

1 A. When I was married, yeah.
 2 Q. Could you go to the next page, please.
 3 And, again, you had not resided there,
 4 according to your testimony, for an extended period of
 5 time; right?
 6 A. Yeah, since like '04.
 7 Q. Yeah.
 8 So you were continuing to receive your --
 9 this statement at your marital residence?
 10 A. Yeah. I remember. Yeah. I remember. I
 11 must have -- you know on the back -- you know how you
 12 get your statements and it says change of address? I
 13 must have sent it to them 12,000 times and they kept
 14 sending it to the same thing.
 15 Q. So there would be some record of you having
 16 done that?
 17 A. Oh, yeah. They'd have it because I've sent
 18 it in. You send it in every time on the back.
 19 Q. Did you maintain a copy of that that you sent
 20 them?
 21 A. No. No. That's the thing you mail back to
 22 them.
 23 Q. I see.
 24 Let's go to the next page, 99 Piero's Italian
 25 Cuisine.

1 You had a tab of \$900.62?
 2 A. Uh-huh.
 3 Q. What was that for?
 4 A. I don't remember. It must have been a
 5 dinner. It's a restaurant.
 6 Q. I'm familiar with the restaurant.
 7 Do you remember who you dined with?
 8 A. No.
 9 Q. That's a pretty healthy tab.
 10 A. Well, I would put the tabs on my card and
 11 everybody would kick in and I get the points.
 12 Q. People would pay you money back?
 13 A. Yeah.
 14 Q. Is that what you're saying?
 15 Who paid you back here?
 16 A. I don't know. That's what we would do. Like
 17 at Cliff's birthday, everybody kicked in 100 bucks.
 18 Q. Let's again go to the next one, and you'll
 19 see that on this particular one for May 21st, 2009, all
 20 right?
 21 A. Okay.
 22
 23
 24 Do you see that?
 25 A. Oh, okay. They finally changed it, yeah.

1 Q. Do you recall when you were sued in this
 2 case?
 3 A. No.
 4 Q. Well, let's deal with this document,
 5 payment -- or closing statement of May 21st, 2009.
 6 Here's another charge to Hard Rock
 7 Wasted Space?
 8 A. Right.
 9 Q. Okay. And so this is another occasion which
 10 you were there?
 11 A. Yeah. That's a bar.
 12 Q. And who were you there with?
 13 A. I don't remember.
 14 Q. Let's go to the one for July 21st, 2009.
 15 What is First Food & Bar?
 16 A. It's a restaurant at -- at Palazzo, or it's
 17 actually in those shops.
 18 Q. The Venetian?
 19 A. No. It's the other hotel.
 20 Q. Next to the Venetian?
 21 A. Right.
 22 Q. Okay. And you had a tab there of \$417?
 23 A. Right.
 24 Q. And what was that for?
 25 A. Food.

1 Q. And who were you with when you incurred that
 2 expenditure?
 3 A. No idea.
 4 Q. Let's go to the next statement, which was
 5 August 21st, 2009. It states that you had a
 6 transaction on that date at Fletcher-Jones Import --
 7 Imports, \$792.81; is that correct?
 8 A. Yeah.
 9 Q. And so you were paying for some sort of
 10 service that was done to --
 11 A. My car.
 12 Q. -- your SL; is that correct?
 13 A. Right.
 14 Q. Okay. Let's go to the next statement, that
 15 being for September 21st, 2009.
 16 A. Right.
 17 Q. It says that -- one of the charges that
 18 appears there on -- is it for Half Shell Seafood?
 19 A. Right.
 20 Q. \$930.99?
 21 A. Right.
 22 Q. And what was that for?
 23 A. I imagine for eating there.
 24 Q. And were you with someone?
 25 A. Yeah. For \$930, I was.

1 Q. With who?
 2 A. I don't know.
 3 THE REPORTER: Exhibit 19.
 4 (Exhibit 19 marked)
 5 BY MR. CAMPBELL:
 6 Q. Showing you Exhibit No. 19. It's your
 7 billing statements for your American Express card.
 8 Do you see that, sir?
 9 A. Yes.
 10 Q. Go to the third page of that document.
 11 You'll see on that there's a transaction at Costco on
 12 6/20 of '09.
 13 Do you see that?
 14 A. Yes.
 15 Q. Do you have a Costco membership?
 16 A. I used to.
 17 Q. You no longer have it?
 18 A. No.
 19 Q. When did it --
 20 A. I think it expired.
 21 Q. When did it expire?
 22 A. I'm not really sure.
 23 Q. In any event, you shopped at Costco and had
 24 expenditures of \$473.42 that day?
 25 A. Yes.

1 Q. Do you know what that was for?
 2 A. Groceries and stuff.
 3 Q. Groceries and stuff.
 4 Do you know what the stuff was that you
 5 bought that day?
 6 A. Not really. I mean, you buy groceries there,
 7 so --
 8 Q. Go to the page that's listed 2 of 2 that
 9 follows it.
 10 You incurred a transaction at the
 11 Island Hotel on September the 16th of 2008 in
 12 Newport Beach, California?
 13 A. Yes.
 14 Q. Are you familiar with that?
 15 A. Yes.
 16 Q. For \$77.04.
 17 What was that for?
 18 A. I don't know.
 19 Q. And then there's another charge there on --
 20 on that same date of \$2,863.50 for lodging.
 21 A. That was the room.
 22 Q. And what room was that?
 23 A. At the hotel.
 24 Q. And did you stay at that hotel?
 25 A. Yes.

1 Q. And with whom did you stay at that hotel?
 2 A. Elias Gone, Jr.
 3 Q. Elias Gone, Jr.
 4 And what were you and Elias Gone, Jr. doing
 5 at that hotel?
 6 A. We were at a charity golf tournament. I was
 7 seeing my kids and then with -- he -- he came down for
 8 a charity event.
 9 THE REPORTER: I was seeing my kids and what?
 10 THE WITNESS: I was seeing my grandkids, and
 11 then he came down for a charity golf tournament, so we
 12 went together.
 13 BY MR. CAMPBELL:
 14 Q. Then it looks like we have another charge in
 15 November at the Hard Rock Wasted Space, is that
 16 correct, 940?
 17 A. Yes.
 18 Q. What was that for?
 19 A. I don't remember.
 20 Q. Who were you with?
 21 A. I have no idea.
 22 THE REPORTER: Exhibit 20.
 23 (Exhibit 20 marked)
 24 BY MR. CAMPBELL:
 25 Q. Showing you what's been marked as Exhibit 20,

1 and first in order, this appears to be a check drawn on
 2 a money market account at Nevada Commerce Bank; is that
 3 correct?
 4 A. Yeah.
 5 Q. And that's a money market account which had a
 6 checking account associated with it; correct?
 7 A. Right. There's a check, yeah.
 8 Q. And that's your signature on this check?
 9 A. Yeah.
 10 Q. And you controlled that account; correct?
 11 A. Yeah, if I signed it.
 12 Q. Who besides yourself, if anyone, had signing
 13 authority on that account?
 14 A. That I'm not sure of.
 15 Q. Clearly you had signing authority on that
 16 account, checking account?
 17 A. Yeah.
 18 Q. And is this your handwriting?
 19 A. Yeah, it looks like it. It's printed.
 20 Q. Was it printed by you?
 21 A. I think so.
 22 Q. And it's in the amount of \$30,000?
 23 A. Right.
 24 Q. And it says in the memo portion, Attorney
 25 fee?

1 A. Right.
 2 Q. And this is made payable to
 3 Patti, Sgro & Lewis?
 4 A. Right.
 5 Q. And what was this for?
 6 A. Attorneys' fees.
 7 Q. In connection with what representation?
 8 A. They represented me for everything. I don't
 9 know.
 10 Q. So you don't know what this was for?
 11 A. No.
 12 Q. What was the date of this check?
 13 A. It looks like 7 either 22 or 27, '08.
 14 Q. Turn to the next.
 15 This is another check that was -- that was
 16 executed by you; is that correct?
 17 A. Yeah.
 18 Q. Again in favor of Patti, Sgro & Lewis in the
 19 amount of \$10,000; correct?
 20 A. Right.
 21 Q. On August the 7th of '08?
 22 A. Right.
 23 Q. And what was that for?
 24 A. Attorneys' fee, legal fee.
 25 Q. In connection with what?

1 A. I have no idea.
 2 Q. Go to the next in order.
 3 This is the following month, September 10th
 4 of '08?
 5 A. Right.
 6 Q. \$10,000?
 7 A. Correct.
 8 Q. Drawn on the same account that you had at
 9 Nevada Commerce Bank?
 10 A. Right.
 11 Q. It doesn't say in the memo portion what it's
 12 for, but it is to Patti & Sgro.
 13 Do you see that?
 14 A. Right.
 15 Q. What was this for?
 16 A. Attorneys' fees.
 17 Q. Okay. And so in a period from 7/27 of '08,
 18 from July 27th of '08 until September 10th of '08, you
 19 paid the law firm of Patti, Sgro & Lewis \$50,000; is
 20 that correct?
 21 A. Well, it looks like 70,000.
 22 Q. Well, I haven't talked about that check yet,
 23 sir.
 24 A. Oh, okay.
 25 Q. Is that correct?

1 A. Well, that's September.
 2 Q. That you executed.
 3 No, sir. I'm not talking about that exhibit.
 4 I haven't shown you that exhibit. I haven't asked you
 5 any questions about this particular exhibit that you're
 6 talking about.
 7 MR. GENTILE: You mean the fourth page of --
 8 BY MR. CAMPBELL:
 9 Q. I'm just talking about the first three pages.
 10 Okay?
 11 A. Yeah, okay.
 12 Q. Okay?
 13 A. These add up to 50,000.
 14 Q. Right.
 15 And so you paid them \$50,000 between the date
 16 of 7/27/08, July 27th of '08, and September 10th of
 17 '08; correct?
 18 A. Right.
 19 Q. Where did that money come from?
 20 A. Lions Limited.
 21 Q. And how much was in Lions Limited at that
 22 time?
 23 A. No idea.
 24 Q. Where did the money come from that went into
 25 Lions Limited since you don't know what it does for

1 business?
 2 A. I have no idea.
 3 Q. You have no idea where that money came from?
 4 A. No.
 5 Wouldn't it be on the statements?
 6 Q. But I'm asking you, Mr. Rizzolo.
 7 A. I have no knowledge.
 8 Q. You have no knowledge of --
 9 A. Yeah. That's why I'm saying, yeah, if you
 10 show me the statement, I can tell you.
 11 Q. But as you sit here today --
 12 A. No, I don't know.
 13 Q. You have to wait.
 14 A. Oh, sorry.
 15 Q. Okay. As you sit here today, your testimony
 16 is that you have no knowledge as to what the source of
 17 these funds were --
 18 A. No.
 19 Q. -- that were in that account; correct?
 20 A. Correct.
 21 Q. And, again, you don't know what the business
 22 is, if any, of Lions Limited; correct?
 23 A. No. That was an LLC, that's what I told you,
 24 that they formed.
 25 Q. Could you go to the next in order.

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1 You'll see that there's a check, RICRIZ, LLC?
 2 A. Right.
 3 Q. What is RICRIZ, LLC?
 4 A. That's the LLC that owned the property, the
 5 shopping center where the Crazy Horse is at.
 6 Q. The real property?
 7 A. Right.
 8 Q. And who signed this check?
 9 A. It looks like my sister.
 10 Q. And this was a \$20,000 check made payable to
 11 Patti, Sgro & Lewis?
 12 A. Right.
 13 Q. On the 20th day of September of '07?
 14 A. Right.
 15 Q. And what was that for?
 16 A. It says legal services. I didn't make this
 17 check out.
 18 Q. Did you authorize your sister to make --
 19 A. I was in prison.
 20 Q. I'm sorry.
 21 Did you authorize your sister to make that
 22 payment?
 23 A. No. I was in prison.
 24 Q. Did you see your sister while you were in
 25 prison?

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1 A. No.
 2 Q. Did you ever speak to her while you were in
 3 prison?
 4 A. No.
 5 Q. Did you direct communications to her through
 6 a third party while you were in prison?
 7 A. No.
 8 Q. So you don't know why your sister wrote this
 9 check?
 10 A. She's paying legal services.
 11 Q. And what legal services was she paying, for
 12 what legal services?
 13 A. Well, that's what I was telling you. They
 14 represented, you know, the club, the property. They
 15 did everything.
 16 Q. Do you know specifically what this \$20,000
 17 payment was in exchange for, what specific legal
 18 services?
 19 A. No.
 20 Q. Would you go to the next in order, sir.
 21 You'll see that there's another check there
 22 in the amount of \$50,000?
 23 A. Yes.
 24 Q. And that's on The Power Company, Inc., dba
 25 Crazy Horse Too Gentlemen's Club?

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1 A. Right.
 2 Q. Dated 7/2/07?
 3 A. Right.
 4 Q. And this was -- the maker of this was
 5 Bart Rizzolo?
 6 A. Right.
 7 Q. Again made payable to Patti, Sgro, Attorneys
 8 at Law?
 9 A. Right.
 10 Q. Do you know what that was for?
 11 A. Has to be attorneys' fees.
 12 Q. There's a notation there, On account. What
 13 did that mean?
 14 A. That probably means owed more than 50,000 so
 15 they put 50,000 into the account. That's what I would
 16 take it to mean.
 17 Q. Did the firm of Patti, Sgro & Lewis ever hold
 18 any moneys in their trust account for or on your
 19 behalf?
 20 A. No.
 21 Q. Did you ever deposit any moneys in the trust
 22 account of Patti, Sgro & Lewis on behalf of any third
 23 party?
 24 MR. GENTILE: Objection to the form of the
 25 question.

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1 THE WITNESS: I don't believe so, no.
 2 BY MR. CAMPBELL:
 3 Q. Or for the benefit of a third party?
 4 A. Well, what do you mean?
 5 Q. Well, for example, did you ever put money on
 6 account with the firm of Patti, Sgro & Lewis for the
 7 benefit of Michael McDonald?
 8 A. Oh, no.
 9 Q. What date did you report to prison?
 10 A. I don't remember.
 11 Q. What year?
 12 A. '06, I'm guessing.
 13 Q. What month?
 14 A. I guess March or April, if that's when you
 15 said I got out.
 16 Should I know all this stuff?
 17 MR. CAMPBELL: You have to take a break. I'm
 18 sorry.
 19 THE VIDEOGRAPHER: Six minutes.
 20 MR. CAMPBELL: Go ahead. Change it. We'll
 21 take a 10-minute break.
 22 MR. GENTILE: We're going to work straight
 23 through? Thank you.
 24 THE VIDEOGRAPHER: This is the end of tape
 25 No. 2 in the continuing deposition of Fredrick Rizzolo.

1 MR. GENTILE: I'll tell you what --
 2 (Discussion off the record)
 3 THE VIDEOGRAPHER: We're going off the video
 4 record at approximately 11:46 a.m.
 5 (Recess taken)
 6 THE VIDEOGRAPHER: This is the beginning of
 7 tape No. 3 in the video deposition of Fredrick Rizzolo,
 8 Volume II. The time is approximately 12:12 p.m.
 9 We're back on the record.
 10 THE REPORTER: Exhibit 21.
 11 (Exhibit 21 marked)
 12 BY MR. CAMPBELL:
 13 Q. Do you recognize Exhibit 21, sir?
 14 A. No.
 15 Q. It appears that this is drawn on the account
 16 of Lisa Rizzolo; correct?
 17 A. Yes.
 18 Q. Do you recognize your wife's signature?
 19 A. Yes.
 20 MR. GENTILE: Ex-wife. Objection to the form
 21 of the question.
 22 BY MR. CAMPBELL:
 23 Q. It says for attorney fee?
 24 A. Right.
 25 Q. Okay. Patti, Sgro & Lewis, \$50,000?

1 A. Right.
 2 Q. Do you see that? All right.
 3 And could you please explain to me why
 4 Lisa Rizzolo is paying Patti, Sgro & Lewis \$50,000?
 5 A. I don't know except it says a loan.
 6 Q. I'm asking you, why is she paying
 7 Patti, Sgro & Lewis \$50,000?
 8 A. I don't know.
 9 Q. Did you ever have any communications to her
 10 concerning her payment of \$50,000 to the firm of
 11 Patti, Sgro & Lewis?
 12 A. No. I think while I was gone my dad -- my
 13 father had asked her if she could pay that.
 14 Q. Your father did?
 15 A. Yeah. I was gone. I think my dad told --
 16 Q. You were in prison?
 17 A. Right.
 18 Q. Okay. Is there any other information that
 19 you can offer us here today concerning Lisa Rizzolo's
 20 payment of \$50,000 to Patti, Sgro & Lewis?
 21 A. No.
 22 Q. Is there anything that would refresh your
 23 recollection?
 24 A. On why she paid it?
 25 Q. Yes.

1 A. No.
 2 MR. BAILUS: I designate Exhibit 21 as
 3 confidential.
 4 THE REPORTER: Exhibit 22.
 5 (Exhibit 22 marked)
 6 BY MR. CAMPBELL:
 7 Q. I'm going to hand you an exhibit, aggregate
 8 Exhibit No. 22. The first page of that is -- it's a
 9 fax cover sheet from the firm of Patti, Sgro & Lewis.
 10 Do you see that?
 11 A. Yes.
 12 Q. And it's directed to your attorney,
 13 John E. Dawson, Esquire?
 14 A. Right.
 15 Q. And you'll see a message that accompanied it
 16 was, quote, Rick wants to arrange to bring some money
 17 back. Attached is the biz card for Nevada Commerce
 18 Bank, its routing number, and the outgoing wire
 19 information for when the money was wired out. Please
 20 discuss with Rick.
 21 Do you see that, sir?
 22 A. Yes.
 23 Q. And you'll see that this was sent to
 24 Mr. Dawson by another one of your attorneys,
 25 Mr. Mark Hafer.

1 Do you see that?
 2 A. Right.
 3 Q. Okay. And why did you want to bring money
 4 back from the Cook Islands?
 5 A. I don't know that that's what they were
 6 doing.
 7 Q. Okay. Well, let's go to the next page. Is
 8 that your signature?
 9 A. Yes.
 10 Q. And it says -- well, tell me what the purpose
 11 of this document was.
 12 A. I would like the trustee to consider
 13 distribution to me of U.S. -- oh, this 89,000. Wasn't
 14 that what was left over from the 990,000? I mean, it's
 15 the same number.
 16 Q. I'm here to find out whatever information you
 17 have.
 18 A. I'm trying to figure it out myself.
 19 Q. Uh-huh.
 20 Well, you directed this to whom?
 21 A. What do you mean, I directed it to whom?
 22 Q. Well, you directed this correspondence to
 23 someone.
 24 MR. GENTILE: We're now focusing on the
 25 second page. Am I correct?

1 MR. CAMPBELL: Yes, sir. Yes, sir.
 2 MR. GENTILE: Okay.
 3 BY MR. CAMPBELL:
 4 Q. Right?
 5 Who did you direct this correspondence to?
 6 A. You mean this Dear Nari?
 7 Q. Right.
 8 A. I don't know who that is.
 9 Q. Well, you signed this document; right?
 10 A. Yeah, and obviously one of the lawyers
 11 prepared it. I don't know who this Nari is.
 12 Q. Well, it says who she is, doesn't it, that
 13 she was legal counsel for Southpac Trust Limited?
 14 MR. GENTILE: I have to object to the form of
 15 the question. It makes an assumption that this is a
 16 woman. I don't see anything on this document that
 17 would support that.
 18 BY MR. CAMPBELL:
 19 Q. Isn't that what it says there; right?
 20 A. Legal counsel, yeah.
 21 Q. Right, for Southpac Trust Limited in the
 22 Cook Islands.
 23 Do you see that?
 24 A. Yes.
 25 Q. Okay. So you had -- essentially what you

1 were asking for is a transfer of \$89,850 from the
 2 Cook Islands?
 3 A. Right.
 4 Q. To your account here in the United States;
 5 correct?
 6 A. Right.
 7 Q. Okay. And the reason you wanted that \$89,850
 8 transferred from your Cook Islands account to your
 9 American account here in the United States was to --
 10 for the purpose of living expenses and legal expenses;
 11 is that correct?
 12 A. Right.
 13 Q. And you were requesting that be done on or
 14 about July 9 of 2008; correct?
 15 A. Right.
 16 Q. I'd like to show you the next document in
 17 order. It's dated July 7th, 2008.
 18 MR. GENTILE: I must be missing something.
 19 MR. CAMPBELL: Oh, I'm sorry.
 20 MR. ERWIN: What do you have?
 21 MR. GENTILE: I'm looking at an e-mail.
 22 MR. ERWIN: Disregard that.
 23 MR. GENTILE: Disregard that?
 24 MR. ERWIN: Yeah.
 25 MR. GENTILE: So the next one in order after

1 that one?
 2 MR. ERWIN: There's an e-mail in there that
 3 was just an e-mail --
 4 MR. CAMPBELL: Okay. That's all right.
 5 THE WITNESS: So go to --
 6 BY MR. CAMPBELL:
 7 Q. Go to the next one, yeah.
 8 A. All right.
 9 Q. Is that your signature, sir, on that
 10 document?
 11 A. Yeah, it looks like it.
 12 Q. It states, This letter will serve as
 13 authorization for Capital Security Bank to wire the
 14 amount of 90,000 for the benefit of Rick Rizzolo for
 15 legal expenses and living expenses to Lionel, Sawyer &
 16 Collins trust account?
 17 A. Right.
 18 Q. And was that 90,000 -- was the \$89,850 coming
 19 out of that 90,000?
 20 A. Yeah, that's what it looks like, because if
 21 you read the e-mail before it, it says it's not 90,
 22 it's 89.
 23 Q. Right.
 24 A. So I assume that's correct.
 25 Q. Okay. Do you see the next document is

1 April 24th, 2008? Do you see that, sir?
 2 A. Yes.
 3 Q. And this was your authorization for Capital
 4 Security Bank to wire an amount of \$600,000 for the
 5 benefit of Lisa Rizzolo?
 6 A. Right.
 7 Q. Is that correct?
 8 A. Right.
 9 Q. The next document in order also dated
 10 April 24th was your authorization for Capital Security
 11 Bank to wire the amount of \$100,000 for the benefit of
 12 the Office -- Law Offices of Patti, Sgro & Lewis?
 13 A. Right.
 14 Q. And the third of that same date,
 15 August (sic) 24th, 2008, was your authorization for
 16 Capital Security Bank to wire the amount of \$200,000
 17 for the benefit of Bartholomew Rizzolo, that's
 18 Bart Rizzolo, your dad; is that correct?
 19 A. Right.
 20 Q. And you authorized all of those transfers?
 21 A. Right. I guess so.
 22 Q. And your signature appears in each of those
 23 documents?
 24 A. Yes.
 25 Q. And where did you sign those documents?

1 A. I don't remember. It looks like a fax, so I
 2 don't know.
 3 THE REPORTER: Exhibit 23.
 4 (Exhibit 23 marked)
 5 BY MR. CAMPBELL:
 6 Q. Now, with respect to those wire transfers
 7 that you were authorizing, as I understand it, those
 8 funds came from the sale of the Philadelphia club;
 9 correct?
 10 A. Right.
 11 MR. GENTILE: Objection to the form of the
 12 question because that's different from what the answers
 13 were yesterday. So that I can help you here, you said
 14 "club," and the testimony is real estate.
 15 THE WITNESS: That's true.
 16 BY MR. CAMPBELL:
 17 Q. It was the Philadelphia club real estate?
 18 A. It was the -- right.
 19 Q. Your investment back in the Philadelphia
 20 club --
 21 A. Right.
 22 Q. -- right?
 23 And the total amount that you received back
 24 was approximately \$1 million; correct?
 25 A. Yes.

1 Q. I think there was a service charge of 10,000
 2 or something?
 3 A. Right. That's what I was going to say.
 4 Right.
 5 Q. The net amount was 990,000 after the service
 6 charge?
 7 A. It looks like 989 or something.
 8 Q. And was that the first and last payment of
 9 funds you ever got as a result of your investment in
 10 that Philadelphia club real estate or whatever the
 11 investment was?
 12 A. Yes.
 13 Q. You never received anything back before that
 14 or since?
 15 A. No.
 16 Q. Were you scheduled to get anything more?
 17 A. No. It's like I was explaining to you
 18 yesterday, it's based on stock and sales and all that
 19 stuff.
 20 Q. Oh, okay. You know, before I forget, I'm
 21 going to interrupt the testimony concerning this
 22 document.
 23 THE REPORTER: Exhibit 24.
 24 (Exhibit 24 marked)
 25 (Discussion off the record)

1 MR. CAMPBELL: I'm going back.
 2 MR. GENTILE: Did we cover this one yet?
 3 MR. CAMPBELL: No. I'm going to go back to
 4 it.
 5 MR. GENTILE: So what number is this then?
 6 THE WITNESS: 24.
 7 MR. GENTILE: 24 for this one?
 8 MR. CAMPBELL: Yes.
 9 MR. GENTILE: Okay.
 10 BY MR. CAMPBELL:
 11 Q. The first document is a Certificate of Title;
 12 is that correct?
 13 A. Right.
 14 Q. The second document is a Bill of Sale?
 15 A. Right.
 16 Q. And this was for your -- you sold your
 17 Corvette, as I understand, to Mr. Doumani?
 18 A. '58 Corvette.
 19 Q. Did you know that we took his deposition
 20 yesterday?
 21 A. Yes.
 22 Q. Did you talk to him about his testimony in
 23 this case?
 24 A. He called me last night.
 25 Q. He shared with you what questions I asked

1 him, what his responses were?
 2 A. No. He asked me if he gave me a cashier's
 3 check or a personal check.
 4 Q. Do you know the answer to that?
 5 A. I told him I thought it was a personal check.
 6 He said he thought it was a cashier's check.
 7 Q. Did you talk to him before he gave his
 8 testimony in this action?
 9 A. No.
 10 Q. You never had?
 11 A. Well about this, no.
 12 Q. Did you talk to him --
 13 A. I talk to him all the time.
 14 Q. But you didn't seek to talk to him about what
 15 his testimony was going to be before he actually
 16 testified?
 17 A. No. We didn't know.
 18 Q. And you sold him the car when?
 19 A. 10/17/08.
 20 Q. On 10/17/08, and why do you say you sold it
 21 to him on 10/17/08?
 22 A. That's what this says.
 23 Q. Tell me what you're pointing to.
 24 A. Oh, the bill of sale.
 25 Q. Okay. So October 17th of 2008 you sold him

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1 that automobile; correct?

2 A. Right.

3 Q. And that's the same Corvette that we talked

4 about being in your possession where it was housed

5 yesterday; is that correct?

6 A. Right.

7 Q. What color was this Corvette?

8 A. Red.

9 Q. Had it ever been painted?

10 A. Not that I know of.

11 Q. Well, when you say not --

12 A. When I got it, it was red.

13 Q. Who did you buy it from?

14 A. I didn't. I didn't. It was a present.

15 Q. And who gave it to you?

16 A. My ex-wife years ago for my birthday or

17 something.

18 Q. How long ago?

19 A. I must have had it 10, 12 years.

20 Q. And --

21 A. I'm not sure, but it was a long time.

22 Q. And give us a year when you acquired it.

23 What year was it gifted to you? Was it a birthday

24 gift?

25 A. I believe so because it was the whole point

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1 was it was '58. I was born in '58. That was the

2 whole --

3 Q. Makes sense.

4 A. Yeah. That was the whole thing.

5 Q. Okay.

6 A. I really don't know the year I got it, honest

7 to God.

8 Q. Do you know how old you were, how about that,

9 what birthday you were celebrating?

10 A. Sometime in my 40s.

11 Q. And where did she acquire it from?

12 A. I don't know.

13 Q. Was there any lineage of ownership that you

14 were provided with when you got the car?

15 A. You mean --

16 Q. Who owned it before you and who owned it

17 before the person that you got it from?

18 A. Yeah, I'm sure there is something like that.

19 Q. Well, I'm sure there is something like that

20 somewhere, but --

21 A. I know she told me she had it --

22 Fletcher-Jones, Jr. had it checked out for her, so I

23 know he had it checked out because he's a -- he

24 collects them.

25 Q. My question is a little bit different.

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1 A. Oh, sorry.

2 Q. Okay?

3 Do you know who the former owners of the

4 automobile are?

5 A. Oh, no.

6 Q. Did you ever have any service records for the

7 automobile?

8 A. No.

9 MR. GENTILE: Well, I'm going to object to

10 the form of the question as stated.

11 MR. CAMPBELL: Okay.

12 BY MR. CAMPBELL:

13 Q. Did you ever have any service records for the

14 automobile?

15 A. I don't think so.

16 Q. How much did she pay for the automobile?

17 A. I'm not sure.

18 Q. But in any event, it was a gift to you?

19 A. Yes.

20 Q. Had you ever had the automobile serviced

21 yourself during the period of time that you owned it?

22 A. I don't remember. I'm sure maybe I had it

23 tuned up or something.

24 Q. And where would that have been done?

25 A. You know, I really don't know. I might have

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1 took it to, you know, Chevrolet, you know, the Chevy

2 place or something.

3 Q. And, again, because you don't have any

4 service records, you can't tell me definitively where

5 you had it serviced if you had it serviced?

6 A. Right. I'm sure over the years it was tuned

7 up and stuff like that.

8 Q. And --

9 A. It only had like 9,000 miles on it.

10 Q. And you owned this automobile personally? It

11 was in your name?

12 A. Right.

13 Q. So when it was sold, it was sold by you as an

14 individual to the C and F Family Trust and

15 Fred Doumani; was that correct?

16 A. Yes.

17 Q. And it was sold to the C and F Family Trust

18 and Fred Doumani?

19 A. Well, I know Fred Doumani. I don't know

20 about C and F Family Trust.

21 Q. That's fine.

22 A. Oh.

23 Q. And it was sold by you in your individual

24 capacity, as you said, and that's reflected as the

25 seller's printed full legal name; right?

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1 A. Right.

2 Q. Rick John Rizzolo; right?

3 A. Right.

4 Q. Why did you not report the sale of this

5 automobile to Mr. Christiansen?

6 A. I did.

7 Q. How was it reported to him?

8 A. I told him.

9 Q. Did you report it on your monthly reporting

10 statements that you're required to fill out each and

11 every month?

12 A. I don't know whether I put it on there or

13 not, but I told him.

14 Q. Why did you not report the sale of this

15 automobile and the acquisition of \$100,000 as a result

16 of its sale on your -- on a tax return to the

17 United States of America, Department of the Treasury,

18 Internal Revenue Service?

19 A. Why would I? I don't know.

20 Q. Well, you sold a capital asset for \$100,000.

21 Why didn't you report the receipt of those funds?

22 A. I didn't know I had to. I thought it was

23 already mine.

24 Q. Why did you not report the receipt of the

25 funds for the jewelry that you sold to the Internal

Page 290

1 Revenue Service?

2 A. It was already my stuff.

3 Q. Did you report those -- the receipt of those

4 funds to your probation or parole officer?

5 A. Probably the same -- the same thing. He had

6 told me he's not interested in stuff I already owned.

7 He's interested in new stuff.

8 Q. Did you report those sales of jewelry that

9 you have testified to in your deposition, did you

10 report those on your monthly reporting statements to

11 the Department of Parole and Probation?

12 A. I don't remember if it's on my monthly

13 statements, but, yeah, Mr. Christiansen was informed

14 about it because he asked me how was I living.

15 Q. So the answer is you don't know whether you

16 did or you did not report them on your monthly

17 statements?

18 A. Right.

19 Q. Why did you not declare the income from the

20 sale of those pieces of jewelry that you sold?

21 A. To who?

22 Q. The Internal Revenue Service.

23 A. I thought you only reported if you make

24 money.

25 Q. And that's the reason you did not report

Page 291

1 them?

2 A. Right. I didn't make anything.

3 Q. Did you seek legal advice with respect to

4 your obligation to report the sale of your jewelry or

5 your car?

6 A. I don't think so, no.

7 Q. Why did you not report to the Internal

8 Revenue Service the fact that obligations, personal

9 obligations, were being paid on your behalf by another

10 third party?

11 A. I don't understand that.

12 Q. Well, you had attorneys' fees that were being

13 paid; correct?

14 A. Right.

15 Q. To attorneys; right?

16 A. Right.

17 Q. On your behalf by others; correct?

18 A. You mean those checks you showed me?

19 Q. No.

20 You -- for example, your father --

21 A. Right.

22 Q. -- paid attorneys' fees on your behalf?

23 A. Right.

24 Q. Did you ever report that to the Internal

25 Revenue Service that a third party --

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1 A. No.

2 Q. -- was paying an obligation which you owed?

3 A. No.

4 Q. You'll note that Exhibit No. 22 -- you'll

5 note that Exhibit No. 22 is a collection of documents

6 we previously discussed.

7 In reference to the message here, Rick wants

8 to arrange to bring some money back, we've established

9 that that money was the \$89,850 from the Cook Islands

10 account; correct?

11 A. Right.

12 Q. What account here in the United States did

13 that money go into?

14 A. It looks like Bank of America.

15 Q. Okay. When you made the -- when you invested

16 in the Philadelphia club real estate and property, was

17 that an investment that you made through Lions Limited?

18 A. I'm not really sure.

19 Q. Was Lions Limited owed any money from the

20 sale of the Philadelphia club?

21 MR. GENTILE: Objection to the form of the

22 question.

23 THE WITNESS: I'm not sure.

24 BY MR. CAMPBELL:

25 Q. Or the real estate?

1 A. Right.
 2 Q. Right?
 3 A. No. I mean, I'm not sure where -- where it
 4 came from originally.
 5 Q. I'd like to show you Exhibit No. 23, and
 6 you'll see that Exhibit No. 23 is a fax cover sheet --
 7 A. Oh.
 8 Q. That's okay.
 9 -- is a fax cover sheet that was created the
 10 following day of the -- of Exhibit 22.
 11 Do you see that?
 12 A. Yes.
 13 MR. GENTILE: I'm going to object to the form
 14 of the question. It does purport to be created the
 15 following day. I object to the form of the question.
 16 BY MR. CAMPBELL:
 17 Q. Do you see that, sir?
 18 A. Yes.
 19 Q. Exhibit 22, all this took place on -- this
 20 took place, apparently, on the fax cover sheet it
 21 indicates July 7th; is that right?
 22 A. Right.
 23 Q. And this is the next day, July 8th?
 24 A. Right.
 25 Q. And you'll see that the message there, again,

1 is from Mark Hafer, your attorney; correct?
 2 A. Right.
 3 Q. To John Dawson, another one of your
 4 attorneys; correct?
 5 A. Right.
 6 Q. And it says, Attached is a list of loans made
 7 by Bart Rizzolo.
 8 Do you know what loans those were?
 9 A. That was him paying attorneys' fees, the
 10 mortgage on the club. There was a whole list of them.
 11 You had them in court.
 12 Q. And then there is a second topic that's
 13 discussed. It says, quote, Can Lions LP -- that's
 14 limited partnership; correct?
 15 A. Right. I think it's an LLC though.
 16 Q. Can Lions LP assign its rights to collect the
 17 balance due on the Philly sale to Bart before somebody
 18 else seeks to attach the payments which are not due to
 19 begin until approximately next February? Please review
 20 and call me. This is what I forgot to ask you
 21 yesterday.
 22 Why was your attorney inquiring of yet
 23 another one of your attorneys as to whether or not
 24 future payments that were expected to be made pursuant
 25 to that sale could be transferred to your father?

1 A. Because I owed him money.
 2 Q. Excuse me?
 3 A. I owed him money.
 4 Q. Well, but that's not what this document says.
 5 It says, Before somebody else seeks to attach the
 6 payments.
 7 Do you see that?
 8 MR. GENTILE: Objection to the form of the
 9 question. It says both.
 10 BY MR. CAMPBELL:
 11 Q. Do you see that, sir?
 12 A. Yeah.
 13 Q. Who were you afraid was going to seek to
 14 attach those payments?
 15 A. What do you mean, afraid?
 16 Q. Well, who did you anticipate would seek to
 17 attach the payments?
 18 A. Well, at that time the government, the IRS,
 19 everybody.
 20 Q. The Henrys?
 21 A. The Henrys, whatever.
 22 Q. Okay. So does this -- withdraw.
 23 So it appears that, contrary to your earlier
 24 testimony, there was an expectation here that there
 25 were to be future payments that would be made pursuant

1 to that sale of your interest in the Philadelphia club
 2 land that would have begun in February of '09; correct?
 3 MR. GENTILE: Objection to the form of the
 4 question, only the first part.
 5 THE WITNESS: I didn't say there wasn't any
 6 expectation.
 7 BY MR. CAMPBELL:
 8 Q. You didn't?
 9 A. And then you said did I give any of the
 10 money. I didn't.
 11 Q. So was there to be -- was there to be future
 12 payments that were to begin in February of '09 as a
 13 result of the sale of the -- your interest in the
 14 Philadelphia club land real estate?
 15 A. I don't know about that year or the date, but
 16 it was supposed to be like starting a year later or
 17 something.
 18 Q. So you now recall, having been shown Exhibit
 19 No. 23, that, indeed, there was to be additional --
 20 there were to be additional payments that were to be
 21 made to you; correct?
 22 A. Yes.
 23 Q. Okay. So it wasn't just limited to the
 24 \$1 million?
 25 MR. GENTILE: Objection. He never --

1 THE WITNESS: I never said that.
 2 Sorry.
 3 BY MR. CAMPBELL:
 4 Q. So what was the total amount then that you
 5 were to receive?
 6 A. I don't know.
 7 MR. GENTILE: Objection to the form of the
 8 question.
 9 BY MR. CAMPBELL:
 10 Q. And why was it that these payments were not
 11 to begin until the February following this fax?
 12 A. I really don't know how -- how that all came
 13 out.
 14 Q. There's no information that you have in your
 15 possession that you can enlighten us with with respect
 16 to that at all?
 17 MR. GENTILE: Mr. Campbell, this is what I
 18 talked to you about this morning. I don't know if you
 19 have these documents or not.
 20 MR. CAMPBELL: Well, I'm asking him what his
 21 knowledge is.
 22 MR. GENTILE: He sure as hell doesn't know
 23 what --
 24 MR. CAMPBELL: He doesn't need you to tell
 25 him what he knows and doesn't know. I'm asking him.

1 THE WITNESS: No, not that I know of.
 2 BY MR. CAMPBELL:
 3 Q. Okay. Do you know an individual by the name
 4 of Rick Belcastro?
 5 A. Yes.
 6 MR. GENTILE: Can we -- can I ask you a
 7 question just for a second off the record? I'll do it
 8 on the record if you want me to. I don't care about
 9 that.
 10 MR. CAMPBELL: Yeah, go ahead.
 11 MR. GENTILE: I'll do it on the record.
 12 Do you have the documents relating to the
 13 Philadelphia -- what you called yesterday the exit
 14 strategy transaction?
 15 MR. CAMPBELL: I'm not going to discuss that
 16 right now.
 17 MR. GENTILE: Well, all right. I understand
 18 because --
 19 MR. CAMPBELL: I'm just not going to discuss
 20 that right now.
 21 MR. GENTILE: Okay. Because if you don't,
 22 you'll get them.
 23 BY MR. CAMPBELL:
 24 Q. Let me back up.
 25 You took out a \$5 million loan on the

1 Crazy Horse property.
 2 Do you recall that?
 3 A. Right.
 4 Q. And you took that out personally; right?
 5 A. I don't know if it was personally or -- I
 6 don't know how it was set up.
 7 Q. Well, eventually you got control of that
 8 \$5 million; right?
 9 A. Right.
 10 Q. What did you do with that money?
 11 A. It went into the club.
 12 Q. What account did it go into?
 13 A. Probably Power Company, Inc. You know, there
 14 was several accounts. I don't know how -- how they put
 15 it in there.
 16 Q. Uh-huh.
 17 And what did you do with that money?
 18 A. Paid bills.
 19 Q. So all of that \$5 million went to pay bills;
 20 is that correct?
 21 A. Yeah, it had to, yeah.
 22 Well, I can tell you this. Three-and-a-half
 23 million of it went to pay off the original mortgage, so
 24 there was like a million three or a million four left
 25 over. So you know what I'm saying?

1 Nevada Commerce had the mortgage on it and
 2 there was like three-and-a-half or something on that
 3 mortgage, so that money went directly to them.
 4 Q. And you took the balance?
 5 A. Right.
 6 Q. Getting back to Mr. Belcastro,
 7 Rick Belcastro, who is he?
 8 A. When I knew him, he was a doorman at the
 9 Mandalay Bay.
 10 Q. What does he do today?
 11 A. He runs a topless club.
 12 Q. The name of the topless club is the
 13 Badda Bing?
 14 A. Yeah, if you can believe that.
 15 Q. Oh, I can believe it, uh-huh.
 16 The Badda Bing topless club was also the
 17 styling of the topless club that was run by the
 18 fictional character Tony Soprano in the mafia HBO
 19 series The Sopranos; correct?
 20 A. I don't know what you mean, the styling.
 21 Q. The name, Badda Bing.
 22 A. Yeah, the name. I don't think it looks like
 23 it.
 24 Q. But they used -- he's using the same name?
 25 A. Oh, the same name, yeah. That's why I said

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1 if you can believe that one.

2 Q. Right.

3 What, if any, relationship do you have with

4 Rick Belcastro?

5 A. An acquaintance.

6 Q. Is he a good friend or a casual friend?

7 A. Casual.

8 Q. Would you characterize him as a friend or an

9 acquaintance?

10 A. Casual friend. Not we hang out or nothing.

11 Q. You don't hang out with him?

12 A. No.

13 Q. And when did he purchase -- withdraw.

14 When did he establish the Badda Bing topless

15 club?

16 A. I have no idea.

17 Q. Did you have any involvement with him at any

18 time in connection with that club?

19 A. No.

20 Q. Okay. Is Rick Belcastro related to you?

21 A. No.

22 Q. And you said that you first met him when he

23 was doing what?

24 A. He was a doorman at Mandalay Bay.

25 Q. And when was that?

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1 A. I don't remember.

2 You mean when was he a doorman?

3 Q. Yeah, yeah.

4 A. I think he was there since it opened.

5 Q. He's not a doorman anymore, though?

6 A. I don't think so.

7 Q. Have you ever --

8 A. I'm not really sure.

9 Q. Have you ever been in the Badda Bing?

10 A. Yeah. A couple times.

11 Q. How many times have you been there?

12 A. Three or four.

13 Q. How frequently do you talk to Rick Belcastro?

14 A. Once in a blue moon.

15 Q. What's once in a blue moon? Once a year?

16 Twice a year?

17 A. No. I'll go for months and not talk to him

18 and then, you know, he'll text me like for a holiday or

19 something. A lot of times we don't even talk. He just

20 texts me happy birthday or this or that, something like

21 that.

22 Q. Okay. But your contact with him is

23 infrequent?

24 A. Very.

25 Q. Very infrequent?

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1 A. Yeah.

2 Q. Okay.

3 A. I actually know -- his ex father-in-law is my

4 friend. That's how I know him.

5 Q. And who is his ex father-in-law?

6 A. Bernie Schiappa.

7 Q. And who is Bernie Schiappa?

8 A. He was the general manager of Fletcher-Jones.

9 He's retired now.

10 Q. Have you made any investment of any kind or

11 type in any business enterprise since the entry of your

12 plea of guilty to --

13 A. No.

14 Q. -- conspiracy --

15 A. Sorry.

16 Q. -- to defraud the United States of America?

17 A. No.

18 Q. Do you have any interest of any kind or type,

19 beneficial or otherwise, in the Badda Bing topless

20 nightclub --

21 A. No.

22 Q. -- that Mr. Belcastro operates?

23 A. No.

24 Q. Have you ever provided any sort of consulting

25 services in exchange for any moneys?

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1 A. No.

2 Q. Has Mr. Belcastro ever given you any money?

3 A. No.

4 Q. Has anyone on behalf of Mr. Belcastro or

5 associated with him given you money?

6 A. No.

7 Q. Do you have any other bank accounts overseas

8 other than the Cook Islands account?

9 A. I don't have any accounts overseas.

10 Q. Is the answer no?

11 A. Yes.

12 MR. CAMPBELL: Okay.

13 What time is your court appearance?

14 MR. BAILUS: 1:30.

15 MR. CAMPBELL: I have no further questions of

16 Mr. Rizzolo at this time. I'm reserving the right to

17 recall him pending the production of further documents

18 or additional information --

19 MR. GENTILE: Okay.

20 MR. CAMPBELL: -- that comes into our

21 possession.

22 MR. GENTILE: Let me express to you a problem

23 that I have in making a determination as to what you

24 have received.

25 I obtained my files from Mr. Frizzell who I

1 understand had other people working on it. That's come
2 to light obviously through the Kimsey litigation.

3 MR. CAMPBELL: Correct.

4 MR. GENTILE: I also obtained some documents,
5 I don't even know what, from Mr. Sgro's office, and
6 it's my understanding that there is additional stuff
7 coming forward.

8 MR. CAMPBELL: Okay.

9 MR. GENTILE: Nothing that I've been able to
10 examine made a record in their files of what you've
11 been given, so what I would like to have so that I can
12 be sure that we have complied -- I will not guarantee
13 anything that was done by anybody until I got into this
14 case.

15 From this point forward, my ethics are on the
16 line. My reputation in this community as a lawyer is
17 on the line. You know that reputation, and we have
18 never had any problems in the past.

19 What, if anything, can you do to assist me in
20 determining what you've been given? Because I will
21 assure you --

22 MR. CAMPBELL: Well, I think what you can do
23 is maybe meet with Phil and Phil can take you through
24 every single document that we have.

25 I think one thing that may be of benefit to

1 you, Dominic --

2 MR. GENTILE: Yeah.

3 MR. CAMPBELL: -- and assist you is Phil can
4 kind of give you the background with respect to all of
5 the motions to compel we've had to file and what
6 remains still to be produced.

7 MR. GENTILE: Yeah.

8 MR. CAMPBELL: And there's, for example, in
9 the last motion to compel that he was sanctioned for,
10 he ordered him to turn over certain documents, but that
11 motion to compel dealt with other documents that the
12 judge didn't yet rule upon --

13 MR. ERWIN: Which I'm drafting.

14 MR. CAMPBELL: -- which we're -- yeah. We're
15 drafting a -- an inquiry to the Court about those other
16 documents that remain outstanding.

17 MR. GENTILE: We may be able to shortcut your
18 need for doing that and running additional -- I mean, I
19 know the situation that you're in in terms of I'm going
20 to assume that the Henrys' deposition was truthful. I
21 don't have any reason to believe it wasn't. With
22 respect to, you know, your fee situation. There's no
23 need for you to do more work than you need to do, and I
24 don't want you to do more work than you need to do, and
25 we will fully comply unless I think that there's a

1 privilege and then I'll assert it.

2 MR. ERWIN: Okay.

3 MR. CAMPBELL: Before we leave, I've got to
4 ask just a couple more questions in that regard.

5 THE WITNESS: Wait a second. Okay.

6 BY MR. CAMPBELL:

7 Q. Mr. Rizzolo, you've been ordered by the Court
8 to pay the Henrys \$5,000 as sanctions.

9 Are you aware of that?

10 A. I did pay it.

11 Q. When did you pay that?

12 A. A long time ago.

13 Q. To whom?

14 A. The Court.

15 Q. Okay. To whom did you give the money?

16 A. Ken Frizzell.

17 Q. Okay. And you've been ordered to pay an
18 additional thousand dollars in the form of sanctions.

19 Have you paid that?

20 A. No. I don't know about that one.

21 MR. GENTILE: Candidly, I just read that
22 order.

23 MR. CAMPBELL: Okay.

24 MR. GENTILE: I knew that we've had it, so
25 I'm going to advise him to pay that as soon as he can.

1 BY MR. CAMPBELL:

2 Q. You have also stated that you have now begun
3 trying to make restitution payments to the Henrys?

4 A. I don't know who it's going to.

5 MR. GENTILE: No.

6 THE WITNESS: It goes to the U.S. --

7 BY MR. CAMPBELL:

8 Q. Department of Parole and Probation?

9 A. No. The U.S. Clerk they told me to send it
10 to.

11 Q. And how and who arrived at that figure?

12 A. Parole and Probation.

13 Q. So that was a figure that they determined
14 that you should start paying each month?

15 A. Yes.

16 Q. That wasn't a figure that you just decided
17 that you would start paying each month?

18 A. No. I think that's when we were together
19 talking to the supervisors.

20 MR. GENTILE: I can lay it out, if you want
21 it.

22 MR. CAMPBELL: Okay.

23 MR. GENTILE: We had a meeting. I was
24 present. And it was not only with Mr. Christiansen but
25 with his supervisor as well. I think his name is

1 Mastrangeli, and it was as a result of that meeting
 2 that that was determined.
 3 MR. CAMPBELL: Okay.
 4 MR. GENTILE: Okay.
 5 MR. CAMPBELL: I have no further questions --
 6 MR. GENTILE: Okay.
 7 MR. CAMPBELL: -- at this time, and maybe we
 8 can -- Phil can get together with you, Dominic, and go
 9 through documents.
 10 MR. GENTILE: That would be great.
 11 MR. CAMPBELL: Thank you very much for your
 12 patience, sir.
 13 THE VIDEOGRAPHER: This concludes the
 14 videotaped deposition of Fredrick Rizzolo consisting of
 15 three tapes. The original tapes of today's testimony
 16 will remain in the custody of Las Vegas Legal Video,
 17 located at 729 South Seventh Street, Las Vegas,
 18 Nevada 89101. The time is approximately 12:55 p.m.
 19 We're now off the record.
 20 (Deposition concluded at 12:55 p.m.)
 21 * * *
 22
 23
 24
 25

1 CERTIFICATE OF DEPONENT
 2 PAGE LINE CHANGE
 3 _____
 4 _____
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 6 _____
 7 _____
 8 _____
 9 _____
 10 _____
 11 _____
 12 _____
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 14 _____
 15 _____
 16 _____
 17 * * *
 18 I, Fredrick J. Rizzolo, deponent herein, do
 19 hereby certify and declare the within and foregoing
 20 transcription to be my deposition in said action; that
 21 I have read, corrected, and do hereby affix my
 22 signature to said deposition.
 23 _____
 24 _____
 25 FREDRICK J. RIZZOLO

1 REPORTER'S CERTIFICATE
 2 STATE OF NEVADA }
 3 COUNTY OF CLARK } ss
 4
 5
 6 I, Cindy M. Lohning, a duly commissioned
 7 Certified Court Reporter in the State of Nevada, do
 8 hereby certify:
 9 That I reported the taking of the deposition
 10 of Fredrick Rizzolo on Wednesday, August 18, 2010,
 11 commencing at the hour of 9:26 a.m.
 12 That during the deposition, the deponent was
 13 advised of the opportunity to read and sign the
 14 deposition transcript under Rule 30. To obtain the
 15 deponent's signature, the original signature page is
 16 being forwarded to Dominic P. Gentile, Esq.
 17 That prior to being examined, the witness was
 18 by me duly sworn to testify to the truth, the whole
 19 truth, and nothing but the truth.
 20 That I thereafter transcribed my said
 21 shorthand notes into typewriting and that the
 22 typewritten transcription of said deposition is a
 23 complete, true, and accurate transcription of my said
 24 shorthand notes taken down at said time.
 25 I further certify that I am not a relative or
 employee of an attorney or counsel involved in said
 action, nor a person financially interested in said
 action.
 IN WITNESS WHEREOF, I have hereunto set my
 hand in my office in the County of Clark, State of
 Nevada, this ____ day of _____, 2010.

 CINDY M. LOHNING
 CCR #626, CSR #10691