

EXHIBIT 7

EXHIBIT 7

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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KIRK and AMY HENRY, NO. 2:08-CV-635-PMP-GWF
Plaintiffs,
vs.

FREDRICK RIZZOLO a/k/a
RICK RIZZOLO, an individual;
LISA RIZZOLO, individually
and as trustee of The Lisa
M. Rizzolo Separate Property
Trust and as successor trustee
of The Rick J. Rizzolo Separate
Property Trust; THE RICK AND
LISA RIZZOLO FAMILY TRUST; THE
RICK J. RIZZOLO SEPARATE PROPERTY
TRUST; THE LISA M. RIZZOLO
SEPARATE PROPERTY TRUST; THE RLR
TRUST; and THE LMR TRUST,
Defendants.

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Wednesday, September 28, 2011

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Videotaped Deposition of VINCENT
PIAZZA, taken at the law offices of Schnader,
Harrison, Segal & Lewis, LLP, 1600 Market
Street, Suite 3600, Philadelphia, Pennsylvania,
commencing at 9:07 a.m., by and before Robin L.
Clark, Registered Professional Reporter and
Notary Public in and for the Commonwealth of
Pennsylvania.

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 23 Separate Property Trust and the LMR
 24 Trust)
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 33
 34 ALSO PRESENT:
 35 KEN AMRHEIN, VIDEOGRAPHER
 36
 37 -----
 38
 39
 40
 41
 42
 43
 44
 45

2 STIPULATION OF COUNSEL
3 -----
4 It is hereby stipulated and agreed
5 by and between counsel that the
6 certification, sealing and filing are
7 waived; and that all objections, except
8 as to the form of the questions, are
9 reserved until the time of trial.
10 -----
11 THE VIDEO OPERATOR: Okay.
12 This now begins the videotape
13 deposition of Vincent Piazza taken by
14 the plaintiff in the matter of Kirk and
15 Amy Henry versus Fredrick Rizzolo, et
16 al. in the United States District
17 Court, District of Nevada, case number
18 2:08-CV-635-PMP-GWF.
19 This deposition is being
20 held at Schnader, Harrison, Segal and
21 Lewis, 1600 Market Street, Suite 3600,
22 Philadelphia, Pennsylvania on
23 September 28, 2011.
24 My name is Ken Amrhein from
25 U.S. Legal Support. I'm the video

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1 specialist. The court reporter today
2 is Robin Clark also from U.S. Legal
3 Support. We are going on the record at
4 9:09 a.m. Counsel will now state their
5 appearances for the record.
6 MR. CAMPBELL: Donald Jude
7 Campbell, Campbell and Williams, 700
8 South Seventh Street, Las Vegas, Nevada
9 89101, appearing on behalf of
10 plaintiff.
11 MR. BRENNAN: William
12 Brennan, Butera, Beausang, Cohen &
13 Brennan, 630 Freedom Business Center,
14 Suite 212, King of Prussia, PA 19406,
15 appearing on behalf of the witness,
16 Vincent Piazza.
17 MR. BAILUS: And Mark
18 Bailus of Bailus, Cook and Kelesis,
19 Limited, 400 South Fourth Street, suite
20 300, Las Vegas, Nevada 89101, appearing
21 on behalf of Lisa Rizzolo, Lisa M.
22 Rizzolo Separate Property Trust and the
23 LMR Trust.
24 MR. ERWIN: Phil Erwin of
25 Campbell and Williams, also appearing

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<p>1 on behalf of the plaintiffs.</p> <p>2 THE VIDEO OPERATOR: Would</p> <p>3 the court reporter please swear in the</p> <p>4 witness.</p> <p>5 MS. CLARK: Do you want to</p> <p>6 raise your right hand, please? Do you</p> <p>7 swear the testimony you are about to</p> <p>8 give in this deposition will be the</p> <p>9 truth, the whole truth, and nothing but</p> <p>10 the truth, so help you God?</p> <p>11 THE WITNESS: I do.</p> <p>12 -----</p> <p>13 VINCENT PLAZZA, having been duly</p> <p>14 sworn, was examined and testified as</p> <p>15 follows:</p> <p>16 -----</p> <p>17 DIRECT EXAMINATION</p> <p>18 -----</p> <p>19 BY MR. CAMPBELL:</p> <p>20 Q. Good morning, Mr. Piazza.</p> <p>21 A. How are you doing?</p> <p>22 MR. BRENNAN: Just one</p> <p>23 second, usual stipulations have been</p> <p>24 agreed to by counsel. In addition, we</p> <p>25 may allow the witness to answer</p> <p style="text-align: right;">[Page 6]</p>	<p>1 Were you a named plaintiff or defendant?</p> <p>2 A. Meaning -- I was sued.</p> <p>3 Q. You were sued?</p> <p>4 A. Yes.</p> <p>5 Q. By whom were you sued?</p> <p>6 A. Miss Torendi.</p> <p>7 Q. And what did that relate to?</p> <p>8 A. It was a deal we were involved with</p> <p>9 on a piece of real estate.</p> <p>10 Q. And where was that piece of real</p> <p>11 estate?</p> <p>12 A. In Jeffersonville, Pennsylvania.</p> <p>13 Q. Was this developed real estate?</p> <p>14 A. Yes. No, it's not developed. It</p> <p>15 was an industrial piece.</p> <p>16 Q. And when was, when was the occasion</p> <p>17 before that that you gave deposition testimony?</p> <p>18 A. Oh my gosh, I don't know. Back in,</p> <p>19 I don't have the exact date, but it was quite a</p> <p>20 ways back.</p> <p>21 Q. Okay. Do you remember what it</p> <p>22 involved?</p> <p>23 A. It was over the baseball suit.</p> <p>24 Q. And what baseball suit was that?</p> <p>25 A. We were trying to move the Giants</p> <p style="text-align: right;">[Page 8]</p>
<p>1 questions which may otherwise be in</p> <p>2 conflict with the attorney-client</p> <p>3 privilege or the attorney work product</p> <p>4 privilege with an understanding that</p> <p>5 any such permission does not constitute</p> <p>6 a blanket waiver of any privilege.</p> <p>7 Correct?</p> <p>8 MR. CAMPBELL: Correct.</p> <p>9 MR. BRENNAN: Okay.</p> <p>10 BY MR. CAMPBELL:</p> <p>11 Q. Mr. Piazza, have you ever had your</p> <p>12 deposition taken before?</p> <p>13 A. Yes.</p> <p>14 Q. On how many occasions?</p> <p>15 A. About three.</p> <p>16 Q. When was the last time you had a</p> <p>17 deposition taken?</p> <p>18 A. Oh, a couple of years.</p> <p>19 Q. What did it relate to?</p> <p>20 A. Another case that I was involved</p> <p>21 with.</p> <p>22 Q. I presume that, what kind of a case</p> <p>23 was it?</p> <p>24 A. I think it was civil.</p> <p>25 Q. All right. And were you a party?</p> <p style="text-align: right;">[Page 7]</p>	<p>1 to Florida at the time.</p> <p>2 Q. Okay. And before that, do you</p> <p>3 recall what the matter was that you were</p> <p>4 involved with in the third deposition?</p> <p>5 A. I don't recall.</p> <p>6 Q. Okay. Given the fact that you have</p> <p>7 given deposition testimony before, I'm going to</p> <p>8 go pretty quickly through some of this prologue</p> <p>9 with respect to the protocols. If you don't</p> <p>10 understand anything that I'm telling you with</p> <p>11 respect to the procedures that we're going to</p> <p>12 be following and the obligations attending,</p> <p>13 please alert my and your counsel of that.</p> <p>14 We'll explore it further. Okay?</p> <p>15 All right. The most important</p> <p>16 feature of giving your statement here today is</p> <p>17 that your statement is actually testimony given</p> <p>18 under oath. The oath that you have just taken</p> <p>19 is precisely the same oath that would be</p> <p>20 administered in the United States District</p> <p>21 Court by a judge or his designee, including the</p> <p>22 court reporter. That oath carries it with</p> <p>23 certain responsibilities and obligations that</p> <p>24 are attendant pursuant to Title 18 of the</p> <p>25 United States Code. The most important</p> <p style="text-align: right;">[Page 9]</p>

<p>1 responsibility is, of course, to tell the 2 truth. Any false material, misrepresentation 3 by you is subject to the payment of penalties 4 of perjury under Title 18. That's not to 5 suggest that you would ever commit such a 6 crime, but it is to reinforce the importance 7 that these proceedings are in fact governed by 8 the United States Code and that you are under 9 oath and responsible for giving truthful 10 testimony here to all answers presented. 11 Do you understand that? 12 A. Yes. 13 Q. Okay. It's also equally important 14 that you take all the time you feel is 15 necessary to answer the question. Think about 16 the question and answer the question. I'm not 17 going to engage in any sort of abusive tactics 18 where we demand that you answer questions on a 19 rapid fire basis. The important part is to get 20 your testimony correct, so think about the 21 question before you answer it and then go ahead 22 and answer it. Will you do that for me? 23 A. Yes. 24 Q. If you don't understand a question, 25 it is important to alert me to the fact that</p> <p style="text-align: right;">[Page 10]</p>	<p>1 Do you understand the difference? 2 A. Yes. 3 Q. All right. So simply because you 4 cannot recall the precise words that were used, 5 we only want generally the words that were 6 used, if you can recall them or words to the 7 effect. Do you understand that? 8 A. I'm trying to. 9 Q. Okay. I'm not going to have you 10 engage in rank speculation. But I am entitled 11 to your reasoned opinion and observations and 12 feelings about what was taking place during a 13 particular conversation or during a particular 14 event based upon your experience. 15 Now, let me explain what the 16 difference is. If I ask you, Mr. Piazza, what 17 is the length of the dining room table in my 18 home in Las Vegas, Nevada. Since you've never 19 been in my home in Las Vegas, Nevada, let alone 20 seen the dining room table, you have absolutely 21 no appreciation for whether I even have a 22 dining room table, let alone what the length of 23 it is. Agreed? 24 A. That's agreed. 25 Q. Okay. But if I ask you ten minutes</p> <p style="text-align: right;">[Page 12]</p>
<p>1 you don't understand the question. And the 2 reason for that is, because it's likely that 3 this will be the one and only time I'll take 4 deposition, your testimony in this particular 5 case. It's more likely your testimony will be 6 given via videotape in front of the jury. 7 So in that regard, I want to make 8 sure that it's complete and that we have an 9 understanding that the question I'm asking is 10 the question you're answering. And if you 11 don't tell me that you don't understand the 12 question, any protestations at a later point in 13 time that you didn't understand are probably 14 going to be rejected and fall on deaf ears. Do 15 you understand that? 16 A. Yes. 17 Q. All right. During the course of 18 your testimony, I'm going to ask you questions 19 concerning conversations you've had. I will 20 say what was said and by whom. The law doesn't 21 contemplate that you will ever have an exact 22 recollection of the precise words used in 23 conversation. The law only contemplates that 24 you will have a recollection of words that were 25 used or the effect of the words that were used.</p> <p style="text-align: right;">[Page 11]</p>	<p>1 later, how long was the table in the room that 2 you just had your deposition in, you could 3 generally say, I don't know, it looked to me 4 about maybe 15, 20 feet, something of that 5 nature. And the reason that you would be able 6 to answer that question is because based upon 7 your experience, you formed a judgment or 8 opinion about that fact. So you understand the 9 difference? 10 A. Sure. 11 Q. Okay. It's equally important that 12 you understand that while there is a transcript 13 that is being prepared and a videotape that is 14 capturing everything, the importance of 15 accuracy is at all times important. The court 16 reporter has the attendant obligation to take 17 down question, answer, question, answer. And 18 in everyday conversation, you would be talking 19 to people, they might ask you a question, 20 halfway through the question, they're asking 21 you -- 22 A. Yeah. 23 Q. -- you would say to yourself, well, 24 I know what they're asking me and you would 25 just go ahead and answer the question before</p> <p style="text-align: right;">[Page 13]</p>

[4] (Pages 10 to 13)

1 the full question was out. There's nothing
2 improper about that. There's nothing
3 discourteous about it. It happens all the
4 time. But it does create a bit of havoc for
5 the court reporter, because she needs to have
6 question, answer, question, answer, rather than
7 half a question, answer, half a question. Do
8 you understand the difference?

9 A. Yes.

10 Q. All right. Similarly, it's
11 important that you give me verbal responses for
12 the court reporter. The nodding and shaking of
13 the head, which we engage in everyday
14 conversation creates a little bit of a problem
15 for the court reporter. So please indicate on
16 the record yes and no answers rather than
17 affirmative nodding of the head.

18 A. I see.

19 Q. And negative shaking of the head
20 for the same. I've conducted thousands of
21 depositions in almost 35 years of practice and
22 I can tell you, I have never had a single
23 deposition where I didn't have to say to a
24 witness, is that a yes or is that a no. So if
25 I do that with you, it's not meant to be

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1 discourteous or in any chastising you, it's
2 simply to remind you that we have to be
3 cognizant of the fact that the court reporter
4 has to take down affirmative responses that are
5 verbal in nature. You understand that, of
6 course?

7 A. Right.

8 Q. Having given deposition testimony
9 before, you will understand that a court
10 reporter at the end of the deposition will
11 prepare a transcript for your review. You're
12 ably skilled counsel will present that to you
13 and you have an opportunity to review that
14 transcript and make changes. Frequently, the
15 changes are limited by the witness to changes
16 of spelling or things of that nature. If you
17 make a substantive change to your testimony,
18 for example, if this were an automobile
19 accident and you changed your testimony from a
20 deposition to the light being green to the
21 light being red, that would be used to impeach
22 your testimony. In other words, to say that
23 you were not being truthful at one time or
24 another. And you understand the importance of
25 not being impeached, correct?

[Page 15]

1 A. Correct.

2 Q. All right. So we want your best
3 testimony today and any changes in your
4 testimony of substantive nature could be used
5 to not only impeach your testimony, but cause
6 your deposition to be taken again to be
7 examined on those topics. Do you understand
8 that?

9 A. Correct.

10 Q. All right. Is there anything about
11 the procedures and protocols that I've outlined
12 for you here today that you don't understand?

13 A. I believe I'm all right.

14 Q. Okay.

15 A. Okay.

16 Q. All right. Then I would like to
17 begin our examination of you here today by
18 asking how is it that you came to know Mr. Rick
19 Rizzolo.

20 A. I think it was, he attended a lot
21 of ball games out in California, the LA
22 Dodgers. And my son was playing out there, so
23 I would be out there quite often. So
24 eventually, somewhere along the line, I was
25 introduced to him, said hello, talked to him

[Page 16]

1 several times. And that was it for a while
2 and --

3 Q. When was the first time that you
4 met him?

5 A. I don't recall the year. Mike was
6 playing, it had to be in '94 or five.

7 Q. All right. And were you seated
8 next to him when you first met him or in the
9 general area?

10 A. No.

11 Q. That he was seated?

12 A. No.

13 Q. How was it that you met him then?

14 A. After the game, we occasionally
15 would talk right off the corner of the dugout
16 to Tommy, who was a good friend of mine,
17 Lasorda. So I used to go over and talk also,
18 so I was there. I was introduced to him by
19 Tommy at the time.

20 Q. Okay.

21 A. And I think that's how our
22 relationship kind of started at that point.

23 Q. Okay. How did your relationship
24 develop with him?

25 A. It never developed. I never had a

[Page 17]

[5] (Pages 14 to 17)

<p>1 long standing relationship with him. Till such 2 time as a situation come up in Philadelphia 3 where an individual Romeo, I can't recall his 4 last name, mentioned to me that he had a piece 5 of property that he wanted to put a club there 6 and he had the license. He started the 7 property, but he didn't have enough money to 8 finish it. And they asked me if I would be 9 interested in getting involved with it. I said 10 I don't think I have too much interest. I said 11 but I think there's a fellow you may want to 12 get ahold of out in Vegas that might be able to 13 help you there and might be interested and that 14 was Rick Rizzolo. 15 Q. Let's see if we can identify the 16 general time frame within which this happened. 17 When was this? 18 A. I don't know the exact time frame. 19 I think it's in a record where -- I don't have 20 the idea -- I don't have the exact date. 21 Q. All right. Understanding that you 22 can't recall with any degree of exactness or 23 precision, give us generally when it was. Was 24 it in the nineties? Was it in -- 25 A. It had to be in the nineties.</p> <p style="text-align: right;">[Page 18]</p>	<p>1 A. No. Okay. 2 Q. -- in any way by not helping you 3 out. This individual by the name of Romeo, was 4 that his first name or his last name? 5 A. That's his first name. 6 Q. And his last name? 7 A. I don't recall. 8 Q. All right. What type of business 9 did he have? 10 A. I don't know what he was doing, but 11 he was, he was trying to get this club started. 12 Q. And what type of -- 13 A. It was, it was a nightclub. 14 Q. What type of nightclub? 15 A. It was a, it was a strip joint. I 16 don't know what you call it. 17 Q. Strip joint? Okay. 18 A. Is that the proper name? All 19 right. 20 Q. Where women dance topless? 21 A. Yeah, that's correct. 22 Q. And this individual that was trying 23 to get a strip club had asked you to become 24 involved? 25 A. Yeah, that's correct.</p> <p style="text-align: right;">[Page 20]</p>
<p>1 Q. This was in the nineties? 2 A. I believe so, yes. 3 Q. Okay. And do you recall when in 4 the nineties? 5 A. Was it '98? I don't recall. 6 Q. Okay. I understand that you have, 7 you're present here with your counsel, Mr. 8 Brennan? 9 A. Yes, that's correct. 10 Q. Mr. Brennan is here as your 11 attorney but he can't -- 12 A. Answer my questions. I know. 13 Q. -- answer my questions for you. 14 MR. BRENNAN: I wish I 15 could, but I can't. I can't -- 16 THE WITNESS: I'm thinking 17 he knows all the dates, because of our 18 agreements. 19 BY MR. CAMPBELL: 20 Q. And he may very well? 21 A. Yes. 22 Q. But I need his testimony not his. 23 A. Okay. 24 Q. So Mr. Brennan is not being rude to 25 you --</p> <p style="text-align: right;">[Page 19]</p>	<p>1 Q. And as a result of that -- 2 A. I'm interrupting you. 3 Q. That's okay. That's all right. 4 And in turn, you got ahold or told him to get 5 ahold of Mr. Rick Rizzolo? 6 A. That's correct. 7 Q. Now, between the time that you 8 first met Mr. Rizzolo at a Dodger game and the 9 time that you had this first conversation with 10 him, with Mr. Romeo, what was the period that 11 elapsed between those two events? 12 A. Repeat that. 13 Q. Certainly. And I'm glad that you 14 alerted me to the fact that you didn't 15 understand the question. You met Mr. Rizzolo 16 at a Dodger game? 17 A. Right. 18 Q. You believe to be mid nineties? 19 A. Ninety-six. 20 Q. Ninety-six. Okay. And thereafter 21 you said that you referred Mr. Rizzolo or 22 Mr. Romeo to Mr. Rizzolo somewhere down the 23 line? 24 A. That's correct. 25 Q. How many years or what length of</p> <p style="text-align: right;">[Page 21]</p>

[6] (Pages 18 to 21)

<p>1 time elapsed between the time you first met</p> <p>2 Mr. Rizzolo and the time that you suggested to</p> <p>3 Mr. Romeo that he should contact Mr. Rizzolo?</p> <p>4 A. Like two months, two, three months.</p> <p>5 Q. Two or three months?</p> <p>6 A. Yeah.</p> <p>7 Q. So it was a relatively short period</p> <p>8 of time?</p> <p>9 A. Yes.</p> <p>10 Q. During that period of time, two to</p> <p>11 three months after you had met Mr. Rizzolo, but</p> <p>12 before you had referred Mr. Romeo to him, how</p> <p>13 many times had you actually been in</p> <p>14 Mr. Rizzolo's presence?</p> <p>15 A. Not many. Four or five times.</p> <p>16 Q. And where were you in his presence</p> <p>17 at?</p> <p>18 A. I might have visited the club one</p> <p>19 time out in Vegas.</p> <p>20 Q. All right. On how many occasions</p> <p>21 did you visit Mr. Rizzolo at his club in Las</p> <p>22 Vegas?</p> <p>23 A. No more than three.</p> <p>24 Q. And in that regard, we're talking</p> <p>25 about the Crazy Horse Too strip club?</p> <p style="text-align: right;">[Page 22]</p>	<p>1 Q. -- or so occasions, were you in the</p> <p>2 presence of anyone else?</p> <p>3 A. I was, but I -- I was, yes.</p> <p>4 Q. All right. Was your son with you</p> <p>5 on any of those occasions?</p> <p>6 A. No.</p> <p>7 Q. All right. Were any of your</p> <p>8 business associates with you on any of those</p> <p>9 occasions?</p> <p>10 A. No.</p> <p>11 Q. All right. Who was with you?</p> <p>12 A. I was there more on my own.</p> <p>13 Q. On your own?</p> <p>14 A. Yes.</p> <p>15 Q. And when you went to Las Vegas,</p> <p>16 Nevada, did you stay in any particular hotel?</p> <p>17 A. I did, yes.</p> <p>18 Q. And what hotel was that?</p> <p>19 A. I don't recall the name of it -- I</p> <p>20 don't recall the name of the hotel.</p> <p>21 Q. Okay. And was it always the same</p> <p>22 hotel?</p> <p>23 A. I don't recall.</p> <p>24 Q. Okay. When you visited</p> <p>25 Mr. Rizzolo, did you discuss business with him?</p> <p style="text-align: right;">[Page 24]</p>
<p>1 A. That's correct.</p> <p>2 Q. And when you visited Mr. Rizzolo at</p> <p>3 his club in Las Vegas, Nevada, this would have</p> <p>4 been in the mid nineties?</p> <p>5 A. I think so.</p> <p>6 Q. Okay.</p> <p>7 A. I'm not sure.</p> <p>8 Q. That's okay. That's all right. We</p> <p>9 just want your best recollection. And you say</p> <p>10 that you visited him there while you were in</p> <p>11 Vegas or did you go there for the express</p> <p>12 purpose of meeting with Mr. Rizzolo?</p> <p>13 A. I think I went out to see what he</p> <p>14 was doing with that operation he had there.</p> <p>15 Q. And why did you want to see what</p> <p>16 Mr. Rizzolo was doing with his operation in Las</p> <p>17 Vegas?</p> <p>18 A. Well, the fact that I had interest</p> <p>19 possibly in the club in Philadelphia, seeing if</p> <p>20 I would want to get involved with that</p> <p>21 operation.</p> <p>22 Q. Okay. When you visited Mr. Rizzolo</p> <p>23 in Las Vegas, Nevada and more specifically,</p> <p>24 visited him at his club on those three --</p> <p>25 A. Yes.</p> <p style="text-align: right;">[Page 23]</p>	<p>1 A. I was there just to see what his</p> <p>2 operation looked like and try to get some</p> <p>3 answers as to what, how that business run and</p> <p>4 that was about it.</p> <p>5 Q. Had Mr. Rizzolo prior to your</p> <p>6 referral of Mr. Romeo to him, had Mr. Rizzolo</p> <p>7 offered you any sort of business opportunity</p> <p>8 with respect to nightclubs?</p> <p>9 A. No.</p> <p>10 Q. So you were just generally</p> <p>11 interested in the gentlemen's club business and</p> <p>12 were seeking to learn more about it?</p> <p>13 A. That's correct.</p> <p>14 Q. All right. Was your son a friend</p> <p>15 of Mr. Rizzolo's?</p> <p>16 A. I believe so.</p> <p>17 Q. Do you know whether or not your son</p> <p>18 visited Mr. Rizzolo at his club?</p> <p>19 A. I can't answer that. I'm not sure.</p> <p>20 Q. Have you ever been interviewed by</p> <p>21 any special agent of the Federal Bureau of</p> <p>22 Investigation or for that matter, any federal</p> <p>23 agency in connection with Mr. Rizzolo?</p> <p>24 A. No.</p> <p>25 Q. Has any member of your family been</p> <p style="text-align: right;">[Page 25]</p>

[7] (Pages 22 to 25)

<p>1 interviewed by any special agent of the Federal 2 Bureau of Investigation regarding Mr. Rizzolo? 3 A. I don't think so. 4 Q. Do you know whether or not you or 5 any family member were ever picked up on a 6 wiretap, that is to say, for the subject of an 7 authorized interception over the phone by the 8 United States Department of Justice? 9 MR. BAILUS: Objection as to 10 form. 11 MR. BRENNAN: You can 12 answer, Vince. 13 THE WITNESS: Well, I know, 14 no. Yes. 15 BY MR. CAMPBELL: 16 Q. All right. In the months 17 between -- withdraw. In the months that 18 elapsed between the time that you first met 19 Mr. Rizzolo at the Dodger game and the time 20 that you referred Mr. Romeo to him, had you 21 ever had dinner with him? 22 A. Yes. 23 Q. Where? 24 A. I don't recall the name of the 25 club -- the restaurant.</p> <p style="text-align: right;">[Page 26]</p>	<p>1 business with Mr. Romeo, whose last name? 2 A. Yeah, right. 3 Q. I'm calling him Mr. Romeo, but that 4 was his first name. 5 A. Right, right. 6 Q. Was Mr. Romeo's approach to you, 7 first approach on the business, before or after 8 you met Mr. Rizzolo for the first time at 9 Dodger stadium? 10 A. Repeat that question. 11 Q. All right. When Mr. Romeo 12 approached you for the first time about getting 13 involved in a strip club business, was that 14 approach that he made to you before or after 15 you met Mr. Rizzolo for the first time? 16 A. I believe it was before. 17 Q. Okay. So serendipitously or just 18 by happenstance, you had met Mr. Rizzolo after 19 Mr. Romeo had presented you with this business 20 suggestion and it developed from there? 21 A. I think that's right. 22 Q. All right. Did you ultimately 23 share with Mr. Rizzolo the fact that Mr. Romeo 24 had approached you? 25 A. Yes.</p> <p style="text-align: right;">[Page 28]</p>
<p>1 Q. On how many occasions? 2 A. I believe two. 3 Q. And was one of those occasions in 4 southern California? 5 A. No. 6 Q. Where did you have dinner with them 7 at on the two occasions? 8 A. In Vegas. 9 Q. Where in Las Vegas? 10 A. I don't remember the restaurant. 11 Q. Was it an Italian restaurant? 12 A. Yes. 13 Q. Was it known as Piero's? 14 A. That's correct. 15 Q. Did you meet a friend of 16 Mr. Rizzolo's by the name of Freddie Glusman? 17 A. No. 18 Q. Did you meet the owner of Piero's 19 Restaurant? 20 A. I would not be able to recall. 21 Q. Do you know who Mr. Freddie Glusman 22 is? 23 A. I have no idea. 24 Q. Okay. At the time that you were 25 considering getting into the strip club</p> <p style="text-align: right;">[Page 27]</p>	<p>1 Q. And did you share with him the fact 2 that Mr. Romeo wanted to get involved in the 3 strip club business at a particular location in 4 Philadelphia? 5 A. Yes. 6 MR. BAILUS: Objection as to 7 form. 8 BY MR. CAMPBELL: 9 Q. And had Mr. Romeo been involved in 10 a strip club business before he made this pitch 11 to you? 12 A. I don't know. 13 Q. Did you know Mr. Romeo before he 14 made his pitch to you? 15 A. Not that well. 16 Q. When you say not that well, that 17 indicates to me that you knew him at least 18 marginally in some manner? 19 A. That's correct. 20 Q. How was it that you knew Mr. Romeo? 21 A. He heard of me and someone brought 22 him up to my office and discussed what he would 23 like to do with the club. It was a business 24 that he wanted to get involved with. 25 Q. Okay. Did you ultimately get</p> <p style="text-align: right;">[Page 29]</p>

[8] (Pages 26 to 29)

1 involved in a club with Mr. Romeo?
 2 A. Yes, originally, he was involved,
 3 Romeo.
 4 Q. And tell me what the business
 5 arrangement was that was originally
 6 contemplated with Mr. Romeo?
 7 A. Well, he had the license and the
 8 property tied up at that time. And that's when
 9 he was talking about trying to put the deal
 10 together and that he was looking for investors.
 11 So that's when I mentioned to him to, I thought
 12 mentioned to him about Rizzolo. I said this is
 13 a gentleman I think you ought to see. He's
 14 very successful in what he's doing out there,
 15 maybe he could help you. And from there, he
 16 must have gotten -- he did get ahold of him and
 17 he came east and they talked about that
 18 situation for a while.
 19 Q. Mr. Rizzolo came east?
 20 A. Yes. And they were thinking about
 21 doing something. And that's when Rick said to
 22 me, would you want to be involved. I said I
 23 don't know. I'd have to think about it,
 24 because I don't know if I wanted to be in that
 25 business. And I said if it would -- if I were

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1 to get involved, I would like to be in a
 2 short time and get out of it. If there's some
 3 way that I can make a profit and get out in a
 4 startup. Because I thought maybe it could be
 5 sold right away and that was my thought in the
 6 back of my head was to get, if it were that
 7 way, I would be in and out real quick. And
 8 that's where we started at that point, as to
 9 build a club.
 10 We had plans that were drawn up,
 11 you know, built up, and built the building and
 12 that was kind of my involvement. I was there
 13 helping to see that the building was getting
 14 built properly, because Rick was on the west
 15 coast and Romeo didn't know too much about the
 16 construction business. So, and I had a little
 17 experience in that.
 18 So then as the deal started to
 19 get moving along, Romeo, he was taken out of
 20 the deal. And then I come to find out that as
 21 we got started, that Rick could not go on the
 22 license. So then I was left with all of the
 23 problems here to put this thing together. And
 24 which I was not very comfortable with. We
 25 operated for -- they started, his nephew I

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1 think John, I think his name was John, they
 2 came in and started, when we had the club
 3 built, I think it was John and some of the
 4 other employees he had sent out, they were
 5 running the club. But Rick was acting as a
 6 consultant, because he could not get on the --
 7 he was not allowed to be on the license or on
 8 the property.
 9 So as things went along, I come
 10 to find out that he was having problems. And
 11 we needed to know where he was going to go with
 12 it, because I don't know what was happening,
 13 but he said, hey, I need to make some sort of
 14 an arrangement here, because I need to move on.
 15 Because of a situation with the law that he was
 16 having with the case that started. And I said,
 17 Rick, I don't know what to do. I don't know
 18 how to run this club, I said, but let me see if
 19 I can do something with it, try to sell it and
 20 I want to get out of it. I don't want to be
 21 part of this.
 22 So fortunately, I got ahold of a
 23 company -- well, they came to me, it was Rick's
 24 Cabaret. And I mentioned to him that this is
 25 what I'm doing. I got this deal. It's a

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1 possibility. We can get out of this thing. I
 2 said here's the numbers. I don't know how good
 3 the deal is going to be, but they want to
 4 operate over a period of time, to see if they
 5 want to stay in the club. And at that moment,
 6 I don't recall if I bought Rick out at that
 7 moment. Because I think he was mentioning that
 8 he was in real trouble with the law out there
 9 and he might go to jail or something of that
 10 sort. So and the rest of it is in the records.
 11 I don't know exactly what we did as far as
 12 paperwork and settlement and all of that, but I
 13 ended up with the club, which I was very
 14 unhappy to have. Because it was losing money,
 15 big time money.
 16 And I cut a deal with, they were
 17 originally going to, I'm talking about Rick's
 18 Cabaret, Rick's Cabaret, the public company
 19 that entered into an agreement with me to take
 20 the club. And for a period of time, they said
 21 they're going to go in and settle, but
 22 unfortunately, they wanted more time. And in
 23 the interim, they're running the club.

Q. Rick's Cabaret?

A. They were running the club, yeah,

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[9] (Pages 30 to 33)

1 as the operator, just to see if they can get
2 the business going or wherever. They thought
3 it was going to be a nice club and all that,
4 but unfortunately, they were losing money.

5 And from the original deal that
6 they gave me as to what the put would be on the
7 stock and all that escrow going over that, it
8 was losing a lot of money. I'm pumping money
9 in there more than I would like to be involved
10 with. But unfortunately, that happened.

11 But then, we finally got a deal
12 together where the put was like \$23 on the
13 stock, made that arrangement to where I told
14 Rick, this is where we're at with --

15 Q. Rick Rizzolo?

16 A. Rick Rizzolo, yeah, I said this is
17 the amount of money and I don't know whether he
18 was -- I don't think he was on the property.
19 So I had to cut a deal with them originally,
20 I'm talking about Rick's Cabaret now, that
21 where I would end up being out of the deal
22 completely, but then they came back and said,
23 look, we can't put all the money up, we have to
24 do a stock deal. You have to stay in on the
25 real estate.

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1 I got a little aggravated over
2 the fact that I'm making a deal here and I
3 can't get my money out, but I had to go along
4 with it. I'm taking -- I'll take the best deal
5 I could possibly make. So they were the
6 arrangements that we made where, fortunately,
7 his money would have come out of the stock and
8 mine at the same time. We would draw down
9 5,000 a month or whatever it might have been.
10 It's in the books. I don't have the exact
11 numbers. I have people that do all of the
12 bookkeeping for me and all of the accounting.
13 So I'm certain that it's all there as to what
14 you need to find out about that portion of the
15 operation.

16 So finally, we got to a
17 settlement and I think our rent factor at that
18 time was supposed to be \$25,000 apiece, we
19 would receive out of the rent. Then they were
20 operating for about a year, and they cut me
21 back to about 15,000. He said he can't make
22 it, they might close it. I'm hoping like hell
23 that this thing keeps going. I had to do
24 whatever we could do to keep it going, so we
25 could get our stock out. And I'm a little

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1 concerned about that now, because they closed a
2 few clubs, and the stock is down to seven
3 dollars and they're paying us 23 on the put.
4 I'm saying how long is this going to last. So
5 I'm a little nervous of the fact of whether
6 we're going to get all the money, but thank
7 God, so far they have been paying on a timely
8 basis.

9 And unfortunately, I hear that
10 something occurred where some transactions were
11 made or documents were that we would -- Rick
12 sent us to say something happened to the estate
13 planning that he had and he wanted us to do
14 something to send the stock to or the, yeah,
15 the stock to another party. But I don't recall
16 all of what happened there, but my in-house
17 counsel and attorneys were handling that. And
18 I understand that there was some funds that
19 were to go to a certain place and we sent them
20 to him or her and we shouldn't have done that,
21 the last three or four payments in this, the
22 last couple of months of the -- of our deal
23 there. So I'm certain that that got squared
24 away. I'm not too sure. I believe it is an
25 understanding of what had happened. I'm not

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1 totally involved with that. My accountant and
2 Mr -- is it Mr. Stu Cohen understands the deal
3 very well.

4 Q. And do you have an in-house
5 accountant or attorney that handles this for,
6 you?

7 A. Yes.

8 Q. And who is that?

9 A. Rich Orlow.

10 Q. Okay. Having given us that
11 narrative answer, I would like to explore some
12 of the particulars.

13 A. Sure.

14 Q. You say that Mr. Rizzolo could not
15 be licensed?

16 A. Right.

17 Q. And do you know the reason why he
18 could not be licensed?

19 A. I do not know the reason.

20 Q. All right. How is it that you
21 learned that he could not be licensed?

22 A. He might have told me.

23 Q. And because he could not be
24 licensed, he was a consultant?

25 A. That's correct.

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[10] (Pages 34 to 37)

<p>1 Q. And what he was a consultant on was 2 the operation and management of the business? 3 A. Yes. 4 Q. All right. Tell me all that he did 5 in that role? 6 A. At that particular time, he did 7 very little. I think he only visited there one 8 time. And after that, he was having his 9 problems with the law. So he said he 10 couldn't -- he had to get out of the deal. And 11 that's when I was doing all I could in order to 12 get it sold. 13 Now, prior to that, before I got 14 involved with Rizzolo, I had a friend in our 15 area, John Durante, he passed away, God bless 16 his soul, and he's a sheriff and he has been 17 there a long time and I asked him if he can do 18 a background check to see what this was that -- 19 I'm going back then when I started to think 20 about going in with him as to what they could 21 find out on Rizzolo, his background. And 22 apparently, at the time, John told me there was 23 nothing they could find on him. Now this is 24 going way back, back in '93 or four, somewhere 25 in that area, when I talk about when I tried to</p> <p style="text-align: right;">[Page 38]</p>	<p>1 BY MR. CAMPBELL: 2 Q. When this background investigation 3 of Mr. Rizzolo was conducted by your friend, 4 the sheriff, was that information shared with 5 anyone? 6 A. No. 7 Q. Did you come to learn at a later 8 point in time that Mr. Rizzolo was a well-known 9 associate of organized crime figures? 10 MR. BAILUS: Objection as to 11 form. 12 MR. BRENNAN: Objection. 13 You can answer. 14 MR. CAMPBELL: You can 15 answer. 16 THE WITNESS: No, I 17 didn't -- I had no idea. 18 BY MR. CAMPBELL: 19 Q. Did you come to learn of that at 20 some point that he was associated with 21 organized crime? 22 MR. BAILUS: Objection as to 23 form. 24 MR. BRENNAN: Objection. 25 THE WITNESS: I heard --</p> <p style="text-align: right;">[Page 40]</p>
<p>1 put this deal together. I'm not sure on the 2 dates, but I did have, someone told me that he 3 was clean. 4 Q. And this person that told you 5 Mr. Rizzolo was clean was who? 6 A. Mr. Durante, the sheriff of 7 Montgomery County. 8 Q. And what happened to Mr. Durante? 9 A. He passed away. 10 Q. Okay. 11 A. Excuse me. 12 MR. CAMPBELL: Do you have 13 an objection, I'm sorry? 14 THE WITNESS: He knew -- go 15 ahead. 16 MR. BRENNAN: Well, I'm not 17 allowed to tell you to say what you to 18 say. There's a piece of this that 19 would be helpful and useful for you to 20 know, but I don't want to obstruct 21 your -- 22 MR. CAMPBELL: And that's 23 fine, I'll make my way. 24 MR. BRENNAN: All right. 25</p> <p style="text-align: right;">[Page 39]</p>	<p>1 MR. BRENNAN: Okay. When we 2 object to the form, Mr. Piazza, you're 3 allowed to answer. We're preserving an 4 objection to the question, because at 5 least in my mind, I don't know what is 6 meant by organized crime figures or any 7 of that, but certainly answer the 8 question. We're just preserving 9 objections for the record. You can 10 answer. 11 THE WITNESS: Ask it again, 12 let me hear the question again. 13 BY MR. CAMPBELL: 14 Q. Certainly. At some point, did you 15 come to learn that Mr. Rizzolo was reputed to 16 be associated with organized crime activities? 17 MR. BAILUS: Objection as to 18 form. 19 THE WITNESS: I heard 20 rumors, but I have never been in a 21 situation where I was with any of those 22 people to know that this all was 23 happening. Never, he never brought 24 someone to my attention that this is so 25 and so or he's -- that, to my</p> <p style="text-align: right;">[Page 41]</p>

[11] (Pages 38 to 41)

<p>1 knowledge, I really don't.</p> <p>2 BY MR. CAMPBELL:</p> <p>3 Q. And who was it that you heard this</p> <p>4 information from?</p> <p>5 MR. BAILUS: Objection as to</p> <p>6 form.</p> <p>7 THE WITNESS: I don't</p> <p>8 recall. I don't recall.</p> <p>9 BY MR. CAMPBELL:</p> <p>10 Q. And at what stage of your</p> <p>11 association with Mr. Rizzolo did you first hear</p> <p>12 information to the effect that he may be</p> <p>13 associated with organized crime or organized</p> <p>14 crime figures?</p> <p>15 MR. BAILUS: Objection as to</p> <p>16 form.</p> <p>17 THE WITNESS: I don't</p> <p>18 recall.</p> <p>19 BY MR. CAMPBELL:</p> <p>20 Q. In any event, because he could not</p> <p>21 be licensed --</p> <p>22 A. Yes.</p> <p>23 Q. -- he could not be involved in</p> <p>24 the --</p> <p>25 A. Operation.</p> <p style="text-align: right;">[Page 42]</p>	<p>1 who was working for me at the time who</p> <p>2 was in-house prior to Rich Orlow.</p> <p>3 BY MR. CAMPBELL:</p> <p>4 Q. And Mr. Rich Orlow is now working</p> <p>5 for you?</p> <p>6 A. Yes.</p> <p>7 Q. And what is his position?</p> <p>8 A. He is an in-house counsel, and also</p> <p>9 a certified accountant.</p> <p>10 Q. And how long has he been with you?</p> <p>11 A. He has been with me for two years.</p> <p>12 Q. Okay. And who was with you before</p> <p>13 that?</p> <p>14 A. I don't think I had an in-house</p> <p>15 counsel prior to that. Way back, I had one.</p> <p>16 And h I lived in California and I can't</p> <p>17 remember his name.</p> <p>18 MR. BRENNAN: I can't tell</p> <p>19 you, Mr. Piazza.</p> <p>20 BY MR. CAMPBELL:</p> <p>21 Q. When you learned from Mr. Rizzolo</p> <p>22 that he had serious problems with law</p> <p>23 enforcement, he told you this in person; is</p> <p>24 that correct?</p> <p>25 MR. BAILUS: Objection as to</p> <p style="text-align: right;">[Page 44]</p>
<p>1 Q. -- the operation?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Did Mr. Rizzolo invest funds</p> <p>4 in this business enterprise?</p> <p>5 A. Yes.</p> <p>6 Q. How much?</p> <p>7 A. I don't recall the number.</p> <p>8 Q. Was it more or less than a million</p> <p>9 dollars?</p> <p>10 A. It was more.</p> <p>11 Q. Was it more or less than 2 million?</p> <p>12 A. About that number.</p> <p>13 Q. And when you were dealing with</p> <p>14 Mr. Rizzolo, did you have an attorney that was</p> <p>15 representing you?</p> <p>16 A. Yes.</p> <p>17 Q. Who was that?</p> <p>18 A. Stu Cohen.</p> <p>19 Q. Did you have an attorney, an</p> <p>20 in-house attorney that was also dealing with</p> <p>21 Mr. Rizzolo?</p> <p>22 MR. BRENNAN: I don't want</p> <p>23 to --</p> <p>24 THE WITNESS: I'm trying to</p> <p>25 the think of the attorney that I had</p> <p style="text-align: right;">[Page 43]</p>	<p>1 form.</p> <p>2 THE WITNESS: Yes.</p> <p>3 BY MR. CAMPBELL:</p> <p>4 Q. He flew back here, had a meeting</p> <p>5 with you?</p> <p>6 A. Yes.</p> <p>7 Q. And discussed the matter as I</p> <p>8 understand; is that correct?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. Where did that meeting take</p> <p>11 place?</p> <p>12 A. I think at the club.</p> <p>13 Q. And what was it that he told you?</p> <p>14 And please take all the time you feel is</p> <p>15 necessary to recall the conversation and share</p> <p>16 it with us as you recall it today.</p> <p>17 A. He mentioned that he had to get out</p> <p>18 of the business. That there was a situation</p> <p>19 where a trial was going on, going on or</p> <p>20 something and he was going to be called in.</p> <p>21 And he said to me, Vincent, he said, you know,</p> <p>22 I would like to remain as a consultant he said,</p> <p>23 but I don't think I can do it, because my time</p> <p>24 now is going to have to be spent on this case.</p> <p>25 And he says I would like to have you buy me</p> <p style="text-align: right;">[Page 45]</p>

[12] (Pages 42 to 45)

<p>1 out. And I says, geez, I can't afford to do it</p> <p>2 at the moment. But I said give me an</p> <p>3 opportunity to try to find out if I can get a</p> <p>4 buyer. And I was then negotiating with a</p> <p>5 couple of people thinking they would take the</p> <p>6 club. And then unfortunately, they didn't want</p> <p>7 to pay the money we thought we needed to have</p> <p>8 to get out. And I called him on several</p> <p>9 occasions telling him what the status was or</p> <p>10 what I was doing.</p> <p>11 And I mentioned to him that this</p> <p>12 other situation came up with Rick's Cabaret.</p> <p>13 And then I told him about exactly what was</p> <p>14 going on with that. And you know, the rest, I</p> <p>15 think I repeat myself today what exactly</p> <p>16 occurred thereafter with the deal that I did</p> <p>17 with Rick's Cabaret.</p> <p>18 Q. When he informed you of his</p> <p>19 problems, you understood that he was in -- that</p> <p>20 his problems were criminal in nature, that he</p> <p>21 was being charged with criminal activity?</p> <p>22 A. He didn't tell me that. He didn't</p> <p>23 tell me what the charges were or what it was.</p> <p>24 He said he had -- he had to defend his case and</p> <p>25 you know, he was being -- he told me something</p> <p style="text-align: right;">[Page 46]</p>	<p>1 MR. CAMPBELL: And I'm</p> <p>2 entitled to do that.</p> <p>3 MR. BRENNAN: I'm trying to</p> <p>4 figure -- well, I'm trying to figure</p> <p>5 out if that's all right.</p> <p>6 MR. CAMPBELL: Well, it's</p> <p>7 just to the form of the question, you</p> <p>8 made the objection.</p> <p>9 MR. BRENNAN: Well, I have,</p> <p>10 but I do think that it is --</p> <p>11 MR. CAMPBELL: That's a</p> <p>12 speaking objection.</p> <p>13 MR. BRENNAN: Well, I object</p> <p>14 to the form of the question.</p> <p>15 MR. CAMPBELL: Okay.</p> <p>16 MR. BRENNAN: And I would</p> <p>17 request respectfully that you not try</p> <p>18 to, you know, suggest answers to</p> <p>19 Mr. Piazza. He's here to tell you what</p> <p>20 he remembers as truthfully and as</p> <p>21 accurately as upon and I don't think it</p> <p>22 helps you or the jury or the court to</p> <p>23 try to suggest things to him.</p> <p>24 MR. CAMPBELL: Okay. I'm</p> <p>25 going to ask that the speaking</p> <p style="text-align: right;">[Page 48]</p>
<p>1 about being charged. I don't know what it was,</p> <p>2 but I just don't recall. But I knew he had a</p> <p>3 problem and he was telling me he had the</p> <p>4 problem. But I didn't discuss any of that with</p> <p>5 him, because I didn't feel as though it was my,</p> <p>6 my responsibility or --</p> <p>7 Q. My question was just a little bit</p> <p>8 different.</p> <p>9 A. Yeah.</p> <p>10 Q. And I'm sure it's because I didn't</p> <p>11 ask it with --</p> <p>12 A. Maybe I didn't understand you.</p> <p>13 Q. I didn't ask it with or craft it</p> <p>14 with precision. In any event, you understood</p> <p>15 that this problem, this case that he was</p> <p>16 involved in --</p> <p>17 A. Yes.</p> <p>18 Q. -- was as opposed to a civil</p> <p>19 lawsuit, was a case involving the federal</p> <p>20 government and criminal charges?</p> <p>21 MR. BRENNAN: Objection,</p> <p>22 you're leading the witness.</p> <p>23 MR. CAMPBELL: That's</p> <p>24 exactly right, I am.</p> <p>25 MR. BRENNAN: Yeah, and --</p> <p style="text-align: right;">[Page 47]</p>	<p>1 objection of counsel be stricken from</p> <p>2 the record. I would like to preserve</p> <p>3 this separately on a disc and I'll be</p> <p>4 moving for instruction to the jury</p> <p>5 based upon the instructions or based</p> <p>6 upon the commentary that has been made</p> <p>7 by Mr. Piazza's counsel at this time.</p> <p>8 Your objection is noted. Do you</p> <p>9 understand the question?</p> <p>10 THE WITNESS: Repeat the</p> <p>11 question.</p> <p>12 BY MR. CAMPBELL:</p> <p>13 Q. Sure. You understood that this was</p> <p>14 a criminal case as opposed to a civil case, in</p> <p>15 other words, that it involved some problem with</p> <p>16 the government as opposed to some civil</p> <p>17 lawsuit?</p> <p>18 A. Yes.</p> <p>19 MR. BAILUS: Objection as to</p> <p>20 form.</p> <p>21 BY MR. CAMPBELL:</p> <p>22 Q. Did you -- were you ever contacted</p> <p>23 by any attorneys on behalf of Mr. Rizzolo at</p> <p>24 any time on any matter?</p> <p>25 A. No.</p> <p style="text-align: right;">[Page 49]</p>

[13] (Pages 46 to 49)

1 Q. Okay. You met Mrs. Rizzolo on
2 occasion?
3 A. Once or twice.
4 Q. Where did you first meet
5 Mrs. Rizzolo?
6 A. I don't recall. It might have been
7 at the restaurant.
8 Q. In Las Vegas?
9 A. Yes.
10 Q. Okay. And when you met with Mr.
11 and Mrs. Rizzolo at the restaurant, did you
12 have anyone with you from your family?
13 MR. BAILUS: Objection as to
14 form.
15 THE WITNESS: No.
16 BY MR. CAMPBELL:
17 Q. On -- did you meet with
18 Mrs. Rizzolo on other occasions?
19 A. No.
20 Q. Her name was Lisa?
21 A. Lisa, I recall now that you
22 mentioned it.
23 Q. Did you meet any of his children?
24 A. I met one of his boys at one time.
25 Q. Dominic?

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1 A. Dominic, yeah, I believe so,
2 Dominic, yeah.
3 Q. Dominic was back here?
4 A. Here in the east?
5 Q. Yes.
6 A. No, he was, he was at the
7 restaurant.
8 Q. Okay. All right. Let's talk a
9 little bit about the individuals that came back
10 here. Do you know an individual by the name of
11 Mr. Belacastro?
12 A. No.
13 Q. All right. The individuals that
14 Mr. Rizzolo brought back here to run the club,
15 how many of them were there?
16 MR. BAILUS: Objection as to
17 form.
18 THE WITNESS: I think there
19 was three.
20 BY MR. CAMPBELL:
21 Q. All right. And do you recall their
22 names?
23 A. I only knew John by his first name,
24 his nephew or cousin or something like that.
25 Q. Okay.

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1 A. He had two others that were working
2 there.
3 Q. And they had worked at the Crazy
4 Horse Too in Las Vegas?
5 A. Yes, that's correct. I don't
6 recall their names. I let the one go, I
7 understood the managers we had in place
8 indicated there might have been some
9 wrongdoing. I don't know what it was all
10 about. But I don't have their names. I really
11 don't know their names.
12 Q. During the period of time that you
13 were involved in this business enterprise --
14 A. Yes.
15 Q. -- with Mr. Rizzolo --
16 A. Yes.
17 Q. -- did you learn that there was an
18 indictment returned by the federal grand jury
19 in Las Vegas which named Mr. Rizzolo and many
20 of his managers and employees?
21 A. I heard something --
22 MR. BAILUS: Objection as to
23 form and also exceeds the court's
24 order --
25 THE WITNESS: I heard --

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1 MR. BAILUS: -- regarding
2 discovery.
3 THE WITNESS: -- something,
4 I didn't know exactly what it was all
5 about.
6 BY MR. CAMPBELL:
7 Q. How did you hear that Mr. Rizzolo
8 and some of his managers had been indicted?
9 MR. BAILUS: Objection as to
10 form and exceeds the court's order
11 regarding discovery.
12 THE WITNESS: He might have
13 told me.
14 BY MR. CAMPBELL:
15 Q. Okay. Were any of the individuals
16 that Mr. Rizzolo put into the club back here in
17 Philadelphia named in that indictment?
18 MR. BAILUS: Objection as to
19 form and it exceeds the court's order
20 regarding the discovery.
21 THE WITNESS: I think he
22 mentioned John, one -- no, John, I
23 think that was the only one I know of.
24 BY MR. CAMPBELL:
25 Q. All right. And did they remain on

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[14] (Pages 50 to 53)

<p>1 the management team after they were indicted? 2 MR. BAILUS: Objection as to 3 form -- 4 THE WITNESS: No, they went 5 back -- 6 MR. BAILUS: And exceeds the 7 court order regarding new discovery. 8 THE WITNESS: They went back 9 to Vegas. 10 BY MR. CAMPBELL: 11 Q. Say again. 12 A. They went back to Vegas right after 13 that. 14 Q. So as soon as they were indicted, 15 they quit or were terminated? 16 A. Terminated, yes. 17 MR. BAILUS: Objection as to 18 form. It exceeds the order of regular 19 discovery. 20 BY MR. CAMPBELL: 21 Q. Who terminated? 22 A. I think I might have told them, the 23 manager we had in place then, to let them go, 24 because of the situation. 25 Q. Who was it?</p> <p style="text-align: right;">[Page 54]</p>	<p>1 A. Steve Miller, somebody back there, 2 yeah, mentioned being in a paper and a couple 3 of articles. And he mentioned his situation I 4 think a little bit about that case or -- and I 5 did hear it. I don't know exactly where, bits 6 and pieces of it. 7 Q. Did you talk to Mr. Rizzolo about 8 it? 9 A. No. 10 Q. When is the last time you spoke to 11 Mr. Rizzolo? 12 A. I think it was just before he had 13 to go to jail. 14 Q. And did you speak to him in person? 15 A. I believe it was on the phone. He 16 didn't come east. 17 Q. So you were back here in 18 Philadelphia? 19 A. Yes. 20 Q. He was in where? 21 A. Probably Vegas. 22 Q. Did you ever speak to him while he 23 was in prison? 24 A. No. 25 Q. Okay. Did you ever speak to his</p> <p style="text-align: right;">[Page 56]</p>
<p>1 A. I forget his name, the manager 2 there. 3 Q. Okay. So you found out they were 4 indicted and you told your manager tell them 5 they have got to leave? 6 A. Yes, right. 7 MR. BAILUS: Objection as to 8 form, exceeds the scope of new 9 discovery. 10 BY MR. CAMPBELL: 11 Q. Do you know what this case is 12 about, why you're being deposed? 13 A. No. 14 Q. Were you aware that Mr. Rizzolo was 15 responsible for paying a judgment to a 16 gentleman who was made a paraplegic or a 17 quadriplegic? 18 MR. BAILUS: Objection as to 19 form. Exceeds the scope of new 20 discovery. 21 THE WITNESS: I heard it and 22 read it, that gentleman who writes the 23 paper or something, Miller. 24 BY MR. CAMPBELL: 25 Q. Steve Miller?</p> <p style="text-align: right;">[Page 55]</p>	<p>1 wife after he was incarcerated? 2 MR. BAILUS: Objection as to 3 form. 4 THE WITNESS: She might 5 have, she might have called one time. 6 I'm not certain now. 7 BY MR. CAMPBELL: 8 Q. This is Lisa Rizzolo? 9 A. Yes. 10 Q. Okay. And after Mr. Rizzolo was 11 incarcerated, Lisa Rizzolo called you on the 12 phone to discuss what topic? 13 MR. BAILUS: Objection a to 14 form. Exceeds the scope of new 15 discovery and exceeds the scope of this 16 case. 17 THE WITNESS: I don't 18 know -- 19 MR. CAMPBELL: Okay. Make 20 your objection and let me know when 21 it's done. Okay. Because I think it's 22 being. It's difficult for the witness 23 and me and it disrupts the record. 24 I'll also note that you can 25 have a continuing objection to this</p> <p style="text-align: right;">[Page 57]</p>

[15] (Pages 54 to 57)

<p>1 entire matter that you think exceeds 2 the scope, but I'll note for the record 3 that, that Miss Rizzolo's involvement 4 and your firm's involvement was 5 withheld from us for a period of three 6 years and -- 7 MR. BAILUS: Mr. Campbell -- 8 MR. CAMPBELL: Excuse me, 9 excuse me -- 10 MR. BAILUS: I'm going to 11 object to all this -- 12 MR. CAMPBELL: You may. 13 MR. BAILUS: -- and ask it 14 be stricken. 15 MR. CAMPBELL: And that's 16 going to be the subject -- 17 MR. BAILUS: I mean this is, 18 this is clearly -- 19 MR. CAMPBELL: Let me finish 20 and I'll let you finish, and you can 21 make your -- 22 MR. BAILUS: Okay. 23 MR. CAMPBELL: And that's 24 going to be the subject of a motion 25 that's coming up. So the suggestion</p> <p style="text-align: right;">[Page 58]</p>	<p>1 you just stated about any feelings you 2 may have concerning discovery that has 3 taken place. And again, I move to 4 strike that. 5 BY MR. CAMPBELL: 6 Q. So what did Lisa Rizzolo say to you 7 in this telephone conversation that took place 8 after Mr. Rizzolo was incarcerated? 9 MR. BAILUS: Objection as to 10 form. 11 THE WITNESS: I believe it 12 was with regards to the father passing 13 away. And that she was going to 14 arrange for us, from their counsel to 15 let us know what the situation would 16 be. Because I think, I'm not sure was 17 he, I'm asking you the question, was in 18 charge of the -- of the monies that we 19 were sending him. I'm not sure as to 20 was it going to the -- wherever, I 21 don't recall that portion of the 22 transaction. But I believe she 23 mentioned that someone would be calling 24 counsel to let us know, inform us as to 25 where we would have to send the money</p> <p style="text-align: right;">[Page 60]</p>
<p>1 that somehow we're exceeding the scope 2 of discovery and that's the objection 3 that you're making, when that 4 involvement was withheld and covered up 5 is in our view not well taken. And 6 that's my response. You can make your 7 objection. 8 MR. BAILUS: And obviously, 9 I would move to strike those comments 10 by you. And what I'm objecting to is 11 not -- in the court's order dated 12 July 28, 2011, it says discovery is 13 reopened for all parties to conduct 14 discovery, but only as to new 15 allegations surrounding the alleged 16 fraudulent transfer of 789,000 from the 17 sale of Rick's Rizzolo's interest in 18 the Philadelphia club to Bart Rizzolo 19 and Kimtran Rizzolo. 20 So I'll have a -- I 21 appreciate you giving me a continuing 22 objection regarding that as to any 23 questions that exceed the scope of 24 discovery. And also, I move to strike 25 your comments regarding, regarding what</p> <p style="text-align: right;">[Page 59]</p>	<p>1 thereafter that. And I don't know 2 whether it was going to his father to 3 take care of the, you know, the estate 4 or whatever. 5 It was very vague. And I 6 said, well, when he calls, he can talk 7 to my counsel and he can make the 8 arrangements for whatever needs to be 9 done. 10 BY MR. CAMPBELL: 11 Q. All right. So she was basically 12 putting out the word to you that there were 13 going to be some arrangements -- 14 A. Some changes. 15 Q. -- made or changes made in who was 16 to receive the money as a result of the buy-out 17 of the club by Rick's Cabaret? 18 MR. BAILUS: Objection as to 19 form. 20 THE WITNESS: That's right. 21 BY MR. CAMPBELL: 22 Q. And after you received that phone 23 call from Lisa Rizzolo alerting you to the fact 24 that there were going to be some changes made 25 in who was to receive the money, was there a</p> <p style="text-align: right;">[Page 61]</p>

[16] (Pages 58 to 61)

<p>1 follow up to that by anyone on that subject 2 matter? 3 A. Yes. 4 MR. BAILUS: Objection as to 5 form. 6 BY MR. CAMPBELL: 7 Q. And who was that? 8 A. Stu Cohen. 9 Q. All right. And you directed Lisa 10 Rizzolo to talk to Stu? 11 A. Not her, to counsel who was going 12 to be calling. 13 Q. All right. 14 A. They were communicating. 15 Q. All right. And who was that 16 counsel? 17 A. I don't recall on their end, on 18 Lisa's end, I don't recall. 19 Q. Okay. But nevertheless, as a 20 result of Lisa Rizzolo telling you that, an 21 attorney on her behalf called? 22 A. Yes. 23 Q. And -- 24 A. I don't know if it was on her 25 behalf.</p> <p style="text-align: right;">[Page 62]</p>	<p>1 business dealings with him? 2 A. No. 3 Q. Never? 4 A. Ever. 5 Q. What did he do at the club in Las 6 Vegas? 7 A. I don't know, he was just there, 8 kind of social conversation with my son or 9 something, you know. 10 Q. Okay. Were you ever at the club in 11 Las Vegas with your son? 12 A. No. 13 Q. Were you ever at the club in Las -- 14 in Philadelphia with Mr. Rizzolo and your son? 15 A. No. 16 Q. Okay. Have you ever spoken to 17 Kimtran Rizzolo, the wife of Bartholomew or 18 Bart Rizzolo, the father? 19 A. No. 20 Q. Have you ever spoken to any 21 attorneys acting on her behalf? 22 A. No. 23 Q. Have you had any communications 24 with anyone from Las Vegas, Nevada, at any time 25 in the last year concerning the general subject</p> <p style="text-align: right;">[Page 64]</p>
<p>1 Q. Or Rick's behalf? 2 A. Yes, yes. 3 Q. And that attorney made certain 4 arrangements with Mr. Cohen regarding the 5 payment of the payout amounts? 6 A. I'm certain -- 7 MR. BAILUS: Objection as to 8 form. 9 THE WITNESS: Yes. 10 BY MR. CAMPBELL: 11 Q. Yes. Okay. Have you had any phone 12 calls with any attorneys acting on behalf of 13 any of the Rizzolos? 14 A. No. 15 Q. Did you ever meet Bart Rizzolo? 16 A. Bart is who? 17 Q. Mr. Rick Rizzolo's father. 18 A. The father? 19 Q. Yes. 20 A. I met him one time. 21 Q. Where did you meet him? 22 A. I met him at the club. 23 Q. And the club in Las Vegas? 24 A. Yes. 25 Q. But you -- did you ever have any</p> <p style="text-align: right;">[Page 63]</p>	<p>1 matter of the gentlemen's club back here once 2 known as the Crazy Horse Too? 3 A. No. 4 MR. BAILUS: Objection as to 5 form. 6 BY MR. CAMPBELL: 7 Q. Is the gentlemen's club once known 8 as the Crazy Horse Too operating under that 9 name today? 10 A. No. 11 Q. What is the name under which it is 12 operating? 13 A. It changed twice. It's owned still 14 by the same company and I don't know what the 15 name of it is. They went from -- it's run as a 16 black club now, Onyx or something of that sort. 17 Q. It's run as a black club? 18 A. Yes. 19 Q. What does that mean? 20 A. Well, it's mostly black personnel, 21 people there now, their customer base. 22 Q. Their clientele -- 23 A. Their clientele. 24 Q. -- is predominantly 25 African-American?</p> <p style="text-align: right;">[Page 65]</p>

[17] (Pages 62 to 65)

<p>1 A. I'm sorry, African-American. 2 Q. Okay. I understand. Let's talk a 3 little bit about the current payout schedule 4 for the club. Have you received monies this 5 month pursuant to a payout schedule? 6 A. This month, yes. I don't know 7 about the monies, but I signed a form that have 8 to clear the stock and -- 9 Q. Execute a put? 10 A. Execute, yes, put. 11 Q. You executed the put? 12 A. Yes. 13 Q. Earlier in September? 14 A. Just recently I believe or, about, 15 yeah, yes. 16 Q. All right. Have you received 17 the -- have you received the put payment for 18 September? 19 A. I don't, I don't know. I hope so. 20 Q. And you understand that as a result 21 of the receipt of those payments, that there is 22 an entitlement to distribute those payments to 23 the successor in interest, whatever it may 24 be -- 25 A. Yes.</p> <p style="text-align: right;">[Page 66]</p>	<p>1 later after the attorneys, our counsel 2 were talking, I heard as to what 3 transpired and how they would arrange 4 to make the payments to wherever it 5 should be going to. 6 BY MR. CAMPBELL: 7 Q. Okay. Have you in the last year or 8 so been contacted by any special agent of the 9 Internal Revenue Service criminal investigation 10 division concerning the club or Mr. Rizzolo? 11 A. No. 12 MR. BAILUS: Objection as to 13 form. 14 BY MR. CAMPBELL: 15 Q. Or Lisa Rizzolo? 16 MR. BAILUS: Objection as to 17 form. 18 THE WITNESS: No. 19 BY MR. CAMPBELL: 20 Q. Or anyone associated with them? 21 A. No. 22 Q. Okay. When you heard that 23 Mr. Rizzolo was sent back to prison in part 24 because of his failure to disclose these 25 transactions involving the Crazy Horse Too in</p> <p style="text-align: right;">[Page 68]</p>
<p>1 Q. -- for Mr. Rizzolo? 2 A. Yes. 3 Q. All right. Were you aware that 4 Mr. Rizzolo was recently ordered back to 5 prison? 6 MR. BAILUS: Objection as to 7 form. 8 THE WITNESS: I heard 9 something of that sort. 10 BY MR. CAMPBELL: 11 Q. Who told you that? 12 A. I don't know where I heard it. But 13 I know I heard it. 14 Q. Were you -- go ahead, did you want 15 to -- 16 A. No, go ahead. 17 Q. Were you aware that one of the 18 primary reasons that he was sent back to prison 19 was his failure to disclose transactions 20 involving payments that were made and received 21 in connection with the Crazy Horse Too in 22 Philadelphia? 23 MR. BAILUS: Objection as to 24 form. 25 THE WITNESS: I heard that</p> <p style="text-align: right;">[Page 67]</p>	<p>1 Philadelphia, did you seek to acquire any 2 additional information concerning that? 3 MR. BAILUS: Objection as to 4 form. 5 THE WITNESS: No. 6 BY MR. CAMPBELL: 7 Q. Did you give a directive to any -- 8 anyone to find out what it was all about or 9 what was going on? 10 A. I believe, because at that point, I 11 thought the communication between Rick -- I 12 mean not Rick -- Rich, my in-house counsel and 13 Stuart Cohen -- 14 Q. Orlow, Rich Orlow? 15 A. Rich Orlow and Stu Cohen were 16 talking about where and what was happening 17 there. I don't ever recall being involved in 18 it directly, discussing what they were going to 19 do. But certainly made certain that they 20 followed the instructions as to what had to 21 happen as to where the money had to go. 22 Q. Okay. You received a subpoena, you 23 were served with a subpoena? 24 A. I think I did, yes. 25 Q. Right. And you understand the</p> <p style="text-align: right;">[Page 69]</p>

[18] (Pages 66 to 69)

<p>1 subpoena is essentially a command of a United 2 States District Court to appear and give 3 testimony? 4 A. Yes. 5 Q. And that's why you're here today? 6 A. That's why I'm here, yes. 7 Q. And that subpoena called for you to 8 produce documents? 9 A. I don't know. 10 Q. You don't know? 11 A. No. 12 Q. Okay. So you had -- you did not 13 understand that you had an obligation to 14 produce documents here today? 15 A. No. 16 Q. Okay. 17 MR. BRENNAN: Do you want me 18 to answer that question? 19 MR. CAMPBELL: No. We'll 20 get to it in a second. We'll get to it 21 in a second. 22 BY MR. CAMPBELL: 23 Q. With respect to Mr. Orlow -- 24 A. Yes. 25 Q. -- have you had any discussions</p> <p style="text-align: right;">[Page 70]</p>	<p>1 A. Right. 2 THE VIDEO OPERATOR: Okay. 3 We're going off the record. The time 4 is 10:14 a.m. 5 ----- 6 (A recess was taken at this time.) 7 ----- 8 (Subpoena marked Exhibit Piazza 1 9 for identification.) 10 ----- 11 THE VIDEO OPERATOR: Okay. 12 This begins tape two in the deposition 13 of Vincent Piazza. We are going on the 14 record at 10:31 a.m. Please continue. 15 BY MR. CAMPBELL: 16 Q. Mr. Piazza, I'm going to show you 17 what has been marked as Exhibit No. 1 in these 18 proceedings, your deposition. They put this 19 little tab on here and we call it by a number, 20 so we know exactly what documents that have 21 been marked in any particular deposition. This 22 particular one is the subpoena that was served 23 upon you. Would you examine that just for a 24 moment. Do you recall that? 25 A. I know it was served, but I</p> <p style="text-align: right;">[Page 72]</p>
<p>1 with Mr. Orlow concerning the fact that 2 Mr. Rizzolo went back to prison in part because 3 of his failure to disclose or otherwise be 4 forthcoming concerning his involvement and 5 entitlement to payments from the Crazy Horse 6 Too? 7 MR. BAILUS: Objection as to 8 form. 9 THE WITNESS: No. 10 BY MR. CAMPBELL: 11 Q. Do you know whether or not Mr. 12 Orlow has had any conversations with anyone on 13 behalf of Rick and/or Lisa Rizzolo or anyone 14 associated with them? 15 MR. BAILUS: Objection as to 16 form. 17 THE WITNESS: Not to my 18 knowledge. 19 BY MR. CAMPBELL: 20 Q. Okay. Why don't we take a quick 21 break, give you an opportunity to stretch your 22 legs. 23 A. Sure. 24 Q. And have a drink of water or use 25 the restroom. Okay?</p> <p style="text-align: right;">[Page 71]</p>	<p>1 didn't -- I don't recall it. 2 Q. Okay. And after you received that 3 subpoena, you gave it to Mr. Orlow; is that 4 correct? 5 A. Yes. 6 Q. Okay. And you'll notice on the 7 back, just for purposes of identification here, 8 that there's an exhibit that required -- 9 A. I'm sorry. 10 Q. That's okay. 11 A. Let me turn it off. 12 Q. That's all right. And you'll 13 notice that there was an exhibit attached 14 requiring you to produce five categories of 15 documents. Do you see that? 16 A. Yes. 17 Q. Okay. And as a result of your 18 service of this subpoena, you just turned this 19 matter over to Mr. Orlow; is that correct? 20 A. Yes. 21 Q. And Mr. Orlow is the individual 22 that you assigned the responsibility of 23 complying with whatever legal obligations were 24 attendant to this subpoena? 25 A. That's correct.</p> <p style="text-align: right;">[Page 73]</p>

[19] (Pages 70 to 73)

<p>1 Q. Is that correct?</p> <p>2 A. Yes.</p> <p>3 Q. And Mr. Orlow is your in-house</p> <p>4 controller and attorney, as I understand it?</p> <p>5 A. Yes.</p> <p>6 Q. Is that correct?</p> <p>7 A. That's correct.</p> <p>8 Q. All right. And by controller, I</p> <p>9 mean he's in charge of the --</p> <p>10 A. Yes.</p> <p>11 Q. -- the accounting operations as</p> <p>12 well --</p> <p>13 A. Yes.</p> <p>14 Q. -- for your businesses. And so you</p> <p>15 gave it to him, because he's your attorney, and</p> <p>16 working with other attorneys in your behalf,</p> <p>17 they came up with documents; is that correct?</p> <p>18 A. Correct.</p> <p>19 Q. But you don't know what the</p> <p>20 documents are?</p> <p>21 A. No.</p> <p>22 Q. You haven't looked at any of those</p> <p>23 documents?</p> <p>24 A. None.</p> <p>25 Q. You've relied upon your attorneys</p> <p style="text-align: right;">[Page 74]</p>	<p>1 you. Do you know anyone by the name Dominic</p> <p>2 Gentile?</p> <p>3 A. No.</p> <p>4 Q. Accordingly, you don't know that</p> <p>5 you've ever spoken to Dominic Gentile; is that</p> <p>6 correct?</p> <p>7 A. No.</p> <p>8 Q. Okay. Has Mr. Orlow told you that</p> <p>9 he has recently been contacted by attorneys</p> <p>10 representing Mr. Rizzolo and/or Mrs. Rizzolo?</p> <p>11 A. He might have. I'm not sure.</p> <p>12 Q. Okay. As I understand it, the</p> <p>13 payments that are made by Rick's Cabaret are</p> <p>14 made to you?</p> <p>15 A. Yes.</p> <p>16 Q. You in turn then instruct your</p> <p>17 accounting department to distribute the funds</p> <p>18 pursuant to whatever agreements?</p> <p>19 A. Correct.</p> <p>20 Q. Okay. And we talked a little bit</p> <p>21 about the fact that Lisa Rizzolo called</p> <p>22 concerning changing the distribution from one</p> <p>23 person to another, do you recall?</p> <p>24 A. That's correct.</p> <p>25 MR. BAILUS: Objection as to</p> <p style="text-align: right;">[Page 76]</p>
<p>1 to do that on your behalf?</p> <p>2 A. Yes.</p> <p>3 Q. Is that correct?</p> <p>4 A. That's correct.</p> <p>5 MR. CAMPBELL: Okay. Mr.</p> <p>6 Brennan, yesterday you produced some</p> <p>7 categories of documents with your</p> <p>8 partner, Mr. Cohen. They were marked</p> <p>9 separately with some stickers. There</p> <p>10 were very few documents that were</p> <p>11 marked. Is that the total documents</p> <p>12 that would be in compliance with this</p> <p>13 subpoena?</p> <p>14 MR. BRENNAN: To the best of</p> <p>15 my knowledge, yes.</p> <p>16 MR. CAMPBELL: All right.</p> <p>17 If we need to talk to you further about</p> <p>18 that, can we do that?</p> <p>19 MR. BRENNAN: I would be</p> <p>20 happy to cooperate.</p> <p>21 MR. CAMPBELL: And with Mr.</p> <p>22 Orlow as well.</p> <p>23 MR. BRENNAN: Yes.</p> <p>24 BY MR. CAMPBELL:</p> <p>25 Q. I just have a few more questions of</p> <p style="text-align: right;">[Page 75]</p>	<p>1 form.</p> <p>2 BY MR. CAMPBELL:</p> <p>3 Q. And we also talked about the fact</p> <p>4 that at some point, these distributions were</p> <p>5 being made to Kimtran Rizzolo, Mr. Bart</p> <p>6 Rizzolo's widow?</p> <p>7 A. I'm not sure.</p> <p>8 Q. All right. You're aware that your</p> <p>9 accounting department distributed about</p> <p>10 \$120,000 in error; is that correct?</p> <p>11 A. That's correct.</p> <p>12 Q. How did it come to your attention</p> <p>13 that this was an error?</p> <p>14 A. Mr. Rizzolo -- I mean, I'm sorry,</p> <p>15 Orlow mentioned it to me.</p> <p>16 Q. Okay. And what did he tell you?</p> <p>17 A. That there was a mistake made and</p> <p>18 they were going to try to correct it to see</p> <p>19 that the, you know, the payments were going in</p> <p>20 a -- where they should be going.</p> <p>21 Q. Right. That \$120,000 representing</p> <p>22 four payments of \$30,000 were incorrectly sent</p> <p>23 to Kimtran Rizzolo as opposed to the successor</p> <p>24 in interest of Lions Limited, Rick Rizzolo's</p> <p>25 share, correct?</p> <p style="text-align: right;">[Page 77]</p>

[20] (Pages 74 to 77)

<p>1 A. Yes.</p> <p>2 Q. And you wanted to make a point in</p> <p>3 this deposition, as I understand it, that that</p> <p>4 was a mistake, it wasn't part of any fraud that</p> <p>5 you were involved in with Lisa Rizzolo or</p> <p>6 Kimtran Rizzolo or Mr. Rizzolo?</p> <p>7 MR. BAILUS: Objection as to</p> <p>8 form.</p> <p>9 THE WITNESS: None</p> <p>10 whatsoever.</p> <p>11 BY MR. CAMPBELL:</p> <p>12 Q. Okay. Just as you say, an honest</p> <p>13 mistake?</p> <p>14 A. That's correct.</p> <p>15 Q. Okay. And your attorney and</p> <p>16 controller, Mr. Orlow, told you about that that</p> <p>17 it was an honest mistake?</p> <p>18 A. Yes.</p> <p>19 Q. And that they were making an effort</p> <p>20 to get those monies back, because --</p> <p>21 A. Yes.</p> <p>22 Q. -- your company had made that</p> <p>23 mistake?</p> <p>24 A. Yes.</p> <p>25 Q. Okay. What efforts have been</p> <p style="text-align: right;">[Page 78]</p>	<p>1 A. No, I did not.</p> <p>2 Q. All right.</p> <p>3 A. I just mentioned to him to try to</p> <p>4 do what they had to do, which was right for</p> <p>5 whatever needed to be with the court.</p> <p>6 Q. Okay. And do you know, are there</p> <p>7 any -- withdraw. You have likewise been</p> <p>8 informed by your counsel that those funds have</p> <p>9 not yet been returned, the 120,000 has not</p> <p>10 been --</p> <p>11 A. I'm not sure.</p> <p>12 Q. -- returned? You don't know</p> <p>13 whether it has?</p> <p>14 A. I don't know.</p> <p>15 Q. Okay. If they have not been</p> <p>16 returned, do you, presumably, you're going to</p> <p>17 continue your efforts to recover those funds</p> <p>18 for the mistake that was made by your firm,</p> <p>19 correct?</p> <p>20 A. We'll do everything we can to help</p> <p>21 in that matter, certainly.</p> <p>22 Q. All right, sir. Have you ever lent</p> <p>23 Mr. Rizzolo any money?</p> <p>24 A. No.</p> <p>25 Q. Mr. Rizzolo has never lent you any</p> <p style="text-align: right;">[Page 80]</p>
<p>1 engaged in to get those monies back from</p> <p>2 Kimtran Rizzolo in the amount of \$120,000?</p> <p>3 A. I don't, I really don't know.</p> <p>4 Q. Okay. And have you inquired about</p> <p>5 that?</p> <p>6 A. I wanted, I wanted to make certain</p> <p>7 that they did something and tried to get that</p> <p>8 money back.</p> <p>9 Q. Okay.</p> <p>10 A. Certainly I was doing that with</p> <p>11 that -- I mean with Rich.</p> <p>12 Q. So what did they do?</p> <p>13 A. I don't know up until this point</p> <p>14 what has been done. I don't know whether they</p> <p>15 have been discussing it with Stu Cohen as to</p> <p>16 what procedures or whatever process they have</p> <p>17 to take in order to get it. I'm not sure.</p> <p>18 Q. Have they instituted any legal</p> <p>19 action back here in Philadelphia to try to</p> <p>20 impose, for example, a constructive trust on</p> <p>21 Kimtran Rizzolo or to seek restitution or</p> <p>22 return of those funds?</p> <p>23 A. That I don't know.</p> <p>24 Q. Okay. Have you discussed that with</p> <p>25 your attorneys back here?</p> <p style="text-align: right;">[Page 79]</p>	<p>1 money, has he?</p> <p>2 A. No.</p> <p>3 Q. Did you ever have any other</p> <p>4 business dealings with Mr. Rizzolo of any kind</p> <p>5 or type other than your business dealings with</p> <p>6 him in connection with the Crazy Horse Too</p> <p>7 night -- gentlemen's club in Philadelphia?</p> <p>8 A. No.</p> <p>9 Q. What does TEZ stand for?</p> <p>10 A. It's a corporation I think that was</p> <p>11 involved with the club, I'm not sure.</p> <p>12 Q. Do you know someone by the name of</p> <p>13 Coscia?</p> <p>14 A. Coscia?</p> <p>15 Q. Salvatore?</p> <p>16 A. Salvatore Coscia, no.</p> <p>17 Q. Were you aware that the Crazy Horse</p> <p>18 Too nightclub in Las Vegas, Nevada was raided</p> <p>19 on two occasions by the FBI?</p> <p>20 MR. BAILUS: Objection as to</p> <p>21 form.</p> <p>22 THE WITNESS: I don't</p> <p>23 recall. I don't think so. I wasn't</p> <p>24 aware.</p> <p>25</p> <p style="text-align: right;">[Page 81]</p>

[21] (Pages 78 to 81)

<p>1 BY MR. CAMPBELL: 2 Q. Okay. When was the last time that 3 Rick Rizzolo was here in Philadelphia that you 4 saw him? 5 A. Gosh, I don't have the exact date. 6 Q. Ballpark it. 7 A. Right after we were getting ready 8 to sell it. He was telling me he had to send 9 his people back. 10 Q. Okay. And he had to send his 11 people back to Las Vegas? 12 A. Las Vegas. 13 Q. Okay. I asked you whether or not 14 you had ever communicated with Rick Rizzolo 15 while he was in prison. Let me -- and you said 16 no, do you recall that? 17 A. That's correct. 18 Q. I'm going to, because I'm an anal 19 retentive guy and detail oriented, I'm going to 20 ask you a slightly different question and it's 21 not meant to harass you in any way. Have you 22 ever spoken to him while he has ever been 23 incarcerated at any time? 24 A. I don't think so. 25 Q. Has he ever called you during a</p> <p style="text-align: right;">[Page 82]</p>	<p>1 A. I was in Pennsylvania in my office, 2 I believe. 3 Q. All right. And you accepted the 4 phone call from him? 5 A. Yes. 6 Q. Presumably, he called your 7 secretary -- 8 A. Cell phone, I think he called my 9 cell phone. 10 Q. Oh, he called your cell phone? 11 A. Yes. 12 Q. Okay. You answered your cell 13 phone? 14 A. Yes. 15 Q. He said -- 16 A. Just -- 17 Q. Hey, Vince, it's Rick Rizzolo? 18 A. Yeah. 19 Q. Okay. And how long was that 20 telephone conversation? 21 A. It wasn't very long. 22 Q. What's your cell phone number? 23 A. 215-7 -- let me give it to you. I 24 know everybody's else's, but I don't remember 25 my own. 215-27 -- 275-7708.</p> <p style="text-align: right;">[Page 84]</p>
<p>1 period of time in which he was incarcerated, 2 whether it was in prison or a halfway house or 3 a jail? 4 A. Or on parole? 5 MR. BAILUS: Objection as to 6 form. 7 BY MR. CAMPBELL: 8 Q. Or on parole. 9 A. Yeah, he called me once. 10 Q. Okay. When did he call? 11 A. I don't recall the date, but I know 12 I talked to him in that interim. 13 Q. And what did you talk to him about? 14 A. Not very much, he was asking me how 15 I was doing, the family and all that. For what 16 reason, I don't know, but he liked Mike and he 17 wanted to know how he was doing. That was 18 about it. 19 Q. When was that? 20 A. I don't recall, that was -- 21 Q. Sometime after he got out of prison 22 for the first time? 23 A. Yeah, I think so, yes. 24 Q. All right. And when he called you, 25 where were you physically?</p> <p style="text-align: right;">[Page 83]</p>	<p>1 Q. Do you have Rick Rizzolo's -- 2 A. Yeah, it's in there. 3 Q. -- cell phone? Could you tell me 4 what Rick Rizzolo's telephone number is? 5 A. I'll have to pull it up. 6 Q. Go ahead. Take your time. 7 A. Let me get this old antique back 8 up. What number on there, it looks like it 9 is -- 10 MR. BRENNAN: Yes, that's 11 it. 12 THE WITNESS: You want the 13 number? 14 BY MR. CAMPBELL: 15 Q. Sure. 16 MR. BRENNAN: Don't call him 17 up now. We don't want to talk to him. 18 THE WITNESS: You know which 19 one is on there, on there is Rich Orlow 20 and I called Rick's number and he 21 answered the phone and I hung up. I 22 swear. (702)376-6913. 23 BY MR. CAMPBELL: 24 Q. 337-6 -- 25 A. 6913.</p> <p style="text-align: right;">[Page 85]</p>

[22] (Pages 82 to 85)

<p>1 Q. 6913?</p> <p>2 A. Yes.</p> <p>3 Q. Do you have his nephew's number in</p> <p>4 there?</p> <p>5 A. No, that's the only number I have.</p> <p>6 Q. Do you have Lisa's number in there?</p> <p>7 A. No. I should have deleted it.</p> <p>8 Q. Do you have any other numbers for</p> <p>9 Mr. Rizzolo?</p> <p>10 A. No.</p> <p>11 Q. Have you ever been contacted by any</p> <p>12 officer of the Department of Parole and</p> <p>13 Probation who was supervising Mr. Rizzolo while</p> <p>14 he was on release?</p> <p>15 A. No.</p> <p>16 Q. Who is the individual that is</p> <p>17 specifically responsible for making the</p> <p>18 distributions? When I say physically</p> <p>19 responsible, I mean responsible for cutting the</p> <p>20 checks and getting them signed and mailing them</p> <p>21 out?</p> <p>22 A. Rich, Rich.</p> <p>23 Q. That's Rich?</p> <p>24 A. Yes.</p> <p>25 Q. Rich Orlow?</p> <p style="text-align: right;">[Page 86]</p>	<p>1 BY MR. BAILUS:</p> <p>2 Q. And I just really only have one</p> <p>3 question, Mr. Piazza.</p> <p>4 A. Yes.</p> <p>5 Q. Earlier in your testimony you</p> <p>6 mentioned your son in reference that Tommy</p> <p>7 Lasorda and the Dodgers, and the son you were</p> <p>8 mentioning was Mike Piazza, the all star</p> <p>9 catcher?</p> <p>10 A. Yes.</p> <p>11 MR. BAILUS: Okay. Thank</p> <p>12 you. That's it.</p> <p>13 MR. CAMPBELL: That's it.</p> <p>14 THE VIDEO OPERATOR: Okay.</p> <p>15 This now concludes the deposition of</p> <p>16 Vincent Piazza. We are going off the</p> <p>17 record at 10:52 a.m.</p> <p>18 -----</p> <p>19 (Whereupon, the deposition was</p> <p>20 concluded at 10:52 a.m.)</p> <p>21 -----</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">[Page 88]</p>
<p>1 A. Right.</p> <p>2 MR. CAMPBELL: Okay.</p> <p>3 Mr. Piazza, thank you for come hearing</p> <p>4 today and answering my questions. I'm</p> <p>5 very appreciative. Mr. Bailus or your</p> <p>6 own counsel may have some questions, I</p> <p>7 don't know.</p> <p>8 MR. BAILUS: Could we just</p> <p>9 take a five-minute break --</p> <p>10 MR. CAMPBELL: Sure.</p> <p>11 MR. BAILUS: -- and then see</p> <p>12 if I have any questions. Just take a</p> <p>13 five-minute break.</p> <p>14 THE VIDEO OPERATOR: Going</p> <p>15 off the record. The time is 10:47 a.m.</p> <p>16 -----</p> <p>17 (A recess was taken at this time.)</p> <p>18 -----</p> <p>19 THE VIDEO OPERATOR: Okay.</p> <p>20 We're back on the record. The time is</p> <p>21 10:52 a.m.</p> <p>22 -----</p> <p>23 CROSS-EXAMINATION</p> <p>24 -----</p> <p>25</p> <p style="text-align: right;">[Page 87]</p>	<p>1 CERTIFICATION</p> <p>2</p> <p>3</p> <p>4 I HEREBY CERTIFY that the proceedings</p> <p>5 and evidence are contained fully and accurately</p> <p>6 in the stenographic notes taken by me upon the</p> <p>7 foregoing matter on September 28, 2011, and</p> <p>8 that this is a correct transcript of same.</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15 Robin L. Clark</p> <p>16 Registered Professional Reporter</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21 (The foregoing certification of this</p> <p>22 transcript does not apply to any reproduction</p> <p>23 of the same by any means unless under the</p> <p>24 direct control and/or supervision of the</p> <p>25 certifying reporter.)</p> <p style="text-align: right;">[Page 89]</p>

[23] (Pages 86 to 89)

<p>1 INSTRUCTIONS TO WITNESS</p> <p>2</p> <p>3 Please read your deposition over</p> <p>4 carefully and make any necessary corrections.</p> <p>5 You should state the reason in the appropriate</p> <p>6 space on the errata sheet for any corrections</p> <p>7 that are made.</p> <p>8 After doing so, please sign the</p> <p>9 errata sheet and date it.</p> <p>10 You are signing same subject to the</p> <p>11 changes you have noted on the errata sheet,</p> <p>12 which will be attached to your deposition.</p> <p>13 It is imperative that you return the</p> <p>14 original errata sheet to the deposing attorney</p> <p>15 with thirty (30) days of receipt of the</p> <p>16 deposition transcript by you. If you fail to</p> <p>17 do so, the deposition transcript may be deemed</p> <p>18 to be accurate and may be used in court.</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">[Page 90]</p>	<p>1 ACKNOWLEDGMENT OF DEPONENT</p> <p>2</p> <p>3 I, VINCENT PIAZZA, do hereby</p> <p>4 certify that I have read the foregoing pages</p> <p>5 and that the same is a correct</p> <p>6 transcription of the answers given by me to</p> <p>7 the questions therein propounded, except for</p> <p>8 the corrections or changes in form or</p> <p>9 substance, if any, noted in the attached</p> <p>10 Errata Sheet.</p> <p>11 DATE SIGNATURE</p> <p>12 Subscribed and sworn to before me this</p> <p>13 day of ,</p> <p>14 2011.</p> <p>15 My commission expires:</p> <p>16</p> <p>17</p> <p>18</p> <p>19 Notary Public</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">[Page 92]</p>
<p>1 -----</p> <p>2 ERRATA</p> <p>3 -----</p> <p>4 PAGE LINE CHANGE</p> <p>5</p> <p>6 _____</p> <p>7 _____</p> <p>8 _____</p> <p>9 _____</p> <p>10 _____</p> <p>11 _____</p> <p>12 _____</p> <p>13 _____</p> <p>14 _____</p> <p>15 _____</p> <p>16 _____</p> <p>17 _____</p> <p>18 _____</p> <p>19 _____</p> <p>20 _____</p> <p>21 _____</p> <p>22 _____</p> <p>23 _____</p> <p>24 _____</p> <p>25</p> <p style="text-align: right;">[Page 91]</p>	<p>24] (Pages 90 to 92)</p>