

EXHIBIT 15

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Page 1

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3
4 KIRK and AMY HENRY,)
5 Plaintiffs,)
6 vs.) CASE NO.
7 FREDRICK RIZZOLO aka RICK) 2:08-CV-00635-EWP-GWF
8 RIZZOLO, an individual; LISA)
9 RIZZOLO, individually; and)
10 Rizzolo Separate Property)
11 Trust and as successor trustee)
12 of the Rick J. Rizzolo)
13 Separate Property Trust; THE)
14 RICK AND LISA RIZZOLO FAMILY)
15 TRUST; THE RICK J. RIZZOLO)
16 SEPARATE PROPERTY TRUST;)
17 THE LISA M. RIZZOLO SEPARATE)
18 PROPERTY TRUST; THE RLR TRUST;)
19 and the LMR TRUST,)
20 Defendants.)
21
22
23
24
25 VIDEOTAPED DEPOSITION OF KIMTRAN "KIM" RIZZOLO
Taken at the offices of Campbell & Williams
on Wednesday, October 12, 2011
at 9:11 a.m.
at 700 South Seventh Street
Las Vegas, Nevada
Reported by: Denise R. Kelly, CCR #252, RPR

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1 APPEARANCES:
2 For Plaintiffs: CAMPBELL & WILLIAMS
3 700 South Seventh Street
4 Las Vegas, Nevada 89101
5 BY: DONALD J. CAMPBELL, ESQ.
6 PHILIP R. ERWIN, ESQ.
7
8 For Defendant
9 Lisa Rizzolo: BAILUS, COOK & KELESIS
10 400 South Fourth Street
11 Suite 300
12 Las Vegas, Nevada 89101
13 BY: MARK B. BAILUS, ESQ.
14
15 For the Deponent: HERBERT SACHS, ESQ.
16 602 South Tenth Street
17 Las Vegas, Nevada 89101
18
19 Also Present: LAS VEGAS LEGAL VIDEO
20 SHANE GODFREY,
21 VIDEOGRAPHER
22 729 South Seventh Street
23 Las Vegas, Nevada 89101
24
25

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1 LAS VEGAS, NEVADA, WEDNESDAY, OCTOBER 12, 2011,
2 9:11 A.M.
3 * * * * *
4 THE VIDEOGRAPHER: Good morning.
5 Today is Wednesday, October 12th,
6 2011. This begins the video deposition of Kimtran
7 Rizzolo. The time is approximately 9:11 a.m. We are
8 located at the law offices of Campbell & Williams,
9 700 South Seventh Street, Las Vegas, Nevada 89101.
10 My name is Shane Godfrey, court
11 videographer, with Las Vegas Legal Video, located at
12 729 South Seventh Street, Las Vegas, Nevada 89101.
13 This is Case No. 2:08-CV-635-EWP-GWF
14 in the United States District Court, District of
15 Nevada, entitled Kirk and Amy Henry, plaintiffs,
16 versus Fredrick Rizzolo, et al., defendants.
17 This video deposition is requested
18 by the attorneys for the plaintiffs.
19 Counsel and all present will please
20 identify themselves for the record.
21 MR. CAMPBELL: Donald Jude Campbell,
22 Campbell & Williams, 700 South Seventh Street,
23 Las Vegas, Nevada 89101, Bar No. 1216, appearing on
24 behalf of the plaintiffs.
25 MR. ERWIN: Phil Erwin, Campbell &

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1 Williams, appearing on behalf of the plaintiffs.
09:12:41 2 MR. SACHS: Herb Sachs, appearing on
3 behalf of the witness.
09:12:46 4 MR. BAILUS: Mark Bailus of Bailus Cook &
5 Kelesis, Ltd., appearing on behalf of Lisa Rizzolo.
09:12:51 6 THE VIDEOGRAPHER: The witness may now be
7 sworn in by Denise Kelly with CSR Associates.
09:12:55 8 COURT REPORTER: Please raise your right
9 hand.
09:12:55 10 Do you solemnly swear in the
11 testimony you are about to give to tell the whole
12 truth and nothing but the truth --
09:12:55 13 THE WITNESS: Could you speak slowly,
14 please.
09:12:55 15 COURT REPORTER: Yes.
09:12:55 16 Do you solemnly swear in the
17 testimony you are about to give to tell the whole
18 truth and nothing but the truth, so help you God?
09:12:55 19 THE WITNESS: Yes.
20
21 KIMTRAN RIZZOLO,
22 having been first duly sworn, was
23 examined and testified as follows:
24 ///
25 ///

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09:14:26 1 A. I don't know.
09:14:28 2 Q. You were subpoenaed by the United States
3 government?
09:14:33 4 A. Yes.
09:14:34 5 Q. All right. When you were subpoenaed by
6 the United States government and testified in federal
7 court, did you have a translator?
09:14:43 8 A. No.
09:14:44 9 Q. Did you have any trouble answering
10 questions before that federal judge?
09:14:49 11 A. I do.
09:14:50 12 Q. You did?
09:14:51 13 A. Um-hum.
09:14:51 14 Q. What kind of, what kind of trouble did you
15 have in answering questions before the federal judge?
09:14:57 16 A. I do not understand clearly.
09:14:59 17 Q. All right. Did you tell the judge that?
09:15:01 18 A. Yes.
09:15:02 19 Q. Okay. And was a translator made
20 available?
09:15:07 21 A. Nobody offer me.
09:15:08 22 Q. All right. We offered you a translator in
23 this matter through your attorney, Mr. Sachs, and
24 Mr. Sachs declined to have a translator present.
09:15:19 25 A. I need to hear slowly, I, I might

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1 EXAMINATION
2 BY MR. CAMPBELL:
09:13:15 3 Q. Would you please state your name for the
4 record and spell your name, please.
09:13:19 5 A. Kimtran Rizzolo, K-i-m-t-r-a-n, Rizzolo,
6 R-i-z-z-o-l-o.
09:13:39 7 Q. Ms. Rizzolo, have you ever given
8 deposition testimony before?
09:13:43 9 A. First of all, you have to speak to me
10 slowly; otherwise, I don't understand.
09:13:49 11 Q. Did you not understand what I just said?
09:13:51 12 A. I couldn't catch it.
09:13:52 13 Q. You couldn't catch it.
09:13:54 14 Do you recall testifying in the
15 United States District Court?
09:13:58 16 A. I don't know.
09:14:00 17 Q. Do you recall testifying in a federal
18 courthouse just down the street before Judge Pro?
09:14:09 19 A. I don't remember. I have, but I don't
20 know who's the judge.
09:14:14 21 Q. Did you testify in a federal court?
09:14:17 22 A. I don't know.
09:14:18 23 Q. Did you testify in a court?
09:14:21 24 A. Yes.
09:14:22 25 Q. All right. And what was that involving?

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1 understand.
09:15:23 2 Q. Would you rather have a translator
3 present?
09:15:28 4 A. I don't know.
09:15:28 5 Q. All right. Well, here's what we are going
6 to do. We are going to try and see if you can
7 understand the questions that are being asked of you.
8 If we can't get through it, we'll simply suspend the
9 deposition and we will bring you back on another day
10 in order to complete your deposition with a
11 translator.
09:15:43 12 A. I try my best.
09:15:44 13 Q. All right. What is your first language?
09:15:48 14 A. Vietnamese.
09:15:50 15 Q. Do you speak, do you speak French?
09:15:51 16 A. No.
09:15:53 17 Q. You speak English and Vietnamese?
09:15:58 18 A. Yes.
09:15:58 19 Q. Any other languages?
09:15:59 20 A. No.
09:16:01 21 Q. What is your date of birth?
09:16:03 22 A. March 14, 1951.
09:16:09 23 Q. Okay. When you were subpoenaed and
24 appeared in court recently, they asked you to raise
25 your right hand and take the oath, just as you have

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1 taken in this proceeding, correct?
09:16:22 2 A. Yes.
09:16:22 3 Q. Do you understand that when you take the
4 oath in this proceeding, that that oath is the same
5 oath that you took in Federal District Court and
6 requires you to tell the truth?
09:16:34 7 A. Say it again, please.
09:16:36 8 Q. Do you understand that by taking that
9 oath --
09:16:38 10 A. Yes.
09:16:39 11 Q. -- which is the same oath you took in
12 Federal District Court, that that oath requires you to
13 tell the truth?
09:16:44 14 A. Yes.
09:16:45 15 Q. Do you understand if you don't tell the
16 truth, that that can be used to charge you with a
17 crime?
09:16:51 18 A. Yes.
09:16:52 19 Q. That's not to suggest that you would
20 commit a crime, but it's to advise you of the
21 importance of telling the truth so you don't get
22 charged with a crime in federal court.
09:17:03 23 A. You go too far. I don't understand.
09:17:06 24 Q. All right. That's not to suggest that you
25 would lie, but if you do lie in these proceedings --

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09:17:13 1 A. Uh-huh.
09:17:14 2 Q. -- you can be charged with a crime. Do
3 you understand that?
09:17:17 4 A. Okay, I understand.
09:17:18 5 Q. We could go to the United States
6 Department of Justice, show them your testimony, and
7 ask them and the judge to have the matter prosecuted.
8 Do you understand that?
09:17:29 9 A. Yes.
09:17:30 10 Q. All right. That's why it's important to
11 tell the truth.
09:17:32 12 A. Yes.
09:17:33 13 Q. Do you understand?
09:17:34 14 A. Yes.
09:17:35 15 Q. All right. If you don't understand my
16 questions, and you have done a good job in alerting me
17 so far to those that you do not understand, but if you
18 don't understand my questions, go ahead and tell me
19 that and I will, I will change the question to words
20 that you can understand better. All right?
09:17:50 21 A. Yes.
09:17:51 22 Q. All right. It's important to allow me to,
23 to ask you the full question and then you give the
24 full answer so the court reporter, who is taking
25 everything down, can take down the full question and

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1 then your answer. Rather than interrupt me and answer
2 before I finish the question. Do you understand that?
09:18:12 3 A. Yes.
09:18:13 4 Q. All right. It's also important to answer
5 audibly out loud, and you're doing well. Sometimes
6 witnesses nod and shake their head to indicate "yes"
7 and "no" answers. That creates some difficulty for
8 Ms. Kelly, our court reporter. So I will, I will
9 prompt you to answer with words rather than facial or
10 head gestures. Do you understand?
09:18:41 11 A. Yes.
09:18:41 12 Q. Okay. Is there anything about what I've
13 told you so far that you don't understand or you want
14 me to explain further?
09:18:53 15 A. I understood.
09:18:54 16 Q. All right. At the end of these
17 proceedings, Ms. Kelly will type up a written
18 transcript. Do you read the English language?
09:19:06 19 A. Some I understand.
09:19:08 20 Q. All right. You will also be provided with
21 a copy of your videotape deposition. We will, we will
22 allow you to review that and review the transcript.
09:19:20 23 If you make any changes in your
24 testimony, that can be used to impeach you. Do you
25 understand that? In other words, to say when you were

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1 in your deposition you answered the question under
2 oath one way, and then after the deposition you
3 changed your answer. Do you understand that if you do
4 that, it could be used to argue that you lied under
5 oath at one time or the other? Do you understand
6 that?
09:19:48 7 A. Yes.
09:19:49 8 Q. All right. So, therefore, you understand
9 why it's important not to change your answers?
09:19:52 10 A. Yes.
09:19:54 11 Q. Okay. What was your full name before you
12 married Bart Rizzolo?
09:20:15 13 A. Kim Nhung Tran.
09:20:19 14 Q. Kim Yung, Y-u-n-g?
09:20:22 15 A. N-h-u-n-g.
09:20:25 16 Q. H-u-n-g.
09:20:27 17 A. N-h-u-n-g.
09:20:28 18 Q. N, as in Nora?
09:20:31 19 A. Yes.
09:20:32 20 Q. All right. N-h-u-n-g.
09:20:36 21 A. N-h-u-n-g Tran.
09:20:41 22 Q. Where were you born?
09:20:43 23 A. Vietnam.
09:20:44 24 Q. Where in Vietnam?
09:20:52 25 A. North Vietnam. I'm not sure what is the

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09:21:05 1 City.
2 Q. When you immigrated from Vietnam, where
3 did you go first, what country did you go to?
09:21:13 4 A. What does that mean?
09:21:14 5 Q. All right. You left Vietnam, correct?
09:21:17 6 A. (Witness nods head.)
09:21:17 7 Q. "Yes"?
09:21:17 8 A. Yes.
09:21:18 9 Q. You now live in the United States?
09:21:20 10 A. Yes.
09:21:20 11 Q. When you left Vietnam, did you come
12 directly to the United States?
09:21:24 13 A. No.
09:21:25 14 Q. Where did you go?
09:21:27 15 A. Taiwan.
09:21:34 16 Q. Anywhere else?
09:21:34 17 A. No.
09:21:36 18 Q. All right. When you left Vietnam, what
19 was the last city or province that you lived in
20 Vietnam?
09:21:44 21 A. Saigon.
09:21:46 22 Q. How old were you when you left Vietnam?
09:21:54 23 A. 1979. I don't know how old.
09:22:01 24 Q. Okay. You would be about 26 or 27?
09:22:07 25 A. I don't know.

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09:22:09 1 MR. SACHS: 28, I think, mathematically.
09:22:12 2 MR. CAMPBELL: Yeah, correct.
09:22:18 3 BY MR. CAMPBELL:
09:22:19 4 Q. When you left Saigon, you went directly to
5 Taiwan?
09:22:24 6 A. Yes.
09:22:25 7 Q. How long did you live in Taiwan?
09:22:27 8 A. One year.
09:22:28 9 Q. And then did you come to the United
10 States?
09:22:30 11 A. Yes.
09:22:31 12 Q. When you were in Saigon, living in Saigon,
13 what did you do for a living?
09:22:40 14 A. I work family, helping family.
09:22:44 15 Q. What did your family do?
09:22:47 16 A. Selling -- I don't know how to explain.
17 Selling the flower for, for the funeral for the dead
18 people. I don't know.
09:23:01 19 Q. All right.
09:23:03 20 Your family had a floral shop that
21 made flower arrangements for funerals?
09:23:11 22 A. I don't know that call floral shop, I
23 don't know.
09:23:16 24 Q. All right. What did you do physically?
09:23:20 25 A. I'm selling.

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09:23:22 1 Q. The floral arrangements?
09:23:26 2 A. It's not real flower. It's kind of
3 like --
09:23:32 4 Q. Artificial?
09:23:33 5 A. Yes.
09:23:35 6 Q. All right. When was -- when were you
7 last -- when did you last go back to Vietnam?
09:23:43 8 A. I don't remember. I don't remember.
09:23:47 9 Q. When did you come to the United States of
10 America?
09:23:53 11 A. 1980.
09:23:56 12 Q. And when you came to the United States of
13 America, where did you first live in the United States
14 of America?
09:24:04 15 A. Fort Wayne, Indiana.
09:24:06 16 Q. And why did you go to Fort Wayne, Indiana?
09:24:10 17 A. The government bring me there.
09:24:14 18 Q. And were you -- and when you say the
19 government brought you there, how did the -- I mean,
20 how, how is it that the government brought you to the
21 United States?
09:24:26 22 A. I escape from communist country and I
23 request to live in the United States. So the gov- --
24 American government bring me here.
09:24:39 25 Q. So the American government gave you

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1 special immigration status to come to the United
2 States to live here?
09:24:52 3 A. I don't know what that answer is.
09:24:56 4 Q. Did you have other family members that
5 came with you?
09:25:02 6 A. Yes.
09:25:03 7 Q. Who?
09:25:03 8 A. My ex-husband and my daughter.
09:25:06 9 Q. And what was your ex-husband's name?
09:25:12 10 A. I can spell for you.
09:25:13 11 Q. All right.
09:25:13 12 A. P-h-o -- P-h-u-c.
09:25:19 13 Q. P-h-u-c?
09:25:21 14 A. Uh-huh. Last name D-u.
09:25:23 15 Q. D?
09:25:25 16 A. D as a door.
09:25:28 17 Q. D --
09:25:29 18 A. U.
09:25:30 19 Q. -- u.
09:25:30 20 A. That's all.
09:25:31 21 Q. All right. And your daughter's name?
09:25:33 22 A. Tina Rizzolo.
09:25:42 23 Q. All right. And how old was Tina when you
24 came to the United States?
09:25:49 25 A. Few months old. Six, five and a half, six

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1 month.

09:25:57 2 Q. How -- when is her birthday?

09:26:00 3 A. Who?

09:26:01 4 Q. Tina. How old is she?

09:26:05 5 A. Birthday is November 12th, '79.

09:26:14 6 Q. All right. When you came to the United
7 States and resided at Fort Wayne, Indiana, were you
8 employed? Did you have a job?

09:26:24 9 A. After I go there?

09:26:25 10 Q. Yes.

09:26:27 11 A. I do.

09:26:28 12 Q. What was your job when you -- what was
13 your first job in Fort Wayne, Indiana?

09:26:38 14 A. Cleaning.

09:26:39 15 Q. And was this with a cleaning agency? Did
16 you work for other people?

09:26:40 17 A. I don't know.

09:26:42 18 Q. All right. What did your husband do?

09:26:44 19 A. Who?

09:26:46 20 Q. Phuc Du?

09:26:52 21 A. I don't remember what did he do.

09:26:54 22 Q. How long did you live in Fort Wayne?

09:26:57 23 A. I don't remember.

09:26:58 24 Q. Was it more than five years?

09:27:01 25 A. Short.

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09:28:12 1 Q. What was your job when you came to
2 Las Vegas?

09:28:25 3 A. Cleaning.

09:28:26 4 Q. And who did you work for?

09:28:30 5 A. I don't remember.

09:28:31 6 Q. Did you work for a hotel?

09:28:33 7 A. No.

09:28:34 8 Q. Did you work for a private agency?

09:28:39 9 A. I don't -- I don't know that call. That
10 time I don't speak English well and I don't know my
11 way around. So I didn't ask who I work for.

09:28:51 12 Q. Did you, did you work in private homes or
13 did you work --

09:28:55 14 A. In apartment, no.

09:28:57 15 Q. You cleaned apartments?

09:28:59 16 A. I don't know that's what it is.

09:29:01 17 Q. All right. Did someone hire you to clean
18 apartments on behalf of an apartment complex?

09:29:07 19 A. Yes.

09:29:08 20 Q. All right. Did your husband do that or
21 did he have another job?

09:29:11 22 A. He work for Golden Nugget.

09:29:14 23 Q. What did he do for the Golden Nugget?

09:29:18 24 A. Porter.

09:29:20 25 I'm sorry, you said my ex-husband.

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09:27:02 1 Q. It was a short time?

09:27:03 2 A. Right.

09:27:03 3 Q. So maybe a year or less?

09:27:06 4 A. Yes.

09:27:07 5 Q. Where did you go next?

09:27:10 6 A. Las Vegas.

09:27:12 7 Q. And why did you come to Las Vegas?

09:27:20 8 A. I couldn't find any job in Indiana.

09:27:23 9 Q. Okay. And when you came to Las Vegas, you
10 would have come to Las Vegas around 1981 or so,
11 somewhere in there?

09:27:33 12 A. Somewhere in there.

09:27:36 13 Q. And you came with your, your then husband
14 and your daughter?

09:27:39 15 A. Yes.

09:27:40 16 Q. Do you only have one child?

09:27:42 17 A. Yes.

09:27:43 18 Q. And when you came to Las Vegas, Nevada,
19 where did you reside when you first came here?

09:27:53 20 A. North Las Vegas.

09:27:58 21 Q. What was your job? Did you have a job
22 when you came to Las Vegas?

09:28:06 23 A. After I move here?

09:28:07 24 Q. Yes.

09:28:12 25 A. I do.

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09:29:22 1 Q. Your ex-husband?

09:29:24 2 A. Yes.

09:29:31 3 Q. You've only been married twice, correct?

09:29:34 4 A. Yes.

09:29:37 5 Q. All right. Did there come a time when you
6 got another type of job other than cleaning?

09:29:49 7 A. Say it again, please.

09:29:50 8 Q. I'm happy to.

09:29:54 9 Did there come a time in your life
10 when you stopped cleaning apartments and did something
11 else as a job or to earn a living?

09:30:04 12 A. Yes.

09:30:05 13 Q. When was that?

09:30:07 14 A. When? I'm not sure exactly.

09:30:17 15 Q. How long after you came to Las Vegas did
16 you get a new job other than cleaning?

09:30:28 17 A. Few years.

09:30:29 18 Q. What job was it that you got after a few
19 years in Las Vegas?

09:30:33 20 A. Doing nails.

09:30:36 21 Q. And when you say "doing nails," do you
22 mean you were a manicurist?

09:30:40 23 A. Yes.

09:30:42 24 Q. And were you, were you licensed by the
25 State of Nevada and the Department of Health to become

Page 21

1 a manicurist?
 09:30:49 2 A. Yes.
 09:30:50 3 Q. You got a license?
 09:30:51 4 A. Yes.
 09:30:51 5 Q. So you went to school?
 09:30:52 6 A. Yes.
 09:30:53 7 Q. What school did you go to?
 09:30:57 8 A. I don't remember.
 09:30:58 9 Q. Where was it located?
 09:31:03 10 A. I don't remember.
 09:31:03 11 Q. How long did you, how long did you work as
 12 a manicurist?
 09:31:12 13 A. Long time.
 09:31:13 14 Q. Long time.
 09:31:15 15 And when you say long time, do you
 16 mean 10, 15 years?
 09:31:22 17 A. More than that.
 09:31:24 18 Q. How many years?
 09:31:25 19 A. 20 something years.
 09:31:27 20 Q. 20 something years.
 09:31:28 21 And did you work at a shop?
 09:31:31 22 A. Yes.
 09:31:32 23 Q. Did you work at more than one shop?
 09:31:34 24 A. Yes.
 09:31:35 25 Q. What shops did you work in as a

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1 manicurist?
 09:31:40 2 A. So many.
 09:31:44 3 Q. So many. All right.
 09:31:48 4 A. I can't remember.
 09:31:50 5 Q. Can you tell me some of them.
 09:31:52 6 A. The first one is Fancy Nails, and the last
 7 one is High Style.
 09:32:00 8 Q. Did you ever work at any hotel?
 09:32:02 9 A. No.
 09:32:03 10 Q. You always worked at small beauty salons?
 09:32:07 11 A. Yes.
 09:32:08 12 Q. All right. Are you currently working as a
 13 manicurist today?
 09:32:11 14 A. No.
 09:32:13 15 Q. All right. When did you stop working as a
 16 manicurist?
 09:32:24 17 A. October last, last year.
 09:32:33 18 Q. October of 2010?
 09:32:36 19 A. Yes.
 09:32:39 20 Q. At the time that you stopped working, what
 21 was the last place you worked at?
 09:32:47 22 A. High Style.
 09:32:49 23 Q. And where was that located?
 09:32:56 24 A. On Sahara and Torrey Pines.
 09:33:06 25 Q. Sahara and Torrey Pines, okay.

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09:33:09 1 When did you become divorced from
 2 your first husband, Phuc Du?
 09:33:17 3 A. I don't remember.
 09:33:18 4 Q. Were you divorced here in Las Vegas,
 5 Nevada?
 09:33:20 6 A. Yes.
 09:33:22 7 Q. And how old was your daughter,
 8 approximately, when you were divorced?
 09:33:30 9 A. Approximately she's a teenager.
 09:33:34 10 Q. She was a teenager then?
 09:33:35 11 A. Yes.
 09:33:36 12 Q. And when you were divorced, did you have
 13 an attorney?
 09:33:41 14 A. Yes.
 09:33:42 15 Q. Like Mr. Sachs, or someone like Mr. Sachs,
 16 an attorney who represented you?
 09:33:47 17 A. Yes.
 09:33:47 18 Q. And did your husband also have an
 19 attorney?
 09:33:52 20 A. Ex-husband?
 09:33:53 21 Q. Your ex-husband, yes, your Vietnamese
 22 husband, did he have an attorney?
 09:34:04 23 A. I don't remember. I don't remember. Yes,
 24 maybe.
 09:34:06 25 Q. Yes, maybe. All right.

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09:34:07 1 And do you recall who your attorney
 2 was?
 09:34:11 3 A. So long, I don't remember.
 09:34:13 4 Q. Don't remember.
 09:34:15 5 Do you recall generally what year
 6 you were divorced? You said your daughter was a
 7 teenager, so...
 09:34:26 8 A. Not sure. I don't remember.
 09:34:29 9 Q. Okay. Do you remember what decade it was?
 10 Was it in the '80s or in the '90s?
 09:34:38 11 A. I would say '90.
 09:34:39 12 Q. And when you were divorced, do you recall
 13 the judge who handled your divorce?
 09:34:48 14 A. No.
 09:34:52 15 Q. All right. When you hired -- you had your
 16 own attorney, right, correct?
 09:34:55 17 A. Yes.
 09:34:56 18 Q. You and your husband didn't use the same
 19 attorney, you had your attorney, correct?
 09:35:01 20 A. Yes.
 09:35:02 21 Q. All right. And how did you hire your
 22 attorney?
 09:35:08 23 A. She is my customer.
 09:35:11 24 Q. All right. And is she still your
 25 customer?

Page 25

09:35:17 1 A. No.

09:35:24 2 Q. Do you recall her name if you -- if I gave
3 you some time to think about it?

09:35:25 4 A. I don't remember.

09:35:28 5 MR. SACHS: If it's important, leave a
6 blank space and we will fill it in.

09:35:31 7 MR. CAMPBELL: Okay. Thank you.

09:35:32 8 INFORMATION TO BE SUPPLIED:
09:35:32 9 _____
09:35:35 10 _____

09:35:36 11 BY MR. CAMPBELL:

09:35:36 12 Q. When you got divorced, did you get custody
13 of your daughter, primary custody of your daughter?

09:35:47 14 A. Use another word.

09:35:49 15 Q. I will.

09:35:50 16 When you were divorced, did you ask
17 to have your daughter live with you?

09:35:58 18 A. She live with me. I didn't ask.

09:36:02 19 Q. She already lived with you?

09:36:04 20 A. Yes.

09:36:05 21 Q. At the time you were divorced, your
22 husband lived somewhere else?

09:36:07 23 A. Yes.

09:36:08 24 Q. All right. What was the reason --

09:36:10 25 A. My ex-husband.

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09:36:11 1 Q. Your ex-husband, yes.

09:36:12 2 What was the reason for the divorce?

09:36:19 3 A. I was miserable.

09:36:21 4 Q. You were miserable, all right.

09:36:25 5 At the time of the divorce, was your
6 husband still employed at the Golden Nugget?

09:36:31 7 A. My ex still --

09:36:33 8 Q. Your ex-husband, yes.

09:36:35 9 A. -- still work there.

09:36:37 10 Q. As a porter?

09:36:38 11 A. Yes.

09:36:46 12 Q. All right. What is your present address?

09:36:48 13 A. 3140 South Bronco Street, Las Vegas,
14 Nevada 89146.

09:37:03 15 Q. Does your daughter reside with you at that
16 address?

09:37:09 17 A. Now?

09:37:11 18 Q. Yes, now.

09:37:12 19 A. Yes.

09:37:14 20 Q. What does she do for a living?

09:37:17 21 A. She is a pharmacist.

09:37:22 22 Q. And where does she work?

09:37:25 23 A. At Walgreen.

09:37:27 24 Q. Which one?

09:37:29 25 A. I do not know.

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09:37:31 1 Q. How long has she been a pharmacist?

09:37:42 2 A. A couple year, maybe.

09:37:47 3 Q. Where did she attend school?

09:37:50 4 A. California.

09:37:51 5 Q. Where in California, what school?

09:37:54 6 A. Pomona.

09:37:55 7 Q. Pomona College?

09:37:58 8 A. No. In Pomona, I don't know the name of
9 the school.

09:38:02 10 Q. Did she ever attend college anywhere else
11 besides Pomona?

09:38:07 12 A. Yes.

09:38:07 13 Q. Where?

09:38:08 14 A. UNR.

09:38:11 15 Q. Any others?

09:38:15 16 A. No.

09:38:16 17 Q. Is Tina married?

09:38:17 18 A. No.

09:38:18 19 Q. Has she ever been married?

09:38:20 20 A. No.

09:38:23 21 Q. How long have you resided at 3140 South
22 Bronco?

09:38:34 23 A. 10 years or more.

09:38:45 24 Q. Do you own that home?

09:38:46 25 A. Yes.

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09:38:53 1 Q. And did you buy that home?

09:39:06 2 A. Make a specific question, please.

09:39:09 3 Q. You don't understand the question? You
4 want me to rephrase it for you? I'm happy to do that.

09:39:14 5 A. Yes.

09:39:15 6 Q. Did you, did you go out and see the house
7 and then decide to buy the house? Get a realtor and
8 pay them money?

09:39:24 9 A. My husband and I bought it together.

09:39:27 10 Q. All right. So at the time that you bought
11 the house, you were married?

09:39:31 12 A. Yes.

09:39:33 13 Q. To whom were you married?

09:39:35 14 A. Bart Rizzolo.

09:39:37 15 Q. When did you marry Bart Rizzolo?

09:39:45 16 A. I don't remember exactly. I need to look
17 at the paper, I don't remember.

09:39:49 18 Q. Give me your best --

09:39:52 19 A. In late '90.

09:39:54 20 Q. In the late '90s?

09:39:56 21 A. Yes.

09:40:02 22 Q. That's when you got married?

09:40:03 23 A. Yes.

09:40:03 24 Q. Did you get married here in Las Vegas,
25 Nevada?

Page 29

09:40:06 1 A. Yes.

09:40:06 2 Q. Did you get married in a church ceremony

3 or a civil ceremony?

09:40:14 4 A. No.

09:40:15 5 Q. All right. Where did you get married?

09:40:18 6 A. Here, Las Vegas.

09:40:19 7 Q. All right. Physically what place did you

8 go to, to get married?

09:40:25 9 A. At the courthouse.

09:40:26 10 Q. At the courthouse.

09:40:32 11 And someone at the courthouse

12 married you?

09:40:36 13 A. Yes.

09:40:40 14 Q. And when, when you were married, was your

15 daughter with you --

09:40:46 16 A. No.

09:40:46 17 Q. -- when you got married?

09:40:47 18 A. No.

09:40:48 19 Q. Where was your daughter?

09:40:49 20 A. Home.

09:40:56 21 Q. When you got married to Bart Rizzolo, had

22 you been living with him prior to the actual marriage?

23 Do you understand the question?

09:41:09 24 A. Let me think.

09:41:13 25 Say it again, please.

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09:42:31 1 A. Yes.

09:42:33 2 Q. And do you recall the address of your

3 townhouse?

09:42:37 4 A. No, I don't remember.

09:42:38 5 Q. And how many years or for what period of

6 time did you and Bart live together as husband and

7 wife in your Spanish Oaks townhouse?

09:42:53 8 A. Don't remember.

09:42:54 9 Q. Was it more than a year?

09:42:56 10 A. Yes.

09:42:58 11 Q. Was it more than five years?

09:43:00 12 A. No.

09:43:01 13 Q. Was it more than two years?

09:43:05 14 A. Don't remember exactly.

09:43:09 15 Q. You don't have to recall exactly. You can

16 give me your best recollection.

09:43:13 17 Do you think it was -- based on your

18 best recollection, do you think it was more than two

19 years?

09:43:19 20 A. About two years.

09:43:20 21 Q. About two years. That's fine. That's

22 fine. Okay.

09:43:24 23 And then did you move to Bronco?

09:43:30 24 A. Yes.

09:43:32 25 Q. Did Bart have his own house before you got

Page 30

09:41:14 1 Q. I'm happy to.

09:41:17 2 Prior to getting married --

09:41:20 3 A. Before.

09:41:22 4 Q. Before you got married to Bart Rizzolo,

5 did you live with him?

09:41:31 6 A. Part time.

09:41:33 7 Q. And where did you live with him part time?

09:41:37 8 A. In Spanish Oak.

09:41:44 9 Q. And did Bart Rizzolo have a townhouse in

10 Spanish Oaks?

09:41:54 11 A. It's my house.

09:41:55 12 Q. It was your house. So Bart Rizzolo lived

13 with you?

09:42:01 14 A. I wouldn't say he lived with me. He see

15 me, but he don't live there.

09:42:07 16 Q. I understand. All right.

09:42:09 17 This was a house that you, you

18 purchased yourself?

09:42:13 19 A. Yes.

09:42:14 20 Q. That you had owned?

09:42:16 21 A. Yes.

09:42:17 22 Q. All right. And at the time that you --

23 withdraw.

09:42:23 24 After you got married, did you and

25 Bart live in your townhouse at Spanish Oaks?

Page 32

1 married?

09:43:41 2 A. I don't know.

09:43:42 3 Q. Where did he live?

09:43:44 4 A. On Eastern.

09:43:47 5 Q. Eastern and what?

09:43:49 6 A. Don't know. Don't remember.

09:43:54 7 Q. Don't know, don't remember? Well --

09:43:55 8 A. I don't remember. I know on Eastern. But

9 I'm not sure where exactly.

09:44:00 10 Q. All right. What inter- -- what general

11 intersection, major cross streets?

09:44:07 12 A. Somewhere on Tropicana and above. Not

13 sure.

09:44:21 14 Q. Tropicana and Eastern somewhere?

09:44:22 15 A. Yes.

09:44:22 16 Q. All right. And did he live in an

17 apartment, a townhouse, a home?

09:44:28 18 A. Home.

09:44:28 19 Q. A home.

09:44:32 20 And do you recall how many bedrooms

21 it had?

09:44:35 22 A. Don't know. Don't remember.

09:44:37 23 Q. Was it more than two?

09:44:40 24 A. Don't remember. I don't get in there that

25 often. So I don't know.

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09:44:48 1 Q. All right.
 09:44:48 2 A. I don't remember.
 09:44:53 3 Q. When you moved to Bronco, did you sell
 4 your home in Spanish Oaks?
 09:45:06 5 A. Yes.
 09:45:08 6 Q. And did Bart sell his home at Eastern and
 7 Tropicana?
 09:45:17 8 A. I think so. Yes, he did.
 09:45:22 9 Q. All right. And did you then take the
 10 money from the sale of your house and buy the new
 11 house on Bronco?
 09:45:33 12 A. Say it again, please.
 09:45:35 13 Q. When you sold your house on Bronco --
 14 excuse me.
 09:45:39 15 When you sold your house in Spanish
 16 Oaks, what did you do with the money?
 09:45:47 17 A. I put it to my new house in Bronco.
 09:45:51 18 Q. And when Bart sold his house in the
 19 general area of Eastern and Tropicana, what did he do
 20 with the money?
 09:46:01 21 A. Don't know.
 09:46:03 22 Q. Okay. Do you own -- withdraw.
 09:46:09 23 Today, do you own the Bronco
 24 house --
 09:46:12 25 A. Yes.

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09:48:26 1 A. At Fancy Nails.
 09:48:35 2 Q. When you met him, was he employed?
 09:48:38 3 A. Don't know.
 09:48:42 4 Q. During the time that you dated him and
 5 before you married him, was he employed?
 09:48:54 6 A. He work.
 09:48:55 7 Q. Where did he work?
 09:49:00 8 A. When I just know him, I don't know where
 9 he work. After that I know, he work at Crazy Horse
 10 Too.
 09:49:09 11 Q. And what did he do at Crazy Horse Too?
 09:49:13 12 A. By that time?
 09:49:14 13 Q. By the time you found out he was working
 14 at the Crazy Horse Too when you were dating him, what
 15 did you learn he was doing at the Crazy Horse Too?
 09:49:22 16 A. I don't know.
 09:49:24 17 Q. Did he ever tell you what his job at the
 18 Crazy Horse Too was?
 09:49:28 19 A. No.
 09:49:28 20 Q. Who owned the Crazy Horse Too when he
 21 worked there?
 09:49:32 22 MR. BAILUS: Objection to form.
 09:49:33 23 THE WITNESS: I don't know.
 09:49:34 24 BY MR. CAMPBELL:
 09:49:34 25 Q. Excuse me?

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09:46:13 1 Q. -- that you live in?
 09:46:16 2 Is there any mortgage or --
 09:46:17 3 A. No.
 09:46:17 4 Q. You own it outright, it's fully paid for?
 09:46:20 5 A. Yes.
 09:46:30 6 Q. Does anyone besides you and your daughter
 7 live in that house today?
 09:46:39 8 A. No.
 09:46:53 9 Q. When did Bart Rizzolo pass away?
 09:46:59 10 A. March 19, 2010.
 09:47:12 11 Q. And had he been sick for a while?
 09:47:15 12 A. Yes.
 09:47:17 13 Q. And what, what type of illness did he
 14 have?
 09:47:22 15 A. Heart disease and lung cancer.
 09:47:31 16 Q. How old was he when he died?
 09:47:39 17 A. 81 or 80. I'm not calculate it right. 80
 18 or 81 years old.
 09:47:50 19 Q. And how old were you when he died?
 09:47:59 20 A. 59.
 09:48:07 21 Q. How did you meet Bart Rizzolo?
 09:48:13 22 A. My customer.
 09:48:19 23 Q. So you manicured his nails?
 09:48:22 24 A. Yes.
 09:48:23 25 Q. Where did you meet him?

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09:49:35 1 A. I don't know.
 09:49:38 2 Q. All right. You might hear somebody say
 3 "Objection," that's for the Court to rule on. Unless
 4 your attorney tells you based upon a very special
 5 rule, unless your attorney tells you based upon a
 6 privilege rule, you have to answer all questions. Do
 7 you understand that?
 09:49:57 8 A. Say it again, please.
 09:49:58 9 Q. Yes.
 09:49:59 10 You have to answer my questions in
 11 this proceeding, unless Mr. Sachs tells you not to.
 12 And he can only do that based upon a very special
 13 rule. And I don't think we will get into that, but
 14 we'll see. Do you understand?
 09:50:11 15 A. Okay.
 09:50:12 16 Q. Okay. So you knew he worked at the Crazy
 17 Horse Too, correct?
 09:50:18 18 A. Yes.
 09:50:19 19 Q. What were his hours at the Crazy Horse
 20 Too?
 09:50:23 21 A. Don't know.
 09:50:23 22 Q. Who did he work for at the Crazy Horse
 23 Too?
 09:50:27 24 A. Don't know.
 09:50:29 25 Q. Have you -- had you ever gone to the Crazy

Page 37

1 Horse Too?

09:50:32 2 A. No.

09:50:36 3 Q. At any time in your life?

09:50:37 4 A. Yes.

09:50:38 5 Q. All right. When did you first go to the

6 Crazy Horse Too?

09:50:42 7 A. I don't go there.

09:50:43 8 Q. All right. Maybe you misunderstood my

9 question.

09:50:47 10 Had you ever gone to the Crazy Horse

11 Too?

09:50:49 12 A. No.

09:50:50 13 Q. Never?

09:50:51 14 A. Never.

09:50:51 15 Q. Ever.

09:50:54 16 And you don't know what your husband

17 did there?

09:50:59 18 A. No.

09:50:59 19 Q. You don't know who he worked for?

09:51:00 20 A. No.

09:51:01 21 Q. You don't know who owned it?

09:51:02 22 A. No.

09:51:15 23 This is very uncomfortable chair.

09:51:19 24 Q. Would you like a different chair?

09:51:20 25 A. Yes. My back is killing me.

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09:51:22 1 Q. All right. What type of chair would help

2 you? A softer chair? A harder chair?

09:51:30 3 A. Something with a back. You know, like her

4 is better.

09:51:34 5 MR. CAMPBELL: Okay. Let me see if I can

6 find one. Let's take a quick break.

09:51:40 7 MR. SACHS: How long do you think this

8 will take?

09:51:42 9 MR. CAMPBELL: We'll be done, I think

10 before noon. I'm not going to take all day with her.

09:51:45 11 I'm sorry?

09:51:45 12 MR. SACHS: Because I have a arbitration.

13 Just wondering.

09:51:47 14 MR. CAMPBELL: Yeah, I think we will be

15 done around noon or so.

09:51:52 16 THE VIDEOGRAPHER: We are going off the

17 record. The time is approximately 9:51 a.m.

09:52:03 18 (Recessed from 9:51 a.m. to 9:55 a.m.)

09:55:23 19 THE VIDEOGRAPHER: We are going back on

20 the record. The time is approximately 9:55 a.m.

09:55:28 21 BY MR. CAMPBELL:

09:55:28 22 Q. When your husband was alive, did you have

23 a bank account with your husband?

09:55:34 24 A. Yes.

09:55:35 25 Q. And where was that bank account located?

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09:55:38 1 A. Nevada State Bank.

09:55:39 2 Q. And was it a checking account?

09:55:41 3 A. Yes.

09:55:42 4 Q. Did you have other bank accounts with him?

09:55:45 5 A. Yes.

09:55:46 6 Q. And what other bank accounts did you have

7 with him?

09:55:51 8 A. Bank of America.

09:55:54 9 Q. And what type of accounts did you have at

10 Bank of America?

09:55:57 11 A. Checking.

09:55:59 12 Q. Any other accounts?

09:56:01 13 A. Don't remember.

09:56:10 14 Q. Any other bank accounts?

09:56:12 15 MR. SACHS: I think she answered she

16 didn't remember.

09:56:15 17 MR. CAMPBELL: No, I was talking just

18 about Bank of America.

09:56:17 19 MR. SACHS: Oh.

09:56:19 20 BY MR. CAMPBELL:

09:56:19 21 Q. Any other bank accounts besides Nevada

22 and --

09:56:22 23 A. Don't remember.

09:56:22 24 Q. -- and Bank of America?

09:56:24 25 A. Don't remember.

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09:56:25 1 Q. Did you have a brokerage account, stock

2 accounts?

09:56:35 3 A. What does that mean, broker account?

09:56:39 4 Q. For buying stocks and bonds, making

5 investments?

09:56:46 6 A. No.

09:56:49 7 Q. So there were no other financial accounts?

09:56:53 8 A. What does that mean?

09:56:54 9 Q. No other accounts in which money or funds

10 were held for you and/or your husband during your

11 marriage?

09:57:05 12 A. Annuity.

09:57:06 13 Q. An annuity. And who is the annuity with?

09:57:10 14 A. ING.

09:57:13 15 Q. And who is that annuity for? Was it for

16 you or your husband or both of you?

09:57:20 17 A. Both of us.

09:57:21 18 Q. You were both named parties in the

19 annuity? You were both recipients, beneficiaries of

20 the annuity? You both got money from the annuity each

21 month or year?

09:57:39 22 A. I don't understand.

09:57:41 23 Q. All right. Then I will ask a different

24 question.

09:57:46 25 The annuity that you said you had,

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1 did you get money as a result of that annuity? Did it
 2 pay you money?
 09:57:56 3 A. Not every month.
 09:57:58 4 Q. When did it pay you money?
 09:58:00 5 A. When my husband pass away.
 09:58:02 6 Q. All right.
 09:58:06 7 And when your husband passed away,
 8 you started receiving money from ING?
 09:58:13 9 A. No.
 09:58:17 10 Q. When did you start receiving money on the
 11 annuity?
 09:58:22 12 A. I haven't receive anything. Just keep in
 13 there.
 09:58:26 14 Q. All right. When you say you "keep in
 15 there," you receive or your entitled to receive money?
 09:58:38 16 A. I don't know. I don't --
 09:58:40 17 Q. What is your understanding of how the
 18 annuity works?
 09:58:46 19 A. When I die, my daughter will have it.
 09:58:49 20 Q. And how much money will she have when you
 21 die?
 09:58:56 22 A. Don't remember.
 09:58:57 23 Q. And are you entitled to go and take money
 24 from the annuity now if you wanted?
 09:59:09 25 A. I don't know.

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1 contact to take money out?
 10:00:18 2 A. Yes.
 10:00:19 3 Q. Who?
 10:00:24 4 A. The person name in there, in the paper,
 5 the contact.
 10:00:32 6 Q. The administrator of the annuity, there's
 7 a contact person that's named?
 10:00:43 8 A. Say it again, please.
 10:00:45 9 Q. In the annuity papers -- you have the
 10 annuity papers, correct?
 10:00:50 11 A. Yes.
 10:00:50 12 Q. There's a person named in the annuity, the
 13 papers, correct?
 10:00:54 14 A. Yes.
 10:00:54 15 Q. That you can contact?
 10:00:55 16 A. Yes.
 10:00:56 17 Q. Who is that person?
 10:01:05 18 A. Don't remember exactly.
 10:01:15 19 Q. Who do you think that person is?
 10:01:19 20 A. The person take care of that account, I
 21 guess.
 10:01:28 22 Q. When was this ING account established?
 23 When did it come into existence?
 10:01:37 24 A. Don't understand.
 10:01:39 25 Q. When did the ING account start?

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09:59:11 1 Q. How much money right now are you entitled
 2 to?
 09:59:15 3 A. I don't remember.
 09:59:17 4 Q. Is it a -- are you entitled to take money
 5 on a monthly basis?
 09:59:24 6 A. I never did.
 09:59:27 7 Q. I know you never did. You've told me
 8 that. But you can if you want?
 09:59:32 9 A. I don't know.
 09:59:33 10 Q. And why don't you take money on a monthly
 11 basis?
 09:59:36 12 A. I --
 09:59:37 13 MR. SACHS: I'm going to object. She's
 14 already asked and answered the same question four or
 15 five times. She doesn't know and you're pursuing it.
 09:59:47 16 BY MR. CAMPBELL:
 09:59:47 17 Q. Go ahead. Please answer the question.
 09:59:49 18 A. What question, please.
 09:59:50 19 Q. Yes.
 09:59:51 20 Why don't you take money out?
 09:59:54 21 A. I don't need it.
 10:00:02 22 Q. If you wanted to take money out, what
 23 would you do?
 10:00:07 24 A. I never think of it.
 10:00:14 25 Q. Is there some person that you would

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10:01:43 1 A. Don't remember.
 10:01:43 2 Q. Was it -- was it before your husband died?
 10:01:48 3 A. Yes.
 10:01:49 4 Q. Did he take money before he died?
 10:01:51 5 A. I don't know.
 10:02:05 6 Q. Have you ever been involved in any legal
 7 proceedings?
 10:02:10 8 A. What does that mean?
 10:02:12 9 Q. Have you ever, have you ever been in a
 10 lawsuit?
 10:02:14 11 A. No.
 10:02:16 12 Q. Was Bart Rizzolo ever in a lawsuit?
 10:02:18 13 A. I don't know.
 10:02:24 14 Q. Besides the attorney who represented you
 15 in your divorce and besides Mr. Sachs, have you ever
 16 been represented by an attorney in any other matter?
 10:02:39 17 A. I have, yes.
 10:02:44 18 Q. What matters?
 10:02:46 19 A. Trust.
 10:02:49 20 Q. And who represented you?
 10:02:52 21 A. Steven Scow.
 10:02:57 22 Q. And when did he represent you?
 10:03:00 23 A. Don't remember.
 10:03:01 24 Q. How long ago generally?
 10:03:05 25 A. Don't remember.

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10:03:06 1 Q. Was it more or less than five years?
10:03:11 2 A. Less than five years.
10:03:13 3 Q. Was it more than a year?
10:03:15 4 A. Yes.
10:03:16 5 Q. More than two years?
10:03:18 6 A. No.
10:03:19 7 Q. Did he represent you before or after your
8 husband's death?
10:03:24 9 A. After.
10:03:26 10 Q. And he set up a trust?
10:03:29 11 A. Yes.
10:03:31 12 Q. And why did he set up a trust?
10:03:34 13 A. Because my husband pass away.
10:03:46 14 Q. And how did you select Steven Scow for
15 your attorney? Was he --
10:03:58 16 A. My --
10:03:58 17 Q. Go ahead, I'm sorry.
10:03:59 18 A. My husband know him.
10:04:01 19 Q. So he was your husband's attorney at some
20 point or...
10:04:06 21 A. Maybe.
10:04:08 22 Q. Okay. When your husband died, did he have
23 a will?
10:04:17 24 A. Yes.
10:04:18 25 Q. And were you named the executrix of his

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1 estate?
10:04:29 2 A. Use a simple word.
10:04:30 3 Q. Were you named as the party that would
4 handle his legal affairs relating to his estate?
10:04:36 5 A. Yes.
10:04:38 6 Q. And did you have an attorney help you with
7 that? Did an attorney work with you in handling the
8 legal matters involving Bart Rizzolo's estate?
10:04:55 9 A. I'm not sure I understand.
10:04:57 10 Q. After your husband died --
10:04:59 11 A. Uh-huh.
10:04:59 12 Q. -- you were named as the person
13 responsible for his estate, correct?
10:05:04 14 A. Yes.
10:05:04 15 Q. Did you hire an attorney to help you?
10:05:09 16 A. Help me that time?
10:05:10 17 Q. Yes, with the estate.
10:05:12 18 A. No.
10:05:12 19 Q. With any legal matters regarding the
20 estate.
10:05:21 21 A. I don't hire him that time.
10:05:22 22 Q. Well, who was the person that, that helped
23 you with the estate? Who was the lawyer?
10:05:26 24 A. Steven Scow.
10:05:27 25 Q. All right. And you did not hire him to

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1 help you with the estate?
10:05:33 2 A. What estate? What I hire him for?
10:05:37 3 Q. When Bart Rizzolo died, he left a will?
10:05:40 4 A. Yes.
10:05:41 5 Q. Did you file the will or did an attorney
6 file the will with the Court?
10:05:45 7 A. We don't file any will.
10:05:47 8 Q. You didn't file a will?
10:05:49 9 A. No.
10:06:01 10 Q. Did you bring the will to Steven Scow?
10:06:04 11 A. Yes.
10:06:05 12 Q. He didn't have it until you brought it to
13 him?
10:06:08 14 A. I don't know.
10:06:09 15 Q. Do you know who, who the attorney was that
16 made the will?
10:06:14 17 A. That will?
10:06:15 18 Q. Yes.
10:06:21 19 A. I don't. I'm not sure.
10:06:23 20 Q. Do you think he was the attorney or you
21 think it was someone else?
10:06:27 22 A. I think he was.
10:06:44 23 Q. Do you have a will?
10:06:47 24 A. Yes.
10:06:51 25 Q. When was your will created?

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10:06:54 1 A. After my husband pass away.
10:06:56 2 Q. Did you have a will before that?
10:07:03 3 A. Don't remember.
10:07:04 4 Q. Who created your will? What lawyer
5 created your will?
10:07:12 6 A. Steven Scow.
10:07:37 7 Q. How well do you read English?
10:07:41 8 A. Not that well.
10:07:48 9 Q. Can you read and understand legal
10 documents?
10:07:54 11 A. Not quite.
10:07:56 12 Q. If you need to understand legal documents,
13 do you ask a lawyer to help you?
10:08:08 14 A. I ask somebody else. I haven't asked
15 lawyer yet.
10:08:11 16 Q. Who do you ask to help you if you don't
17 have a lawyer?
10:08:15 18 A. Friend.
10:08:16 19 Q. Who?
10:08:19 20 A. Whoever, I -- whoever friend. I come -- I
21 mean, I see.
10:08:37 22 Q. You are not presently employed; is that
23 correct?
10:08:41 24 A. I'm not working.
10:08:43 25 Q. You're not working.

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10:08:48 1 Do you have any income from any
 2 source? Do you receive moneys?
 10:08:53 3 A. I do.
 10:08:53 4 Q. From what?
 10:08:54 5 A. From my husband's Social Security and one
 6 of my investment.
 10:09:02 7 Q. What investment?
 10:09:04 8 A. My annuity.
 10:09:11 9 Q. The ING annuity?
 10:09:13 10 A. No.
 10:09:14 11 Q. Another annuity?
 10:09:16 12 A. My annuity.
 10:09:17 13 Q. What annuity is that?
 10:09:19 14 A. MetLife.
 10:09:22 15 Q. And how much do you receive?
 10:09:29 16 A. Over \$1,000 a month.
 10:09:33 17 Q. When was that annuity established?
 10:09:39 18 A. Last year sometime. I don't remember.
 10:09:44 19 Q. And was money placed with MetLife in order
 20 to give you this annuity, correct?
 10:09:55 21 A. Explain it.
 10:09:56 22 Q. Okay. When you, when you bought this
 23 annuity with MetLife --
 10:10:01 24 A. Yes.
 10:10:02 25 Q. -- you had to give them money?

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10:11:20 1 A. Yes.
 10:11:21 2 Q. All right. And do you know who he works
 3 for?
 10:11:24 4 A. No.
 10:11:28 5 Q. How did you first get in contact with him?
 10:11:32 6 A. Somebody recommend.
 10:11:34 7 Q. Who recommended him?
 10:11:36 8 A. I don't remember.
 10:11:59 9 Q. When you die, who does that annuity go to?
 10:12:03 10 A. My daughter.
 10:12:35 11 Q. Do you have any other income, other than
 12 what you've told us here today?
 10:12:42 13 A. No.
 10:12:45 14 Q. Do you receive Social Security for
 15 yourself?
 10:12:48 16 A. No.
 10:12:55 17 Q. All right. So the income that you have is
 18 you get \$1,000 a month from the MetLife annuity?
 10:13:04 19 A. Above thousand.
 10:13:05 20 Q. Above a thousand. How much?
 10:13:08 21 A. Over a thousand.
 10:13:10 22 Q. Is it over \$2,000?
 10:13:13 23 A. No.
 10:13:14 24 Q. Somewhere between 1,000 and 2,000?
 10:13:17 25 A. Yes.

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10:10:04 1 A. Yes.
 10:10:05 2 Q. And in exchange for giving them money,
 3 they agreed to pay you so much money a month for the
 4 rest of your life, correct?
 10:10:12 5 A. Yes.
 10:10:13 6 Q. And you're guaranteed to be paid a certain
 7 amount, correct?
 10:10:17 8 A. Yes.
 10:10:19 9 Q. All right. How much money did you give
 10 them?
 10:10:28 11 A. \$1 million.
 10:10:39 12 Q. And who did you give the million dollars
 13 to?
 10:10:45 14 A. Mark. Mark Roberts -- Robertson.
 10:10:56 15 Q. And who is Mark Robertson?
 10:11:02 16 A. I know him. He's a broker, I think.
 10:11:06 17 Q. He's a broker?
 10:11:08 18 MR. SACHS: She thinks.
 10:11:10 19 THE WITNESS: I think.
 10:11:11 20 BY MR. CAMPBELL:
 10:11:12 21 Q. Okay. Where is he a broker at?
 10:11:15 22 A. Don't know.
 10:11:16 23 Q. Well, where do you meet with him?
 10:11:18 24 A. My house.
 10:11:19 25 Q. He comes to your house?

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10:13:17 1 Q. Is it closer to 2,000 or closer to 1,000?
 10:13:24 2 A. Close to -- in the middle.
 10:13:27 3 Q. Maybe 1,500 a month?
 10:13:29 4 A. Yes.
 10:13:35 5 Q. And when you receive this, do you receive
 6 a check in the mail?
 10:13:40 7 A. They deposit in my account.
 10:13:42 8 Q. What account?
 10:13:44 9 A. Checking account.
 10:13:46 10 Q. At what bank?
 10:13:48 11 A. Bank of America. No, I'm sorry. Nevada
 12 State Bank.
 10:13:56 13 Q. Is that account in your name?
 10:13:57 14 A. Yes.
 10:13:58 15 Q. Kimtran Rizzolo?
 10:13:59 16 A. Yes.
 10:14:04 17 Q. What branch?
 10:14:08 18 A. I don't remember.
 10:14:09 19 Q. Where's the bank located?
 10:14:11 20 A. Umm.
 10:14:11 21 Q. You don't remember where you bank?
 10:14:15 22 MR. SACHS: You asked what branch she gets
 23 the money in, it might not be the --
 10:14:18 24 MR. CAMPBELL: Well, that's a speaking
 25 objection. I'm asking her.

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10:14:20 1 MR. SACHS: Okay.
 10:14:21 2 THE WITNESS: What branch?
 10:14:22 3 BY MR. CAMPBELL:
 10:14:23 4 Q. Yes. Where is the -- when you go to the
 5 bank --
 10:14:24 6 A. Yes.
 10:14:25 7 Q. -- what -- where is it located?
 10:14:27 8 A. On Jones.
 10:14:28 9 Q. And what?
 10:14:31 10 A. And Twain.
 10:14:32 11 Q. And Twain?
 10:14:33 12 A. Yes.
 10:14:33 13 Q. And that's for Nevada State Bank?
 10:14:35 14 A. Yes.
 10:14:36 15 Q. And then you also have accounts at Bank of
 16 America?
 10:14:40 17 A. I do.
 10:14:41 18 Q. And when you go to the, to Bank of America
 19 to, to deal with those accounts, where is that branch
 20 located?
 10:14:51 21 A. Whenever I get close, when I'm driving. I
 22 don't go to Bank of America that often.
 10:14:57 23 Q. All right. When you do go, where do you
 24 go?
 10:15:01 25 A. On Jones.

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10:16:02 1 Q. A CD account?
 10:16:03 2 A. Yes.
 10:16:05 3 Q. And how much is in the CD account?
 10:16:08 4 A. Don't remember.
 10:16:10 5 Q. Is it more or less than \$10,000?
 10:16:14 6 A. More.
 10:16:14 7 Q. More or less than \$100,000?
 10:16:22 8 A. More.
 10:16:22 9 Q. More or less than \$500,000?
 10:16:25 10 A. Less.
 10:16:28 11 Q. More --
 10:16:28 12 A. Approximately 200.
 10:16:36 13 Q. Do you have any other CDs at any other
 14 locations or banks?
 10:16:46 15 A. No.
 10:16:46 16 Q. Any other savings accounts that you
 17 haven't told me about?
 10:16:49 18 A. No.
 10:17:02 19 Q. Have you now told me all of the financial
 20 accounts that you hold?
 10:17:09 21 A. Say it again.
 10:17:11 22 Q. Have you now named for me all of your
 23 financial accounts at banks or brokerages or insurance
 24 annuities?
 10:17:26 25 A. I not quite understand what you --

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10:15:05 1 Q. Bank of America on Jones?
 10:15:07 2 A. Yes.
 10:15:08 3 Q. Jones and what?
 10:15:10 4 A. Between Spring Mountain and Twain.
 10:15:18 5 Q. Do you have safe deposit boxes at either
 6 of those branches?
 10:15:22 7 A. No.
 10:15:22 8 Q. Do you have a safe deposit box?
 10:15:24 9 A. Yes.
 10:15:25 10 Q. Do you have more than one safe deposit
 11 box?
 10:15:27 12 A. No.
 10:15:28 13 Q. Where is your safe deposit box located?
 10:15:36 14 A. Citibank.
 10:15:37 15 Q. Where? Citibank?
 10:15:37 16 A. Citibank.
 10:15:38 17 Q. Where is that located?
 10:15:38 18 A. On Jones and Flamingo.
 10:15:40 19 Q. Do you have any other accounts at
 20 Citibank?
 10:15:44 21 A. Yes.
 10:15:45 22 Q. What kind of accounts do you have there?
 10:15:49 23 A. Checking account.
 10:15:57 24 Q. Any other accounts?
 10:15:59 25 A. CD.

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10:17:27 1 Q. Okay.
 10:17:29 2 MR. SACHS: I don't think she understands
 3 the word "financial."
 10:17:31 4 BY MR. CAMPBELL:
 10:17:33 5 Q. Have you now told me about all of your
 6 money accounts or your stock accounts or your
 7 insurance accounts?
 10:17:39 8 A. I just answer your question.
 10:17:42 9 Q. Yes. And are there any others?
 10:17:45 10 A. Yes.
 10:17:46 11 Q. What others do you have?
 10:17:49 12 A. Like what?
 10:17:50 13 Q. You tell me.
 10:17:54 14 A. I don't know.
 10:17:54 15 Q. What other accounts do you have?
 10:18:03 16 A. I have annuity. I have --
 10:18:07 17 Q. Another annuity besides the one you
 18 already told me about?
 10:18:17 19 A. Another annuity? I don't know what's that
 20 called annuity or not, I don't know.
 10:18:26 21 Q. What is it?
 10:18:30 22 A. With Fidelity.
 10:18:37 23 Q. Fidelity?
 10:18:38 24 A. I'm not sure. What is that?
 10:18:40 25 Q. Mutual funds?

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10:18:41 1 A. I don't -- I'm not sure.
 10:18:43 2 Q. All right. And what do you have with
 3 Fidelity?
 10:18:46 4 A. I'm not sure. Annuity?
 10:18:54 5 Q. And how much is with Fidelity?
 10:18:58 6 A. Couple hundred.
 10:19:01 7 Q. Couple hundred thousand?
 10:19:03 8 A. Yes.
 10:19:11 9 Q. What other accounts that you haven't told
 10 me about?
 10:19:22 11 A. Transamerica.
 10:19:23 12 Q. And what's that?
 10:19:24 13 A. I don't know.
 10:19:24 14 Q. And how much is in it?
 10:19:27 15 A. Couple hundred. Don't remember.
 10:19:56 16 Q. What is -- when you say you don't
 17 remember, are there other accounts that you have?
 10:20:03 18 A. Don't remember right now.
 10:20:06 19 Q. If you wanted to find out all of the
 20 accounts that you had, what would you do?
 10:20:13 21 A. I go look in my paper.
 10:20:15 22 Q. Have you done that?
 10:20:17 23 A. Not yet.
 10:20:18 24 Q. And why have you not done that? Why have
 25 you not looked in your papers?

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10:20:24 1 A. I don't remember that well. I don't look
 2 at it.
 10:20:29 3 Q. All right. Has anyone told you to look at
 4 your papers to answer these questions or to find out
 5 this information?
 10:20:35 6 A. No.
 10:20:36 7 Q. Okay.
 10:21:00 8 THE WITNESS: Get dizzy.
 10:21:02 9 MR. SACHS: Dizzy?
 10:21:03 10 She is not feeling too well.
 10:21:05 11 MR. CAMPBELL: I beg your pardon?
 10:21:06 12 MR. SACHS: She just said she is dizzy.
 10:21:09 13 THE WITNESS: Get dizzy.
 10:21:10 14 BY MR. CAMPBELL:
 10:21:11 15 Q. You are not feeling well?
 10:21:12 16 A. No.
 10:21:12 17 Q. Do you want to stop?
 10:21:14 18 A. Maybe I need to rest or something.
 10:21:16 19 Q. Do you want to come a different day?
 10:21:18 20 A. No.
 10:21:21 21 Q. Do you want to take a break here?
 10:21:23 22 A. Yes.
 10:21:24 23 MR. CAMPBELL: Okay.
 10:21:27 24 THE VIDEOGRAPHER: This is the end of tape
 25 No. 1 in the video deposition of Kimtran Rizzolo. The

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1 time is approximately 10:21 a.m. We are going off the
 2 record.
 10:21:35 3 (Recessed from 10:21 a.m. to 10:36 a.m.)
 10:36:22 4 THE VIDEOGRAPHER: This is the beginning
 5 of tape No. 2 in the video deposition of Kimtran
 6 Rizzolo. The time is approximately 10:36 a.m. We are
 7 back on the record.
 10:36:30 8 BY MR. CAMPBELL:
 10:36:31 9 Q. Is there any other money accounts or
 10 financial accounts that you have that you haven't told
 11 us about here today?
 10:36:41 12 A. I don't remember.
 10:36:49 13 Q. And in order to refresh your recollection,
 14 in order to remember what accounts you have, you would
 15 have to look at papers at home, correct?
 10:36:57 16 A. Yes.
 10:36:58 17 Q. All right. And you haven't done that?
 10:37:04 18 A. No.
 10:37:04 19 Q. And you haven't done that because no one
 20 asked you to do that, correct?
 10:37:08 21 A. Yes -- no. I don't understand what your
 22 question.
 10:37:12 23 Q. You did not look at your papers because no
 24 one told you to look at your papers, right? No one
 25 said look at your papers?

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10:37:21 1 A. No.
 10:37:22 2 Q. Right. No one did that?
 10:37:26 3 A. No.
 10:37:26 4 Q. All right.
 10:37:31 5 MR. SACHS: Do I understand the answer to
 6 that question was, "Yes, nobody told me to look at the
 7 papers?"
 10:37:36 8 Don Campbell?
 10:37:38 9 MR. CAMPBELL: Yes.
 10:37:38 10 MR. SACHS: Is that my understanding of
 11 the answer?
 10:37:40 12 MR. CAMPBELL: I don't know your
 13 understanding of the answer.
 10:37:42 14 MR. SACHS: Well --
 10:37:42 15 MR. CAMPBELL: I understand what her
 16 answer is.
 10:37:44 17 MR. SACHS: Well, she said "no," the
 18 answer she gave was "no." But the way you phrased the
 19 question, the answer was based upon what I understand
 20 her answer is "Yes, nobody gave me the answer."
 10:37:54 21 MR. CAMPBELL: Okay. I can't speak for
 22 what you understand. I understand what she's saying.
 10:37:58 23 THE WITNESS: My answer is --
 10:38:00 24 MR. CAMPBELL: Yes.
 10:38:01 25 THE WITNESS: Yes, nobody ask me that

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1 question.
 10:38:04 2 BY MR. CAMPBELL:
 10:38:04 3 Q. Right. So you understand, right?
 10:38:06 4 A. I don't know what supposed to say, no or
 5 yes. But I say no; but, yes, nobody ask me do that
 6 things.
 10:38:16 7 Q. Yes. I understand what you're saying.
 10:38:19 8 A. Okay.
 10:38:19 9 Q. Okay. Do you know Lisa Rizzolo?
 10:38:25 10 A. Yes.
 10:38:26 11 Q. How do you know Lisa Rizzolo?
 10:38:33 12 A. She is my husband's stepdaughter. I don't
 13 know what you say. Ex-daughter-in-law.
 10:38:41 14 Q. When did you first meet Lisa Rizzolo?
 10:38:47 15 A. Don't remember.
 10:38:48 16 Q. How many years ago did you first meet --
 10:38:56 17 A. Don't remember.
 10:38:56 18 Q. You have to wait until I ask the question
 19 before you tell me you don't remember it.
 10:38:58 20 How many years ago, approximately,
 21 to the best of your recollection, do you recall first
 22 meeting Lisa Rizzolo?
 10:39:12 23 A. Don't remember.
 10:39:14 24 Q. Do you know her for more than five years?
 10:39:17 25 A. Don't remember.

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10:39:22 1 Q. Do you -- have you known her for more than
 2 one year?
 10:39:27 3 A. Don't remember.
 10:39:33 4 Q. So you don't remember when you first met
 5 her, right?
 10:39:37 6 A. Right.
 10:39:38 7 Q. You don't know where you first met her?
 10:39:42 8 A. I don't remember.
 10:39:43 9 Q. You don't know whether you've known her
 10 longer than a year?
 10:39:53 11 A. I know her. But I don't remember when.
 10:39:57 12 Q. So you don't know if you've known her
 13 longer than a year?
 10:40:03 14 A. Longer than a year, because I been married
 15 my husband a long time.
 10:40:08 16 Q. Have you -- so you've known her for a long
 17 time; isn't that true?
 10:40:12 18 A. I don't remember when.
 10:40:16 19 Q. Well, but you've been -- how long were you
 20 married to your husband?
 10:40:22 21 A. I don't remember exactly.
 10:40:25 22 Q. I'm not asking --
 10:40:26 23 A. What year?
 10:40:27 24 Q. Generally. The late '90s, right?
 10:40:30 25 A. Late '90s.

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10:40:31 1 Q. In the late '90s you have been married?
 10:40:35 2 A. Right.
 10:40:35 3 Q. And you knew her since the late '90s;
 4 isn't that true?
 10:40:39 5 A. I know her, yes.
 10:40:40 6 Q. Right. That's longer than a year, isn't
 7 it?
 10:40:43 8 A. Yes.
 10:40:43 9 Q. Why did you tell me that you didn't
 10 know --
 10:40:45 11 MR. SACHS: I'm going to object. I'm
 12 going to object.
 10:40:46 13 MR. CAMPBELL: Wait a second.
 10:40:46 14 MR. SACHS: It's argumentative. You are
 15 arguing with her now.
 10:40:48 16 THE WITNESS: You ask me --
 10:40:48 17 MR. CAMPBELL: Wait, excuse me. Excuse
 18 me.
 10:40:50 19 THE WITNESS: When --
 10:40:51 20 MR. SACHS: Hold on. Hold on.
 10:40:51 21 MR. CAMPBELL: You have to wait, excuse
 22 me.
 10:40:53 23 MR. SACHS: We are discussing.
 10:40:54 24 BY MR. CAMPBELL:
 10:40:54 25 Q. You have to wait until I ask the question.

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10:40:57 1 Why did you, why did you say that
 2 you didn't remember whether you knew her longer than a
 3 year? Why did you give that answer to that question?
 10:41:06 4 A. You asked me when I meet -- when I know
 5 Lisa. I don't remember when I know Lisa.
 10:41:16 6 Q. I asked you how long you had known her.
 10:41:19 7 A. I don't remember.
 10:41:20 8 Q. All right. But you do know that you have
 9 known her longer than a year, right?
 10:41:24 10 A. Yes.
 10:41:26 11 Q. You've known her longer than five years,
 12 right?
 10:41:31 13 A. Don't remember. I know her. But I don't
 14 know exactly when.
 10:41:35 15 Q. I'm not asking you exactly when.
 10:41:39 16 A. You ask me, you say, "Is that five years?"
 17 I said, "I don't remember."
 10:41:43 18 Q. So you don't know whether or not you have
 19 known Lisa Rizzolo longer than five years?
 10:41:49 20 MR. SACHS: Objection. Objection. Her
 21 answer was she doesn't remember. She didn't say she
 22 doesn't know.
 10:41:56 23 MR. CAMPBELL: That's a speaking
 24 objection.
 10:41:57 25 MR. SACHS: Well, you're --