

Page 49	Page 51
<p>1 Q. I'm just asking you in this deposition.</p> <p>2 A. Oh, that's what I'm telling you. I don't</p> <p>3 remember. And you've got the statement.</p> <p>4 Q. I'm going to suggest to you that that's an</p> <p>5 improper response.</p> <p>6 A. Oh, okay. Sorry.</p> <p>7 Q. So here's the question.</p> <p>8 Do you recall how much you had in those</p> <p>9 accounts?</p> <p>10 A. No.</p> <p>11 Q. As you sit here today, you can't tell me</p> <p>12 whether it was \$10 or \$100,000 or more?</p> <p>13 A. No.</p> <p>14 Q. Okay. Could you share with me what monthly</p> <p>15 expenses you incur on a regular and ongoing basis?</p> <p>16 A. Not off the top of my head.</p> <p>17 Q. You can't?</p> <p>18 A. I send in a thing every month of whatever it</p> <p>19 is to parole and probation.</p> <p>20 Q. Well, I'm asking you. I understand. I'm not</p> <p>21 your parole and probation officer, so I'm asking you.</p> <p>22 A. Well, I have to sit down and -- you know, and</p> <p>23 do it every month. I don't remember.</p> <p>24 You mean like set expenses?</p> <p>25 Q. Yes.</p>	<p>1 A. (Witness nods head)</p> <p>2 Q. Right?</p> <p>3 A. Yes.</p> <p>4 Q. Your health insurance; correct?</p> <p>5 A. Right.</p> <p>6 Q. And in addition to that, you also have</p> <p>7 expenses associated with your medicine that you have to</p> <p>8 get?</p> <p>9 A. Medicine, health insurance.</p> <p>10 Q. Your car insurance?</p> <p>11 A. Car insurance.</p> <p>12 Q. You told us your cell phone?</p> <p>13 A. Right.</p> <p>14 Q. Do you pay any rent?</p> <p>15 A. No.</p> <p>16 Q. Why is that?</p> <p>17 A. He doesn't charge me rent. He knows I don't</p> <p>18 have any money.</p> <p>19 Oh, and 1,000 a month to parole and</p> <p>20 probation.</p> <p>21 Q. And when did you begin paying 1,000 a month?</p> <p>22 A. Last month.</p> <p>23 Q. And where did you get that money from?</p> <p>24 A. I had it from -- I sold -- you know, I sold a</p> <p>25 car, I sold some jewelry, and stuff like that.</p>
Page 50	Page 52
<p>1 What expenses do you have on a regular basis</p> <p>2 each and every month?</p> <p>3 A. Health insurance. Let's see. Health</p> <p>4 insurance. All that -- the medicine, you know, we</p> <p>5 talked about before, you know, the monthly pills and</p> <p>6 stuff. Car insurance. Cell phone. Credit card.</p> <p>7 That's all I can think of off the top of my</p> <p>8 head that are fixed, you know, and the credit card is</p> <p>9 really not fixed, but --</p> <p>10 Q. You have an automobile?</p> <p>11 A. Yes.</p> <p>12 Q. You maintain that automobile?</p> <p>13 A. Yes.</p> <p>14 Q. You drive that automobile?</p> <p>15 A. Yeah, but you said fixed expenses.</p> <p>16 Q. Oh.</p> <p>17 You have gasoline bills each and every month?</p> <p>18 A. Yes. That's what I'm saying. You know, you</p> <p>19 never know what it is. Sometimes I don't drive at all.</p> <p>20 Q. Sure, okay.</p> <p>21 But these are recurring expenses that you</p> <p>22 have?</p> <p>23 A. Yes.</p> <p>24 Q. You have a recurring expense every month for</p> <p>25 gasoline; correct?</p>	<p>1 Q. Parenthetically, with respect to the efforts</p> <p>2 that you've made to become gainfully employed, have you</p> <p>3 ever filled out an employment application?</p> <p>4 A. No.</p> <p>5 Q. So you never filled one out with Mr. Glusman?</p> <p>6 A. No.</p> <p>7 Q. Nor Mr. Gentile?</p> <p>8 A. No.</p> <p>9 Q. Nor any other person or party or entity?</p> <p>10 A. Nobody.</p> <p>11 Q. All right, sir.</p> <p>12 As you've previously stated, you don't have a</p> <p>13 checking account?</p> <p>14 A. Yes.</p> <p>15 Q. That's correct?</p> <p>16 A. That's correct. Sorry.</p> <p>17 Q. You do not have a checking account?</p> <p>18 A. Sorry.</p> <p>19 Q. Okay. And why don't you have a checking</p> <p>20 account?</p> <p>21 A. Well, when the IRS seized those accounts,</p> <p>22 that was -- I never reopened them.</p> <p>23 Q. How much did the IRS seize, do you recall?</p> <p>24 A. No, I don't.</p> <p>25 Q. Was it more or less than \$100,000?</p>

Page 53

1 A. I really don't recall. It wasn't that much
 2 because there wasn't -- I don't believe there was that
 3 much in them, but I don't remember, to tell you the
 4 truth.
 5 Q. And when did that seizure take place?
 6 A. I really don't remember. Maybe a year ago,
 7 two years ago.
 8 Q. And because you don't want to experience a
 9 secondary or subsequent seizure by the IRS, you don't
 10 maintain any checking accounts?
 11 A. No.
 12 Q. No checking accounts, no seizure; correct?
 13 A. I guess so.
 14 Q. But I'm saying, that's your obvious
 15 motivation, as I understand your testimony; is that
 16 correct?
 17 A. Well --
 18 Q. You don't want your money seized?
 19 A. I just never opened any accounts after that.
 20 Q. And so you operate in cash?
 21 A. Yes.
 22 Q. And you --
 23 A. Money orders, stuff like that.
 24 Q. Yes.
 25 And you also on a regular and ongoing basis

Page 54

1 buy money orders; correct?
 2 A. Yes.
 3 Q. Where do you buy your money orders at?
 4 A. 7-Eleven, Smith's Food King, wherever I
 5 happen to be around that sells them.
 6 Q. How much cash do you have access to?
 7 A. Right now?
 8 Q. Right now, today.
 9 A. Around 10, 15,000.
 10 Q. Where is it located?
 11 A. My house under the mattress.
 12 Q. You mean Mr. Diamond's house?
 13 A. Yes.
 14 Q. Why did you call it "my house"?
 15 A. That's where I live.
 16 MR. CAMPBELL: We're going to take a quick
 17 break because they have to change the film.
 18 Back here in 10 minutes.
 19 MR. GENTILE: Smoke?
 20 MR. CAMPBELL: Yeah, absolutely.
 21 THE WITNESS: Is that all right?
 22 MR. CAMPBELL: Yes. Do it outside, if you
 23 would.
 24 THE VIDEOGRAPHER: This is the end of tape
 25 No. 1 in the video deposition of Fredrick Rizzolo. The

Page 55

1 time is approximately 2:06 p.m.
 2 We're going off the record.
 3 (Recess taken)
 4 MR. CAMPBELL: Back on the record.
 5 THE VIDEOGRAPHER: This begins tape No. 2 in
 6 the video deposition of Fredrick Rizzolo. The time is
 7 approximately 2:22 p.m.
 8 We're back on the record.
 9 BY MR. CAMPBELL:
 10 Q. Mr. Rizzolo, do you have any other
 11 automobiles besides the one that you're currently
 12 driving, the Mercedes Benz SL sports car?
 13 A. Can I just say one thing before we get into
 14 that one?
 15 Q. No. I'd like you to answer my question.
 16 A. Oh, okay. No.
 17 Q. What year is that Mercedes Benz?
 18 A. It's an '05.
 19 Q. And where is it serviced?
 20 A. At Fletcher-Jones Mercedes.
 21 Q. And when was the last time it was serviced?
 22 A. Last week.
 23 Q. And what was done on the automobile last
 24 week?
 25 A. I think they replaced the battery and a fog

Page 56

1 lamp. The top wouldn't go down all the way. You know,
 2 it wouldn't lock into place. And something with the
 3 air vents in the center console.
 4 Q. And were you presented with a bill upon
 5 completion of the services?
 6 A. Yeah. Some of it was under warranty; some of
 7 it was a bill.
 8 Q. And how much did you pay?
 9 A. I think it was almost \$800.
 10 Q. Did you pay that in cash too?
 11 A. No. Credit card.
 12 Q. And what credit card did you use?
 13 A. It's a MasterCard.
 14 Q. Do you have it with you today?
 15 A. Yes.
 16 Q.
 17 A.
 18
 19 Q.
 20 A.
 21 Q. Do you have any other credit cards that you
 22 use?
 23 A. A MasterCard -- I mean American Express, but
 24 I don't use it.
 25 Q. And do you have that with you?

Page 57

1 A. Yeah.

2 Q.

3 A.

4 A.

5

6 Q. Are those the only two credit cards that you

7 use?

8 A. Yes.

9 MR. GENTILE: Objection to the form of the

10 question. Assumes a fact not in evidence.

11 BY MR. CAMPBELL:

12 Q. Have you ceased using any credit cards or

13 canceled any credit cards since the time that you were

14 released from the Metropolitan Correctional Center?

15 A. No. I think those are the only two I ever

16 used.

17 Q. Where do you have your laundry done?

18 A. The house.

19 Q. Laundry and dry-cleaning?

20 A. Oh, dry-cleaning?

21 Q. Yes.

22 A. I don't even know the name of the place.

23 It's on Flamingo by Great Buns Bakery. I think it's

24 just called Dry-Cleaning.

25 Q. You don't know the name of the place?

Page 58

1 A. No, not off the top of my head.

2 Q. How much do you spend a month in

3 dry-cleaning?

4 A. It really all depends.

5 Q. On average. I mean, for example --

6 A. Maybe 100. 100, 200.

7 Q. A month?

8 A. Yeah.

9 Q. How much do you spend on gas a month?

10 A. All depends too, maybe -- it costs like

11 50 bucks to fill it up, so maybe a couple hundred

12 dollars.

13 Q. Do you fill it up every two weeks?

14 A. Probably.

15 Q. Every week?

16 A. It all depends. A lot of times I don't drive

17 it at all.

18 Q. So maybe 200 a month?

19 A. Maybe, yeah.

20 Q. And your cell phone, how much is that a

21 month?

22 A. It's 100 and -- I think it's \$138.

23 Q. And do you have more than one cell phone that

24 you use?

25 A. Yes.

Page 59

1 Q. And what are your cell phone numbers?

2 A. That's the one I use all the

3 time. The other one, I haven't been using it for a

4 long time. It's just off, but it's

5 Q. Do you ever use Mr. Diamond's cell phone?

6 A. No.

7 Q. And who is your cell phone carrier?

8 A. Verizon.

9 Q. For both?

10 A. Yes.

11 Q. What restaurants do you frequent on an

12 ongoing basis?

13 MR. GENTILE: Objection to the form of the

14 question.

15 BY MR. CAMPBELL:

16 Q. Go ahead, please.

17 A. Oh. I go to Rao's.

18 Piero's not so much anymore for the last

19 probably six to eight months to a year basically

20 because Freddie Glusman doesn't live here anymore so I

21 don't really go over there and it's kind of far away.

22 Like little places, you know, around the

23 house. Balboa Pizza.

24 A little Italian restaurant called Tuscany.

25 These are all in Henderson, you know, by the,

Page 60

1 what do you call it, Green Valley, The District or

2 Green Valley Ranch. You know, Cheesecake Factory.

3 Those kind of places.

4 Q. And how much do you expend each month on food

5 that you purchase at restaurants?

6 A. I don't -- very rarely pick up the check.

7 It's usually people inviting me out to dinner.

8 Groceries probably 400, 500 a month.

9 Q. No, but I'm talking about restaurants.

10 Is it your testimony that usually people

11 invite you out so, therefore, you don't pay?

12 A. Right.

13 Q. Did you attend the opening of any shows here

14 in the last six months on the Strip?

15 A. Shows?

16 Q. Yes, sir.

17 A. You mean like a showroom?

18 Q. Yes, sir.

19 A. No.

20 Q. Are you familiar with Chazz Palminteri?

21 A. Yes.

22 Q. How do you know him?

23 A. I don't really know him, just met him a

24 couple times. I know who he is.

25 Q. Did you attend the opening of his show at the

Page 61	Page 63
<p>1 Venetian, A Bronx Tale?</p> <p>2 A. He has a show there. I don't think it was</p> <p>3 the opening.</p> <p>4 Q. Did you attend?</p> <p>5 A. I was at his show one time, yeah.</p> <p>6 Q. And who were you with?</p> <p>7 A. Cliff Diamond and two girls.</p> <p>8 Q. Have you attended any other shows in the last</p> <p>9 six months on the Strip?</p> <p>10 A. I think I went and saw Jersey Boys one time.</p> <p>11 Q. And who paid for that?</p> <p>12 A. Tommy DeVito.</p> <p>13 Q. And who is that?</p> <p>14 A. A Jersey Boy. He's one of the original</p> <p>15 Four Seasons.</p> <p>16 Q. And --</p> <p>17 A. It was a comp, you know, whatever that means.</p> <p>18 Q. He got you a comp?</p> <p>19 A. Yeah.</p> <p>20 Q. And any others in the last six months?</p> <p>21 A. You know what? This last weekend -- I don't</p> <p>22 know if you'd say I attended it, but there was a</p> <p>23 concert at Red Rock and we were sitting out on the</p> <p>24 patio. I mean, you couldn't see it but you could hear</p> <p>25 it, if that's attending it.</p>	<p>1 Q. And how long were you down there?</p> <p>2 A. I think one time was for three or four days,</p> <p>3 and then the other time was when my newest</p> <p>4 granddaughter was being born so I think I was there a</p> <p>5 week.</p> <p>6 Q. And did you stay with Mr. Glusman on both</p> <p>7 occasions?</p> <p>8 A. Yes.</p> <p>9 Q. Any other trips that you've taken out of</p> <p>10 state?</p> <p>11 A. No.</p> <p>12 Q. Where do you purchase your clothes?</p> <p>13 MR. GENTILE: Objection. Form of the</p> <p>14 question, assumes a fact not --</p> <p>15 THE WITNESS: I haven't purchased any in a</p> <p>16 long time.</p> <p>17 BY MR. CAMPBELL:</p> <p>18 Q. Have you purchased any clothes since the time</p> <p>19 that you've been released from the Metropolitan</p> <p>20 Correctional Center?</p> <p>21 A. I don't think so.</p> <p>22 Q. How much are your insurance payments per</p> <p>23 month for your medical insurance?</p> <p>24 A. I think it's around \$800. I'm not sure of</p> <p>25 the exact figure, but like 780 or 88 or something like</p>
Page 62	Page 64
<p>1 Q. What concert was that?</p> <p>2 A. Who was that? Rob Thomas.</p> <p>3 Q. And who were you with at the Red Rock?</p> <p>4 A. Cliff Diamond, Nathan Baxter. The president</p> <p>5 of the hotel. I can't remember his name. And a guy</p> <p>6 named R.J. Denman who works at the hotel. And then</p> <p>7 different people, you know, were stopping by the table</p> <p>8 but they weren't sitting with us.</p> <p>9 Q. And who was the president of the hotel?</p> <p>10 A. I couldn't even tell you his name.</p> <p>11 Q. And how did you recognize him as the</p> <p>12 president of the hotel?</p> <p>13 A. He said he was. I never met him before.</p> <p>14 Q. Since the time that you've been released from</p> <p>15 the Metropolitan Correctional Center, have you traveled</p> <p>16 anywhere outside the state of Nevada?</p> <p>17 A. Yes.</p> <p>18 Q. On how many occasions?</p> <p>19 A. I believe twice.</p> <p>20 Q. Where did you go?</p> <p>21 A. Newport Beach.</p> <p>22 Q. For what purpose?</p> <p>23 A. To see my grandkids.</p> <p>24 Q. Where did you stay?</p> <p>25 A. Freddie Glusman's house.</p>	<p>1 that.</p> <p>2 Q. And have you had that expense since the time</p> <p>3 that you were released from the Metropolitan</p> <p>4 Correctional Center?</p> <p>5 A. Yes.</p> <p>6 Q. Is that the only health insurance policy that</p> <p>7 you pay?</p> <p>8 A. Yes.</p> <p>9 Q. And who is the carrier?</p> <p>10 A. It's BlueCross BlueShield.</p> <p>11 Q. Where do you get your prescriptions filled?</p> <p>12 A. Walgreens.</p> <p>13 Q. Which one?</p> <p>14 A. It's Horizon Ridge and Green Valley Parkway.</p> <p>15 Q. And on average, how much do you pay each</p> <p>16 month for your prescriptions?</p> <p>17 A. You know, it's one of those things like where</p> <p>18 you start the beginning of the year, it's like 800 or</p> <p>19 900 and then, you know, it goes down, so maybe on</p> <p>20 average, 500.</p> <p>21 Q. A month?</p> <p>22 A. Yes.</p> <p>23 Q. So your copay is generally about 500 a month</p> <p>24 or 6,000 a year for your pharmaceuticals?</p> <p>25 A. What do you mean by copay?</p>

Page 65	Page 67
<p>1 Q. Well, do you have -- does your medical</p> <p>2 insurance cover any of your pharmaceuticals that you're</p> <p>3 prescribed?</p> <p>4 A. Yeah, some of them, yeah.</p> <p>5 Q. Okay. And those that it does not, you pay</p> <p>6 yourself?</p> <p>7 A. Yeah.</p> <p>8 Q. And presumably some of what the insurance</p> <p>9 company pays -- or the insurance company pays some of</p> <p>10 your pharmaceuticals but you have to make a copayment?</p> <p>11 A. Oh, yeah, right. That's what I mean. It</p> <p>12 starts at a certain number and goes down as you're</p> <p>13 getting into that deductible or whatever that is.</p> <p>14 Q. Do you have life insurance?</p> <p>15 A. On myself?</p> <p>16 Q. Yes, sir.</p> <p>17 A. There's a life policy on me, yeah.</p> <p>18 Q. And who is the carrier?</p> <p>19 A. I couldn't tell you off the top of my head.</p> <p>20 Q. And what is the premium?</p> <p>21 A. I don't know.</p> <p>22 Q. When is the last time you made a premium</p> <p>23 payment?</p> <p>24 A. Years and years ago.</p> <p>25 Q. And is this a whole life policy?</p>	<p>1 release from the Metropolitan Correctional Center other</p> <p>2 than, of course, the halfway house?</p> <p>3 THE WITNESS: No.</p> <p>4 MR. GENTILE: Objection to the form of the</p> <p>5 question.</p> <p>6 BY MR. CAMPBELL:</p> <p>7 Q. Have you stayed in any hotels?</p> <p>8 A. No.</p> <p>9 Q. And I meant since the time that you were</p> <p>10 released from the Metropolitan Correctional Center.</p> <p>11 The answer is no, you have not?</p> <p>12 A. Right.</p> <p>13 Q. Have you gambled since the time that you were</p> <p>14 released from the Metropolitan Correctional Center?</p> <p>15 A. Yeah.</p> <p>16 Q. Where have you gambled?</p> <p>17 A. I think a couple times at the Palms. I think</p> <p>18 Caesars once or twice. Red Rock. Red Rock a couple</p> <p>19 times.</p> <p>20 Q. Any others?</p> <p>21 A. Oh, no. That's all I recall.</p> <p>22 Q. So as you sit here today, you can only recall</p> <p>23 gambling at three places here or anywhere, for that</p> <p>24 matter, those being the Palms, Caesars Palace, and</p> <p>25 Red Rock?</p>
Page 66	Page 68
<p>1 A. I'm not sure.</p> <p>2 Q. It has a surrender value?</p> <p>3 A. I think -- I think it does. I'm not sure.</p> <p>4 Q. What is the surrender value?</p> <p>5 A. I don't know. That's why I said I think it</p> <p>6 does. I'm not sure.</p> <p>7 Q. Do you recall making premium payments of</p> <p>8 approximately \$100,000 a year for any policies?</p> <p>9 A. That sounds about right.</p> <p>10 Q. And when was the last time that you made that</p> <p>11 premium payment of \$100,000?</p> <p>12 A. Years and years ago. It was one of those</p> <p>13 policies you only pay in so many years and then it's</p> <p>14 supposed to be paid up.</p> <p>15 Q. And the policy is paid up?</p> <p>16 A. I think so.</p> <p>17 Q. And what are the terms of the policy insofar</p> <p>18 as surrender value?</p> <p>19 A. I have no idea.</p> <p>20 Q. Who is the beneficiary of the policy?</p> <p>21 A. I think it's my ex-wife.</p> <p>22 Q. For the record, that's Lisa Rizzolo; correct?</p> <p>23 A. Yes.</p> <p>24 Q. Other than the Amarone address, have you</p> <p>25 resided or slept at any other address since your</p>	<p>1 A. I'm pretty sure.</p> <p>2 Q. And in the aggregate, in total, how many</p> <p>3 occasions have you gone out gambling?</p> <p>4 A. Since I've been out?</p> <p>5 Q. Yes, since you were released from the</p> <p>6 Metropolitan Correctional Center.</p> <p>7 A. Maybe a dozen, 20 times.</p> <p>8 Q. Did you receive credit on any of those</p> <p>9 occasions?</p> <p>10 A. No.</p> <p>11 Q. You gambled cash?</p> <p>12 A. Yes.</p> <p>13 Q. What was the size of the largest bet you</p> <p>14 made?</p> <p>15 A. Oh, I couldn't even tell you.</p> <p>16 Q. Approximate it.</p> <p>17 A. A couple hundred dollars.</p> <p>18 Q. You play blackjack?</p> <p>19 A. Yes.</p> <p>20 Q. Do you play any other games of chance?</p> <p>21 A. Once in a while video poker.</p> <p>22 Q. Anything else?</p> <p>23 A. No.</p> <p>24 Q. Do you engage in any sports wagering?</p> <p>25 A. Not anymore.</p>

Page 69	Page 71
<p>1 Q. Well, let me ask a more precise question.</p> <p>2 Have you engaged in any sports wagering since</p> <p>3 the time that you were released from the Metropolitan</p> <p>4 Correctional Center?</p> <p>5 A. No.</p> <p>6 Q. Your Mercedes Benz appears sitting across the</p> <p>7 street; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. Who is that Mercedes Benz titled to?</p> <p>10 A. I believe it's -- it's a limited liability</p> <p>11 corporation called Lions Limited.</p> <p>12 Q. You recently changed the registration of the</p> <p>13 automobile, did you not?</p> <p>14 A. No, I don't think so.</p> <p>15 Q. It has always been registered to</p> <p>16 Lions Limited?</p> <p>17 A. Yes, I'm pretty sure, yeah.</p> <p>18 Q. What is Lions Limited?</p> <p>19 A. Just a company.</p> <p>20 Q. Well, tell me what the business of</p> <p>21 Lions Limited is.</p> <p>22 A. I don't think it has one.</p> <p>23 Q. Who owns Lions Limited?</p> <p>24 A. I don't know.</p> <p>25 Q. What's your association with Lions Limited?</p>	<p>1 Q. Country clubs?</p> <p>2 A. No.</p> <p>3 Q. Clubs of any kind?</p> <p>4 A. No.</p> <p>5 Q. You stated before the break that you've</p> <p>6 recently sold some of your assets?</p> <p>7 A. Yes.</p> <p>8 Q. You mentioned that you sold an automobile and</p> <p>9 you've sold jewelry?</p> <p>10 A. I sold -- I sold a car a couple years ago and</p> <p>11 I sold some jewelry to my father and to</p> <p>12 Michael Minden Jewelers.</p> <p>13 Q. Now, with respect to the automobile, are we</p> <p>14 speaking of your 1958 Corvette?</p> <p>15 A. Yes.</p> <p>16 Q. And that was sold to whom?</p> <p>17 A. Fred Doumani.</p> <p>18 Q. And when was it sold?</p> <p>19 A. I think a couple years ago.</p> <p>20 Q. Was it sold before or after you were sued in</p> <p>21 this action?</p> <p>22 A. You mean this?</p> <p>23 Q. Yes, sir.</p> <p>24 A. This from years ago?</p> <p>25 Q. No.</p>
Page 70	Page 72
<p>1 A. It was a company that John Dawson set up when</p> <p>2 he was doing estate planning.</p> <p>3 Q. And who has an interest in Lions Limited?</p> <p>4 A. I don't know.</p> <p>5 Q. Do you know what the precise legal vehicle</p> <p>6 Lions Limited operates under? Is it a corporation? Is</p> <p>7 it an LLC --</p> <p>8 A. I think it's a little --</p> <p>9 Q. -- a partnership?</p> <p>10 A. I think a limited liability corporation, I</p> <p>11 think. I'm pretty sure.</p> <p>12 Q. It's an LLC?</p> <p>13 A. Yes.</p> <p>14 Q. And what does Lions Limited own?</p> <p>15 A. I'm pretty sure just that car.</p> <p>16 Q. Do you use Lions Limited for any other</p> <p>17 purpose?</p> <p>18 A. Not that I recall.</p> <p>19 Q. Have you ever used Lions Limited for any</p> <p>20 other purpose?</p> <p>21 A. I don't recall.</p> <p>22 Q. Is there a reason you don't recall?</p> <p>23 A. Because I don't remember. That's the reason.</p> <p>24 Q. Do you belong to any sports clubs, gyms?</p> <p>25 A. Oh, no.</p>	<p>1 Before Kirk and Amy Henry served you --</p> <p>2 A. It was just a couple years ago.</p> <p>3 MR. GENTILE: Wait. Let him ask the</p> <p>4 question. This is a really important question.</p> <p>5 THE WITNESS: Oh, sorry. Sorry.</p> <p>6 BY MR. CAMPBELL:</p> <p>7 Q. Did you sell Mr. Doumani your 1958 Corvette</p> <p>8 before or after you were sued in this action; that is,</p> <p>9 the case of Kirk and Amy Henry versus you and your wife</p> <p>10 that's in Federal Court?</p> <p>11 MR. BAILUS: Objection as to the form.</p> <p>12 THE WITNESS: Yeah. What date was I sued?</p> <p>13 Then I can tell you.</p> <p>14 BY MR. CAMPBELL:</p> <p>15 Q. Okay. You don't know the date you were sued?</p> <p>16 A. No.</p> <p>17 Q. Do you know the date that you sold the car?</p> <p>18 A. It was a couple years ago.</p> <p>19 Q. We'll come back to the car.</p> <p>20 What jewelry have you sold and to whom?</p> <p>21 A. The exact things I -- I couldn't tell you. I</p> <p>22 think my parole officer has got a list if you need it,</p> <p>23 but it was some watches.</p> <p>24 Q. Okay. What else?</p> <p>25 A. It was basically the watches, actually, now</p>

Page 73	Page 75
<p>1 that I think about it.</p> <p>2 Q. And how many watches?</p> <p>3 A. Probably -- oh, I thought you were waving to</p> <p>4 stop or something.</p> <p>5 MR. GENTILE: No.</p> <p>6 THE WITNESS: Maybe eight or 10.</p> <p>7 BY MR. CAMPBELL:</p> <p>8 Q. And please detail for me the make of those</p> <p>9 watches.</p> <p>10 MR. GENTILE: Objection to the form of the</p> <p>11 question.</p> <p>12 Do you mean brand?</p> <p>13 MR. CAMPBELL: Yeah.</p> <p>14 THE WITNESS: There were some Cartiers,</p> <p>15 Piagets. There were some other ones, but I don't</p> <p>16 remember the makes on them.</p> <p>17 BY MR. CAMPBELL:</p> <p>18 Q. How many Cartiers?</p> <p>19 A. I couldn't tell you how many of each. I just</p> <p>20 remember there was Cartiers and Piagets.</p> <p>21 Q. Do you know how many Piagets you sold?</p> <p>22 A. (Witness shakes head)</p> <p>23 Q. You sold these to your father?</p> <p>24 A. Some that --</p> <p>25 MR. GENTILE: Objection.</p>	<p>1 A. Probably around that.</p> <p>2 Q. And how much money did you receive from</p> <p>3 Michael Minden?</p> <p>4 A. I don't remember. I'd have to look it up.</p> <p>5 Q. And how would you go about looking that up?</p> <p>6 A. Find the receipt.</p> <p>7 Q. You have a receipt someplace?</p> <p>8 A. I'm pretty sure, yeah.</p> <p>9 Q. And who was it that you dealt with at</p> <p>10 Michael Minden?</p> <p>11 A. Michael Minden.</p> <p>12 Q. You dealt with the proprietor, the owner?</p> <p>13 A. Yes.</p> <p>14 Q. And have you known Mr. Minden for a number of</p> <p>15 years?</p> <p>16 A. No, not really.</p> <p>17 Q. How long have you known him?</p> <p>18 A. On and off, a couple years.</p> <p>19 Q. Your father has, unfortunately and</p> <p>20 regrettably, passed away a few months ago as I</p> <p>21 understand?</p> <p>22 A. Yeah, right.</p> <p>23 Q. What is the status of his estate?</p> <p>24 A. I'm not really sure. I used to be -- you</p> <p>25 know, I used to be the executor of his trust, but then</p>
Page 74	Page 76
<p>1 Wait.</p> <p>2 I think you're misstating the record at this</p> <p>3 point.</p> <p>4 MR. CAMPBELL: Okay.</p> <p>5 BY MR. CAMPBELL:</p> <p>6 Q. You sold some of these to your father?</p> <p>7 A. Some of them.</p> <p>8 Q. How many?</p> <p>9 A. I'd have to -- I'd have to figure it out to</p> <p>10 let you know for sure.</p> <p>11 Q. And how would you go about figuring that out?</p> <p>12 A. Ask his wife.</p> <p>13 Q. Your father's --</p> <p>14 A. I don't remember what I -- you know what I</p> <p>15 mean? I don't remember what I sold to him and what I</p> <p>16 sold to Michael Minden.</p> <p>17 Q. And did you get a receipt from</p> <p>18 Michael Minden?</p> <p>19 A. I believe so.</p> <p>20 Q. And when was that?</p> <p>21 A. That was probably a year ago.</p> <p>22 Q. And how many watches did you dispose of to</p> <p>23 Michael Minden?</p> <p>24 A. I don't know. A number.</p> <p>25 Q. Well, would it be more or less than five?</p>	<p>1 when -- when -- when I got sentenced, they took me off</p> <p>2 of it because I guess you're not supposed to be an</p> <p>3 executor if you're a felon or something.</p> <p>4 Q. Of a trust, you were a fiduciary?</p> <p>5 A. I was his executor.</p> <p>6 Q. Of a trust?</p> <p>7 A. Of his trust.</p> <p>8 Q. Okay. Who is handling the estate matters for</p> <p>9 your father's state presently?</p> <p>10 A. Who is the trustee?</p> <p>11 Q. Well, okay.</p> <p>12 A. I think it's his wife.</p> <p>13 Q. And are you in any way involved in the</p> <p>14 administration of the estate?</p> <p>15 A. No.</p> <p>16 Q. Are you a beneficiary under any term of the</p> <p>17 trust or any will?</p> <p>18 A. Not that I know of.</p> <p>19 Q. Is it your testimony that you have no</p> <p>20 expectancy in any assets --</p> <p>21 A. No.</p> <p>22 Q. -- of your father's?</p> <p>23 A. Right.</p> <p>24 Well, say that again.</p> <p>25 Q. Sure. I'm happy to.</p>

Page 77	Page 79
<p>1 A. Because I said "no" and "yes."</p> <p>2 Q. Is it your testimony that you have no</p> <p>3 expectancy, that you do not expect to inherit anything</p> <p>4 from your father's estate?</p> <p>5 A. No, because when I was the executor, I</p> <p>6 didn't, so I don't imagine it changed unless it</p> <p>7 changed.</p> <p>8 Q. Your father's widow is presently living;</p> <p>9 correct?</p> <p>10 A. Yes.</p> <p>11 Q. And her name?</p> <p>12 A. Kim.</p> <p>13 Q. And that is not your mother?</p> <p>14 A. No.</p> <p>15 Q. Is your mother deceased?</p> <p>16 A. Yes.</p> <p>17 Q. Have you sold any other jewelry besides those</p> <p>18 10 watches?</p> <p>19 A. No.</p> <p>20 Q. What was the -- to the best of your</p> <p>21 recollection, what was the amount that you received</p> <p>22 from your father in exchange for the watches that you</p> <p>23 sold him?</p> <p>24 A. Well, I didn't receive an amount. I sold</p> <p>25 them to him. I think it was I'll ask his wife. I</p>	<p>1 far.</p> <p>2 Q. So as you sit here today, you don't know</p> <p>3 whether he paid the full amount that you bargained for</p> <p>4 or whether it was a lesser amount; is that correct?</p> <p>5 A. Right.</p> <p>6 Q. And why don't you know that?</p> <p>7 A. I just didn't keep track of it.</p> <p>8 Q. Well, do you know how much Mr. Frizzell was</p> <p>9 paid?</p> <p>10 A. No.</p> <p>11 Q. Do you know generally the amount, if not the</p> <p>12 precise amount?</p> <p>13 A. No.</p> <p>14 Q. And you have no interest in knowing that?</p> <p>15 A. It never came up.</p> <p>16 Q. Do you owe Mr. Frizzell any money?</p> <p>17 A. No, I don't think so.</p> <p>18 Q. Do you owe the firm of Patti, Sgro & Lewis</p> <p>19 any money?</p> <p>20 A. I think so.</p> <p>21 Q. And how much do you owe them?</p> <p>22 A. I'm not sure.</p> <p>23 Q. When you say you're not sure, do you have a</p> <p>24 general figure in mind as opposed to a precise one?</p> <p>25 A. The last figure I remember was around 8,</p>
Page 78	Page 80
<p>1 think it was like 25 or 30,000, but he was paying me,</p> <p>2 you know, a couple thousand a month. He was actually</p> <p>3 paying it to the lawyer down the street, Ken Frizzell.</p> <p>4 Q. So Mr. Frizzell was being paid by your</p> <p>5 father, Bart?</p> <p>6 A. Yes.</p> <p>7 Q. And did I understand you to say 25 to 30,000?</p> <p>8 A. I'm guessing. You told me to the best of my</p> <p>9 recollection.</p> <p>10 Q. That's the amount that he paid to</p> <p>11 Mr. Frizzell on your behalf in exchange for the</p> <p>12 watches?</p> <p>13 A. No, no, no. That's what I'm saying. I don't</p> <p>14 know how much of that he's paid.</p> <p>15 Q. So if I understand you correctly, you had an</p> <p>16 arrangement with your father to give him five watches</p> <p>17 in exchange for approximately 25 to \$30,000?</p> <p>18 A. No. I didn't say five watches. I said I</p> <p>19 didn't remember.</p> <p>20 Q. A number of watches in exchange for 25 or</p> <p>21 \$30,000?</p> <p>22 A. That's to the best of my recollection.</p> <p>23 Q. Of that 25 or \$30,000, some of that was paid</p> <p>24 to Mr. Frizzell but you don't know how much?</p> <p>25 A. Yeah. I don't know how much has been paid so</p>	<p>1 8,000 or 10,000, something like that.</p> <p>2 Q. When is the last payment that was made --</p> <p>3 A. Oh, got to be --</p> <p>4 Q. -- to that firm?</p> <p>5 A. -- a year ago.</p> <p>6 Q. And how much was that last payment?</p> <p>7 A. I don't remember.</p> <p>8 Q. Was it more or less than \$10,000?</p> <p>9 A. It was more.</p> <p>10 Q. Was it more or less than 50,000?</p> <p>11 A. I think it was around that, to tell you the</p> <p>12 truth.</p> <p>13 Q. You earlier testified that when you sold your</p> <p>14 interest in the club in Philadelphia, that you used</p> <p>15 some of those funds to pay an outstanding bill to</p> <p>16 Patti, Sgro & Lewis, your lawyers?</p> <p>17 A. Right.</p> <p>18 Q. How much was that?</p> <p>19 A. I think it was 100,000 at that time.</p> <p>20 Q. And then subsequent to that, you paid them</p> <p>21 another 50,000; is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. And when you paid that 50,000, you paid that</p> <p>24 in cash?</p> <p>25 A. No.</p>

Page 81	Page 83
<p>1 Q. How did you pay it?</p> <p>2 A. There was some kind of -- I forget how they</p> <p>3 did it. There was some kind of settlement -- oh. It</p> <p>4 was the City of Las Vegas.</p> <p>5 There was a deposit made to the City of</p> <p>6 Las Vegas for -- for like -- I forget, for a fine or</p> <p>7 something, and they gave it back, so Patti & Sgro took</p> <p>8 it.</p> <p>9 Q. And you believe that amount to have been the</p> <p>10 50,000?</p> <p>11 A. Right. I think that's what it was.</p> <p>12 Q. Were you aware that many of your legal</p> <p>13 records were destroyed, purportedly destroyed in a</p> <p>14 flood?</p> <p>15 A. Yes.</p> <p>16 Q. And when did you first become aware that many</p> <p>17 of your legal records and files had been destroyed at</p> <p>18 the firm of Patti, Sgro & Lewis?</p> <p>19 MR. GENTILE: Objection to the form of the</p> <p>20 question.</p> <p>21 THE WITNESS: Are you talking about the ones</p> <p>22 the FBI destroyed in the flood?</p> <p>23 BY MR. CAMPBELL:</p> <p>24 Q. The FBI destroyed them in a flood?</p> <p>25 A. Well, there was two floods. The FBI said</p>	<p>1 A. How long ago?</p> <p>2 Q. Yes, sir.</p> <p>3 A. Maybe a year ago, a year and a few months</p> <p>4 ago.</p> <p>5 Q. And how did you meet him?</p> <p>6 A. He was -- I think it was -- I think it was</p> <p>7 with Tony Sgro. He was trying to -- he needed an</p> <p>8 attorney for something and he was going to help me.</p> <p>9 That's when I didn't have an attorney at the time, so</p> <p>10 he was going to help me like write -- you know, write</p> <p>11 my stuff and things like that.</p> <p>12 Q. Mr. Sgro introduced you to Mr. Kinsey?</p> <p>13 A. I don't know if he introduced me. I remember</p> <p>14 it had something to do with him. I think it was a girl</p> <p>15 named Tracy Bishop, actually, who introduced me.</p> <p>16 Q. And who is Tracy Bishop?</p> <p>17 A. A friend of mine?</p> <p>18 Q. And does she live here in Las Vegas?</p> <p>19 A. Yes.</p> <p>20 Q. And what does she do here in Las Vegas for a</p> <p>21 living?</p> <p>22 A. She's a bartender.</p> <p>23 Q. Where at?</p> <p>24 A. I'm not sure. It's a local bar on</p> <p>25 Spring Mountain.</p>
Page 82	Page 84
<p>1 they had a flood in their warehouse and all the records</p> <p>2 were gone, and then whatever Patti & Sgro had, they had</p> <p>3 a flood in there because the water was like a foot and</p> <p>4 a half up the wall.</p> <p>5 Q. And when was it that you were first informed</p> <p>6 that your legal files at the firm of Patti,</p> <p>7 Sgro & Lewis had been destroyed or lost in a flood?</p> <p>8 A. I don't remember. It was a long time ago.</p> <p>9 Q. Was it before you went to prison?</p> <p>10 A. I believe so, yeah.</p> <p>11 Q. Who advised you that your records, that your</p> <p>12 files had been destroyed in a flood?</p> <p>13 A. I think it was Dean Patti.</p> <p>14 Q. Have you expended any other sums since you've</p> <p>15 been released from the Metropolitan Correctional Center</p> <p>16 to pay for legal services?</p> <p>17 A. Since I've been released?</p> <p>18 Q. Yes, sir. That's the question.</p> <p>19 A. Other than what I just told you?</p> <p>20 Q. Other than what you've just told me.</p> <p>21 A. No, I don't believe so.</p> <p>22 Q. Do you know James Kinsey?</p> <p>23 A. Yes.</p> <p>24 Q. How is it that -- when did you first meet</p> <p>25 him.</p>	<p>1 Q. How long have you known Tracy Bishop?</p> <p>2 A. Probably 10 years.</p> <p>3 Q. And she introduced you to --</p> <p>4 A. I'm pretty sure that was her.</p> <p>5 Q. Well, what then was the association that you</p> <p>6 earlier referred to with the Sgro firm?</p> <p>7 A. That he -- she called me up and said somebody</p> <p>8 she knew, which was this James Kinsey, needed a lawyer</p> <p>9 for something he was doing.</p> <p>10 Q. And you referred him to Tony Sgro?</p> <p>11 A. Yes.</p> <p>12 Q. How much did you pay Mr. Kinsey for the legal</p> <p>13 work he performed on your behalf?</p> <p>14 A. Nothing.</p> <p>15 Q. And why was that?</p> <p>16 A. He agreed to help me if I would introduce him</p> <p>17 to somebody that would help -- you know, a lawyer that</p> <p>18 would help him.</p> <p>19 Q. And so in exchange for services that were</p> <p>20 rendered to him by Mr. Sgro's firm --</p> <p>21 A. I don't know that they ever did anything. I</p> <p>22 made the introduction.</p> <p>23 Q. In exchange for making that introduction to</p> <p>24 Mr. Sgro's firm and seeking to assist Mr. Kinsey in</p> <p>25 getting legal services there, Mr. Kinsey --</p>

Page 85	Page 87
<p>1 A. Said he would help me.</p> <p>2 Q. -- said he would help you in performing legal</p> <p>3 services on your behalf?</p> <p>4 A. Right.</p> <p>5 Q. For what period of time did he perform legal</p> <p>6 services on your behalf?</p> <p>7 A. I'm not sure. Maybe a year.</p> <p>8 Q. And during that year period of time, neither</p> <p>9 you nor anyone on your behalf or in association with</p> <p>10 you paid Mr. Kinsey any money, to your knowledge?</p> <p>11 Is that your testimony here?</p> <p>12 A. Well, you mean did he -- by me, no.</p> <p>13 Q. No.</p> <p>14 Or by anyone acting --</p> <p>15 A. I think he was working for Ken Frizzell for a</p> <p>16 while.</p> <p>17 Q. For what period of time was he working for</p> <p>18 Mr. Frizzell?</p> <p>19 A. I don't know.</p> <p>20 Q. He was working for Mr. Frizzell at the same</p> <p>21 time he was performing legal services for you; correct?</p> <p>22 A. Yeah, but he was already working for him.</p> <p>23 Q. The answer is yes, he was working for Mr. --</p> <p>24 A. Yes.</p> <p>25 Q. Do you have a storage unit?</p>	<p>1 Q. You had an extensive memorabilia collection?</p> <p>2 A. Yes.</p> <p>3 Q. Did Mr. McDonald ever have possession of that</p> <p>4 memorabilia collection?</p> <p>5 MR. GENTILE: Objection to the form of the</p> <p>6 question.</p> <p>7 THE WITNESS: No.</p> <p>8 BY MR. CAMPBELL:</p> <p>9 Q. Where is the memorabilia collection today?</p> <p>10 A. A lot of it's still at the Crazy Horse, so I</p> <p>11 guess the U.S. Marshals have it, and then most of it we</p> <p>12 auctioned off for charity.</p> <p>13 Q. Do you have any sports memorabilia today?</p> <p>14 A. No.</p> <p>15 Q. Have you ever sold any sports memorabilia?</p> <p>16 A. Auctioned it off, yeah.</p> <p>17 Q. When was it auctioned off?</p> <p>18 A. I used to do a charity every year and auction</p> <p>19 it off.</p> <p>20 Q. And when was the last time you auctioned off</p> <p>21 any sports memorabilia?</p> <p>22 A. The exact year? Maybe '04, '03, '04.</p> <p>23 Q. And you no longer have any sports</p> <p>24 memorabilia?</p> <p>25 A. Not that I know of. I'm not saying I don't</p>
Page 86	Page 88
<p>1 A. No.</p> <p>2 Q. Have you ever had a storage unit?</p> <p>3 A. I probably did years ago.</p> <p>4 Q. When was it that you last had a storage unit?</p> <p>5 A. I couldn't even tell you if I did. I know</p> <p>6 years ago I probably had a storage unit. I was never</p> <p>7 there.</p> <p>8 Q. Where was the storage unit located?</p> <p>9 A. I don't know.</p> <p>10 Q. And how do you know you had a storage unit?</p> <p>11 A. I think I was still married at the time. I</p> <p>12 think my kids stored their furniture and stuff in it.</p> <p>13 Q. And but so we're clear, since the time that</p> <p>14 you've been released from the Metropolitan Correctional</p> <p>15 Center --</p> <p>16 A. No.</p> <p>17 Q. You have to wait until I'm finished.</p> <p>18 A. Sorry.</p> <p>19 Q. -- you've never had any access to or gained</p> <p>20 entrance to any storage unit?</p> <p>21 A. No.</p> <p>22 Q. Or utilized a storage unit to store any of</p> <p>23 your materials whether it was rented by you or by any</p> <p>24 other person?</p> <p>25 A. No.</p>	<p>1 have it. I don't have possession of it. That's what I</p> <p>2 was telling you. It's at the club. It's at the</p> <p>3 Crazy Horse.</p> <p>4 Q. The only sports memorabilia that you ever had</p> <p>5 possession of that is still in existence today is at</p> <p>6 the Crazy Horse which is in the possession of the</p> <p>7 United States Marshal Service?</p> <p>8 A. I believe so.</p> <p>9 MR. GENTILE: Objection to the form of the</p> <p>10 question.</p> <p>11 THE WITNESS: I believe so.</p> <p>12 BY MR. CAMPBELL:</p> <p>13 Q. And to be clear, since '04, you have not sold</p> <p>14 any sports memorabilia?</p> <p>15 A. No.</p> <p>16 Q. Have you ever received an inventory notice by</p> <p>17 the United States Department of Justice, any notice to</p> <p>18 the effect that you had been picked up on a wiretap or</p> <p>19 electronic listening device?</p> <p>20 A. Yes.</p> <p>21 Q. On how many occasions have you received such</p> <p>22 notice?</p> <p>23 A. I don't remember. I know they went back like</p> <p>24 12, 15 years.</p> <p>25 Q. When was the first time you became aware that</p>

Page 89	Page 91
<p>1 you were of interest to the United States Department of</p> <p>2 Justice or the FBI or IRS?</p> <p>3 MR. BAILUS: Objection as to form.</p> <p>4 THE WITNESS: That I was of interest?</p> <p>5 MR. GENTILE: I disavow the objection, by the</p> <p>6 way.</p> <p>7 BY MR. CAMPBELL:</p> <p>8 Q. Yeah.</p> <p>9 A. Probably the '80s.</p> <p>10 Q. And how did it come to your attention that</p> <p>11 they were interested in -- that the -- first of all, it</p> <p>12 was the FBI was interested in your activities?</p> <p>13 A. I don't know interested in my activities, but</p> <p>14 I think I went to the grand jury one time, you know. I</p> <p>15 think it was the '80s or '90s, and that's when I really</p> <p>16 knew that, you know, and then over the years, just, you</p> <p>17 know, sometimes an agent would talk to you or something</p> <p>18 like that, you know.</p> <p>19 Q. Is it fair to say that in the mid '80s, you</p> <p>20 had received information that you were under</p> <p>21 investigation by the Federal Bureau of Investigation?</p> <p>22 A. I don't know that I received any information</p> <p>23 that I was under investigation.</p> <p>24 Q. Okay. When was --</p> <p>25 A. I was a witness in a grand jury thing, so --</p>	<p>1 with any organized crime figures?</p> <p>2 A. No.</p> <p>3 Q. Do you know what Mr. Balzano did for a</p> <p>4 living?</p> <p>5 A. He worked at the Crazy Horse.</p> <p>6 Q. The original --</p> <p>7 A. The one on Paradise and Flamingo.</p> <p>8 Q. The original Crazy Horse?</p> <p>9 A. Right.</p> <p>10 He was like a shift manager there or</p> <p>11 something.</p> <p>12 Q. Did you understand that he was subsequently</p> <p>13 indicted and convicted?</p> <p>14 A. Yeah. I think that's what this whole</p> <p>15 thing -- that whole thing was over or something.</p> <p>16 Q. When did you first -- when did you --</p> <p>17 withdraw.</p> <p>18 To the best of your recollection, when did</p> <p>19 you receive your first inventory notice that you had</p> <p>20 been picked up on electronic surveillance? Was that at</p> <p>21 or about the same time that you were testifying</p> <p>22 concerning Mr. Balzano?</p> <p>23 A. Oh, no.</p> <p>24 Q. When was that?</p> <p>25 A. That was -- it was just recently. They gave</p>
Page 90	Page 92
<p>1 Q. And did you take the Fifth Amendment?</p> <p>2 A. No.</p> <p>3 Q. What was that in relation to?</p> <p>4 A. What was that? Oh, that was -- they asked</p> <p>5 me -- you know, I never really could figure out what it</p> <p>6 was about, and I asked them and they wouldn't tell me,</p> <p>7 but they were asking about a guy named Vito DeFelipo,</p> <p>8 Joe Balzano. They asked about a bunch of people.</p> <p>9 Q. Anyone else besides Vito DeFelipo and</p> <p>10 Joe Balzano?</p> <p>11 A. Not that I remember.</p> <p>12 Q. Did you know Vito DeFelipo?</p> <p>13 A. Yeah.</p> <p>14 Q. And do you know what Mr. DeFelipo did for a</p> <p>15 living?</p> <p>16 A. Well, I mean, when I knew him, he was an old</p> <p>17 man, so I think he was in construction. His family was</p> <p>18 in construction.</p> <p>19 Q. When you say "his family," you mean his --</p> <p>20 A. I think he said by trade he was like a</p> <p>21 bricklayer or something.</p> <p>22 Q. Did you know Mr. DeFelipo to be associated</p> <p>23 with any organized crime figures?</p> <p>24 A. No.</p> <p>25 Q. Did you know Mr. Balzano to be associated</p>	<p>1 him -- they gave me notices from 12, 15 years ago.</p> <p>2 Q. From 12 or 15 years ago?</p> <p>3 A. Yeah, but they just -- you know, they gave</p> <p>4 it, you know, when all this other stuff was going on.</p> <p>5 I can't say for sure I never got one over the years.</p> <p>6 Q. What phones did they bug? What phones that</p> <p>7 you had did they bug 12 to 15 years ago?</p> <p>8 MR. GENTILE: Objection to the form.</p> <p>9 THE WITNESS: I couldn't even tell you.</p> <p>10 MR. GENTILE: You have to let me have time to</p> <p>11 get in my objection.</p> <p>12 THE WITNESS: Oh, sorry.</p> <p>13 MR. GENTILE: I object to the form of the</p> <p>14 question.</p> <p>15 MR. BAILUS: May I join in the objection.</p> <p>16 BY MR. CAMPBELL:</p> <p>17 Q. Were any of those phones at your business,</p> <p>18 place of employment?</p> <p>19 A. I couldn't even tell you. There was all</p> <p>20 different ones. There was a camera across the street,</p> <p>21 you know, from the Crazy Horse. There was my car. So</p> <p>22 I don't know. I just assumed they bugged every phone.</p> <p>23 Q. How many times was -- withdraw.</p> <p>24 On how many occasions did members of law</p> <p>25 enforcement conduct a search of the premises of the</p>

Page 93	Page 95
<p>1 Crazy Horse Too, to your knowledge?</p> <p>2 A. Twice.</p> <p>3 Q. When was the first one?</p> <p>4 A. I don't remember the exact year. Well, it</p> <p>5 was Metro, you know, Metropolitan Police Department</p> <p>6 once, and then maybe two or three weeks later it was</p> <p>7 the federal government.</p> <p>8 Q. The first search was conducted pursuant to a</p> <p>9 search warrant? You were served with a search warrant?</p> <p>10 MR. GENTILE: Objection to the form of the</p> <p>11 question.</p> <p>12 BY MR. CAMPBELL:</p> <p>13 Q. By the Metropolitan Police Department?</p> <p>14 A. I believe so.</p> <p>15 Q. And what were they looking for?</p> <p>16 A. I don't know.</p> <p>17 Q. Did they take anything?</p> <p>18 A. No.</p> <p>19 Q. And then subsequent to that search, there was</p> <p>20 a well-publicized raid, I think it was described in the</p> <p>21 media as taking place at your establishment, the Crazy</p> <p>22 Horse Too, that was conducted by the Federal Bureau of</p> <p>23 Investigation and the Internal Revenue Service?</p> <p>24 MR. BAILUS: Objection as to the form.</p> <p>25 THE WITNESS: Yes.</p>	<p>1 Q. You were still married at that point?</p> <p>2 A. If your date's are right, yeah.</p> <p>3 Q. Was your home searched --</p> <p>4 A. No.</p> <p>5 Q. -- on Canyon Gate?</p> <p>6 Did your sister work at the Crazy Horse?</p> <p>7 A. Yes.</p> <p>8 Q. And what was it that she did there?</p> <p>9 A. Like light bookkeeping, like comptroller type</p> <p>10 of, you know.</p> <p>11 Q. Did you have any other relatives that worked</p> <p>12 in the Crazy Horse?</p> <p>13 A. My brother.</p> <p>14 Q. What's his name?</p> <p>15 A. Ralph. He kind of did -- did you want to</p> <p>16 know what he did?</p> <p>17 Q. Yes, sir.</p> <p>18 A. He kind of did everything. Sometimes he</p> <p>19 tended bar, sometimes he was on the floor, most of the</p> <p>20 time he did the -- the liquor purchasing, you know what</p> <p>21 I mean, dealt with all the liquor purveyors and was in</p> <p>22 the office doing that stuff. And then my dad was</p> <p>23 there, and I had a niece and a nephew there too.</p> <p>24 Q. And who was your niece and nephew?</p> <p>25 A. John Drace and Shannon -- I can't think of</p>
Page 94	Page 96
<p>1 BY MR. CAMPBELL:</p> <p>2 Q. And that took place in 2003, does that sound</p> <p>3 about right?</p> <p>4 A. Probably. I really don't remember. I'll</p> <p>5 take your word for it.</p> <p>6 Q. No. I'm not asking you to take my word.</p> <p>7 Does that sound about right?</p> <p>8 A. '03, '04, something like that.</p> <p>9 Q. Okay. Were you present for the raid by the</p> <p>10 IRS and the FBI?</p> <p>11 A. No.</p> <p>12 Q. Where were you?</p> <p>13 A. I was in California.</p> <p>14 Q. And where in California were you?</p> <p>15 A. Newport Beach.</p> <p>16 Q. What were you doing in Newport Beach?</p> <p>17 A. Family vacation, I believe.</p> <p>18 Q. Did you return?</p> <p>19 A. Yeah, that day. The next flight out.</p> <p>20 Q. And what did the IRS and the FBI take from</p> <p>21 the Crazy Horse Too?</p> <p>22 A. Records.</p> <p>23 Q. Anything else?</p> <p>24 A. Cash registers, credit card machines. That's</p> <p>25 about it.</p>	<p>1 her last name, her married last name. Antonachi,</p> <p>2 something like that.</p> <p>3 Q. Anyone else, any other relatives that worked</p> <p>4 there?</p> <p>5 A. I don't believe so.</p> <p>6 Q. Now, your wife didn't work there or your</p> <p>7 children?</p> <p>8 A. Oh, no. No.</p> <p>9 Q. Following that raid, you were quoted</p> <p>10 extensively in the press as having commented that they,</p> <p>11 meaning the FBI, have been looking at me for 20 years.</p> <p>12 What, to your knowledge, has the FBI been</p> <p>13 looking at you for in the 20 years prior to that raid?</p> <p>14 A. I don't even know that I said that.</p> <p>15 Q. You were quoted extensively as having said</p> <p>16 that.</p> <p>17 A. Okay. I'll take your word for it.</p> <p>18 Q. All right.</p> <p>19 A. I don't really know what they were looking</p> <p>20 for.</p> <p>21 Q. Well, that seemingly comports with what you</p> <p>22 earlier said, that you became of interest to law</p> <p>23 enforcement sometime in the '80s.</p> <p>24 I'm simply asking you, you know, what was</p> <p>25 your view of why you were of such interest to the FBI</p>

Page 97	Page 99
<p>1 that they had been looking at you for 20 years?</p> <p>2 A. I was Italian and I was in the topless club</p> <p>3 business.</p> <p>4 Q. And do you believe that simply because you</p> <p>5 were of Italian ancestry and because you were operating</p> <p>6 a strip club or a gentlemen's club that led the FBI to</p> <p>7 investigate you for a 20-year period of time?</p> <p>8 A. Pretty much.</p> <p>9 Q. And what do you base that on?</p> <p>10 A. Because I was never doing anything, so I</p> <p>11 don't know what else they'd be looking at me for.</p> <p>12 Q. And when you say you were never doing</p> <p>13 anything, you mean you were never doing anything</p> <p>14 illegal?</p> <p>15 A. Wrong, right.</p> <p>16 Q. The Crazy Horse was operated under the --</p> <p>17 under the legal name of The Power Company?</p> <p>18 A. Yes.</p> <p>19 Q. That was an entity that you had formed in</p> <p>20 order to operate?</p> <p>21 A. No.</p> <p>22 Q. Who formed that?</p> <p>23 A. I think it was Jim Schiff.</p> <p>24 Q. Mr. Schiff had formed that?</p> <p>25 A. I'm pretty sure.</p>	<p>1 Q. And how did you become interested in</p> <p>2 purchasing The Bicycle Club?</p> <p>3 A. I think it was Fred Doumani asked me about</p> <p>4 it.</p> <p>5 Q. And when he asked you about it, he wanted you</p> <p>6 to participate with him?</p> <p>7 A. Yes.</p> <p>8 Q. And The Bicycle Club was a gaming operation</p> <p>9 that had been forfeited to the United States of America</p> <p>10 as a result of a criminal prosecution; is that correct?</p> <p>11 A. No. It was a poker room, and one of the</p> <p>12 partners had forfeited.</p> <p>13 Q. Right.</p> <p>14 A. Not the whole club, though. Only 30 percent</p> <p>15 of it.</p> <p>16 Q. The percentage of the partner that was</p> <p>17 indicted?</p> <p>18 A. Exactly.</p> <p>19 Q. And you and Mr. Doumani sought to acquire an</p> <p>20 interest in The Bicycle Club?</p> <p>21 MR. GENTILE: Objection to the form of the --</p> <p>22 MR. CAMPBELL: Correct.</p> <p>23 MR. GENTILE: Are you finished?</p> <p>24 MR. CAMPBELL: Yes.</p> <p>25 MR. GENTILE: Objection to the form of that</p>
Page 98	Page 100
<p>1 Q. And when customers charged lap dances,</p> <p>2 alcohol, et cetera, on their charge cards, it went to</p> <p>3 accounts under the name of The Power Company; is that</p> <p>4 correct?</p> <p>5 A. I'm pretty sure, yeah.</p> <p>6 Q. The Crazy Horse Too did business, or, rather,</p> <p>7 the enterprise known as the Crazy Horse Too was a legal</p> <p>8 fiction name.</p> <p>9 That was the dba of The Power Company;</p> <p>10 correct?</p> <p>11 A. Yes.</p> <p>12 MR. GENTILE: Objection to the form of the</p> <p>13 question.</p> <p>14 Will you slow down, please?</p> <p>15 THE WITNESS: Sorry.</p> <p>16 MR. GENTILE: Okay.</p> <p>17 BY MR. CAMPBELL:</p> <p>18 Q. In other words, The Power Company did</p> <p>19 business as the Crazy Horse Too?</p> <p>20 A. Yes.</p> <p>21 Q. When was it that you became interested in</p> <p>22 purchasing a commercial enterprise known as The</p> <p>23 Bicycle Club?</p> <p>24 A. I don't even remember the year. It was years</p> <p>25 and years ago.</p>	<p>1 question.</p> <p>2 THE WITNESS: Yeah. What you do is you put a</p> <p>3 bid in with the U.S. Marshals Service.</p> <p>4 BY MR. CAMPBELL:</p> <p>5 Q. Who else participated with you and</p> <p>6 Mr. Doumani in the attempted acquisition of the</p> <p>7 Bicycle Club?</p> <p>8 A. I think it was his cousin.</p> <p>9 Q. And who was that?</p> <p>10 A. I don't remember his name. He had a bank.</p> <p>11 Q. Anyone else? Was anyone else in any way</p> <p>12 involved in your quest to obtain or acquire The</p> <p>13 Bicycle Club with Mr. Doumani?</p> <p>14 A. No, not that I recall.</p> <p>15 Q. Do you recall Mr. Cusumano, Joey Cusumano,</p> <p>16 being involved in any way?</p> <p>17 A. No.</p> <p>18 MR. CAMPBELL: Okay, yeah. This would be a</p> <p>19 good time to take a break.</p> <p>20 He has to change his tape. You can go out</p> <p>21 and have a smoke.</p> <p>22 THE VIDEOGRAPHER: This is the end of tape</p> <p>23 No. 2 in the video deposition of Fredrick Rizzolo. The</p> <p>24 time is approximately 3:21 p.m.</p> <p>25 We're going off the video record.</p>