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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
SOUTHERN DIVISION

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JOYCE Walker, KIM BRUCE )  
HOWLETT, and MURIEL SPOONER, )  
on behalf of themselves and )  
all others similarly situated, )  
Plaintiffs, )  
vs. ) No. CV 10-9198-JVS (RNBx)  
LIFE INSURANCE COMPANY OF )  
THE SOUTHWEST, a Texas )  
corporation, and DOES 1-50, )  
Defendants. )

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Deposition of JOYCE WALKER, Volume I, taken on behalf of Defendant Life Insurance Company of the Southwest, at 101 California Street, Suite 2300, San Francisco, California, beginning at 9:07 a.m. and ending at 7:10 p.m., on Friday, January 27, 2012, before GINA GLANTZ, Certified Shorthand Reporter No. 9795.

1 APPEARANCES:

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1 APPEARANCES (Continued):

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11 Also Present:

12 ROBERT S. BURKE, National Life Group

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1 Q Mr. Burgess answered that question also in item  
2 number 2, this time in the e-mail that he sent to you  
3 later that day; correct?

4 A Yes.

5 Q Did Mr. Burgess say that he certainly would name  
6 Preservation Financial and their actions in the complaint?

7 A Yes.

8 Q Looking at the last line of that sentence, did  
9 Mr. Burgess tell you that "there are times that the  
10 insurer will ask the agent to put some money in, but I  
11 simply want to get your money back"?

12 A Yes, he simply wanted me to -- he wanted to get my  
13 money back, yes.

14 Q Did Mr. Burgess tell you, quote, "I don't care  
15 where it comes from," period, close quote?

16 A Yes.

17 Q At the time you filed the complaint with the State  
18 of California, did you personally care where the money  
19 comes from?

20 A Well, the insurer was LSW, so it does make sense  
21 that that's where it would be coming from.

22 Q Okay. Fair enough, Mrs. Walker -- strike that --  
23 fair enough, Ms. Walker.

24 Please listen carefully to the question. At the  
25 time you filed the complaint with the California

1 Department of Insurance, did you personally care where the  
2 money comes from?

3 MR. FREIBERG: Okay, I'll object to the question  
4 on the grounds that it's asked and answered. I'll also  
5 object to the tone of the question. Any more questions  
6 with that kind of a tone and we'll end the deposition.  
7 I'll instruct the witness not to answer the question. She  
8 previously answered the question.

9 (Instruction not to answer.)

10 MR. SHAPIRO: She did not answer the question.

11 MR. FREIBERG: I've instructed her not to answer.  
12 And, once again, the tone that you're using to ask the  
13 question is completely improper. A judge wouldn't allow  
14 you to use that tone, and you asked her the same question  
15 twice. She's answered the question.

16 MR. SHAPIRO: I'm being very polite and my tone is  
17 very polite and --

18 MR. FREIBERG: And you've asked the question and  
19 she answered it.

20 MR. SHAPIRO: If the court reporter would read  
21 back the question.

22 Q Please listen carefully to the question and then,  
23 as we discussed at the beginning, if you understand the  
24 question, I'd like you to answer it.

25 (Record Read.)