facts		2	reached, correct, personally?	
3	are from the evidence that will be presented in this courtroom		3	A. That's fair, yes.	
4	and then apply those facts to the law as I give it to you.		4	Q. And when you referred to Dr. DeRosa when Mr. Schectman was	
5	Do you recall that?		5	asking you, I think you mentioned that you found it personally.	
6	A. Yes.		6	not going into your deliberations, but convincing, Dr. DeRosa's	
7	Q. Did you follow that instruction, Ms. Conrad?		7	testimony about the lack of economic substance, is that fair?	
8	A. Yes.		8	A. Oh, yes.	
9	Q. And another instruction went something along the lines that		9	Q. Did you pay careful attention to the testimony of all	
10	the law requires your decision be based solely on the evidence		10	witnesses?	
11	before you. Anything I direct you to disregard as being		11	A. Shanbrom lost me, but yes.	
12	excluded because it's not legally admissible, further, anything		12	Q. And in fact you noted in your letter that you didn't find	
13	that you may see or hear when the Court is not in session may		13	very compelling the testimony of Mr. Shanbrom, correct?	
14	not be considered. The only competent evidence is evidence		14	A. That's correct.	
15	received in this courtroom. Do you remember that instruction?		15	Q. So is it fair to say that that example is emblematic of	
16	A. Not word-for-word, but the general gist, yes.		16	your view that you didn't call everything in the government's	
17	Q. The substance of it, do you remember that?		17	favor because you found government witness Paul Shanbrom	
18	A. Yes.		18	unconvincing, is that a fair word?	
19	Q. And did you follow that instruction?		19	A. More than fair.	
20	A. Yes.		20	Q. Now, is that indicative, Ms. Conrad, of what you said	
21	Q. Did you render your verdict, Ms. Conrad, based solely on		21	earlier, that you based your verdict in this case based on what	
22	the evidence presented at trial and in the context of the law		22	you saw in this courtroom from the witness stand and the	
23	that Judge Pauley gave to you in his instructions and not based		23	evidence you heard and applying the instructions from Judge	
24	on any bias, prejudice or sympathy?		24	Pauley?	
25	A. Yes.		25	A. Yes, in totality.	
C2FFDAU6	Conrad - cross	Page 218	C2FFDAU6	Conrad - cross	Page 220
1	Q. Now, Ms. Conrad, you noted earlier in your testimony that		1	Q. After all, you voted to acquit Mr. Brubaker, correct?	
2	you obtained your law degree from Brooklyn law school, correct?		2	A. Yes.	
3	A. Yes.		3	Q. And you voted to acquit Mr. Parse on certain charges,	
4	Q. Your practice consisted, did it not, of litigation,		4	correct?	
5	primarily in personal injury matters, is that fair?		5	A. Correct.	
6	A. For the most part yes.		6	Q. Just a few more questions with respect to some of the	
7	Q. And you served as a contract attorney for certain		7	instructions you were given. Do you remember Judge Pauley	
8	plaintiffs' lawyers, is that correct?		8	instructed you at the end of the case in his instructions that	
9	A. Yes.		9	under your oath as jurors you are not to be swayed by fear,	
10	Q. In carrying out your role as a juror is it fair to say that		10	prejudice, bias or sympathy, you're to be guided solely by the	
11	you disregarded any other ideas or notions or beliefs about the		11	evidence in the case. Do you remember an instruction along	
12	law that you previously had in reaching your verdict in this		12	that line?	
13	case?		13	A. Yes.	
14	A. That's a fair statement, yes.		14	Q. And is it true, Ms. Conrad, that in spite of all that we	
15	Q. Let's go back for just one moment to the letter that you		15	spoke about earlier today that you based your verdict which	
16	were asked about and you referred to Dr. DeRosa and the numbers		16	involved an acquittal of Mr. Brubaker and a partial acquittal	
17	with respect to Mr. Schectman's questions, do you remember		17	of Mr. Parse based on the evidence in this courtroom and the	
18	that?		18	instructions that Judge Pauley gave you?	
19	A. Yes.		19	A. That's correct.	
20	Q. He asked you, Mr. Schectman did, about a statement that you		20	Q. Were you biased against the defendants in any manner or	
21	made that numbers don't lie. Do you recall that?		21	form?	
22	A. Just from looking at the letter.		22	A. Not at all.	
23	Q. Yes, if you look four lines from the bottom where you said,		23	(Continued next page)	
24	quote, "I'm a purist and numbers don't lie"?		24		
25	A. Yes.		25		

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau7	Conrad - cross	Page 221	C2frdau7	Conrad - redirect	Page 223
1	MR. OKULA: Let me have one moment, your Honor.		1	BY MR. GAIR:	
2	Q. Ms. Conrad, a few more questions. I'm sorry. Are you		2	Q. Can you explain to us how it is you can remember the	
3	3 ready?		3	substance of many specific jury instructions that you received	
4	A. Yes.		4	8½ months ago when you cannot remember things that you said to	
5	Q. At the time that you were selected to serve as a juror in		5	Judge Pauley on December 20th when you appeared in this court?	
6	this case, your status was a suspended New York attorney,		6	A. Because I'm familiar with the PJI and they are sort of	
7	7 basically the same IN state court as in federal court.		8	8 Q. Did you have any trouble understanding my questions when I	
8	A. Yes.		9	9 was asking you questions earlier?	
9	Q. You were not working, correct?		10	A. To which are you referring?	
10	A. Correct.		11	Q. Any of them.	
11	Q. Is it fair to say that even though the daily witness fee		12	A. I don't have the transcript written in my head.	
12	12 that you received for your service was rather meager, it was		13	Q. You certainly didn't have any trouble with Mr. Okula's	
13	13 not irrelevant to you in your service as a juror?		14	14 questions, correct?	
14	A. Yes, that's correct.		15	A. He's pretty straightforward.	
15	Q. After all, you were basically out of work, correct?		16	Q. You didn't find anything that Mr. Okula said that you	
16	A. Yes.		17	17 disagreed with, correct?	
17	Q. You referred earlier during Mr. Gair's questioning to a		18	A. Correct.	
18	18 motivation that you had in the form of intellectual curiosity		19	Q. Did you know what Mr. Okula was going to ask you today?	
19	19 with respect to tax shelters, is that correct?		20	A. No, I don't. This is the first time I've ever actually	
20	MR. GAIR: Objection to the form of the question, your		21	21 spoken to Mr. Okula.	
21	Honor.		22	Q. Mr. Okula asked you about whether or not you wanted to see	
22	MR. OKULA: I'll rephrase it, your Honor.		23	23 through this trial as a juror. Do you remember that question?	
23	THE COURT: All right.		24	A. Yes.	
24	Q. You remember in Judge Pauley's initial instructions he		25	Q. You did, right?	
C2frdau7	Conrad - cross	Page 222	C2frdau7	Conrad - redirect	Page 224
1	particular tax charges, correct?		1	A. Yes.	
2	A. Yes.		2	Q. You did that in the context of just a day or two before the	
3	Q. You heard certain things about tax shelters in the		3	trial having filed a petition for readmission or reinstatement	
4	4 introductory instructions, correct?		4	4 to the bar, is that correct?	
5	A. Vaguely.		5	A. That's the correct chronology, yes.	
6	Q. Is it correct that the subject matter of the case was of		6	Q. You believed that by seeing through this trial, by serving	
7	7 some interest to you when you were answering questions during		7	7 as a juror for a lengthy trial, you could help demonstrate your	
8	8 voir dire and considering your motives for serving on the jury?		8	8 stability to the bar authorities, correct?	
9	9 A. Yes, it piqued my curiosity. I had no experience ever with		9	A. No. It's apples and oranges. The two thoughts never	
10	10 tax work.		10	10 crossed.	
11	Q. Had you ever sat as a juror in a federal criminal case		11	Q. Never occurred to you once that seeing this through might	
12	12 before?		12	12 be something that would be helpful to you with the bar	
13	A. No.		13	13 authorities?	
14	Q. Was one of your motivations a desire to see a trial through		14	A. Not at all. It was my civic duty.	
15	15 with this complexity from beginning to end?		15	Q. Which part was your civic duty? The part where you lied?	
16	A. Partially.		16	A. No, of course not.	
17	Q. One final question, Ms. Conrad. Is it correct that you		17	Q. Mr. Okula asked you some questions about the instructions	
18	18 waited until Judge Pauley told you it was appropriate for you		18	18 that Judge Pauley gave you. Do you remember those?	
19	19 to begin your deliberations and the consideration of the		19	A. I remember both.	
20	20 evidence based on his instructions, and that's what guided your		20	Q. You said that you had followed Judge Pauley's instructions,	
21	21 verdict in this case?		21	21 correct?	
22	A. Yes.		22	A. Yes.	
23	MR. OKULA: I have nothing further, Judge.		23	Q. But the truth is you only followed those of Judge Pauley's	
24	THE COURT: Redirect examination, Mr. Gair.		24	24 instructions that you wanted to follow, correct?	
25	REDIRECT EXAMINATION		25	A. I don't know what that question means, sir.	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau7	Conrad - redirect	Page 225	C2frdau7	Conrad - redirect	Page 227
1	Q. Well, did you follow all of Judge Pauley's instructions or only the ones that you wanted to follow?		1	A. No, but I did.	
2			2	Q. Do I look like I know what the PJI is?	
3	A. That's the job of the trier of fact, which I was a trier of fact.		3	A. Yes. You're a professor.	
4			4	Q. Would you agree with me then that since you did for the	
5	Q. Did you follow all of Judge Pauley's instructions or only those instructions that you wanted to follow?		5	follow Judge Pauley's initial instruction at the start of the	
6			6	trial, you did not in fact follow all of his instructions?	
7	A. Probably all of them.		7	A. You're mischaracterizing it.	
8	Q. All of them, every single one, right?		8	Q. It's a simple question, yes or no. Since you did not	
9	A. I don't have the PJI in front of me.		9	follow the instruction to tell the truth, did you follow all of	
10	Q. But as far as you know, of all the ones Mr. Okula		10	his instructions?	
11	mentioned, you followed them, right?		11	A. Regarding the verdict, yes.	
12	A. More likely than not.		12	Q. Did you follow all of Judge Pauley's instructions?	
13	Q. And of all the other instructions he gave you, you followed		13	A. Not with respect to the voir dire.	
14	them, is that correct?		14	Q. Therefore, you did not follow all of his instructions, is	
15	A. I can't answer that.		15	that correct?	
16	Q. You know for a fact you didn't follow all those		16	A. If you need to connect the dots like that.	
17	instructions, don't you?		17	Q. Did you follow all of his corrections?	
18	A. No, I don't think that's correct.		18	A. Yes. In rendering a correct verdict, yes.	
19	Q. Didn't he tell you at the very start of the trial that you		19	Q. Now you're saying you did follow all of his instructions.	
20	had to speak the truth to tell about your background in order		20	Let me try and get this very simply. Can you answer my	
21	to even be seated as a juror?		21	question? Taking into account the fact that you perjured	
22	A. He also told us to render a fair verdict --		22	yourself repeatedly at voir dire, did you follow all of his	
23	Q. No, no.		23	instructions?	
24	A. -- which we did.		24	A. I think you just answered the question.	
25	Q. Do you see the difference between your answers to my		25	Q. Why don't you answer it.	
C2frdau7	Conrad - redirect	Page 226	C2frdau7	Conrad - redirect	Page 228
1	questions and Mr. Okula's questions?		1	A. Besides the voir dire, yes.	
2	A. Sure: Splitting hairs and semantics.		2	Q. Including the voir dire, did you follow all of Judge	
3	Q. Exactly. You're splitting hairs and you're engaging in		3	Pauley's instructions?	
4	semantics?		4	A. Not with my omissions, no.	
5	MR. OKULA: Objection, your Honor.		5	Q. Not with your lies, right?	
6	THE COURT: Overruled.		6	A. However you want to characterize it.	
7	Q. Let me ask you this, Ms. Conrad. Did Judge Pauley give you		7	Q. Therefore, you picked which of Judge Pauley's instructions	
8	an instruction as a juror to tell the truth?		8	you were going to follow and which of those that you were not	
9	A. I'm sure he did, yes.		9	going to follow, is that correct?	
10	Q. Did you tell the truth?		10	A. No.	
11	A. By rendering an unbiased verdict.		11	Q. Was it random that you followed some of his instructions	
12	Q. Did you tell the truth?		12	and didn't follow others?	
13	A. Yes.		13	A. I didn't follow the instructions in voir dire.	
14	Q. You told the truth, the whole truth, and nothing but the		14	Q. You chose, you picked that instruction not to follow,	
15	truth?		15	correct?	
16	A. You're asking me about the voir dire?		16	A. Yes.	
17	Q. Yes. That was an instruction he gave you, wasn't it?		17	Q. You want us to take your assurance that you didn't pick any	
18	A. That's correct.		18	other instructions not to follow, correct?	
19	Q. Did you tell the truth? Did you follow that instruction?		19	MR. OKULA: Objection.	
20	A. No.		20	THE COURT: Sustained.	
21	Q. So, when you just said a couple of moments ago that you		21	Q. In your opinion, Ms. Conrad, did your perjury in voir dire	
22	followed those instructions, you were lying right then?		22	affect your ability to act as a fair and impartial juror?	
23	A. That's incorrect. I thought we were on the same page		23	A. No, not at all.	
24	talking about the PJI at the end of the trial.		24	Q. Ms. Conrad, did I understand you to say that you thought	
25	Q. Did I ever mention the PJI?		25	that it was basically no harm/no foul as far as the defense was	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau7	Conrad - redirect	Page 229	C2frdau7	Conrad - cross	Page 231
1	concerned at the voir dire that you didn't reveal your criminal		1	Q. Mr. Okula asked you some questions about your motivation	
2	history because the defendants would want criminals on the		2	for being on the jury, and he said that you were interested in	
3	jury?		3	part, and you agreed, on the \$40 per day, is that correct? Was	
4	A. I can't put thoughts or words in the defendants' minds and		4	that one of your motives for wanting to be on the jury?	
5	mouths.		5	A. It wasn't a conscious factor, no. Not really, no.	
6	Q. Isn't that what you said? Didn't you say something like		6	Q. You weren't going to perjure yourself and destroy your	
7	you thought at the time that they would be jumping up and down		7	legal career for \$40 a day, were you?	
8	if they knew that you had a husband for a criminal -- a		8	A. It's already been destroyed, sir. It was destroyed	
9	criminal for a husband? Didn't you say that?		9	December 18, 2007, when I got suspended.	
10	A. Yes, to be taken in the context of, if anything, one would		10	Q. You were in the process of trying to undestroy it at the	
11	think I would have been biased towards the defendants, in favor		11	very same time you came into this court and committed perjury,	
12	of the defendants, which I was not, either the prosecution or		12	didn't you?	
13	the defense. I was unbiased.		13	A. Sure.	
14	Q. You told yourself at the time that it was OK from the		14	Q. Mr. Okula suggested that one of your motives was that the	
15	defendants' perspective because, if anything, somebody who was		15	description of the case piqued your curiosity. Was that one of	
16	married to a criminal would tend to favor other criminals,		16	your motives?	
17	right?		17	A. That was an added bonus.	
18	A. I guess it can be characterized as that.		18	Q. But not a motive for being on the jury?	
19	MR. GAIR: Nothing further, your Honor.		19	A. I knew I could be a fair and just juror.	
20	THE COURT: Mr. Shechtman?		20	Q. That you have said.	
21	MR. SHECHTMAN: I'll be brief, your Honor.		21	A. Excuse me?	
22	CROSS-EXAMINATION		22	Q. I said I've heard you say that. But was one of your	
23	BY MR. SHECHTMAN:		23	motives that you wanted to be on this case because it piqued	
24	Q. Ms. Conrad, you continue to call these omissions, am I		24	your curiosity?	
25	correct, and you're reluctant to use the word "lie"?		25	A. I guess partially.	
C2frdau7	Conrad - cross	Page 230	C2frdau7	Conrad - cross	Page 232
1	A. I have been using the word "omission," that's correct.		1	Q. And you thought it was worth lying about your background to	
2	Q. If you can look at your voir dire, which I think is		2	be on a case because it piqued your curiosity?	
3	Government Exhibit 2, when you told the Court, "we travel," you		3	A. No, that's not a correct characterization of it.	
4	and your husband, was that a true statement?		4	Q. So, if there is a suggestion that you lied in order to get	
5	A. It was. We don't travel much anymore.		5	the \$40 a day --	
6	Q. Since when have you not traveled?		6	A. I never said that. I never testified about that.	
7	A. Maybe about over a year ago.		7	Q. Or you lied --	
8	Q. Where did you travel to?		8	A. I said the stipend was not a factor.	
9	A. Usually Jersey.		9	Q. Didn't you tell Mr. Okula just the opposite, that the	
10	Q. So the "we travel" part of this was we travel to New		10	stipend was partly a factor?	
11	Jersey?		11	A. It wasn't a motivating factor.	
12	A. Sure.		12	Q. You didn't lie in order to get the \$40 stipend and you	
13	Q. The elderly aunt that you take care of is who?		13	didn't lie because the case piqued your curiosity, are we	
14	MR. OKULA: I'm sorry. I'm having a hard time		14	correct on that?	
15	hearing.		15	A. No. It did pique my curiosity.	
16	Q. The elderly aunt that you take care of is who?		16	Q. Is that why you lied on voir dire?	
17	A. My maternal aunt.		17	A. There are a few reasons. I was unemployed.	
18	Q. Her name?		18	Q. So the \$40 a day was a factor?	
19	A. Grace.		19	A. No. It's the intellectual stimulation, sir, beyond the	
20	Q. How often do you take care of her?		20	dollars and cents, the \$40 and change or whatever, and keeping	
21	A. Once to twice a week.		21	busy. And I hadn't been in a courtroom, and I enjoy and like	
22	Q. I take it you said both those things, the "we travel" but		22	the dynamics of it.	
23	omitted New Jersey and the elderly aunt, so that you would seem		23	Q. If someone asked you why you perjured yourself repeatedly,	
24	like you were a more marketable juror?		24	you would say, because I wanted to be in a courtroom?	
25	A. I don't know. I'm not sure.		25	A. I think I just enumerated the other reasons to you as well,	

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

C2frdau7	Conrad - cross	Page 233	C2frdau7	Conrad - cross	Page 235
1	sir.		1	up.	
2	Q. You know as you sit here today that the government is		2	Q. That must disappoint you, that the sentencing date has been	
3	considering bringing perjury charges against you?		3	put off?	
4	MR. OKULA: Objection, your Honor.		4	A. I have no opinion as to that, sir.	
5	A. No, I'm not.		5	Q. But it's a fact you know, right?	
6	MR. OKULA: Unfair characterization.		6	A. It's pretty self-evident, sir.	
7	THE COURT: Sustained.		7	Q. Is it your view as you sit here today that there are no	
8	Q. Have you thought that there is a possibility that since you		8	likely consequences to you other than this unpleasant hearing	
9	lied repeatedly in this courtroom, the government might bring		9	for having perjured yourself in this courtroom?	
10	criminal charges against you?		10	A. I don't know what the government is going to do, sir.	
11	A. Sir, that's why I have use immunity at the moment we speak.		11	Q. You know the government could bring perjury charges against	
12	Q. But you didn't know you had use immunity when you came here		12	you?	
13	today, did you?		13	A. Maybe. I don't know.	
14	A. I knew it was a large probability that I would.		14	Q. You know that whether criminal charges are brought against	
15	Q. Can I ask you a question?		15	you will be determined by what you refer to as "our	
16	A. Sure.		16	government," is that correct?	
17	Q. If that testimony is completely the opposite of the		17	MR. OKULA: Objection.	
18	testimony you gave this morning, what conclusions should we		18	THE COURT: Overruled.	
19	draw from that?		19	A. Can you rephrase that, please?	
20	A. I don't know what your question means, sir.		20	Q. You know that the decision as to whether criminal charges	
21	Q. This morning you told us you had no idea you were going to		21	will be brought against you will be made by what you call "our	
22	get use immunity, and this afternoon you told us, just now, it		22	government"?	
23	was a large possibility. Which of those is true?		23	A. You're quoting from my letter. I don't know who else's	
24	A. I guess both. The judge didn't confer immunity until I		24	government it would be. But we're sitting here in the Southern	
25	invoked my Fifth Amendment privilege.		25	District, so kudos, I guess you're correct.	
C2frdau7	Conrad - cross	Page 234	C2frdau7	Conrad - cross	Page 236
1	Q. When you came here today, did you know that there was use		1	Q. Which is to say you also know that if your answers today	
2	immunity or not, a distinct possibility that you would be		2	displease the government, there is no likelihood of those	
3	charged with perjury?		3	criminal charges being brought?	
4	A. No.		4	MR. OKULA: Objection, your Honor.	
5	Q. You have convinced yourself there is no chance of such a		5	THE COURT: Sustained.	
6	charge?		6	Q. Have you thought about that possibility, Ms. Conrad?	
7	A. I don't really think it matters what I convince myself of,		7	A. Not really until your questions brought it up.	
8	sir.		8	MR. SHECHTMAN: No further questions.	
9	Q. It matters enormously.		9	THE COURT: Anything further on redirect, Mr. Rotert	
10	MR. OKULA: Objection.		10	or Ms. McCarthy?	
11	THE COURT: Sustained.		11	MR. ROTERT: Thank you, your Honor, no, nothing for	
12	Q. When you entered this courtroom today, did you believe		12	Ms. Guerin.	
13	there was a possibility that charges would be brought against		13	MS. McCARTHY: Nothing further.	
14	you for perjury during the voir dire process of this trial?		14	THE COURT: Anything further, Mr. Okula?	
15	A. Not really.		15	MR. OKULA: Nothing. Thank you, your Honor.	
16	Q. That's because you think the government doesn't care that		16	THE COURT: Ms. Conrad, I would like to ask you, given	
17	jurors lie during voir dire?		17	your acknowledgment here today that you misrepresented any	
18	A. I'm not in their heads. I can't answer that.		18	number of material things about yourself during voir dire	
19	Q. As you sit here today, you think you have lied during voir		19	because you wanted to make yourself marketable for the jury,	
20	dire repeatedly, caused this entire process, and that there		20	and you perjured yourself, why did you do that?	
21	will be no consequences for it?		21	THE WITNESS: As I had mentioned, I knew I could be a	
22	MR. OKULA: To the form, your Honor.		22	fair, unbiased juror, and substantivelywise it seemed as if it	
23	THE COURT: Sustained as to form.		23	would be an interesting trial experience. And having been	
24	Q. As you sit here today --		24	suspended for so long, I guess mentally I would think maybe I'm	
25	A. Sure there are consequences. The sentencing date was moved		25	back in the swing of things now.	

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

C2frdau7	Conrad - cross	Page 237	C2frdau7		Page 239
1	I know misrepresenting myself and the perjury was		1	with the marshals, and then we are going to head into I think	
2	wrong, and I apologize to the Court and to everybody else who		2	the rest of the waiver portion.	
3	has, I'm sure, devoted immeasurable amount of time, hours.		3	MR. GAIR: Judge, as far as I'm concerned, the only	
4	Maybe it just wasn't for the \$40. That's basically it. I know		4	reason to call the marshal, I need to to perfect impeachment	
5	a lot of resources were spent because of this, and I apologize		5	unless the Court is ready to decide the substantive issue that	
6	to everybody. It wasn't a calculated folly, it was just maybe		6	the witness has shown herself to be a pathological liar, not to	
7	folly. But I know I served and I did my civic duty and I		7	know what the truth is, probably to be severely mentally	
8	believe I was fair and just in rendering the verdict.		8	disabled, and to have committed innumerable direct contempts in	
9	I know my disclosures definitely would not have		9	front of your Honor today by perjuring herself. So I would	
10	allowed me to serve as a juror. I also know that I could have		10	renew our motion at this time, and then we could dispense with	
11	requested a side bar to speak with your Honor and the other		11	the marshal.	
12	attorneys during the voir dire, and I didn't do that. I		12	THE COURT: We are in the middle of a hearing. I can	
13	apologize to everybody.		13	see that Mr. Okula is ready to respond, but we are not going to	
14	THE COURT: Anything further from counsel?		14	go down that route. You will call your next witness and you	
15	MR. OKULA: No, your Honor.		15	will do it tomorrow morning. We'll have Deputy Weiss here at	
16	THE COURT: Mr. Gair?		16	that time.	
17	MR. GAIR: Not of this witness, your Honor.		17	Are you calling anyone else from the Marshals Service?	
18	THE COURT: Mr. Rotert?		18	MR. GAIR: No, your Honor.	
19	MR. ROTERT: No, your Honor.		19	THE COURT: All right. Mr. Shechtman?	
20	MS. McCARTHY: No.		20	MR. SHECHTMAN: Judge, it may be that we should all	
21	MR. SHECHTMAN: No, your Honor.		21	call it a day. If the Court wants what I think is a short	
22	THE COURT: Is there any reason at this juncture that		22	witness, Mr. Benhamou is here. He is a law student, he has	
23	the arrest warrant that was issued this morning to bring the		23	classes tomorrow.	
24	witness to court should not at this time be released?		24	THE COURT: He is in class?	
25	MR. OKULA: No, your Honor.		25	MR. SHECHTMAN: He missed today.	
C2frdau7		Page 238	C2frdau7		Page 240
1	MR. GAIR: Not the arrest warrant, your Honor.		1	THE COURT: Bring him on.	
2	THE COURT: I'm not going to vacate it. It's an		2	MR. OKULA: May I have a moment with Mr. Shechtman,	
3	existing arrest warrant. She was arrested. But I'm going to		3	your Honor?	
4	release her now.		4	THE COURT: Right. We'll take a witness out of order.	
5	You're free to go. You may step down as a witness. I		5	MR. SHECHTMAN: Judge, I think we are even better. We	
6	think the Marshals Service will assist you. You are excused.		6	have just decided that we don't need his testimony and we are	
7	(Witness excused)		7	going to send him back to school.	
8	THE WITNESS: Would the defense call its next witness.		8	THE COURT: I hope he didn't have much of a class load	
9	MR. GAIR: Yes, your Honor. The defense calls deputy		9	today.	
10	U.S. Marshal Eric Weiss.		10	MR. OKULA: It's early in the semester, your Honor.	
11	MR. OKULA: Your Honor, I understand that he was		11	THE COURT: It's those early sessions that are most	
12	supposed to be communicating with the other marshals because he		12	important though.	
13	let the people in the courtroom know that he was downstairs and		13	MR. SHECHTMAN: I would say that he missed the classes	
14	ready to go. I think it is going to take three or four minutes		14	on respondeat superior by order of the Court.	
15	for him to get up. I don't know if counsel is in favor of		15	THE COURT: Are there any matters that counsel want to	
16	waiting until tomorrow morning.		16	raise before we suspend for the evening?	
17	MR. GAIR: Fine with me, Judge.		17	MR. OKULA: No, your Honor.	
18	THE COURT: I just want to make certain that we		18	THE COURT: Anything from defense counsel?	
19	complete this hearing tomorrow. I'm prepared to work a little		19	MR. GAIR: No, your Honor.	
20	later right now to get that, to achieve that purpose.		20	MR. ROTERT: 9:30 tomorrow, Judge?	
21	MR. OKULA: Judge, I think, based on getting through		21	THE COURT: Let's make it 9:45, since I'm assured that	
22	Ms. Conrad today, there is a substantial likelihood that we		22	we are going to comfortably finish tomorrow. Have a good	
23	will be done by midday tomorrow. I am highly confident we will		23	evening.	
24	get done tomorrow if we break now. I understand from speaking		24	(Adjourned to 9:45 a.m., February 16, 2012)	
25	with Mr. Gair or indirectly that he is going to be fairly quick		25		

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

Page 241

1	INDEX OF EXAMINATION	Page
2	Examination of:	
3	THERESA MARIE TRZASKOMA	
4	Direct By Mr. Hernandez	8
	Cross By Mr. Shechtman	84
5	Redirect By Mr. Hernandez	90
	Recross By Mr. Shechtman	95
6		
7	CATHERINE M. CONRAD	
8	Direct By Mr. Gair	101
	Direct By Mr. Schectman	204
9	Cross By Mr. Okula	211
	Redirect By Mr. Gair	223
10	Cross By Mr. Shechtman	229
11		
12	GOVERNMENT EXHIBITS	
13	Exhibit No.	Received
14	465
15	517
16	975
17	1420
18	2876
19		
20		
21		
22		
23		
24		
25		

Page 242

1	PMD EXHIBITS	Received
2	Exhibit No.	Received
3	PMD 1, 24, 25, 26 and 45	204
4	PMD 2	145
5	PMD 3	125
6	PMD 7	194
7	PMD 14	173
8	PMD 17	176
9	PMD 20	175
10	PMD 23	211
11	PMD 29	179
12	PMD 4036
13	PMD 5465
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

This Page Intentionally Left Blank

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

\$	40:25 11:15 (1) 42:17	189:17 1980 (2) 189:6,7	26:22;36:12;39:14; 52:18,19;53:2;64:19; 69:18;72:8;74:12;75:13; 76:3;78:5;102:3,5; 103:3;115:16;126:19; 136:1,7,20;140:1;146:2, 15:150:2;177:2,5,13; 179:1,4;181:4;189:2; 194:11	23:19;34:2;69:16; 102:5;140:1;146:15; 150:1;151:15;153:13; 154:25;185:6,7;191:11, 15
\$12,000 (2) 133:22;134:4	11:17 (1) 44:8	1981 (1) 189:8	2012 (2) 99:15;240:24	3 (11) 124:25;125:1,2,8,9; 130:21,21;145:9; 176:11;199:22,23
\$14,000 (1) 134:12	11:22 (1) 45:4	1984 (1) 100:2	203 (3) 145:7;157:18;165:1	30 (4) 49:15;113:8;162:17, 25
\$2,000 (2) 134:7,10	113 (2) 55:10;82:21	1985 (1) 189:19	204 (2) 165:4;172:8	39 (1) 100:2
\$40 (7) 231:3,7;232:5,12,18, 20;237:4	118 (2) 63:15;82:15	1993 (1) 189:25	20th (22) 88:6,18;105:13,14; 109:20;110:3,6,9,22; 113:10,22;117:13;124:2, 7:130:14;131:6;138:3;	3H (2) 146:16;151:11
\$400 (2) 135:17,19	11th (2) 39:8;42:21	1997 (2) 42:4;183:2	203:12;223:5	4
\$800 (1) 137:14	12 (16) 18:19,25;19:1,3; 22:12;26:22;39:14; 42:14;57:15;58:5;59:18; 72:8;86:15;138:10; 157:18;159:13	1998 (2) 183:3;184:3	2 1/2 (5) 178:21;179:1,3; 180:24,25	4 (10) 65:10,16,21,23,25; 80:5;145:8;177:18; 180:3;187:15
1	120 (3) 63:15;82:15,16	1999 (1) 9:24	21 (8) 76:3;78:4;150:16,16; 162:17;177:16,17;181:2	40 (4) 29:12;36:24,25;49:14
1 (76) 16:25;18:4,5;21:21; 27:2;31:1;33:9,10; 34:22;35:17,19;36:9; 38:16;39:7;42:24;46:6, 11:49;2,11;50:11,20; 51:2,3,13;57:10,12; 58:25;61:15,25;62:2; 63:3;70:10;71:18,18,24, 24:75:9;77:3;79:21; 80:3;83:3;86:1,9,22; 87:18,23;88:11;89:13; 90:15,21;91:21,24; 92:24;96:1,12,16;97:2,3; 103:3;115:15;129:12; 140:1;146:2,15;147:14, 16:149:13;190:25; 191:1,15;199:20;200:3; 203:23,25;204:2,17	12th (23) 39:9;42:21,24;43:14; 44:8;49:19;64:6;68:23, 24:69;21;23;70:14; 79:22;86:17,20;87:16; 90:7,22;92:17;94:5,9,14; 95:12	1st (6) 23:13;102:2,5;185:3, 7:191:11	23 (4) 211:3,6,10,11	400 (2) 13:16;28:24
1:30 (1) 69:24	13 (1) 138:11	1's (6) 25:13;38:20;49:22; 59:4;60:4;92:15	2385 (3) 146:16;151:10;196:2	41 (2) 48:21;49:3
10 (8) 36:12;84:6;104:1; 125:10,12;131:15; 157:18;160:16	130 (1) 100:1	2:05 (2) 129:3,7	23rd (1) 126:19	45 (3) 203:23;204:1,2
10:25 (1) 39:14	13th (1) 69:21	2:24 (3) 45:9;55:13;62:15	24 (5) 156:3;181:3;203:23, 25:204:2	467 (1) 100:2
10:55 (1) 22:16	14 (12) 18:17;19:20;24;20:1, 5:26;19:39;11;82:15; 138:12;173:15,19,20	2:32 (1) 46:18	24th (1) 194:14	48 (1) 100:2
100 (3) 199:8,17;214:10	14-12 (1) 19:11	2:36 (5) 55:11;57:10;58:6; 62:5;83:7	25 (6) 18:24;163:2;203:23, 25:204:2;207:8	4th (1) 185:14
104 (2) 53:21;54:7	15 (2) 75:13;84:6	20 (6) 49:15;121:11;163:7; 175:20,24,25	25th (3) 87:22;194:11;200:23	5
10467 (1) 151:11	15th (7) 74:12;77:24;85:1; 116:20;118:8;129:22; 170:6	2004 (1) 163:14	26 (3) 203:23,25;204:2	5 (9) 17:3,10,16,18;20:19, 22;33:1;125:11;130:5
10-minute (1) 84:18	16 (7) 196:3,9,11,23;198:10; 199:22;240:24	2006 (1) 135:15	26th (4) 150:24;151:13; 153:12;177:5	50 (4) 49:14,16,16,17
11 (8) 69:18;86:15;96:9,10; 125:12;130:21;131:13; 132:5	16-4 (1) 180:4	2007 (10) 24:3;40:10;135:11,13; 173:10,15;185:14; 187:15;188:9;231:9	27 (6) 10:11,13,22;11:4,9; 12:6	52 (3) 31:3,4;70:5
11:02 (3) 22:24;26:23;40:9	16th (1) 96:6	2008 (6) 135:24,25;136:9; 179:3,6,11	27th (1) 19:8	54 (5) 64:23;65:16,21,24; 176:11
11:06 (1)	17 (6) 63:16;64:1;176:1,6,7, 11	2009 (14) 135:24,25;136:5,9,10; 156:3;176:2,8;179:2,10, 11,25;180:10,11	28 (8) 76:1,8,12,14,25;136:7; 177:12;181:5	6 (1) 126:14
	18 (3) 173:15;189:25;231:9	2010 (8) 24:1,5;25:10;42:11; 100:1;175:21;187:12,15	28th (6) 67:4;136:1,20;147:7; 150:20;177:4	606 (1) 199:12
	19 (2) 132:5,6	2011 (37) 9:4,7;21:21;22:12;	29 (5) 176:2;179:13,16,21,22	7
	1932 (1) 47:5		2nd (14)	
	1976 (1)			

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

7 (9)	A	38:12;91:7,10 acknowledging (1) 91:6 acknowledgment (1) 236:17 acquit (2) 220:1,3 acquittal (2) 220:16,16 acquitted (1) 74:24 acquitting (1) 164:5 across (1) 142:22 act (1) 228:22 acting (2) 32:20;128:10 action (4) 38:17;53:10,14; 207:22 actions (2) 178:12,18 active (1) 142:13 actual (1) 80:20 actually (24) 13:9;20:9;28:6;53:12; 60:8,14;68:17;87:1; 93:1;131:12;150:5; 152:9,21;153:5;158:21; 163:8;165:4;169:3; 209:5,6,9,10,10;223:20 acumen (1) 158:25 Adam (2) 4:19;40:1 add (2) 76:18;137:7 added (1) 231:17 addition (1) 13:14 additional (9) 14:3,11;18:23;34:10; 44:25;57:18;59:23; 85:12;93:7 address (38) 6:22;45:11;50:17,21, 25;51:5,8,9,9,11,20,22; 52:3;56:2;85:13;144:18, 20;146:23,23;147:6,11; 153:2,8;157:23;158:4,6, 9;161:20,22;186:19; 196:8,11,16,19;198:10, 13,15,16 accurate (6) 46:8,17;79:19;208:24; 209:15,18 accused (1) 59:12 achieve (1) 238:20 achieved (2) 134:20,24 acknowledge (3)	addressing (1) 72:19 adequate (1) 99:25 Adjourned (1) 240:24 admin (5) 39:17,18,22,24;40:4 admiration (1) 171:18 admired (1) 59:13 admissible (1) 217:12 admission (13) 11:4;19:11;36:20; 65:15;75:18;76:7;125:5; 145:1;173:15;175:19; 179:15;194:4;203:22 admit (1) 19:10 admitted (3) 9:23;174:15;211:3 adopt (2) 127:6,20 advance (4) 11:22;19:7;20:14; 29:18 advice (3) 99:2;102:4,7 advised (3) 5:4;6:1;139:3 advising (1) 124:2 affect (5) 216:2,7,12,16;228:22 affidavit (20) 125:15;126:6,9,11,18; 128:13;129:10;133:23; 134:1,8;135:25;136:19; 137:16,22,23;150:8,17, 23;151:14;155:23 affluent (5) 152:9,21,25;153:5,9 afford (4) 124:16;125:16,18; 126:10 afternoon (17) 7:5;49:6;56:5,19; 69:22;70:14;83:15; 86:20;23;87:15,16; 90:22;92:16,20;129:6; 130:7;233:22 afterwards (2) 93:6;190:10 again (19) 20:23;55:6;71:20; 80:2;92:6;98:6,11,13,18; 112:14;118:14;122:9; 123:20;157:18;167:10; 168:9;191:13;196:8; 204:17 against (26)	10:25;52:14;62:12,16; 99:3;111:8;113:25; 114:17;128:16;132:17; 133:13;134:6;137:10; 140:24;208:6;212:4,14, 17;215:23;220:20; 233:3,10;234:13;235:11, 14,21 age (1) 48:21 agenda (1) 212:1 agents (1) 214:19 aggravated (1) 184:7 ago (15) 90:5;103:5;113:8; 131:4;153:7,19,22; 157:6;162:17;163:7; 191:1;216:25;223:4; 226:21;230:7 agree (30) 9:25;21:20;26:10; 29:20;30:6;46:10;56:6; 67:23;73:2,21;81:8; 87:2;90:7;92:23;105:25; 108:10;113:6;116:25; 119:9;16;120:9;121:17; 124:1;128:12;137:11; 154:12,24;159:18; 197:21;227:4 agreed (2) 31:21;231:3 agreement (1) 68:1 ahead (2) 95:22;204:13 airplane (1) 189:18 akin (1) 192:5 al (1) 8:21 alcohol (7) 24:7;25:13;97:10; 98:19;110:5,9;180:12 alcoholic (8) 41:4,21;94:17;174:15, 17;175:9;176:9,13 alcoholics (1) 109:18 alcoholism (9) 25:13;89:14;174:6,9, 11,21;176:18;177:9; 210:12 alerted (1) 5:15 alerting (1) 63:2 alleged (2) 74:19;75:3 Allen (1)
7:52 (2)				
70s (1)				
72 (4)				
721 (1)				
724 (1)				
73 (1)				
78 (1)				
8 (4)				
8:00 (1)				
8:33 (1)				
80 (2)				
8½ (1)				
81 (1)				
89 (2)				
8th (2)				
9 (8)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2)				
90 (1)				
93 (1)				
94 (1)				
95 (1)				
96 (1)				
97 (5)				
98 (1)				
9 ()				
9:20 (1)				
9:30 (1)				
9:45 (2				

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

4:7	apologies (1)	133:22;134:5,11	asserting (1)	219:9
allergic (1)	136:17	April (2)	99:3	attentive (1)
170:16	apologize (4)	183:3;184:4	assertion (1)	35:24
allow (1)	88:17;237:2,5,13	archeology (2)	102:18	Attorney (23)
137:24	Aponte (2)	167:22;171:25	assessment (1)	4:5;54:11;14;123:24,
allowed (2)	32:10,15	area (4)	24:125:25;126:16;	
166:10;237:10	appear (22)	97:14,15;152:9,21	133:24;141:22;143:12;	
almost (2)	5:13;10:12;40:21;	argument (2)	166:15,16,18,23;167:6;	
16:22;53:6	42:22;48:14;105:1,15;	arguments (1)	168:25;178:7,8;212:14;	
alone (1)	106:15;109:20;110:11,	97:17	215:23;216:16;218:7;	
67:11	25:116;19;118:8,18;	Arizona (7)	221:6	
along (11)	119:11,18;120:5;123:7,	185:14,17,19;186:15;	attorneys (3)	
44:6;58:22;63:5;	13:186:10,12;215:11	188:9;210:15;215:12	148:15;165:23;237:12	
85:20;93:11;190:16;	appearance (5)	arose (1)	Attorney's (1)	
191:18;194:20;217:2,9;	5:19;8:16;109:23;	37:11	5:6	
220:11	110:2,8	around (3)	August (10)	
aloud (2)	appearances (2)	112:19;150:10;201:24	170:24;179:2,3,6,10;	
37:3,18	4:2;9:14	arrangement (1)	180:11;185:14;187:15;	
alternate (6)	appeared (6)	35:6	188:9;189:19	
34:16;90:11,12;92:8,	103:8;109:19;186:14,	arrest (17)	aunt (4)	
14:96:10	16;191:5;223:5	5:6,21;6:11,13,20;	230:13,16,17,23	
alternates (2)	appearing (2)	94:17;121:13;122:21;	authorities (8)	
29:5;34:24	112:24;122:16	183:12,13;184:1,2;	151:4;153:12;155:20,	
alternatively (1)	Appellate (9)	187:17;188:7;237:23;	23:191:6;210:14;224:8,	
71:24	23:1;24:1;88:11,12;	238:1,3	13	
alternatives (1)	150:21;173:9,22;	arrested (24)	authorization (1)	
99:24	175:20;176:3	6:23;89:18;94:16;	175:5	
although (4)	apples (1)	123:7,13;179:25;181:6,	auto (1)	
50:12;98:15;100:25;	224:9	13;182:18,22,25;185:14,	190:3	
187:20	applicable (2)	16,19,24;188:9,25;	available (8)	
amended (1)	42:22;136:3	189:3;193:12,14;215:11,	7:7;13:5,10,12;39:21;	
75:16	application (12)	18:216:6;238:3	44:18;172:16,19	
Amendment (5)	7:4;35:2;97:3,6;	arrests (4)	Avenue (16)	
99:3;100:20;102:9,19;	100:12,21;102:13;	183:15;185:2;188:16,	146:3,16;147:6,12,18;	
233:25	126:16,17;148:10;	18	148:1;151:11,14;156:8,	
among (2)	150:17;177:23	arrived (2)	11;158:12;170:12;	
100:6;200:15	apply (6)	6:8;110:6	196:3,7,9;198:16	
amongst (1)	158:25;159:10,14;	artful (2)	average (1)	
74:1	164:4,14;217:4	75:6;85:9	152:7	
amount (5)	applying (3)	A's (1)	avoid (1)	
69:12;85:23;134:11;	102:16;216:4;219:23	16:22	82:3	
210:4;237:3	appoint (3)	a-s (1)	aware (14)	
and/or (2)	124:11,15;132:15	206:22	14:10;28:15;34:16;	
181:7,8	appointed (4)	ascertain (1)	36:3;72:22,24;75:4;	
anew (1)	125:25;126:16;	74:18	78:1;85:5;89:5,10,11;	
96:11	132:20;137:25	ascribed (1)	93:25;97:9	
animus (2)	appointee (1)	41:17	axed (2)	
212:17,21	116:16	Aside (3)	171:14,14	
answered (6)	appointment (7)	13:12,20,20	B	
145:12;151:18;	111:10;115:22;	aspects (5)	BA (2)	
164:19;175:1;211:17;	116:14,21;117:6,11;	11:23;97:9,19,25;	167:21;171:23	
227:24	133:4	98:19	bachelor's (3)	
anticipate (4)	appreciate (1)	ass (2)	44:3;59:11;86:13	
130:4,6,8,9	49:8	116:6;207:11	back (38)	
anxious (5)	appreciated (3)	a-s-s (1)	5:12,16;13:15;23:7;	
194:15,19,24;195:1,3	92:4,7,7	116:5	27:9,15,19;31:4;43:1,8;	
anymore (1)	appropriate (7)	assassination (1)	20:44;13:45;7,9;46:18;	
230:5	85:7,14;102:25;	142:19	57:5;58:23;61:15;67:4,	
apart (2)	128:24;178:12,18;	assault (4)	12:71;12:72;10:81:3;	
9:9;103:7	222:18	183:6,8,9,13	83:13;86:4;101:2;	
apartment (5)	appropriately (1)	assert (1)	122:11,13;126:13;	
146:16;151:11;157:1,	216:13	102:9		
2,5	approximately (3)			

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

backdating (1)	136:22;138:3;142:4; 157:3;198:6;209:16; 218:15;236:25;240:7	125:14;132:5;146:20; 21:199:22;212:18; 216:21;222:15	biographical (1) 66:2	48:14	78:2
background (5)	203:4	behalf (7) 4:7,12,16;6:16;11:14; 97:3;202:3	bipolar (1) 120:22	break (8) 64:9,13;86:21;111:13; 114:20;165:16;192:23;	Brune (48) 8:25;9:2,6,9,17;12:1;
badly (1)	34:5;148:12;167:19; 225:20;232:1	behavior (5) 106:1;107:2;110:16, 16:184:17	birth (7) 47:5;48:1,8,15,15; 49:10;54:20	238:24	16:1;21:11;35:4,11,12; 38:7;40:2;42:2;44:24;
bags (1)	154:20	behind (2) 88:15;209:22	birthday (1) 191:2	brief (15) 25:16,17;67:2,10;	56:20,24;57:8;58:2;
bar (10)	182:3,5,11	belief (2) 170:25;175:8	bit (2) 111:13;153:8	68:5,6,8;73:14,22;74:6, 8:79;11:23;97:7;229:21	59:18;60:18,19,21;
Barker (17)	182:8	beliefs (1) 218:11	black (1) 124:23	briefly (14) 25:16,17;67:2,10;	61:17,23;63:1,19,23;
based (23)	9:21;23;30:23;135:25; 153:11;207:21;224:4,8, 12;237:11	benefited (1) 95:1	blackout (1) 139:17	84:5;92:22;97:7;100:16; 204:12	67:20;69:22;70:13;
basically (6)	146:3,9,16;147:6,12, 18:148:1;151:10,14; 156:8,11;158:12; 170:12;196:3,4,7;198:16	Benhamou (38) 12:15;22:12,23;23:7; 26:22;40:8,9;41:8,17; 42:9,17;44:22;45:4,9; 49:8;55:18;56:8,17; 57:5;62:11,15;63:16; 64:3;70:24;81:14;82:7, 13,24;83:2,6,13;87:1; 91:4,11;92:19;93:13,16; 239:22	below (1) 52:4	bring (13) 7:1;84:16;92:8;98:23; 100:13,15;101:12;	73:12;74:1;76:22,24;
basis (6)	32:21;91:17;221:15; 223:7;228:25;237:4	bench (3) 35:9;94:16;116:21	blackouts (1) 139:15	129:25;187:6;233:9; 235:11;237:23;240:1	77:1,5;79:24;86:7;87:8,
basketball (1)	16:9;24:6;88:4; 106:24;158:12,18	benefited (1) 95:1	blank (1) 175:5	12,17,24;88:10;92:17;	
Bates (13)	111:23	Benhamou's (4) 55:13;56:6;62:23;87:2	bless (2) 111:6,18	93:5,10,12	
become (1)	18:19,23;19:3;21:23; 22:10;24:2;26:18;39:11; 40:19;54:7;55:10;82:15, 21	besides (5) 76:24;121:3;171:18; 187:19;228:1	Block (1) 77:7	Bureau (1) 31:25	
beating (1)	185:23	best (4) 12:7;82:11;86:24; 192:7	board (5) 18:7;24:16;29:21; 142:22;189:18	burglarizing (1) 32:21	
became (2)	16:25;18:3	Beth (1) 90:12	Bobbi (1) 4:23	burglary (2) 189:23;190:1	
bed (1)	146:2	better (4) 85:18;149:7;187:5; 240:5	boilerplate (4) 173:12,21,25;175:17	Burke (2) 69:5;77:14	
bedroom (1)	148:23	Beyond (2) 210:8;232:19	bond (5) 186:3,4,5,9;187:25	bus (11) 162:14,15,16,19,22,	
been/is (1)	41:4	Bharara's (1) 198:4	bonds (5) 134:7,13;138:4,11,15	22,25;163:20,25;164:10;	
beg (1)	122:24	bias (8) 26:12;140:23;149:7; 212:17,21;214:9; 217:24;220:10	bonus (1) 231:17	207:8	
began (1)	213:23	biased (5) 15:4;212:14;215:22; 220:20;229:11	book (3) 150:16;201:25,25	business (5) 138:5,13,16,19,21	
begin (2)	145:10;222:19	biases (2) 141:4,11	born (2) 54:25;55:2	businessman (2) 163:5,6	
beginning (11)	42:13;59:25;103:11;	big (3) 91:25;124:23;206:16	Borough (1) 52:8	busy (1) 232:21	
		binder (2) 124:24,25	Boston (1) 158:5		
		bio (1) 12:6	both (18) 61:17;148:3;149:11, 12;150:6,7;151:21; 153:15,16,23,24;155:15;		
			bother (1) 57:6		
			bottom (9) 17:25;20:22;39:14; 47:2;77:3;125:11;		
			bounced (1) 131:14;178:11;218:23		
			bounds (1) 165:20		
			box (2) 148:21		
			boxes (1) 35:14;101:10		
			Brubaker (9) 68:14,16;23;69:19; 74:24;199:25;203:1;		
			bounced (1) 220:1,16		
			Brubaker's (5) 69:2,25;74:22;77:25;		

UNITED STATES OF AMERICA, v.
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

can (83)	179:16;187:4;191:18; 193:16,18;209:6,11; 211:23;212:18,25;213:2; 8;214:13,18,25;215:24; 216:2,3,14,17,20; 218:13;219:21;220:8, 11;221:6,25;222:6,11, 21;231:15,23;232:2,13	139:14,15;192:13; 223:13	choose (2) 201:8,11	Clinically (1) 180:19
	cases (9)	chairs (1) 7:22	chose (2) 201:21;228:14	Clinton (6) 111:9;115:22;116:12, 14,16;117:6
	cash (6)	challenge (5) 15:20,20;31:23;32:5, 13	chosen (1) 188:20	Close (6) 49:16,16;64:10;99:20; 188:18;191:4
	cast (1)	challenged (1) 32:12	Christopher (1) 4:6	closed (2) 98:15;99:19
	cat (4)	challenges (3) 30:3;86:7,8	chronology (3) 176:24;177:11;224:5	closer (2) 16:21;49:14
candid (1)	131:16,22;133:17,21; 134:4,12	chambers (6) 5:2,11,14,16;104:1,4	circumstance (1) 68:17	closest (2) 35:9;101:14
capability (1)	212:7	chance (5) 68:6;95:5;107:21; 210:1;234:5	circumstances (1) 14:5	closing (1) 99:24
capitalize (3)	212:7	change (4) 70:16;121:14;122:22; 232:20	cited (1) 24:5	closure (3) 97:4;99:22,25
capitalized (2)	212:7	character (1) 142:18	cites (1) 72:11	Coffee (4) 52:11,15;62:12,17
caption (2)	196:1,2,2,5	characterization (8) 56:6,8;7:3;127:6; 183:20,22;232:3;233:6	citizens (1) 140:22	cognizance (1) 186:5
cards (3)	Catherine (89)	characterize (7) 110:16;128:3;136:23; 154:10;167:20;175:10; 228:6	civic (6) 192:6,9,11;224:14,15; 237:7	colleagues (1) 11:18
care (12)	6:13;17:1,2;18:1,7; 20:16,21;22:21,22;23:4, 11,23,25;24:6,8,9,11,13, 18,19,23,23;25:3,4,13, 14,18,20;40:13;41:13, 19,20;42:17;45:10,21, 23;46:9,11,21;48:9;50:9, 14;52:1,5;54:16,16,17, 25;55:3,5,8;57:9;58:23, 24;60:23,25;61:1,5,7,10, 16,19;62:19;67:18; 68:19;69:1,2,17,20; 70:20;71:2;77:15;78:6, 79:8,12,20;83:21;90:4, 21;129:19;176:2; 179:17,23;180:1	characterized (1) 229:18	civil (16) 9:10;38:2,10,12; 51:23;52:6,8,13,17,23, 25;62:16;66:9;94:23; 95:5;153:23	collect (1) 82:13
career (7)	C-A-T-H-E-R-I-N-E (1)	charge (6) 199:6,8,16,17;214:2; 234:6	claim (2) 13:19,22	collected (2) 66:20;81:17
careful (2)	101:21	charged (8) 11:20;149:4;166:1,6; 181:7;183:5,8;234:3	claims (1) 13:20	collection (1) 82:12
carefully (1)	cats (1)	charges (11) 165:24;208:5;220:3; 222:1;233:3,10;234:13; 235:11,14,20;236:3	clarify (2) 22:3;72:6	Columbia (1) 42:4
216:13	170:16	Charles (1)	clarity (1) 56:4	combination (1) 178:7
Caroline (1)	cause (8)	4:6	class (3) 12:5;239:24;240:8	comfortably (1) 240:22
4:16	6:13;31:23;32:5,6,12; 86:7;89:19;215:22	cheap (1)	classes (2) 239:23;240:13	coming (11) 5:4;15:11;64:9;83:12; 104:5;105:23;106:15, 25;108:11,15,21
carry (1)	caused (6)	109:13	classics (1) 167:21	commenced (1) 191:1
212:1	23:17,18;70:16;110:9, 11;234:20	check (3)	clear (6) 13:20;27:18;56:14; 85:25;100:24;101:7	comment (1) 47:18
carrying (2)	cell (4)	28:13;29:15;189:15	cleared (1) 6:25	Commission (1) 66:9
77:3;218:10	196:21,24,25;197:1	checking (6)	clearly (2) 41:4;43:13	committed (3) 178:22;231:11;239:8
Case (70)	central (2)	130:19;131:2,8,17,23; 133:22	clerk (9) 66:17;70:1;93:19;	committee (16) 40:10;41:11;60:23; 80:17;98:3,20;99:18; 120:13;136:11,19; 150:9;176:4,8;191:8; 208:5,5
4:1;6:10;10:25;11:12; 15:1,4;29:9;38:9;44:15, 17:51:13;60:15;61:22; 62:12,16;68:1,10;72:11, 12,19,21;74:12;87:21; 94:1;100:10;102:3; 140:10,22;154:1;159:12, 16:164:16;166:17; 169:6,12;172:12;	cents (1)	Chicago (3) 106:3,7;152:11	client (14) 5:9;10:5;35:5,10;	common (12) 14:6;23:22;24:24; 38:10;50:14;53:17;
	232:20	children (2) 164:21;171:19	128:16;132:17;133:13;	116:25;121:19,22;122:1, 1;169:3
	certain (15)	children's (1) 93:14	134:6,14;137:10;	communicate (2) 14:13;75:7
	13:5,25;28:14;64:20; 67:16;68:9;79:7;81:5;	Chinese (1) 162:20	142:21;146:11;147:23;	communicating (3) 67:9;81:19;238:12
	90:4;91:12;179:11; 218:7;220:3;222:3; 238:18	choices (3) 15:19;29:19,24	clients (1) 149:3	
	certainly (7)		42:7	
	60:25;94:14;100:17;			

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

communication (1)	97:12	48:9,25;50:10,14;52:1,5, 14;53:25;54:16,17;55:5, 8;57:9,19;23;58:19,24; 60:23;61:1,1,5,7,10,16, 19;62:19;66:3;67:18; 68:10,13,19;69:1,2,17, 20;70:21;71:2;73:18,23; 77:15;78:6;79:8,13,20; 81:5,15;83:21;84:16; 86:9,18,22;87:18;89:12; 90:4,10,14;93:3,7,23; 94:6,15;95:2;96:2;99:3, 15;100:3,9,14,20,25; 101:1,12,16,22;102:1, 18,24;103:3;106:13; 109:4,19;116:18; 122:13;127:11;128:12; 129:11,15,19,19,25; 130:7,10;133:21;134:3, 16;135:23;136:14,18; 137:22;140:9;142:23; 145:9;148:11,16; 152:20;154:6;176:2; 193:5;200:16;204:16; 208:16;210:6,19;211:16, 25;212:24;215:14,21; 216:1;217:7,21;218:1; 219:20;220:14;221:2; 222:17;226:7;228:21, 24;229:24;236:6,16; 238:22	56:1	conveying (1)
communications (2)	98:1	14;53:25;54:16,17;55:5, 8;57:9,19;23;58:19,24; 60:23;61:1,1,5,7,10,16, 19;62:19;66:3;67:18; 68:10,13,19;69:1,2,17, 20;70:21;71:2;73:18,23; 77:15;78:6;79:8,13,20; 81:5,15;83:21;84:16; 86:9,18,22;87:18;89:12; 90:4,10,14;93:3,7,23; 94:6,15;95:2;96:2;99:3, 15;100:3,9,14,20,25; 101:1,12,16,22;102:1, 18,24;103:3;106:13; 109:4,19;116:18; 122:13;127:11;128:12; 129:11,15,19,19,25; 130:7,10;133:21;134:3, 16;135:23;136:14,18; 137:22;140:9;142:23; 145:9;148:11,16; 152:20;154:6;176:2; 193:5;200:16;204:16; 208:16;210:6,19;211:16, 25;212:24;215:14,21; 216:1;217:7,21;218:1; 219:20;220:14;221:2; 222:17;226:7;228:21, 24;229:24;236:6,16; 238:22	199:6,16	31:16
community (4)	36:4;44:25;57:18; 59:23;106:17;119:17; 120:11;121:17,19; 122:16,17,18,20;123:1, 5,8;128:12;166:5; 173:10,23;181:23; 186:1;215:10	199:6,16	convict (2)	
companies (9)	162:14,15,16,22,23, 25;163:20,25;164:10	199:7,16	199:7,16	
company (2)	162:19;207:8	139:5,9,22,24;142:21; 148:20;181:7;182:19,22; 25;183:3;188:25;189:3, 8,12;190:3;199:20,24, 25;200:3;201:1,2;	convicted (23)	
compelled (2)	100:22;117:14	206:18	convicting (1)	
compelling (1)	219:13	195:11,15	146:11	
competent (1)	217:14	206:18	conviction (7)	
complaint (2)	71:7,9	contacted (2)	32:18,20;33:1;183:12; 184:1,3,7	
complaints (1)	216:11	5:5,12	convictions (7)	
complete (7)	84:15;125:15;126:8, 11;130:10;193:1;238:19	contemplate (1)	89:14,15;184:5;185:2; 188:19;210:12,13	
completed (1)	126:17	94:14	convince (1)	
completely (1)	233:17	contemplating (1)	234:7	
completing (1)	80:23	94:10	convinced (1)	
complexity (1)	222:15	contempt (2)	234:5	
component (1)	206:16	184:10;215:7	convincing (1)	
computer (3)	195:23,24,25	contempts (1)	219:6	
concealed (3)	168:20;190:18,21	context (8)	cop (1)	
concepts (2)	60:12,15	38:3,6,11;122:15,16; 217:22;224:2;229:10	183:10	
concern (9)	23:17,18;26:15;30:11, 14;31:6,8,9;36:9	continue (5)	copied (1)	
concerned (3)	30:24;229:1;239:3	54:5;64:10;130:12; 193:3;229:24	42:17	
concerning (7)	5:9;97:4;98:2;99:16; 102:10;114:19;118:9	Continued (6)	copies (2)	
concerns (4)	5:18,19;97:19,25	33:12;78:13;104:7; 149:15;186:25;220:23	18:15;129:11	
conclude (2)	47:9;53:18	contract (1)	copy (9)	
concluded (8)	23:10;31:18;34:8; 61:24;62:1,3;70:22; 79:24	218:7	36:18;59:6,20;64:25; 65:2;75:13;97:20; 187:20;201:14	
conclusion (8)	47:6;54:24;87:9,11; 93:9;128:9;165:17; 214:7	contradiction (2)	corner (1)	
conclusions (1)	233:18	200:6;201:2	180:4	
condition (1)	communication - counseled (6)	contradictory (2)	corporate (1)	
	22,22;47:5,10,12,17,21;	200:21,25	38:4	
		contrary (2)	corporations (2)	
		35:22;112:15	38:7,9	
		controlled (1)	corrected (1)	
		189:9	75:16	
		controlling (1)	corrections (1)	
		72:21	227:17	
		convenience (2)	correctly (6)	
		181:16;182:2	33:4;37:13;134:8; 145:13;199:18;200:5	
		convenient (1)	couching (1)	
		181:18	195:3	
		conversation (32)	counsel (51)	
		5:16;56:20,21,24; 57:8;58:15,17,21;59:22, 24;60:3,21;61:8;67:10;	4:23:5;1:6;10:8;15,18, 24;17:22;67:1,15,24;	
		68:22,24,25;69:19,22; 70:12;77:13;78:5,10;	68:2,6,9,13,16,22;69:19, 19,25;74:22;77:10,25;	
		79:1,4,23,25;87:12,16; 93:5;129:24;131:5	78:2;84:7;96:8;97:20;	
		conversations (2)	98:11,18;99:1,2,8;102:4;	
		29:22;66:25	7:107:19,22;124:19,21;	
		considering (2)	125:17,18;126:10,19;	
		222:8;233:3	129:12,25;132:7;204:8;	
		consisted (1)	210:18;216:12;237:14;	
		218:4	238:15;240:15,18	
		consistent (1)	counseled (1)	

UNITED STATES OF AMERICA, v.
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

5:17	148:4,7,10;150:20;	crime (3)	David (20)	95:16;101:5;141:25;
counsels (1)	152:9,18,21;153:16;	166:6;182:19;192:14	12:15;22:12,23;26:22;	142:6,10,23;143:8;
69:2	154:9;155:9;156:21;	crimes (1)	40:8;41:8;44:22;45:4;	147:25;159:22;165:13;
counsel's (4)	159:9;160:8,25;161:3,9;	182:23	47:2;49:6,8;50:2,3;	167:2,3,8,11;172:11,24;
35:13;129:8;177:23;	162:9,11;163:18,23;	criminal (34)	55:22;62:11;63:16;	183:17;184:24;185:1;
200:18	164:18,21;167:4,9,11,	9:10;10:25;11:12;	70:24;83:13;199:7;	188:13,15;197:15;
Count (2)	18:169:5,10;170:6;	32:16;38:5,7;66:8,8;	213:12	217:10;235:20
201:1,2	171:4,12;172:9;173:17,	94:15;100:10;148:14;	David's (1)	decision-making (1)
counts (1)	19:174:20,22,23;175:11,	153:23;154:15;155:15;	47:18	10:4
74:24	12,20,24;176:3,6,20,22;	163:8;184:10;185:2;	Davis (4)	decisions (1)
county (5)	177:21,22;179:19,21;	190:12,19;192:21;	4:5;8:21;40:9;202:2	14:24
144:6,24;145:18,21;	181:25;183:24;187:19,	212:13;215:3,22;216:2,	day (44)	declaration (4)
148:5	21,22;190:16;192:9,20,	7;222:11;229:1,8,9,16;	23:13,13;39:6;57:7;	65:12;66:1;80:5,24
couple (5)	24;193:3;194:6,8;198:1;	233:10;235:14,20;236:3	58:5,7;59:9;61:24;64:5;	deemed (1)
22:1;67:3;156:1;	199:14;200:12,14,18;	criminals (2)	69:23;71:9,10;96:6;	186:24
177:7;226:21	201:6;202:9;203:11,16,	229:2,16	110:13;127:11;139:16;	deems (1)
course (26)	25;204:5,8,11,13,19;	crooks (6)	143:3;146:15;147:3,5,7,	85:6
5:13;21:14;48:24;	208:2,3,10;209:16,21;	114:11;203:7,13;	8,15;155:1,2;156:17;	deeply (1)
110:24;114:25;123:2;	211:1,6,8,10,12;217:13;	210:22,23;211:19	165:11;185:3,5;191:21;	53:12
142:18;158:24;164:1,9,	221:23;222:24;223:5,7,	crossed (2)	194:1,13,13;195:2;	defective (5)
17:166:12;168:1,6;	7;226:6;228:20;229:20;	80:2;224:10	200:7;205:18,20;206:4;	186:17,18,22;187:2,7
170:11;171:3,11,21;	230:3;231:11;233:7;	CROSS-EXAMINATION (3)	224:2;231:3,7;232:5,18;	defendant (8)
173:8;174:2;185:21,22;	234:11,23;235:18;236:5,	84:23;211:14;229:22	239:21	4:18;101:3,15,17;
188:12;192:12;194:18;	9,14,16;237:2,14,16,18,	cross-examining (1)	149:9;153:23;210:20;	149:9;153:23;210:20;
224:16	22,24;238:2,18;239:5,	169:20	216:2	216:2
COURT (321)	12,19,21,24;240:1,4,8,	crossing (1)	defendants (22)	defendants (22)
4:2,8,9,12,13,17,21;	11,14,15,18,21	63:5	7:17;16:3;74:18;97:2;	7:17;16:3;74:18;97:2;
5:1,13,17,19,20,23:6,1,5,	courthouse (4)	Crownmayer (1)	100:10;111:8;113:25;	100:10;111:8;113:25;
9,10,13,17,20:7;14,17,	6:24;58:8,13;109:20	90:12	114:3,8;149:10;153:24;	114:3,8;149:10;153:24;
23:8,5,6,9,9:15;11:9;	courtroom (24)	cup (1)	211:18,21;212:2,20;	211:18,21;212:2,20;
13:16;17:7,11,16;19:12,	4:24;7:1;18:16;86:8;	109:9	213:3,7;214:13;220:20;	213:3,7;214:13;220:20;
19,24:35;236:4,21,24;	97:4;99:5,9,19,20;102:6;	cured (1)	229:2,11,12	229:2,11,12
37:3,7,17;38:17;48:5,6;	103:4;108:6;118:2;	174:10	defendants' (3)	100:5;229:4,15
52:8;53:6,23;54:4;	153:25;217:3,15;	curiosity (7)	deal (3)	defense (23)
61:17;63:2;64:12,15;	219:22;220:17;232:21,	221:18;222:9;231:15,	5:18;91:25;132:14	10:25;15:1,6;16:13;
65:17,21;69:4,17;72:11;	24;233:9;234:12;235:9;	24;232:2,13,15	dealing (1)	14,22;68:2,6,18;73:13;
74:12;75:23;76:12;	238:13	current (2)	11:20	87:19;187:5;193:23;
77:23;79:9;80:25;81:6,	Court's (10)	157:23;158:9	dealt (1)	195:12;204:7,8;210:18;
12:82:4;84:3,7,12,15,18,	63:7,13;70:1,6;96:17;	currently (1)	28:16	214:16;228:25;229:13;
21:85:1,17;88:14,17;	98:23;130:14;138:19;	6:22	decade (2)	238:8,9;240:18
89:16,21,24;95:20,22;	171:9;184:22	cut (4)	174:7,11	defensing (1)
96:1,5,6,17,24;97:2,8,19,	covered (1)	198:18,21,25;199:2	December (27)	67:24
21,23,24;100:4,7,17;	172:8	D	105:13;109:20;110:3,	definitely (2)
101:9,12,19,20,23;	cow (3)	6,9,22;113:10,22;	6,9,22;113:10,22;	15:21;237:9
102:13,18;104:5;105:1,	50:5;91:17,19	date (20)	117:13;121:11;124:2,7;	definition (1)
2,7,9,15,18;106:5,14,22,	Craig (2)	221:11	126:19;130:14;131:6;	214:3
25:108:10;109:23;	68:14;74:22	daily (1)	138:3;157:3;170:6;	defy (1)
110:2,6,8,13,20;112:6;	crazy (1)	25:11;47:5;48:8;	173:9,15;175:21;	141:16
113:3,22;115:1,15,18;	117:1	54:25;55:2;68:25;103:6,	199:19;200:4,21;	degree (5)
117:4;118:24;119:11,	create (1)	7:109:17;149:14;	203:12;223:5;231:9	44:4;59:11;86:13;
14:120:19;121:18;	162:4	150:25;151:1,14;163:1;	95:9;218:2	95:9;218:2
122:7,10,12,12;123:4,	created (13)	185:15;186:19;188:10;	decide (6)	deliberate (18)
10,12;125:6,8,14;126:8,	19:6;20:3,4,6,12,14;	194:3;234:25;235:2	140:22;166:5;208:22,	141:25;142:6,10,23;
16:127:12,15;128:24;	21:20,22;22:8;64:5;	dated (4)	23:217:2;239:5	144:8;147:25;155:2;
129:2,8,12,17,21;130:3,	82:7;97:15;162:1	22:12;26:21;63:16;	decided (7)	157:14;159:22;161:11;
6,9,24;131:16;133:18,	creation (1)	99:15	85:17;114:11,14;	167:2,3,8,11;183:17;
19:134:19;135:10;	20:7	dates (3)	141:16,20;154:4;240:6	184:24;185:1;188:13
136:14,16;137:24;138:1,	credibility (1)	48:1;54:20;189:10	decides (1)	deliberated (1)
4,12,14;139:8,21;140:3;	192:15	Daugerdas (12)	101:4	214:6
141:6,11,16,20,25;	credit (1)	4:7,10;77:10;102:6,	deciding (1)	deliberately (3)
142:6,11,13,24;143:3,9;	49:13	10:103:8;118:9;134:6;	112:8	43:10;141:16,20
20:145:3,5,15;146:7;	creditor (1)	137:2,3;147:22;212:18	decision (27)	deliberating (4)

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

169:6,12;183:18; 213:23	determining (3) 158:25;159:1;211:18	disabled (1) 239:8	239:10 displease (1) 236:2	60:17;62:18;82:24; 83:14;84:19;91:5;92:20;
deliberations (10) 96:6,11;169:9;200:10, 14,16;205:6;213:21; 219:6;222:19	developed (1) 129:9	disagree (1) 15:12	dispute (1) 119:1	93:21;96:25;101:15; 111:13;113:23;114:20;
demonstrate (2) 99:21;224:7	devoted (1) 237:3	disagreed (1) 223:17	disregard (3) 173:10,23;217:11	121:2;132:10,11; 145:15;151:21,23;
demonstrates (1) 126:18	diagnosed (1) 176:12	disappoint (1) 235:2	disregarded (1) 218:11	229:7;238:5;239:14
denied (2) 35:2;100:12	difference (3) 142:17,18;225:25	disbarred (1) 119:23	disseminated (1) 100:4	downstairs (1) 238:13
Denis (1) 14:20	different (20) 16:11;19:10;31:10; 51:10;66:1,2,6;76:20; 87:8,11;91:14;113:19; 122:5,5;154:21,22; 171:16;187:2;210:16,16	discharged (1) 180:11	distinct (1) 234:2	Dr (8) 177:18,24;178:10;
Department (19) 23:2,16;26:3,6;30:12; 32:1;55:8;89:13;98:4,9; 99:19;148:17;150:8,21; 151:3;173:12;175:17; 180:5;190:22	dire (126) 11:12,13,16,17,22,24; 12:12,19;13:2,13;14:18, 19:16;24:17;23:18;6,11, 16:19;8:20;13,14,15,24, 25:21;5,7,21;22:4,18; 23:10,12,14,15;24:17, 20:25;9:28;2,5,9,23; 29:2,15,18,21;30:1,5,7, 11,18;32:15;33:5;34:2, 3:35;3:38;16;42:18; 43:3,9,16,19;44:2,9; 47:13;49:22,24;50:18, 20;59:4;60:4;64:20; 69:4,8,17;70:22;71:13, 19,24;72:20;83:4;86:15; 89:6,12;92:10;94:6; 96:14;102:2;103:14; 140:10,11,13,21;141:3, 9;143:1;147:3,5,8,15; 149:13;159:25;161:22; 162:23;165:25;167:17; 171:16;185:4;191:1; 192:17;203:20;207:16; 216:21;222:8;226:16; 227:13,22;228:1,2,13, 21;229:1;230:2;232:16; 234:14,17,20;236:18; 237:12	discipline (1) 181:9	distinction (1) 143:22	180:23;206:8;218:16; 219:4,6
departmental (2) 99:18;176:3	disclose (13) 43:11;67:15;77:13; 79:8,16;80:24;81:6; 83:20,25;85:17,19; 95:16;188:13	disclosed (7) 32:15;43:5;44:3;68:9; 83:4;97:15;190:12	district (5) 30:20;105:6;203:17, 19;235:25	drafted (1) 65:7
department's (1) 17:20	disclosing (1) 185:13	disclosures (2) 100:8;237:9	Division (6) 23:1;24:1;52:8; 150:21;173:9;176:3	drafter (4) 65:8;72:17;73:8,9
dependence (1) 97:10	discourage (1) 93:6	discouraged (1) 129:13	Division's (1) 175:20	drafters (1) 73:10
dependency (1) 98:19	discovery (1) 81:24	discuss (3) 58:19;200:10,14	docket (1) 51:19	drafting (6) 25:16;65:6;76:15,18; 79:11;85:24
deposition (1) 156:2	disclosing (1) 7:5;61:20;76:5;117:7	discussed (4) 67:8;83:20;87:23; 88:3,9	docketed (1) 97:23	draws (1) 52:22
deputy (11) 5:3;104:4;106:25; 107:9;108:14,20;117:17, 25;129:24;238:9;239:15	disclosures (2) 100:8;237:9	discovery (1) 81:24	document (19) 17:5,19,22,25;18:8,12, 21,25;19:15;20:2,12,25; 21:4,8,20;124:25;136:6; 179:16;180:4	drink (3) 109:8,25;110:3
DeRosa (3) 206:8;218:16;219:4	discourage (1) 93:6	discouraged (1) 129:13	documents (12) 10:16;21:17;66:1,12, 19;80:6,8,21;82:12; 95:5;177:12,13	drinking (6) 109:4,6,15;179:10; 184:18,19
DeRosa's (1) 219:6	discovered (1) 129:13	discouraged (1) 129:13	DOJ (1) 148:18	Drive (5) 196:3,10,11,23;198:10
describe (5) 14:17;58:20;70:19; 82:6;205:17	discovery (1) 81:24	disclosing (1) 7:5;61:20;76:5;117:7	dollar s (1) 232:20	drivers (1) 193:7
described (3) 49:8;50:4;221:25	discrediting (2) 142:20,20	discuss (3) 58:19;200:10,14	Donahue (1) 14:20	driver's (1) 193:5
description (1) 231:15	discussing (3) 63:4;133:4,18	discussed (4) 67:8;83:20;87:23; 88:3,9	done (11) 13:24;23:10;81:8; 142:19;153:18;163:13; 192:2;198:19;208:17; 238:23,24	driving (2) 182:25;215:6
designed (2) 20:8;29:24	discussion (7) 69:14;74:1,3;83:24; 87:17;93:10;112:23	discussions (5) 67:8;83:20;87:23; 88:3,9	done (11) 13:24;23:10;81:8; 142:19;153:18;163:13; 192:2;198:19;208:17; 238:23,24	dropped (1) 183:11
desire (1) 222:14	direct (4) 101:24;145:7;204:14; 217:11;239:8	disease (1) 174:6	door (1) 146:3	drunk (1) 182:12
destroy (1) 231:6	directing (8) 6:17;17:19;131:10,12; 133:19;139:10;146:7; 177:22	disgrace (1) 192:3	dossier (7) 43:25;44:11,21;81:15, 17;82:6,12	Duane (1) 70:5
destroyed (2) 231:8,8	direction (1) 48:5	disorder (1) 120:22	dots (3) 210:24;211:18;227:16	due (1) 180:11
details (2) 29:7;62:24	directly (2) 200:18,21	disorderly (2) 186:1;215:10	doubt (1) 210:8	Duffy (1) 77:7
determinant (1) 128:17	disability (1) 175:14	dispense (1)	down (30) 29:3,6,14;45:15; 50:15;55:17;56:2,17;	DUI (5) 183:3,5,12;184:4,5
determination (3) 14:2;125:16;126:9				Duke (6) 111:6,18;112:5,23; 113:7,21
determine (3) 130:15;137:24;158:22				Duke's (2) 111:21,25
determined (3) 43:10;149:6;235:15				duly (2) 8:4;101:18

deliberations - during (8)

SOUTHERN DISTRICT REPORTERS

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

21:5,7;28:9;30:5,7,10, 18:32;15:33:5;34:17,17, 20:35:3,3,20;36:17; 39:20;42:18;43:2,4; 44:2,9;46:11;47:13; 48:24;50:13;56:5;59:22; 60:21;61:8;63:1,8,13; 64:9,20;66:20;67:17; 69:4,25;71:19;24;72:20, 25:74:17,19;75:3,8; 79:20;80:7,8,21,25;85:4; 88:18;89:5,12;92:10; 93:5;94:6,20,24;95:17; 96:11;99:16;101:10; 103:14;106:11;109:23; 112:20;129:13;143:1; 165:16;181:9;182:13; 213:23;216:20,21; 221:17;222:7;234:14,17, 19;236:18;237:12	178:12,18 effects (1) 110:5 either (25) 10:11;20:6;24:22; 29:23;41:16;47:15; 48:22;69:19;71:17,22; 77:14;80:20;94:5;98:12; 107:7;134:12;136:9; 139:9;140:24,24; 160:13;166:18;179:11; 183:7;229:12 elderly (3) 230:13,16,23 Election (1) 66:9 eleven (6) 137:9;142:21;148:6; 149:6;194:20,23 elicit (1) 101:2 else (14) 44:24;56:17;60:18; 67:20;76:24;83:24; 134:2;140:17;172:23; 173:6;174:24;194:18; 237:2;239:17 else's (1) 235:23 email (25) 14:13;22:11,11,16,23; 26:21;25:27;4,7,22; 81:14;82:23;83:6,7,7,9, 13:90:22;91:3,4,8,11,15; 92:16,19 e-mail (27) 39:6,9,14,14,15,19,22; 40:7,25;42:18;45:9; 47:1,25;48:1,8;50:4; 55:11,13,21;56:4;57:10; 58:6;62:11,15,23;70:1, 15 emails (3) 80:10;83:12;93:23 e-mails (7) 40:6,21,22;42:13; 57:9,12;59:18 e-mail's (1) 43:24 embarrassed (1) 152:3 emblematic (1) 219:15 emergency (1) 96:7 emphasize (1) 202:20 employ (1) 10:4 employee (2) 30:21;31:7 employment (1) 26:11	end (25) 28:5;30:1;35:9;38:19; 56:19;57:7;58:7;59:24; 60:5;64:5;71:9,10; 86:23;92:14;116:16; 159:7;181:4;205:18,20; 206:4;211:4;216:21; 220:8;222:15;226:24 endeavor (1) 192:25 ended (1) 185:23 endorphins (1) 207:25 enforcement (2) 32:2,4 engaged (1) 156:18 engaging (1) 226:3 English (3) 167:21;171:23;202:6 enjoy (1) 232:21 enlisted (1) 88:22 enlisting (1) 88:19 enormous (2) 210:3,5 enormously (1) 234:9 enough (7) 46:22;47:9;49:20; 53:18;88:14;200:1; 210:3 ensure (1) 30:7 entered (2) 94:19;234:12 entire (5) 19:15;50:21;51:5; 96:11;234:20 entirely (1) 28:19 enumerated (1) 232:25 envelope (1) 201:14 envelopes (1) 182:1 episode (1) 96:12 Eric (1) 238:10 error (1) 96:1 essence (2) 128:21;200:13 established (4) 131:6;157:9,10; 158:11 estimate (1)	169:22 et (1) 8:21 eternity (1) 201:15 evaluate (1) 16:2 evaluating (2) 159:15;164:15 evaluation (2) 159:11;176:23 evaluations (1) 100:7 evasion (1) 215:19 even (18) 30:10;31:23;39:4; 46:21;47:15;70:18; 87:14;91:10;112:12; 152:15;182:15;184:19; 191:20;197:24;207:2; 221:11;225:21;240:5 evening (5) 69:23;70:14;185:6; 240:16,23 event (3) 7:6;34:17;70:15 events (2) 176:24;214:22 eventually (5) 16:25;18:3,5;49:6; 126:7 everybody (6) 39:23;140:17;199:25; 237:2,6,13 Everyone (1) 115:1 eviction (2) 52:4,6 evidence (58) 11:10;17:17,18;19:25; 20:1;35:21;36:24,25; 65:22,23,24;75:24,25; 76:13,14;125:8,9; 143:19;145:5,6;159:5; 164:15;173:19,20; 175:24,25;176:6,7; 177:16;179:21,22; 187:8;194:8,9;200:1; 204:1,3;205:5,18;206:4; 211:4,10,11,22;212:9; 213:1,8;216:3,13;217:3, 10,14,14,22;219:23; 220:11,17;222:20 evinces (2) 173:10,23 exact (3) 134:11;144:23;194:3 exactly (8) 12:13;44:1;58:21; 85:19;103:13;141:1; 196:22;226:3 EXAMINATION (11)	8:11;20;44:7;84:25; 90:1;101:10,24;130:12; 204:14;222:24,25 example (3) 34:14;38:5;219:15 examples (1) 13:7 except (1) 199:25 excerpt (2) 17:6;70:25 excerpted (2) 70:25;91:12 excluded (2) 187:8;217:12 exclusively (2) 38:1,12 Excuse (2) 196:21;231:21 excused (6) 90:10;96:9,24;97:1; 238:6,7 execute (1) 6:18 executed (3) 5:21;150:23;151:14 exercised (3) 30:6;32:12;86:7 exercising (2) 29:8;30:2 Exhibit (86) 10:11,13,15,22;11:4,9; 12:6;17:3,10,16,18; 18:17,18;19:9,11,19,24; 20:1,5,19,22;21:24; 26:19;31:1;36:15,24,25; 39:11;64:23;65:10,16, 21,23,24,25;75:11,19,23; 25:76:1,8,12,14,25;80:5; 82:8,15,20;83:11;85:2; 87:23;124:25;125:9; 126:14;129:12;130:21; 145:2,5,6;150:16; 157:19,20;173:15,19,20; 175:20,24,25;176:6,7, 11;177:16,17,18;179:13, 21,22;181:2;194:5,8,9, 10;199:22;204:17; 211:11;230:3 exhibits (4) 65:2;203:23,25;204:2 existence (2) 43:11;70:20 existing (1) 238:3 expectation (1) 197:11 expected (1) 62:18 expenses (2) 137:18,19 experience (14) 10:7;28:8;31:18;
--	--	---	--	--

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

52:23;53:5,8,17;119:16; 154:1;165:19;207:24; 25;222:9;236:23	171:6,19;172:6;173:8,9; 176:18;179:9;185:13; 189:3;191:12,15;193:9; 213:18;216:1,6,16; 219:12;225:3,4,16; 227:6,21;235:5	26:11 fault (2) 44:17;171:9	fighting (4) 205:4,9,14;213:19 fights (1) 156:18	77:8 firm (37) 9:2,6;12:6,23;13:1; 16:1;18:11;21:11,12,17; 24:22;25:3,5,8;28:12; 30:4;42:2;44:14,24; 45:2;66:17,23;67:20; 74:2;75:2,4;77:16;78:3; 10:79:2;83:21,24;86:7; 87:24;88:10,19,22
experienced (2) 10:2;89:2	15:10,11,13;231:5; 232:8,10,11,18	factor (8) 15:10,11,13;231:5; 232:8,10,11,18	favorable (1) 28:4	filed (31) 46:4;53:11,14;62:19; 64:17,19;24;65:12; 66:25;68:5,8;72:10,22; 73:15;95:15;97:23; 114:18,24;115:1;
experiences (4) 123:15;207:14,18; 208:3	factors (1) 26:10	FBI (1) 32:4	135:23;136:5,6,8,10,20; 150:7,17,20;181:4; 191:20;224:3	firms (1) 77:10
expert (1) 206:8	facts (19) 32:3,56;23:7;28:18; 73:17;74:19;75:3,4; 78:1;79:7;81:5,9;85:5; 25:94;20;97:16;101:2; 201:5;217:2,4	fear (1) 220:9	firm's (3) 10:19;79:7;81:4	First (43) 5:1;6:25;7:11,24;23:1, 13,13;37:7;43:8;50:24; 55:8;65:7;73:9;75:4; 83:9;86:25;89:13;93:15; 98:4,9;99:18;129:9; 138:8;142:7,8;143:3; 144:4,7;145:11;147:15; 150:8,21;151:3;170:16; 173:12;175:17;176:21, 24;183:5,7;184:1;185:3; 223:20
explained (4) 140:10,13,16,20	factual (1) 25:19	February (21) 99:15;116:20;118:8; 129:22;136:1,7,20; 147:7;150:20,24; 151:13;153:12;177:2,4, 4,12;179:1,4;181:4,5; 240:24	files (3) 44:16;66:9;95:11	fit (1) 31:14
explanation (3) 47:23;93:1;106:17	factually (1) 214:21	federal (14) 9:14;31:25;66:9; 106:15;109:19;116:6; 120:9;122:17;132:8,23; 136:2;138:1;222:11; 223:7	filings (2) 100:5,7	fitness (1) 176:21
explode (1) 162:20	failed (2) 212:12,13	fee (1) 221:11	fill (1) 126:5	five (3) 58:16;63:22;130:9
exploring (1) 122:7	fair (39) 15:3;28:3;30:7;31:20; 66:3,19;71:16,21;94:9; 131:20;148:7;153:21; 159:6;160:22;205:6; 209:7;212:20,22;213:9; 214:6,9,15;215:19,21; 216:8;218:5,10,14; 219:3,7,15,18,19; 221:11;225:22;228:22; 231:19;236:22;237:8	feel (3) 112:18;198:9;208:2	financial (15) 131:25;132:6,12,14, 19,22;133:3,10,18	fix (1) 69:14
exposing (1) 169:20	fairly (5) 140:22;192:8;216:3, 13;238:25	feelings (1) 212:21	financially (4) 124:12;136:24;137:3, 12	flash (1) 39:21
express (2) 30:11;91:20	faithful (1) 163:15	felon (7) 139:5,9,22,24;148:20; 199:24;206:18	find (7) 60:1;93:18;95:11; 108:25;213:3;219:12; 223:16	flirtations (1) 197:24
expressing (2) 44:12;91:22	false (5) 28:19,20;72:24;162:1, 4	felony (2) 89:15;210:13	findable (1) 81:23	floor (1) 156:14
expression (1) 62:7	familiar (1) 223:6	felt (5) 60:16;91:10;138:22; 154:11;205:6	finding (2) 131:13;206:25	focus (7) 15:8,9;25:17,18;44:7; 50:12;145:8
extends (1) 18:23	family (3) 32:3;188:18,18	ferret (1) 141:11	findings (1) 99:25	focused (9) 23:9;24:10,10;25:11; 42:21;49:5;55:6;61:3; 72:18
extensive (1) 14:1	fantasy (1) 198:7	ferreting (1) 141:4	fine (6) 19:17,19;84:7;101:9; 137:13;238:17	folded (2) 183:20,21
extent (1) 215:3	far (7) 63:9;71:15;201:20; 210:16;225:10;228:25; 239:3	few (16) 18:23;20:5;37:11; 44:7;67:3;81:13;82:2; 90:5;103:4;151:15; 153:7,19;22,220:6; 221:2;232:17	finishing (2) 64:11;130:6	folders (3) 21:11,15,18
extracted (2) 49:6;50:2	fashion (1) 192:13	Field (3) 4:16,18;77:11	Fink (1) 181:8	Foley (1) 58:12
extravagant (1) 137:2	fate (1) 192:16	fields (1) 20:8		follow (25) 217:7,19;224:24; 225:1,2,5,6,16;226:19; 227:5,6,9,9,12,14,17,19, 22,228:2,8,9,12,13,14,18
eyes (1) 110:18	father (11) 23:16;26:2;46:19,24; 47:10,12,17,22;148:16, 20;190:22	Fifth (7) 99:3;100:20;102:4,7, 9,19;233:25	finished (2) 207:3,5	followed (6) 224:20,23;225:11,13; 226:22;228:11
	father's (1)	fight (5) 205:1,8,14;206:1; 213:19	finishing (2) 64:11;130:6	following (1) 181:8

experienced - following (10)

SOUTHERN DISTRICT REPORTERS

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

follows (3)	91:7	gather (1)	23:20,23,25,26:17;	group (2)
8:4;101:18;193:14		13:22	41:19;61:16;86:4;106:8;	13:21;39:19
folly (2)	114:11;203:7,12	gathered (1)	113:14;116:13,15	groups (1)
237:6,7		gathering (1)	Gosnell (2)	13:18
Foods (2)	69:23	66:12	5:14;6:6	Guerin (5)
52:11,14		gave (20)	government (82)	4:12,14;77:10;204:10;
football (5)	175:22	6:6;15:24;26:2,14,16;	4:2;6:16;7:11,24,25;	236:12
111:20,21,24,25;112:5		27:5;28:5;30:4;34:8;	8:3;10:11,13,22;11:3,4;	guess (13)
forethought (1)	10:12;59:6;73:3;	49:24;118:22;136:18;	9:12;6:17;3:9,10,16;	7:10;119:5;124:10;
197:10	105:12;124:24;138:17;	153:8;214:8;217:23;	18:17;19:11,19,24;20:5,	133:16;157:10;163:7;
forewoman (1)	146:3;196:1,2;225:9;	220:18;224:18;225:13;	19,22;26:4,7,11,18;	167:20;187:5;229:18;
169:4	239:9	226:17;233:18	36:19;39:11;65:9,15,16,	231:25;233:24;235:25;
forget (1)	fruitful (2)	gears (1)	21,25;74:15;75:11,18,	236:24
140:2	28:16;69:12	83:18	19,23;76:1,7,8,12,25;	guided (2)
forgotten (1)	fruitless (2)	general (4)	79:6;80:5;81:4,24;	220:10;222:20
188:11	14:9;24:25	23:15;31:21;217:16;	guilt (1)	
form (21)	frustration (1)	221:25	102:13;106:23;107:12;	213:7
10:11;77:21;23:8;17:	44:12	generally (3)	137:5;202:3,12,14,16,	guilty (9)
106:5;115:17,18;126:19,		109:18;130:17;166:25	17,21,21,23;204:17,23;	132:16;133:12;134:5;
23:128:9;134:19;154:8;	full (5)	genuinely (1)	212:4,8,9;213:4;219:17;	147:23;149:3;181:7;
159:9;183:23;202:7;	8:5;37:18;77:5;82:16;	96:15	230:3;233:2,9;234:16;	211:22;213:3,24
209:21;220:21;221:18,	101:19	Georgia (2)	235:10,11,16,22,24;	gun (1)
20:234:22,23	function (1)	100:1,1	236:2	189:18
formally (1)	164:5	gesturing (1)	government's (9)	GX-14 (2)
177:11	funded (1)	160:20	7:4;15:4;17:18;20:1;	82:8,9
former (2)	137:25	gist (1)	65:23;75:25;76:14;96:9;	
7:13;30:20	funds (1)	217:16	219:16	H
forth (2)	126:15	given (16)	grab (1)	
31:4;73:22	funny (1)	25:22;26:1;27:5,13;	39:23	
forthright (1)	181:19	28:17;33:1;69:12;70:20;	Grace (1)	
10:8	furnished (1)	88:13;19:100:7,23;	230:19	
forthwith (2)	99:1	102:24;161:21;220:7;	gradations (1)	
5:21;6:24	further (22)	236:16	16:16	
forum (1)	71:4;84:2;88:19;	gives (1)	grade (4)	
175:5	89:22;93:11,23;95:21;	50:7	16:9,11;27:5,25	
forward (1)	96:4,17;97:6;99:8;	giving (1)	grade-inflated (1)	
59:17	107:9;190:16;204:4;	49:13	16:23	
fought (3)	217:12;222:23;229:19;	glanced (2)	grades (1)	
205:1,8;206:1	236:8,9,13,14;237:14	62:21;83:16	16:20	
foul (1)		glasses (1)	grading (6)	
228:25		49:13	15:22,25;16:1,6,7,23	
found (18)	Gair (59)	God (2)	graduate (1)	
22:18;41:3;44:18;	4:6;12:7;18:77:21;	111:6,18	42:4	
60:22;61:6;18;66:16,17,	99:10;100:18,19,25;	goes (5)	graduated (1)	
18:68:19;69:6;79:12;	101:23,25;102:12,22,23;	27:4;37:10,11;165:4;	12:10	
173:9,22;211:22;	106:21;122:10;125:4;	196:19	graduation (1)	
213:24;219:5,17	128:24;129:1;130:2,8,	Goldman (6)	12:8	
four (7)	12,13,23;136:17;145:1;	30:12,16,19,20,24;	grant (1)	
7:9,12;151:7;157:6,7;	148:8;173:14;175:19;	31:7	102:24	
218:23;238:14	176:1;179:15;192:22;	Good (29)	granted (2)	
fourth (1)	193:3,4;194:4;199:13;	4:3,9,11,13,15,17,21,	99:5;148:10	
7:13	200:9;201:20;203:15,	24,25:8;13,14:9:21;	granting (1)	
Francisco (2)	22:204:4;205:23;	16:13;28:6;41:25;67:12;	102:20	
11:19;12:2	206:24;211:4;213:11,	84:17;124:1;130:9;	gray (1)	
Frank (1)	15:215:2;221:20;	163:15;192:21,22;205:1,	120:16	
6:7	222:24;223:1;229:19;	8,14;206:1;212:8;	great (2)	
frankly (1)	237:16,17;238:1,9,17,	213:19;240:22	30:6;132:14	
18:10	25:239:3,18;240:19	Google (8)	greatly (1)	
fraud (2)	Gair's (1)	13:24;41:24;71:23;	95:1	
166:1;189:15	221:17	77:6,14;78:6;85:20;	greeting (3)	
free (1)	garbage (6)	106:11	182:1,4,5	
238:5	126:24,25;127:2,12,	Googled (11)	grounds (2)	
frequently (1)	15:128:13		175:13;199:12	

February 15, 2012

UNITED STATES OF AMERICA, v.
PAUL M. DAUGERDAS, ET AL.,

hardcopies (1)	highest (8)	22:226:5;229:19,21; 34:4;43:20;44:3; 59:10;86:12;164:24; 167:12;168:4	28:18 idiot (2) 15:237:11,15,17,19,21, 25:238:1,9,11;239:9,18; 240:3,10,17,19	included (6) 16:8;42:10;95:2; 124:8;166:20;188:22
hardship (5)	highly (1)	238:23	illness (1) 120:17	includes (1) 45:21
13:17,19,20,22,29:20	Hillary (1)	77:2	image (1) 205:12	including (3) 35:16;191:6;228:2
harm/no (1)	himself (2)	32:24;94:18	immeasurable (1) 237:3	income (1) 152:7
228:25	HIPAA (2)	97:25;175:5	immediately (1) 51:1	inconsistent (1) 160:4
head (7)	hire (3)	124:16;130:16;137:20	immigration (5) 46:19;47:10,13,14; 148:16	incorrect (9) 47:4,20;166:19; 205:17,23,24,24;206:2; 226:23
47:6;62:8,8;70:21; 94:19;223:12;239:1	history (7)	62:25;86:2;89:14,15; 190:12;210:11;229:2	immunity (14) 99:5;100:23;101:7; 102:16,20,20,25;107:13, 16:233:11,12,22,24; 234:2	indeed (3) 89:16;208:6;209:24
heading (5)	hits (2)	23:24,24	immunize (1) 101:4	indefinitely (1) 177:8
66:7;150:1,1;197:7,14	hold (1)	59:1	immunized (1) 108:7	independent (1) 18:25
headings (3)	holding (1)	54:2	impartial (4) 30:8;31:20;216:8; 228:22	indicated (1) 7:6
66:2,6,13	holdout (1)	200:8	impartiality (1) 216:17	indicates (1) 6:23
heads (1)	hole (1)	160:16	impartially (2) 140:23;216:3	indicative (1) 219:20
234:18	60:17	husband (35)	impeachment (1) 239:4	indicted (3) 181:7;189:15,22
Health (1)	Hollander (1)	40:1	implying (1) 127:22	indictment (1) 182:4
180:5	holy (3)	50:5;91:17,19	importance (1) 175:12	indirectly (1) 238:25
hear (2)	home (3)	117:15;164:18;196:22	important (10) 10:8,9;127:18;172:10, 24:174:25;175:2,15; 176:20;240:12	individual (5) 23:14;24:20;28:1; 34:3;69:17
88:15;217:13	homeowners (1)	162:5	importantly (1) 7:12	individually (1) 172:6
heard (18)	honeymoon (1)	89:18	impression (7) 74:9;112:7;116:11; 128:17;162:1,3,4	infirmity (1) 175:14
28:1;36:7;38:10;69:8; 70:19;97:6,10;99:8,13; 100:16;106:21;120:4; 143:13;159:16;213:8; 219:23;222:3;231:22	Honor (143)	190:18	impressionistic (1) 58:20	influence (2) 183:1;215:7
hearing (30)	hyperlink (1)	82:17	improper (4) 35:25;36:4;205:21,25	influenced (1) 110:14
7:15;99:16;100:25; 112:24;113:8;116:19; 117:13,14;118:7,8,14, 15,18;124:2,7;129:20; 186:10,12,14,16;187:11; 203:6;211:22,23;213:1; 214:2;230:15;235:8; 238:19;239:12	hypothetical (1)	158:20	info (2) 26:25;47:19	info (2)
Hecker (1)	I		improperly (1) 15:4	inform (1) 104:4
8:19	I-95 (1)	162:20	inability (1) 126:18	information (99) 6:4;11:21,22;13:5,7,9, 12,13,22;14:20,22;
held (3)	idea (13)	60:1;71:6;107:16; 120:6;134:22;135:5,8;	inaccurate (2) 55:2;180:24	15:25;18:10;20:10; 21:12;23:8,21;28:17,18,
99:17;199:6,15	ideas (2)	136:22;164:7;167:17; 185:15;199:4;233:21	incident (5) 183:5;185:20;188:11, 14:189:19	20,20;30:12;34:5;39:10; 40:23;42:14,20;43:1,10, 13:44;13,17,20,23;
help (9)	identical (1)	122:5;218:11	inclined (1) 26:5	45:18,21;46:1,13,23; 47:1,3,9;49:5,21;50:1,8;
8:17;12:14;29:24; 50:15;150:14;178:12, 19:179:13;224:7	identified (1)	151:16	include (9) 9:14;62:12;73:17,25;	51:1;53:18;54:10,19;
helped (2)	identifies (1)	193:15	identifying (1) 14:7;46:23;193:18	55:3,14,23,24,25;56:18; 57:3,6;58:24;62:12;
12:14;13:4	identify (3)	50:25		
helpful (3)	identify (3)	14:7;46:23;193:18		
15:12;48:4;224:12	identifying (1)			
Hernandez (34)				
4:5;7:25;8:9,10,12,14; 11:3;17:9;19:9,17; 34:25;36:19;50:23; 53:23;54:4,6;64:8,14; 65:15;72:7;75:18;76:7; 81:11;82:2,5;84:2; 89:20,24,25;90:2;95:19, 21:96:19;20:2;22:23;				
178:13,19;239:6,9				
Hi (1)				
129:19				
hide (1)				
188:4				
higher (4)				
180:14,16,18;210:8				

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

February 15, 2012

63:23;66:3;67:16;24; 68:2,10,13;69:6,13; 70:25;71:17,22;73:18, 22;79:9,12;80:12,12,20, 25;81:6,20,21;83:15,20, 25;85:21;90:4;89:5,12, 14,17;93:7;94:7;95:16; 100:3;128:19;210:4	6:7;109:21;110:19,22; 113:9;118:22;119:17; 124:8;211:23;213:9; 216:14,19;217:23; 219:23;220:7,8,18; 221:24;222:4,20;223:3; 224:17,20,24;225:1,5,6, 13,17;226:22;227:6,10, 12,14,19,23;228:3,7,11, 13,18	investigator (1) 60:2 invoke (1) 100:20 invoked (1) 233:25 involve (1) 39:1 involved (16) 12:19,21;15:24;27:13; 38:20;76:15,19,24; 87:23;88:9;94:1;183:12; 191:4;214:21;215:15; 220:16 involvement (3) 210:13;215:21;216:10 involving (1) 38:9 intended (2) 74:18,21 intention (3) 43:1;102:8;152:20 intentional (1) 78:8 interest (7) 97:16;99:21,23;100:8, 11;101:6;222:7 interested (4) 15:5,7;173:7;231:2 Interesting (2) 106:6;236:23 internally (1) 28:16 internet (2) 61:18;69:6 interpretation (1) 160:12 interrupt (1) 53:23 into (30) 4:24;13:18;34:2; 42:18;58:23;60:19;67:5, 6;68:22;69:4,5;71:3; 98:14,19;99:4;108:6; 115:15;122:4;167:10; 183:20,22;194:22; 198:7;205:18;210:10; 213:21;219:6;227:21; 231:11;239:1 intoxicated (2) 109:23;110:14 intoxication (1) 110:9 instructed (5) 44:16;96:10;138:23; 200:10;220:8 instructing (1) 124:8 instruction (16) 70:2;214:8;216:4,24; 217:1,7,9,15,19;220:11; 226:8,17,19;227:5,9; 228:14 instructions (41)	Jersey (7) 94:18;162:18;163:13; 189:19;230:9,11,23 Jesus (7) 55:16;57:11;62:5; 90:23;91:8,9,19 jibe (1) 49:21 job (9) 137:20;158:22; 160:22;163:16;198:4; 202:3;208:8,10;225:3 job's (2) 208:8,10 joined (1) 67:16 joint (1) 67:1 Judge (187) 7:21;19:14;33:5,8; 34:10,16;36:6,12;37:3, 17;43:6;46:19;47:10,14; 48:4;53:3;54:3,6;57:23; 72:6;73:5;74:17,21; 75:2;76:4;77:24;78:4; 82:5;89:23;90:10; 101:11;104:1,4;105:6, 12,19,22;106:15;107:13; 109:20;110:23,25;111:5, 14;112:8,22;113:7,21; 114:17,23;115:21;116:6, 15,19,20;117:6,10,23; 118:7,22;119:10;120:5, 10;121:10,12,21,23,24; 122:2,4,17;123:5,7,12, 12,25;124:2,11,14; 126:14,22;128:4,13,20; 130:4,15;131:1,5,25; 132:9,12,18;133:2; 135:9;138:23;139:3; 140:10,16;141:8;143:5; 144:4,7,8,11,14,19; 145:9;147:24,25; 148:16;151:6,15,23; 153:13;154:23;155:7; 157:22;158:8,14;160:4; 161:8,14;163:24; 164:24;165:7,9,24; 170:1;171:17;174:1,22; 175:6;177:20;183:15; 184:20;185:4;186:24; 187:1,7,8,10,11,24; 188:6,14,17;194:21; 196:25;197:25;199:12; 19:200:4,20;201:4; 204:12;209:5,10,19; 214:2,8;216:4,20; 217:23;219:23;220:7, 18;221:24;222:18,23; 223:5;224:18,20,23; 225:1,5;226:7;227:5,12; 228:2,7;233:24;238:17, 21;239:3,20;240:5,20 J jail (1) 154:15 January (2) 109:16,17 Jason (1) 4:5 JD (5) 142:1;143:15;165:19; 167:6;173:8 Jenner (1) 77:7	judges (1) 208:6 judge's (7) 36:1;76:4;90:8; 119:17;162:3;211:23; 213:9 judging (3) 176:21;192:15;216:3 judgment (7) 49:2;51:20,22,24; 52:7;53:9;115:3 judgments (1) 51:17 Judicial (6) 23:2;53:6;99:18; 108:12;173:11,23 July (10) 64:2,19;74:12;75:13; 76:3;77:24;78:4;85:1; 187:12,15 jumping (2) 32:18;229:7 juncture (1) 237:22 June (5) 67:4;80:1,1;88:6,18 Juror (162) 16:25;18:3,5;19:6; 20:2,8,16,18,18,21; 24:13,14,18;25:12;27:2; 28:4,7,9;30:2,11,13,18, 22,24;31:6,10,11,13,14, 14,15,16,24;32:9,33:6,9, 10;34:8,22;35:16,19; 36:4,9;38:16,20;39:7; 42:24;43:4,5,11;46:6,10; 47:7;49:2,11,22;50:10, 18,20;51:2,3,13;56:1; 57:9,12;58:25;59:4,15; 60:4;61:15,21;25:62:2; 63:3,11;69:9;70:10,19; 71:18,18,24,24,25; 72:19,24;75:9;79:15,21; 80:3;83:3,11;85:23; 86:1,9,16,22;87:5,18,24; 88:10,11,20,24;89:12; 90:15,20;91:1,21,24; 92:15,24;93:3,25;96:1,7, 9,10,12,16;97:2,3;103:8, 9;118:9;128:11;141:12; 145:9;153:17,20;154:2, 3,21;158:22;160:20; 161:2;162:11;164:5; 166:16;169:4;172:12, 25;176:21;191:14,14; 208:18,24;209:6,11; 212:25;218:10;221:5, 13;222:11;223:23; 224:7;225:21;226:8; 228:22;230:24;231:19; 236:22;237:10 jurors (54) 11:21;13:5,6,16,17;
--	--	--	--	---

February 15, 2012

UNITED STATES OF AMERICA, v
PAUL M. DAUGERDAS, ET AL.,

14:23,24,25;15:3,5,16, 20,23,25;16:2,8,12,13, 14,14;17:8;19:7;20:9; 28:12,18,21,25;29:6,9, 11,14,19,25;30:4;34:11, 11,17,17,20;89:5; 137:10;141:4;142:21; 148:6;149:6;159:13; 165:12;168:25;192:15; 194:20;207:13;213:22; 220:9;234:17	179:9 kid's (1) 35:7 Kim (13) 11:18,25;14:13;18:8; 19:6;20:3,6;23:21; 27:19;40:25;41:16,22,25 kind (8) 60:6;67:5;88:14; 106:19;109:12;122:17, 18;136:14 kindly (1) 122:12 kneejerk (2) 128:1,2 knew (60) 16:8,24;17:2;18:7; 33:5;34:3,22;37:4,5; 38:1,15;46:22,25;47:9; 50:17;51:2;54:17,18; 74:18;77:24;86:5; 105:15,18,19;126:3; 127:18;141:2;153:21; 154:1,3;160:22;165:19, 22,24;166:4;168:6; 182:21;186:20;187:21, 25:207:1,2,3,6,8;209:5, 5,7,8,9,9,10,11,25,25; 210:11;229:8;231:19; 233:14;236:21 knowing (1) 127:12 knowingly (1) 214:3 knowledge (16) 53:17;75:3;79:7,14; 81:5;82:11;88:23; 112:15;122:1,1;169:3; 190:18;202:5;206:12; 214:12,16 known (2) 89:12;202:17 knows (1) 156:14 Kostelanetz (1) 77:8 Kramer (4) 77:16;78:3,10;79:1 kudos (1) 235:25	233:14,23 larger (1) 188:15 last (21) 9:4;34:25;58:15;77:4; 109:6,7,8,14,19;110:2; 121:7;135:6,23;136:2,8; 152:19;157:2,4;163:6; 170:24;172:9 lasts (1) 172:15 late (3) 70:14;80:1;194:3 later (11) 40:16;41:9;49:6;58:5; 83:15;101:3;118:14; 130:10;151:7,15;238:20 latter (1) 33:1 laughed (1) 206:19 Laurie (4) 8:25;71:10,12;86:6 law (28) 12:8;32:2,4;37:24; 42:4;54:18;55:9;72:16, 16:79;13:95:9;120:3; 135:7;150:18;154:1; 167:24,25;171:12; 175:13;176:22;177:1; 217:4,10,22;218:2,2,12; 239:22 lawful (1) 105:18 lawsuit (19) 55:17,17;56:2,17,18, 23:57:3;60:10;62:19; 66:9;71:4;82:24;83:3, 14:91:5;92:20;93:17; 94:23;95:5 lawyer (112) 9:25;10:2,19;22:19; 24:6,8,19;26:15;27:6,10; 28:8;33:9,11;34:6,7; 41:25;43:17,22;45:13; 50:4;52:17;55:5;56:9; 59:1,16;60:14,24;61:4,7, 9,15,19;63:3,11;67:18; 68:19;69:1,8;70:10,20; 71:3;72:3;75:9;79:12, 21;80:4;85:22;86:2,9,14, 18,23;87:4;89:3,13,16; 90:21;91:1,25;92:2,4,25; 93:4;94:15;105:9,19; 118:23;119:9,16,21,25; 122:16;123:11;124:3,5, 5,9,12,16;126:15; 130:16;132:15,20,23; 133:4,15;134:21,25; 135:4,6,11,12,14,15; 136:24;137:4,12;139:4, 4;144:1;153:18;166:5, 11,17;168:23;170:7,21, lack (5) 108:11;187:5;206:10, 13;219:7 language (1) 173:25 laptop (2) 21:6,7 larceny (1) 179:25 large (2)	180:14,16,18 Levin (4) 77:16;78:3,10;79:2 LIAB (2) 37:10,15 liability (6) 37:16,21;38:5,21; 42:25;60:12 liar (2) 169:25;239:6 license (3) 193:5,7,11 licensing (3) 54:10;191:6;210:14 lie (45) 28:9;141:25;142:6,11, 13,17,24;143:9,10,11,14, 16,18,20,25;144:8,17; 154:4;155:2;157:11,14; 158:1,19;160:16,17; 161:2,11;165:18;167:3, 8,11;170:25;171:7; 181:11;183:17,19; 199:10;206:6;209:1; 218:21,24;229:25; 232:12,13;234:17 lied (30) 43:20;44:9;71:18,24; 92:9;94:6;115:15,15,15; 154:24;158:14;168:15, 17;169:7,13,17;170:7, 20;171:4;181:22;184:1, 2;185:11,13;224:15; 232:4,7,16;233:9;234:19 liens (2) 51:16,22 lies (13) 72:19;89:10;94:1,10, 11,13;103:21;161:1; 168:2;169:15;170:2; 208:16;228:5 life (12) 50:21;51:5;59:10; 87:6;157:24;158:3,4,9; 159:19,23;160:1,6 lifestyle (1) 137:2 light (4) 71:8;75:5;85:6;212:8 liked (2) 34:24;195:12 likelihood (3) 90:14;236:2;238:22 likely (10) 14:8;16:13,15;87:10; 93:1;99:21;100:9;210:7, 225:12;235:8 likes (1) 112:4 limited (2) 13:17;69:12 line (11) 48:15;125:14;126:14;
--	---	---	---