

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

JAMES M. MALONEY,

PLAINTIFF,

-against-

CV-03-0786
(ADS)(AKT)

KATHLEEN M. RICE, individually and in her
official capacity as District Attorney of
the County of Nassau,

DEFENDANT.

-----X

DATE: June 29, 2011
TIME: 10:00 a.m.

EXAMINATION BEFORE TRIAL of the
Defendant, KATHLEEN M. RICE, individually
and in her official capacity as District
Attorney of the County of Nassau, by a
witness, PETER MANCUSO, taken by the
Plaintiff, held at the offices of Diamond
Reporting, 114 Old Country Road, Suite 344,
Mineola, New York 11501, before Phyllis
Goldberg, a Notary Public of the State of
New York.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

A P P E A R A N C E S:

JAMES M. MALONEY, ESQ.
Pro Se
33 Bayview Avenue
P.O. Box 551
Port Washington, New York 11050

NASSAU COUNTY OFFICE OF THE COUNTY ATTORNEY
Attorneys for the Defendant
One West Street
Mineola, New York 11501
BY: LIORA M. BEN-SOREK, ESQ.

* * *

1 MANCUSO

2 P E T E R M A N C U S O, called as a
3 witness, having been first duly sworn by a
4 Notary Public of the State of New York, was
5 examined and testified as follows:

6 EXAMINATION BY

7 MR. MALONEY:

8 Q. Please state your name for the
9 record.

10 A. Peter Mancuso.

11 Q. Where do you reside?

12 A. My office address is: 272 Old
13 Country Road, Mineola , New York 11501.

14 Q. Good morning, Mr. Mancuso. I'm
15 Jim Maloney, the Plaintiff in this case.
16 I'm going to be asking you a series of
17 questions.

18 First of all, can you tell me
19 the year of your birth and place of your
20 birth?

21 A. New York City in 1954.

22 Q. What is the extent of your
23 education completely?

24 A. Law school.

25 Q. Where did you go to law school?

1 MANCUSO

2 A. Cornell.

3 Q. What year did you graduate?

4 A. 1978.

5 Q. What Bar admissions did you
6 seek upon graduation?

7 MS. BEN-SOREK: Objection.

8 You may answer.

9 A. New York State, Eastern
10 District of New York, Southern District of
11 New York, Second Circuit Court of Appeals
12 of the Supreme Court of the United States.

13 Q. Actually, I asked upon
14 graduation, and obviously, some of those
15 were a little later.

16 A. Immediately upon graduation,
17 New York State.

18 Q. And you continually maintain
19 your admission in New York State since
20 then?

21 A. Yes.

22 Q. What year were you admitted?

23 A. 1979.

24 Q. Before you went to Cornell,
25 what was your undergraduate education?

1 MANCUSO

2 A. I had received a Bachelor of
3 Science and Economics at MIT.

4 Q. What year was that?

5 A. 1975.

6 Q. What was your first employment
7 after law school?

8 A. Nassau County District
9 Attorney's office.

10 Q. And your initial job title?

11 A. Assistant District Attorney.
12 That is not true. District Attorney law
13 assistant. It was prior to my admission to
14 the Bar.

15 Q. And upon admission you became
16 an ADA?

17 A. That's correct.

18 Q. And that would have been 1979
19 that you became an ADA; correct?

20 A. Yes.

21 Q. What was the first promotion or
22 change of job title that you received
23 within that office?

24 A. I became a Deputy Bureau Chief
25 in the 1983, 1984 time frame.

1 MANCUSO

2 Q. Of any particular bureau?

3 A. Commercial frauds.

4 Q. I'm sorry, you said 1983 to
5 1984?

6 A. Somewhere in the 1983, 1984
7 time frame. I'm not sure.

8 Q. After that, what was the next
9 professional job or title change?

10 A. I left the District Attorney's
11 office.

12 Q. Where did you go?

13 A. I went into private practice.

14 Q. What year was that?

15 A. 1986.

16 Q. What was the firm or was it
17 solo?

18 A. It was a solo practice.

19 Q. What type of law did you
20 practice?

21 A. General.

22 Q. Litigation?

23 A. Including litigation.

24 Q. Litigation and transactional,
25 okay.

1 MANCUSO

2 Where was your office?

3 A. In Mineola, at that point?

4 Q. And then it moved?

5 A. To Garden City.

6 Q. I'm assuming at some point you
7 stopped a private practice and went into
8 another area of employment; what was that
9 year?

10 MS. BEN-SOREK: Objection.

11 You can answer.

12 A. 1993, I was employed as general
13 counsel to a gasoline distributor.

14 Q. What gasoline distributor?

15 A. Tartan Oil. T-A-R-T-A-N.

16 Q. Where is Tartan Oil's office?

17 A. It was located in Melville. I
18 don't know if it still exists.

19 Q. How long did you remain general
20 counsel at Tartan?

21 A. Approximately, a year.

22 Q. What was the reason for you
23 leaving?

24 MS. BEN-SOREK: Objection.

25 A. The position was terminated by

1 MANCUSO

2 the employer.

3 Q. And what was your next
4 employment after that?

5 A. Nassau County District
6 Attorney's office.

7 Q. So that would have been 1994?

8 A. Yes.

9 Q. What was your job title when
10 you came back?

11 A. Assistant District Attorney.

12 Q. So you came back in lower down
13 than you left?

14 MS. BEN-SOREK: Objection.

15 You can answer.

16 A. Yes.

17 Q. After you returned to the
18 District Attorney's office in 1994, what
19 was your first promotion or other job title
20 change?

21 A. There had been no job title
22 changes.

23 Q. When you first returned, were
24 you assigned to any particular bureau?

25 A. Yes.

1 MANCUSO

2 Q. What bureau was that?

3 A. Special investigations.

4 Q. What was the scope of special
5 investigations work?

6 A. Investigation and prosecution
7 of matters involving public officials,
8 public employees.

9 Q. Would that be a bureau, a unit?

10 A. That was a bureau.

11 Q. Are you still in the Special
12 Investigations Bureau?

13 A. Special Investigations Bureau
14 was renamed the Public Corruption Bureau.

15 Q. And that's your current
16 position?

17 A. That's correct.

18 Q. When was it renamed?

19 A. 2006, I believe.

20 Q. Would you consider yourself
21 familiar with the policies and procedures
22 of the D.A.'s office as relate to work
23 within the Public Corruption Bureau?

24 A. Yes.

25 Q. Have you had any additional

1 MANCUSO

2 education while an assistant District
3 Attorney either before or after you left?

4 A. I have continuing legal
5 education on a regular basis.

6 Q. Other than the continuing
7 general legal education that's to maintain
8 your Bar membership, have you had any
9 special programs within or as adjunct to
10 your position in the District Attorney's
11 office?

12 A. Yes.

13 Q. What were they?

14 A. I wouldn't be able to list them
15 all.

16 Q. Quite a number of them?

17 A. There have been several over
18 the years, yes, successfully.

19 MR. MALONEY: Mark this as
20 Plaintiff's Exhibit 1, please.

21 (Whereupon, the aforementioned
22 letter dated 3/17/09 was marked as
23 Plaintiff's Exhibit 1 for
24 identification as of this date by
25 the Reporter.)

1 MANCUSO

2 Q. Mr. Mancuso, I'd like you to
3 take a look at the document that's been
4 marked Plaintiff's Exhibit 1 and tell me if
5 you've ever seen that document before?

6 A. Yes, I have.

7 Q. And you wrote that document;
8 did you not?

9 A. Yes, I did.

10 Q. I'd like to draw your attention
11 to the date March 17th. Any particular
12 reason you chose that date?

13 A. No.

14 Q. Do you know that that date
15 represents a certain type of holiday?

16 A. I'm aware it's St. Patrick's
17 Day.

18 Q. No reason for choosing
19 St. Patrick's Day.

20 MS. BEN-SOREK: Objection.

21 A. No.

22 Q. Did you send any other letters
23 out on March 17th?

24 A. I don't recall.

25 Q. To expedite this, I'm going to

1 MANCUSO

2 ask you in general terms, unless there's an
3 objection, how it is that you came to write
4 this letter; what transpired that led you
5 to write this letter?

6 A. I was directed to conduct an
7 investigation to determine whether I should
8 make a recommendation to my superiors that
9 Karen Hudson be prosecuted in connection
10 with allegations that you made in a letter
11 that was sent to the District Attorney in
12 August of 2008, and I conducted that
13 investigation. I made my recommendation
14 that she not be prosecuted. My superiors
15 approved that recommendation, closed the
16 investigation, and I sent you this letter
17 reflecting that.

18 Q. Okay, thanks.

19 You mentioned your superiors.
20 To whom do you report and who are the
21 superiors to whom you're referring?

22 MS. BEN-SOREK: Objection to
23 form.

24 You can answer.

25 A. Are you asking me to whom I

1 MANCUSO

2 report now or if I reported in that time
3 frame?

4 Q. Good question, exactly. Then,
5 not now.

6 A. In that time frame I reported
7 to Meg Reis, who was the Executive
8 Assistant District Attorney For
9 Investigations, and that's R-E-I-S, and to
10 Marshall Traeger, M-A-R-S-H-A-L-L, Traeger,
11 who became the bureau chief following Meg
12 Reis' service as the acting bureau chief.
13 They both, during parts of that period of
14 time, served as my superior.

15 And was there another part to
16 the question?

17 Q. Yes. It was really to whom you
18 report overall.

19 Meg Reis you mention in two
20 roles, as Executive Assistant District
21 Attorney For Investigations and as acting
22 bureau chief.

23 During what time frame did she
24 assume both those roles at the same time?

25 A. I believe that -- well, when

1 MANCUSO

2 did she assume it? I can't tell you
3 exactly. I would approximate that it was
4 sometime in the latter part of 2007, but I
5 really can't tell you exactly.

6 Q. So she was Executive Assistant
7 District Attorney For Investigations prior
8 to that?

9 A. Yes.

10 Q. And then in addition to that,
11 she became acting bureau chief for a period
12 of time?

13 A. Yes.

14 Q. And then was replaced as acting
15 bureau chief by Marshall Traeger?

16 A. Yes.

17 Q. When did that transaction take
18 place?

19 A. That happened in the
20 October 2008 time frame.

21 Q. Did Meg Reis leave the District
22 Attorney's office at that time?

23 A. No.

24 Q. What was her position after
25 that?

1 MANCUSO

2 A. She continued in the position
3 of Executive Assistant District Attorney
4 For Investigations.

5 Q. And the bureau chief title was
6 for which bureau?

7 A. Public Corruption.

8 Q. So would it be fair to say that
9 you report both to the Executive Assistant
10 District Attorney For Investigations and
11 the bureau chief or acting bureau chief at
12 any given time?

13 A. At any given time I report to
14 the bureau chief. The bureau chief reports
15 to the Executive Assistant District
16 Attorney For Investigations. There may be
17 matters in which the Executive Assistant
18 District Attorney For Investigations has
19 had some involvement and there may be some
20 reporting function there, but that is on a
21 case-by-case basis.

22 Q. So in the hierarchy, if I may
23 use that term, the Executive Assistant
24 District Attorney For Investigations is
25 above the bureau chief for the Public

1 MANCUSO

2 Corruption Bureau?

3 A. Yes.

4 Q. Who is now the bureau chief for
5 the Public Corruption Bureau?

6 A. Stephen, with a P-H, and
7 Antignani is A-N-T-I-G-N-A-N-I.

8 Q. When did Mr. Antignani become
9 bureau chief?

10 A. In the time frame of February
11 of this year.

12 Q. Did he replace Mr. Traeger?

13 A. Yes.

14 Q. Do you happen to know if
15 Mr. Traeger is related to the late Judge
16 Traeger?

17 A. Not to my knowledge.

18 Q. Did you, at anytime between
19 2007 and 2009, report directly to the
20 District Attorney?

21 A. No.

22 Q. Do you, at the present time,
23 report directly to the District Attorney?

24 A. No.

25 Q. Going back to your original

1 MANCUSO

2 testimony, you were directed to investigate
3 this matter, that would have been Meg Reis
4 who gave that you direction?

5 A. Yes.

6 Q. If you know, was that in her
7 capacity as Executive Assistant District
8 Attorney that she gave that you direction
9 or as acting bureau chief?

10 A. I can't distinguish between the
11 two roles.

12 Q. Did you review any documents
13 before coming in today that are not
14 privileged, any documents at all?

15 A. Yes.

16 Q. What documents did you review?

17 A. I reviewed certain records from
18 this case that were provided to me and I
19 reviewed certain correspondence with regard
20 to this case and correspondence that you
21 provided to the District Attorney's office,
22 and I reviewed the Court cases that were
23 referred to in Karen Hudson's Appellate
24 Brief that were relevant to the review I
25 was asked to conduct.

1 MANCUSO

2 Q. Of the documents reviewed for
3 today, were all of those documents
4 documents you had seen back in the time
5 frame in which you were reviewing my
6 Complaint?

7 A. Yes, with the exception of any
8 appellate decisions with regard to the
9 underlying cases referred to Karen Hudson
10 that were not in exist at that time she
11 prepared the Appellate Brief. That had not
12 been reached yet at the time she prepared
13 the Appellate Brief.

14 Q. You mean the case in which the
15 brief was submitted?

16 A. No, I'm referring to the case
17 that Karen referred to in her Appellate
18 Brief.

19 Q. Right, you had not reviewed
20 those before?

21 A. I reviewed the case that Karen
22 referred to in her Appellate Brief, but I
23 had not reviewed the appeals and other
24 cases that were generated following the
25 existence of her Appellate Brief until I

1 MANCUSO

2 prepared for this deposition today and
3 discovered that they existed in doing so.

4 Q. In other words, you followed
5 the research trail in the cases in her
6 brief?

7 A. Right.

8 MR. MALONEY: I guess we can
9 mark that brief as Plaintiff's
10 Exhibit 2.

11 (Whereupon, the aforementioned
12 Appellate Brief was marked as
13 Plaintiff's Exhibit 2 for
14 identification as of this date by
15 the Reporter.)

16 A. I should also add that I
17 reviewed the section of the Social Services
18 Law that you cited in your letter to the
19 District Attorney's office.

20 Q. Mr. Mancuso, I'd like you to
21 take a few moments to look over at what's
22 just been marked as Plaintiff's Exhibit 2,
23 it's a multi-page document, and tell me if
24 you can identify that document.

25 A. This is the Appellate Brief

1 MANCUSO

2 that was prepared by Karen Hudson in
3 October of 2007. It's dated October 24,
4 2007.

5 Q. And this is the brief you were
6 just referring to when I discussed
7 documents?

8 A. Yes.

9 Q. When was the first time that
10 you saw that brief?

11 A. In the middle of August 2008.

12 Q. How were you given a copy of
13 that brief?

14 A. It was provided to me by the
15 Appeals Bureau of my office.

16 Q. Who specifically provided ?

17 A. Tammy Smiley, S-M-I-L-E-Y.

18 Q. Did you request a copy of it?

19 A. Yes. I requested copies of it
20 and any other documents that might be
21 relevant to the investigation that I was
22 asked to conduct.

23 Q. You made those requests of the
24 Appeals Bureau of your office?

25 A. Tammy Smiley, yes.

1 MANCUSO

2 Q. What other documents did she
3 provide in or about August of 2008 to that
4 request?

5 A. I don't know if I can remember
6 all of them, but as best as I can remember,
7 I received this document. I received the
8 Memorandum of Law in support -- well,
9 excuse me, you made a motion to strike this
10 document or to retract this document. I
11 received a copy of a Memorandum of Law in
12 support of that motion, a Memorandum of Law
13 in opposition to that motion, a response
14 from you, I believe, was another document I
15 received.

16 Q. Actually, a reply?

17 A. I want to use the word
18 response. I want to use the word response.
19 I don't want to ask you questions, but I
20 want to say there was a response from you
21 to the Memorandum of Law that she provided
22 in connection with your motion arising from
23 the Appellate Brief.

24 Q. That's your recollection?

25 A. That's my best recollection,

1 MANCUSO

2 yes.

3 Q. Fair enough.

4 A. What other documents?

5 Ultimately, I received a copy of your
6 motion to strike based -- the 28-J letters
7 from the following summer, 2008. And I may
8 have received other documents, but those
9 were the ones that come to mind now.

10 Q. Do you remember receiving a
11 28-J letter after September of 2008?

12 A. I received letters -- yes, I
13 did. I received -- in addition to court
14 documents, I also received the letters
15 addressed to, is it Judge Wolf, over the
16 summer. There were two letters that I
17 received from the summer of 2008. One was
18 a letter from you with regard to 28-J;
19 another was a letter from Karen Hudson in
20 opposition to that, I received those. I
21 received the letter that you sent to the
22 District Attorney in August of 2008, I
23 received a copy of it. And I received a
24 copy of the letter that you sent to the
25 District Attorney in September 2008, which,

1 MANCUSO

2 I believe, is the letter you're referring
3 to now.

4 Q. No, I was referring to another
5 28-J letter, meaning a letter to the Second
6 Circuit, but since we're on that topic, you
7 first received that letter to the District
8 Attorney when? Because you said you had
9 received these documents in September of
10 2008.

11 A. The letter that you generated
12 in late September 2008 or early
13 October 2008.

14 MR. MALONEY: Let's mark this
15 letter of September 29, 2008 as
16 Plaintiff's Exhibit 3, please.

17 (Whereupon, the aforementioned
18 letter dated 9/29/08 was marked as
19 Plaintiff's Exhibit 3 for
20 identification as of this date by
21 the Reporter.)

22 Q. Mr. Mancuso, I've just asked
23 the court reporter to mark this letter as
24 Plaintiff's Exhibit 3.

25 Is that the letter to the

1 MANCUSO

2 District Attorney that you were just
3 referring to?

4 A. Yes.

5 Q. And you would have first
6 received that --

7 A. Late September or early
8 October 2008.

9 Q. Also from Tammy Smiley?

10 A. Yes.

11 Q. Now, you mentioned Tammy
12 Smiley's title. She's in the Appeals
13 Bureau?

14 A. Yes.

15 Q. What is her title?

16 A. At the time we are discussing,
17 she was a deputy chief in the Appeals
18 Bureau.

19 Q. And what is her title now?

20 A. She is the Chief of the Appeals
21 Bureau.

22 Q. If you know, why was the
23 Appeals Bureau getting this letter?

24 A. I don't know.

25 MS. BEN-SOREK: Referring to

1 MANCUSO

2 this letter, Plaintiff's Exhibit 3?

3 MR. MALONEY: Yes.

4 Q. If you know, did the District
5 Attorney, Kathleen Rice, ever receive the
6 letter that is Plaintiff's Exhibit 3?

7 A. It is my understanding that she
8 did not.

9 Q. And upon what information do
10 you base that understanding?

11 A. I base that on a conversation
12 that Tammy Smiley and I had.

13 Q. When did that conversation take
14 place?

15 A. Last Friday.

16 Q. Can you tell me the sum and
17 substance of that conversation, how that
18 came up?

19 A. Tammy Smiley told me that she
20 had a conversation with Cheryl Rice, who is
21 the personal assistant to the District
22 Attorney, and that Cheryl Rice had told her
23 that that letter and the letter from
24 August 2008, also addressed to the District
25 Attorney, were not letters that she would

1 MANCUSO

2 have shown to the District Attorney.

3 MR. MALONEY: Let's mark the
4 August 2008 letter as Plaintiff's
5 Exhibit 4, please.

6 (Whereupon, the aforementioned
7 letter dated 8/4/08 was marked as
8 Plaintiff's Exhibit 4 for
9 identification as of this date by
10 the Reporter.)

11 Q. Mr. Mancuso, I'd like you to
12 take a look at the one-page document that's
13 just been marked as Plaintiff's Exhibit 4
14 and tell me, is that the letter that you
15 just referred to as the August 2008 letter
16 that, according to Tammy Smiley, would not
17 have been shown to the District Attorney?

18 A. Yes.

19 Q. And who, again, I'm sorry, is
20 the person who Tammy Smiley said told her
21 that the D.A. wouldn't have gotten that?

22 A. Her name is Cheryl Rice.

23 Q. Any relation to the District
24 Attorney?

25 A. She is her sister-in-law.

1 MANCUSO

2 Q. And her personal assistant?

3 A. Yes.

4 Q. If you know, would a letter
5 like this that's marked "confidential", and
6 as it states in the first line, "Sent in an
7 envelope marked personal and confidential",
8 have been opened in the first instance by
9 Cheryl Rice?

10 A. I don't know, other than what I
11 already told you, passed along. I don't
12 know.

13 Q. Let's go back to that
14 conversation last Friday --

15 MR. MALONEY: What was the date
16 last Friday?

17 MS. BEN-SOREK: 24th.

18 Q. -- June 24th, you had this
19 conversation with Tammy Smiley?

20 A. That's correct.

21 Q. And you related some of the
22 details of that conversation.

23 Who initiated the conversation?

24 A. Tammy Smiley.

25 Q. Do you know why she contacted

1 MANCUSO

2 you?

3 A. This was only one part of the
4 conversation, this was not the sole part of
5 the conversation, but it was mentioned
6 during the course of the conversation.

7 Q. To the extent that matters in
8 that conversation were not privileged, can
9 you tell me what else was talked about?

10 A. I don't think there was
11 anything else in that conversation that
12 would be -- that I can recall that wouldn't
13 be subject to an interoffice communication
14 privilege.

15 Q. So other items were discussed
16 and all of those, to your belief and
17 recollection now, would be privileged?

18 A. I'm trying to recall exactly
19 what was discussed in that conversation --

20 Q. Sure. Take your time.

21 A. -- before I answer that
22 question.

23 I don't really recall the other
24 contents of the conversation, other than in
25 the nature of logistics and going forward,

1 MANCUSO

2 are we going forward with the deposition,
3 am I going to be substituted, so I don't --
4 let me retract that.

5 I don't know that I can tell
6 you that there's any aspects of that
7 conversation that's privileged. It was
8 more in the nature of housekeeping, what's
9 going to happen next, is there going to be
10 a motion to compel, was he not going to be
11 testifying. It was really along those
12 lines. I can't recall anything that was
13 privileged in that conversation.

14 Q. Let's go back to the part of
15 the conversation in which Tammy Smiley
16 related things that she had been told by
17 Cheryl Rice.

18 One of the things that she
19 related to you as having been told to her
20 by Cheryl Rice is that these two letters,
21 Plaintiff's Exhibits 3 and 4, had never
22 been seen by the District Attorney; is that
23 correct?

24 A. She said that they would not
25 have been shown to the District Attorney.

1 MANCUSO

2 Q. Was that pursuant to official
3 policy or procedure?

4 A. I don't know.

5 Q. Did she give any explanation of
6 why they would not have been shown to the
7 District Attorney?

8 A. No.

9 Q. I'd like you to take a look at
10 Plaintiff's Exhibit 4, which is the letter
11 dated August 4, 2008, and there is a word
12 in bold stamped, typed up on the upper
13 right, can you read that word into the
14 record?

15 A. Confidential.

16 Q. And can you read the first line
17 of the letter after the salutation?

18 A. "The enclosures are being sent
19 in an envelope marked "personal and
20 confidential" to insure that they receive
21 your personal attention."

22 Q. Having read that, would it
23 surprise you that the intended recipient
24 never received the communication?

25 A. No.

1 MANCUSO

2 Q. Do you know for a fact that
3 D.A. Rice never saw this letter?

4 A. Personally, I have no knowledge
5 as to who received what. I do know that
6 Tammy Smiley told me that in the ordinary
7 course, she would never have been shown
8 these kinds of materials, that she received
9 a great deal of mail marked personal and
10 confidential would not cause concern to her
11 in and of itself. Those things were told
12 to me by Tammy Smiley.

13 Q. Who makes the decision, if you
14 know, as to what to show the D.A. and what
15 to shield from the D.A.?

16 MS. BEN-SOREK: Objection.

17 A. I don't personally know.

18 Q. Do you know if there is an
19 actual policy relating to that
20 decision-making?

21 A. Not that I'm aware of.

22 Q. So would it be fair to say it's
23 an ad hoc policy?

24 MS. BEN-SOREK: Objection.

25 A. Not that I'm aware of. I have

1 MANCUSO

2 no knowledge whether there's a policy in
3 that regard.

4 Q. Do you know who actually makes
5 that decision regarding incoming mail that
6 is addressed to the District Attorney
7 personally?

8 A. I don't know.

9 Q. Do you know who would know?

10 A. I don't know who would know.
11 It would be logical to ask that question of
12 people who operate at the executive level
13 at my office.

14 Q. I agree.

15 Do you think the District
16 Attorney would know?

17 A. Do I think the District
18 Attorney would know? I express no opinion
19 as to what the District Attorney would know
20 or not know or what her state of mind is.

21 Q. So anything else in that
22 conversation last Friday, June 24th, that
23 Tammy Smiley related to you as having been
24 told to her by Cheryl Rice in connection
25 with any documents in this case?

1 MANCUSO

2 A. No.

3 Q. Did Tammy Smiley give you any
4 instructions during that conversation?

5 A. No.

6 Q. Has Tammy Smiley ever given you
7 any instructions with regard to how to
8 proceed in this investigation or this
9 matter?

10 A. No.

11 Q. When did you first communicate
12 with Tammy Smiley about the investigation
13 of my Complaint, would that have been
14 around the time you got those documents
15 from her?

16 A. Mid August 2008.

17 Q. Let's go back to Plaintiff's
18 Exhibit 2, and if you would please turn to
19 Page 6.

20 (Whereupon, the witness
21 complies.)

22 Q. Can you identify any text on
23 Page 6 that you believe now or would have
24 believed back in August 2008 to be the
25 subject of the Complaint I was making?

1 MANCUSO

2 A. Yes.

3 Q. Could you read that text into
4 the record?

5 A. "In addition, since Plaintiff's
6 infant sons had been in the home at the
7 time of the incident, Office of Child
8 Family Services investigated, concluding
9 that the incident "indicated" maltreatment
10 of his sons, and Plaintiff was listed on
11 the New York State Child Abuse and
12 Maltreatment Register, citing Maloney
13 versus the County of Nassau, 2007, US DIST
14 Lexus 71162, Page *9."

15 Q. Thank you.

16 When did you first read that
17 passage?

18 A. In mid August 2008.

19 Q. When did you first receive this
20 file as a matter to investigate?

21 A. Mid August 2008.

22 Q. Did you investigate in any way
23 the alleged listing on the Child Protective
24 Services Register?

25 A. Yes.

1 MANCUSO

2 Q. What did you find?

3 A. I concluded that the listing --
4 that there was, in fact, a listing at that
5 time, and I concluded that the -- that
6 there had been no basis to make a
7 recommendation of criminal prosecution of
8 Karen Hudson in connection with the
9 statement made in the Appellate Brief that
10 I just read, and I made such a
11 recommendation.

12 Q. Did you investigate whether or
13 not the listing had at that time been
14 adjudicated as founded or unfounded?

15 A. No.

16 Q. Did you investigate who made
17 the original call to Child Protective
18 Services?

19 A. No.

20 Q. How did you determine that
21 there was in fact a listing at that time.

22 A. By reading the case that I just
23 cited.

24 Q. At the time, that was an
25 unpublished opinion; correct?

1 MANCUSO

2 A. At the time that I was assigned
3 the case, I had no problem locating it as a
4 reported opinion.

5 Q. Let me ask you about that.

6 When you say reported opinion,
7 do you mean on Lexus with an Lex number?

8 A. I believe it was a Westlaw
9 number at the time I located it in
10 August 2008.

11 Q. You prefer Westlaw than Lexus?

12 A. That's the system we have in
13 our office.

14 Q. When it came up, if you
15 remember, did it show an F. Supp citation?

16 A. At that time it was a Westlaw
17 citation. When I went back preparing for
18 this deposition, it is an F. Supp citation
19 now.

20 Q. Right. Did you find that odd?

21 MS. BEN-SOREK: Objection.

22 A. No.

23 Q. Did you notice the time
24 interval when it went from Westlaw to
25 F. Supp?

1 MANCUSO

2 A. No. I just know what it was
3 then and what it is now.

4 Q. Did you happen to look at it in
5 the actual reporter?

6 A. What do you mean?

7 Q. You know those books?

8 A. No.

9 Q. On what basis did you make the
10 determination that this Complaint, and I'm
11 going to call it a Complaint of Violation
12 of Social Services Law and Penal Law, and
13 I'll cite statutes later, at what point did
14 you decide or make a determination that
15 that was not founded?

16 A. I made that determination in
17 September of 2008, and I made a
18 recommendation in that time frame that
19 Karen Hudson not be prosecuted in
20 connection with that.

21 Q. To whom did you make that
22 recommendation?

23 A. Meg Reis and to Marshall
24 Traeger ultimately.

25 Q. Did you make that

1 MANCUSO

2 recommendation before you received the
3 letter that was marked in this deposition
4 as Plaintiff's Exhibit 3?

5 MS. BEN-SOREK: What was the
6 question?

7 (Whereupon, the question was
8 read back by the Court Reporter.)

9 A. Yes, I did, but after I
10 received that letter, I renewed the
11 recommendation that I had made.

12 Q. When you received that letter,
13 did you receive the enclosure that's
14 referenced with it?

15 A. Yes.

16 Q. Did you read that enclosure?

17 A. Yes.

18 Q. To your recollection, what was
19 that enclosure?

20 A. I really can't give you the
21 details of it without seeing it in front of
22 me.

23 Q. Request granted.

24 MR. MALONEY: Mark it as
25 Plaintiff's Exhibit 5, please.

1 MANCUSO

2 (Whereupon, the aforementioned
3 Decision After Hearing was marked
4 as Plaintiff's Exhibit 5 for
5 identification as of this date by
6 the Reporter.)

7 Q. I'd like you to take a look at
8 what's been marked Plaintiff's Exhibit 5.

9 (Whereupon, the witness
10 complies.)

11 Q. Have you had a chance to review
12 it?

13 A. Yes.

14 Q. Does that appear to you to be
15 the same as the enclosure that went with
16 the letter that's marked as Plaintiff's
17 Exhibit 3?

18 A. Yes.

19 Q. Rather than have the court
20 reporter read back the question, I'll ask
21 you: Did you review this document before
22 you renewed your recommendation?

23 A. Yes.

24 Q. Was there anything in this
25 document that caused you to reconsider any

1 MANCUSO

2 aspect of your initial recommendation?

3 A. No.

4 Q. Now, this document indicates
5 that the listing on the register was all
6 along not supported by a fair preponderance
7 of the evidence; is that a correct
8 statement?

9 A. I don't see the phrase "all
10 along" in it anywhere.

11 Q. Well, you're right.

12 But the listing occurred in or
13 around 2000, and this fair hearing occurred
14 in or around 2008, and the fair hearing
15 decides, if I'm correct, that there was not
16 a fair preponderance of evidence to have
17 placed my name on that register; is that
18 correct?

19 A. That's correct.

20 Q. So that would have been a lack
21 of a fair preponderance of evidence at the
22 beginning, not in 2008?

23 A. The issue was whether you were
24 on the register at the time that Karen
25 Hudson wrote the Appellate Brief, not

1 MANCUSO

2 whether you should have been in light of
3 subject court decisions. Not whether along
4 or never or words to that effect. It was
5 never about whether you were or you
6 weren't, and you were.

7 Q. Has the District Attorney's
8 office, to your knowledge, ever prosecuted
9 anyone else for disclosing in a court
10 proceeding that an adverse party is listed
11 on the register?

12 A. I'm not aware of any such
13 prosecution.

14 Q. Have you ever heard of a
15 prosecution of an individual named Tuifel.
16 I don't know if I'm pronouncing it
17 correctly. It's spelled T-U-I-F-E-L.

18 A. I'm familiar with the name.

19 Q. In the context of that sort of
20 prosecution?

21 A. In the context of having heard
22 the name mentioned in my bureau.

23 Q. You never managed that case?

24 A. No.

25 Q. Do you know who managed that

1 MANCUSO

2 case?

3 A. No.

4 Q. But it's managed in your
5 bureau?

6 A. I believe so, or was. I've
7 heard the name.

8 Q. We'll get back to Tuifel.

9 MR. MALONEY: Let's mark the
10 Notice of Entry and Demand For
11 Retraction of Appellate's Brief as
12 Plaintiff's Exhibit 6, please.

13 (Whereupon, the aforementioned
14 Notice of Entry and Demand For
15 Retraction of Appellate's Brief
16 was marked as Plaintiff's Exhibit
17 6 for identification as of this
18 date by the Reporter.)

19 Q. Mr. Mancuso, please take a look
20 at the three-page document that's just been
21 marked as Plaintiff's Exhibit 6 and tell me
22 if you've ever seen that document before?

23 A. Yes.

24 Q. If you would please turn to the
25 second page and tell me what the date is on

1 MANCUSO

2 that document?

3 A. November 19, 2007.

4 Q. Is it correct that you first
5 saw that document in August of 2008?

6 A. Yes.

7 Q. Would it be fair to say that
8 this document is the initial reporting of
9 what I consider to be a criminal act?

10 MS. BEN-SOREK: Objection. If
11 he knows.

12 A. Well, first of all, I can't
13 really comment on what you consider, but
14 while you're rephrasing that, let me read
15 the document.

16 Q. Is this a notice, a report and
17 Complaint to the District Attorney of the
18 commission of a Class A misdemeanor?

19 MS. BEN-SOREK: Objection.

20 You can answer.

21 A. It's a Notice of Entry which
22 makes reference that it is intended to
23 serve as a notice reporting Complaint of
24 that, yes.

25 Q. To the best of your knowledge,

1 MANCUSO

2 did anyone else act on that notice, report
3 and Complaint before forwarding this
4 document to you in August of 2008?

5 A. Not so far as I know.

6 Q. Does this name, Karen Hudson,
7 as the alleged perpetrator of that
8 misdemeanor?

9 A. Not that I see.

10 Q. It alleges one or more public
11 servants; is that correct?

12 A. That's correct.

13 Q. It's actually two misdemeanors,
14 and we'll actually go into it now.

15 One is Subdivision 12 of
16 Section 422 of the Social Services Law.
17 Are you familiar with that statutory
18 provision?

19 A. Yes.

20 Q. That defines certain activity
21 as a Class A misdemeanor; correct?

22 A. Yes.

23 Q. Without reviewing the statute,
24 what activities are defined as a Class A
25 misdemeanor?

1 MANCUSO

2 A. I believe it defines to
3 willfully permitting or encouraging the
4 release, something along those lines, of
5 the information contained on the central
6 register.

7 Q. I'm going to, unless there's an
8 objection, without marking this as an
9 exhibit, I have a copy of it with me in my
10 case, it's identical, I believe, in the
11 main part, in the Appellate part, but if
12 you want to take a look at both --

13 MS. BEN-SOREK: I think what's
14 germane is whether the pocket part
15 was amended.

16 MR. MALONEY: Well, it's
17 actually 2009.

18 Q. But that would have been in
19 effect -- the main part would have been
20 what was in effect at the time of the
21 review you undertook.

22 A. Is that a question?

23 Q. No. I'm merely stating that
24 this is a 2009 pocket part. I don't
25 believe the subdivision differs from the

1 MANCUSO

2 main part. You can review both, but I'd
3 like you independently, based on what you
4 have, to tell me if the section that you
5 can read there is the section that was in
6 effect at the time you were undertaking
7 this review?

8 A. If that's the question, the
9 answer is yes.

10 Q. Which part can we look at, one
11 pocket part or two?

12 A. I'm referring to the section
13 itself, 422 sub 12 of the Social Services
14 Law.

15 Q. I mean in this volume that you
16 have in front of you, you're talking about
17 the section, you're reading from the pocket
18 part or main part? I think they're
19 identical. I haven't looked this morning.

20 A. Section 12 is identical in the
21 pocket part to the main volume.

22 Q. And in that case, so that we
23 can both look at the same thing, I'll take
24 one and let you have the other.

25 Now that you had a chance to

1 MANCUSO

2 see that statute in front of you, could you
3 read into the record the verbiage of
4 Section 422 Subdivision 12 of the Social
5 Services Law?

6 A. It reads as follow: "Any
7 person who willfully permits and any person
8 who encourages any release of any data or
9 information contained in the central
10 register to persons or agencies not
11 permitted by this title shall be guilty of
12 a Class A misdemeanor."

13 Q. At the time you conducted this
14 investigation beginning in August of 2008,
15 did you believe this to be one of the two
16 statutory provisions I was complaining
17 under?

18 A. Yes, but I have to tell you, I
19 really did not interpret the material I
20 received as a Complaint with regard to the
21 other statutory provision. I focused on
22 this (indicating).

23 Q. So you didn't investigate my
24 Complaint under Subdivision 1 of Section
25 195.00 of the Penal Code?

1 MANCUSO

2 A. I did not.

3 Q. Okay, we'll get back to that.

4 Actually, did anyone else, to your
5 knowledge?

6 A. Not to my knowledge.

7 Q. So your determination then was
8 made solely on interpretation of this
9 provision, Subdivision 12 of Section 422,
10 as by the facts that you understood them?

11 A. With regard to this issue, yes,
12 that's correct.

13 Q. Do you believe, as you sit here
14 today, that the verbiage on Page 6 of the
15 brief, Plaintiff's Exhibit 2, amounts to
16 release of any data and information
17 contained in the central register?

18 A. No.

19 Q. Why not?

20 A. Because it had already been
21 released.

22 Q. Is there a provision in the
23 statute that says that once it's released,
24 it's fair game?

25 A. The statute doesn't speak to

1 MANCUSO

2 the situation either way.

3 Q. Where and when had that data
4 been released?

5 A. It had been released in the
6 course of action you brought entitled
7 Maloney versus County of Nassau as cited in
8 Karen Hudson's Appellate Brief. In fact,
9 it was one of the causes of action you
10 brought in connection with that action, in
11 violation of your Constitutional Rights as
12 placed on the central registry. It was
13 public information.

14 Q. When you say it was public
15 information, do you believe it would be
16 public information simply because it was
17 reported on Lexus and Westlaw, or would it
18 have had to be reported in the Federal
19 Reporter to become public information?

20 A. At the time that I conducted my
21 review, it had been reported on Westlaw. I
22 consider that to be public information.

23 Q. Did you find any cases that
24 said that if data contained in the central
25 register is released in some public venue,

1 MANCUSO

2 it may then be freely released by anybody
3 with impunity as to the provisions of
4 Section 422 Subdivision 12?

5 MS. BEN-SOREK: Objection.

6 A. But I didn't see any cases for
7 or against that would support either
8 proposition.

9 Q. Did you write any memo about
10 the interpretation of the statute as to
11 that aspect?

12 A. I did not write a memo
13 specifically about the interpretation of
14 the statute, no.

15 Q. Did you raise the question of
16 that aspect of the interpretation of the
17 statute to any of your superiors?

18 A. My recommendation was based on
19 my interpretation of the public release
20 aspect that we've been discussing.

21 Q. Was your recommendation in
22 writing?

23 A. Yes.

24 Q. Do you consider that writing to
25 be privileged?

1 MANCUSO

2 A. Yes.

3 Q. How many memoranda or other
4 writings constituted that recommendation?

5 A. Three.

6 Q. Can you give me the dates of
7 those memoranda?

8 A. I don't know them offhand.

9 Q. Can you give me the approximate
10 dates?

11 A. The fall of 2008.

12 Q. All three?

13 A. Yes.

14 Q. And that's including the
15 renewal of the recommendation after you
16 received what are Plaintiff's Exhibits 3
17 and 5?

18 A. Yes, actually, the renewal may
19 have been an additional email regarding the
20 recommendation. That may not have been a
21 separate recommendation in and of itself.
22 It was not a separate recommendation. It
23 was in the nature of an email, which I also
24 consider to be privileged.

25 Q. Sure.

1 MANCUSO

2 Would it be fair to say that
3 the sole basis that you believed that this
4 was not a violation of Subdivision 12 of
5 Section 422 was that the disclosure had
6 already been made in that Eastern District
7 opinion?

8 A. No.

9 Q. What other basis that you
10 believed --

11 A. I also concluded that the
12 conduct couldn't be considered willful.
13 One of the two ways in which one can
14 violate that section is by permitting the
15 release and I concluded the conduct not
16 willful.

17 Q. On what basis did you determine
18 that it was not willful?

19 A. On the basis, first of all, of
20 examining the statute to see if it spoke to
21 the subject of what willful means in that
22 context, I saw no reference to that. But
23 on the basis of concluding that willful
24 meant something beyond intentional conduct,
25 it meant something in the nature of

1 MANCUSO

2 demonstratively bad faith, and that was not
3 present here.

4 Q. So your interpretation of the
5 statute is that an element of it is that
6 the release of the data not only be
7 intentional, but be made in bad faith?

8 A. That it be willful. That's
9 what the statute says. It did not provide
10 any further explanation of what willful
11 meant. I was able to interpret that in the
12 course of deciding whether to recommend
13 that Karen Hudson be prosecuted.

14 Q. In the statute I'm talking
15 about, willful is actually written as an
16 adverb, willfully?

17 A. That's correct.

18 Q. What adverb does that adverb
19 provide?

20 A. What verb? Permit.

21 Q. Is there another component to
22 the conduct that's prohibited?

23 A. I can break down the elements
24 for you, if you wish.

25 Q. Sure.

1 MANCUSO

2 A. In order to prove that a person
3 violated Subdivision 12 of Section 422 of
4 the Social Services Law, one would have to
5 prove beyond a reasonable doubt to the
6 satisfaction of -- unanimous satisfaction
7 of six jurors that the person under the
8 first part willfully, would be the first
9 aspect, permitted would be the second
10 aspect, release data and information, that
11 it be in the central register, that it be
12 the persons or agencies not permitted by
13 the title.

14 In a second way of prosecuting,
15 one would have to show those same things,
16 except those that show beyond a reasonable
17 doubt that a person willfully permitted, it
18 would be necessary to show that the person
19 encouraged release of data. All of those
20 would be elements of the crime that would
21 have to be proven beyond a reasonable
22 doubt.

23 Q. Did you consider encourage as
24 an alternative, is that a disjunctive; in
25 other words, is the prosecution successful

1 MANCUSO

2 if it proves either that the person
3 willfully permitted or that the person
4 encouraged release of data?

5 A. I viewed it as disjunctive,
6 yes.

7 Q. You told me so far that you
8 believe that the permitting of the release
9 of the data was not willful in this case?

10 A. Yes.

11 Q. On what basis did you make that
12 determination?

13 A. Because in reading the
14 Appellate Brief, I came to the conclusion
15 that there was a reason pertaining to the
16 litigation for which that information was
17 included.

18 Q. In other words, to make a good
19 ad hominem?

20 A. No.

21 Q. I knew you were going to say
22 that.

23 Why was it included in the
24 brief then?

25 A. I came to the conclusion that

1 MANCUSO

2 it was being offered as a factor to be
3 considered by the Court in determining
4 whether it was appropriate -- excuse me, to
5 be considered by the Court in determining
6 whether the statute in question was
7 constitutional as applied to you and your
8 situation.

9 Q. Is that the constitutional
10 statute determined as applied to the
11 individual?

12 A. I believe, and I certainly
13 haven't made myself familiar, and certainly
14 to the extent that you are with the
15 underlying litigation, but I believe your
16 declaratory judgment sort to seek the
17 constitution under faith. And I believe
18 the position that was taken with the
19 Appellate Brief was that the statute
20 applied to you is not unconstitutional and
21 that this was a factor to be considered
22 that in the very incident for which your
23 declaratory challenge had arisen, you had
24 involved yourself in a police stand-off
25 with two one-year old children inside your

1 MANCUSO

2 house resulting in your being placed on the
3 central register for maltreatment of those
4 children, and that there was a reason for
5 her to include this in the Appellate Brief,
6 and therefore, I didn't see it as being
7 willful in any way.

8 Q. As you say, it was in the
9 Appellate Brief?

10 A. Yes.

11 Q. So the Appellate Court reviews
12 the decision of the Court below?

13 A. Yes.

14 Q. Were these factors considered
15 by the Court below?

16 A. Well, you litigated that in the
17 context of the Appellate Brief, and the
18 position taken by Karen Hudson was that the
19 Court is always free to take consideration
20 of other court proceedings, and this was
21 specifically cited as being information by
22 another court decision, but certainly, I
23 wouldn't hold myself to have anymore
24 knowledge other than that.

25 Q. Did those considerations enter

1 MANCUSO

2 into your mind when you made a
3 determination whether to be prosecuted?

4 A. The consideration of whether
5 she had behaved willfully did. Now, of
6 course, in order for her to be prosecuted,
7 she would have to both act willfully and
8 permit, one or the other wouldn't do, and I
9 concluded that it didn't constitute release
10 for the reasons I've already said. But in
11 addition, as you asked in another question,
12 were there any other considerations, yes, I
13 considered the issue of willfully.

14 Q. Did you ever become aware of
15 who set the wheels in motion and made the
16 complaint to Child Protective Services?

17 MS. BEN-SOREK: Objection to
18 form.

19 You can answer.

20 A. I don't know.

21 Q. Are you aware that had the
22 police believed any maltreatment occurred,
23 they would have had an obligation to call
24 under Social Services Law?

25 A. I have no knowledge.

1 MANCUSO

2 Q. Let's look at the encourages
3 file.

4 When you first received this
5 file, August of 2008, you received with it
6 not only the document that's Plaintiff's
7 Exhibit 6, but also the document that's
8 Plaintiff's Exhibit 4; correct?

9 A. Yes.

10 Q. In both of those documents, I
11 had requested retraction of that part of
12 the brief that made that disclosure; is
13 that correct?

14 A. Both of those documents being
15 this document and what other document?

16 Q. We'll be specific for the
17 record, Plaintiff's Exhibit 4, which you
18 have in front of you, and Plaintiff's
19 Exhibit 6, which is right here
20 (indicating).

21 MS. BEN-SOREK: I object to the
22 form. The witness can answer.

23 A. In the document marked
24 Plaintiff's Exhibit 6, you requested
25 retraction of the Appellate Brief. I don't

1 MANCUSO

2 believe you did so in the document marked
3 Plaintiff's Exhibit 4.

4 Q. Okay, fair enough.

5 Document 6 requests retraction.
6 To the best of your knowledge, did anyone
7 at the District Attorney's office consider
8 attempting to modify that brief that was
9 submitted to the Second Circuit?

10 A. I don't know.

11 Q. Who would know?

12 A. I don't know.

13 Q. When we look at the statute,
14 the word encourage, encourage the release
15 of any data or information, or what did
16 that mean?

17 A. I can't recall how I
18 interpreted it at the time, but probably
19 the way I interpret it now, which is
20 encourage would be to take actions to cause
21 others to do it because understand, once I
22 concluded that the data had already been
23 released, then the matter was resolved so
24 far as my recommendation was concerned, but
25 I continued to look at it from these other

1 MANCUSO

2 points of view to consider other aspects of
3 it, but the one point resolved it from my
4 point of view.

5 Q. To the extent that you can tell
6 me that it's not privileged, were those
7 aspects of those considerations reflected
8 in your memoranda?

9 A. I can't go into the substance
10 of the memoranda, so the answer to your
11 question is that it's privileged.

12 Q. Yes.

13 Do you recall having done any
14 case law research to address those several
15 considerations?

16 A. I reviewed the cases that were
17 associated with the section. I should say
18 I reviewed the annotations that were
19 associated with the section, the Westlaw
20 annotations that were associated with the
21 section, to see whether any of them
22 appeared to be relevant and would be worth
23 reading in their own right, and I did not
24 see that anywhere.

25 Q. Overall, from the time you got

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MANCUSO

this file in August of 2008 to the time you made your final recommendation or renewal of your recommendation by email perhaps and wrote me that letter on March 17, 2009, how many hours of work time would you say you spent on this matter?

MS. BEN-SOREK: Objection.

A. I couldn't answer that question. We don't keep billable hours.

(Whereupon, a brief recess was taken.)

MR. MALONEY: Read back the last question and answer, please.

(Whereupon, the question and answer was read back by the Court Reporter.)

A. Before you ask your next question, I've also remembered that I did request recently and received a copy of the responses, the admissions that you sought. What is the proper name of that document?

Q. Request for Admission?

A. Request for Admissions, so I have seen that too. That's recently. Not

1 MANCUSO

2 at the time. That's documents from this
3 year.

4 Q. Did anyone else in your office
5 work on this matter with you?

6 A. No, other than to the extent
7 that Tammy Smiley, you know, provided me
8 with information.

9 Q. Would it be fair to say that if
10 anybody in your office had some ability to
11 consider whether or not to withdraw that
12 Appellate Brief, by which I mean
13 Plaintiff's Exhibit 2 here, that it would
14 have been Tammy Smiley as chief of the
15 Appeals Bureau?

16 A. Can you say it again?

17 THE WITNESS: Or read it back,
18 please.

19 (Whereupon, the referred-to
20 question was read back by the
21 Reporter.)

22 MS. BEN-SOREK: Objection.

23 You can answer.

24 A. I really don't know where the
25 authority in my office would lie to make

1 MANCUSO

2 that decision, and I can't say to you that
3 Tammy Smiley, because she's the chief of
4 the Appeals Bureau, would have such
5 authority. This is a matter in which the
6 District Attorney's office, the District
7 Attorney is being represented by the County
8 attorney, and I don't know what the
9 parameters of Tammy Smiley's authority are
10 under those circumstances.

11 Q. If the District Attorney's
12 office wanted to make a change in a brief
13 that had been filed on its behalf, would it
14 be able to?

15 MS. BEN-SOREK: Objection.

16 You can answer.

17 A. I don't know.

18 Q. Let's look now to the other
19 statute. You said you didn't give it much
20 consideration, and I'm talking now about
21 Subdivision 1 of Section 195.00 of the
22 Penal Code, and I'm going to do the same as
23 before, give you McKinney's with a couple
24 of tabs on it and ask you to take a look at
25 it.

1 MANCUSO

2 (Whereupon, the witness
3 complies.)

4 Q. Have you looked at both the
5 pocket part and the main?

6 A. I'm familiar with that section.

7 Q. The pocket part hasn't changed
8 and you're familiar it, so I'm just going
9 to read to save your voice a minute here.

10 195.00 is headed Official
11 Misconduct.

12 "A public servant is guilty of
13 official misconduct when, with intent to
14 obtain a benefit or deprive another person
15 of a benefit:

16 "Subdivision 1, he commits an
17 act relating to his office but constituting
18 an unauthorized exercise of his official
19 functions, knowing that such act is
20 unauthorized."

21 Do I read that correctly,
22 Mr. Mancuso?

23 A. Why don't I read it again since
24 I wasn't listening to the begin.

25 "A public servant is guilty of

1 MANCUSO

2 official misconduct when, with intent to
3 obtain a benefit or deprive another person
4 of a benefit:

5 "He commits an act relating to
6 his office but constituting an unauthorized
7 exercise of his official functions, knowing
8 that such act is unauthorized."

9 Q. Okay, you said that you are
10 already familiar with this provision?

11 A. Yes.

12 Q. And you also said, I believe,
13 that this was not really something that you
14 considered in any detail when you were
15 evaluating my Complaint?

16 A. No, the evaluation of your
17 Complaint was based on the August 4, 2008
18 letter that's been marked as Plaintiff's
19 Exhibit 4. It only makes reference to the
20 Social Services Law. I did not, at that
21 time, review your Complaint through this
22 prism of the official misconduct section of
23 the Penal Law.

24 Q. But when you received the
25 letter of August 4, 2008, which is

1 MANCUSO

2 Plaintiff's Exhibit 4 here, you also
3 received the document that is Plaintiff's
4 Exhibit 6 here; is that correct?

5 A. I did not receive all these
6 documents at the same time. I received all
7 of them in the August 2008 time frame, but
8 not simultaneously, and I received that
9 August 4, 2008 letter prior to receiving
10 the document that's been marked as
11 Plaintiff's Exhibit 6. I did not interpret
12 the documents I received as, nor the
13 instructions I was given, as calling upon
14 me to conduct an investigation under the
15 official misconduct section.

16 Q. When you received the document
17 that's marked as Plaintiff's Exhibit 6, did
18 you or did you not notice that it cited the
19 official misconduct section?

20 A. I read it. I'm sure I noticed
21 it at the time, but I did not interpret
22 that as something to be investigated.

23 MR. MALONEY: Mark this as
24 Plaintiff's Exhibit 7, please. It's
25 a WebCrimis printout, two pages.

1 MANCUSO

2 (Whereupon, the aforementioned
3 two-page WebCrims printout was marked
4 as Plaintiff's Exhibit 7 for
5 identification as of this date by
6 the Reporter.)

7 Q. Are you familiar with the
8 WebCrims system?

9 A. Yes.

10 Q. Do you recognize this as a
11 printout from WebCrims?

12 A. Yes.

13 Q. The first page of this document
14 lists two charges against a certain
15 defendant. Were those two -- actually, it
16 seems to list four, but among them are
17 Social Services Law Section 422 Subdivision
18 12, and Penal Law Section 195.00
19 Subdivision 1; is that correct?

20 A. Yes.

21 Q. And this is the defendant whose
22 name I mentioned before, Glenn Tuifel,
23 T-U-I-F-E-L, who is currently being
24 prosecuted by the District Attorney's
25 office.

1 MANCUSO

2 A. Is that a question?

3 Q. Would you agree with that based
4 on this WebCrimis printout?

5 A. I would agree that he's
6 currently being prosecuted from reading the
7 second page that lists the date involving
8 motions of August 9, 2011.

9 Q. You mention that the name
10 sounded familiar to you. Does it sound
11 familiar to you in the context of this
12 particular prosecution or type of
13 prosecution?

14 A. It sounds familiar to me as
15 someone who is being prosecuted by our
16 office, but as to what he was being
17 prosecuted for or what the substance is, I
18 do not have knowledge.

19 MR. MALONEY: Mark this as
20 Plaintiff's Exhibit 8, please. It's
21 a New York Post article, three pages.

22 (Whereupon, the aforementioned
23 three-page New York Post article was
24 marked as Plaintiff's Exhibit 8 for
25 identification as of this date by the

1 MANCUSO

2 Reporter.)

3 Q. I'd like you to take a few
4 minutes to take a look at the first page of
5 the three-page document that's been marked
6 as Plaintiff's Exhibit 8.

7 (Whereupon, the witness
8 complies.)

9 A. I've read it.

10 Q. Does that refresh your
11 recollection as to the nature of the
12 prosecution against Mr. Tuifel?

13 A. Does it refresh my
14 recollection?

15 Q. Right, specifically refresh
16 your recollection.

17 A. No.

18 Q. Obviously, it informs you.

19 A. Yes.

20 Q. But if it doesn't refresh your
21 recollection --

22 A. That's correct.

23 Q. You have no other knowledge of
24 this prosecution?

25 A. Right.

1 MANCUSO

2 Q. Would you have idea who in your
3 office is handling this?

4 A. I don't know which attorney is
5 handling it.

6 Q. And I think we already
7 established it would be in your bureau; is
8 that correct?

9 A. Yes.

10 Q. And can we agree that this
11 individual is being prosecuted under both
12 of the provisions, at least, that I
13 mentioned, including --

14 A. It would appear that way from
15 the exhibits that you handed me, yes.

16 Q. Do you belong to any
17 professional associations?

18 A. Yes.

19 Q. Which ones?

20 MS. BEN-SOREK: Objection.

21 You can answer.

22 A. Nassau County Bar Association.

23 Q. How long have you been a
24 member?

25 A. For 32 years.

1 MANCUSO

2 Q. Do you currently hold any
3 office with the Nassau County Bar
4 Association?

5 MS. BEN-SOREK: Same objection.

6 A. Yes.

7 Q. What office?

8 A. First vice-president.

9 Q. How long have you held that
10 office?

11 A. For less than one month.

12 Q. Are you also a sustaining
13 member of the Nassau County Bar
14 Association?

15 A. Yes.

16 Q. What does that mean?

17 A. It means that I pay some
18 additional amount of money to the Bar
19 Association, which is available for the Bar
20 Association's general administrative uses.

21 Q. How much?

22 MS. BEN-SOREK: Objection.

23 A. I think it's something like
24 250, something in the range of \$250 a year.

25 Q. Are you acquainted with other

1 MANCUSO

2 sustaining members?

3 A. Yes.

4 MS. BEN-SOREK: Objection to
5 this entire line, so I don't keep
6 repeating it.

7 THE WITNESS: Do I keep
8 answering?

9 MS. BEN-SOREK: Unless it's
10 privileged, and I'll tell you then.

11 MR. MALONEY: I mean, you know,
12 this is Rule 26, likely to lead to
13 discoverable information.

14 MS. BEN-SOREK: No, I think the
15 standard is likely to be admissible
16 information as initial evidence.

17 MR. MALONEY: Well, then let's
18 go down that dead end.

19 Mark this as Plaintiff's
20 Exhibit 9, please.

21 (Whereupon, the aforementioned
22 Rule 11 was marked as Plaintiff's
23 Exhibit 9 for identification as of
24 this date by the Reporter.)

25 Q. Mr. Mancuso, I'd like to direct

1 MANCUSO

2 your attention to the lower left quadrant
3 of that page, Plaintiff's Exhibit 9, which
4 lists, I guess, the most recent roster of
5 sustaining members. You're among them.
6 And what I want to ask you about is only
7 certain members of that list, and I'm going
8 to ask you the same question as to each
9 one, so I would like to phrase that
10 question now.

11 A. Okay.

12 Q. The question is: Whether
13 you've ever had any conversation with that
14 individual about either this investigation
15 that we've just been discussing or about
16 me?

17 A. Or about you?

18 Q. Yes.

19 A. Okay.

20 Q. And I will represent to you
21 that these are all individuals in which I
22 have had some personal dealings in one
23 fashion or another in relatively recent
24 times.

25 MS. BEN-SOREK: Note my

1 MANCUSO

2 objection to the form of the
3 question.

4 Q. It's just a yes or no question
5 as to only a few of these individuals, and
6 I didn't mark it ahead of time, so bear
7 with me.

8 Lower left of the two columns,
9 Judge Kase, K-A-S-E?

10 A. No.

11 Q. Judge Kluewer, K-L-U-E-W-E-R?

12 A. No.

13 Q. Retired Magistrate Judge
14 Michael L. Ernstein?

15 A. No.

16 Q. And Marion C. Rice?

17 A. No.

18 Q. Marion C. Rice is the current
19 president; correct?

20 A. No, she's the current president
21 elect.

22 Q. I'm sorry.

23 Are you aware that Marion Rice
24 was a member of the College Counsel For the
25 State University of New York Maritime

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MANCUSO

College?

A. No.

Q. That's all I have on that.

Are you related to a Joseph

Mancuso?

A. My grandfather was named

Giuseppe.

Q. How about a Joseph Mancuso who
lives or lived in Jersey City, New Jersey?

A. No.

I also have a cousin Joseph
Mancuso who lives in California.

Q. Did he ever live in Jersey
City?

MS. BEN-SOREK: Objection.

A. Not to my knowledge.

MR. MALONEY: I think I'm done.

Perhaps counsel has follow-up
questions.

(Continued on next page to
include jurat.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MANCUSO

MS. BEN-SOREK: I don't believe
I do at this time.

(Whereupon, at 11:30 a.m., the
Examination of this Witness was
concluded.)

PETER MANCUSO

Subscribed and sworn to before me
this ____ day of _____, 20__.

NOTARY PUBLIC

1

MANCUSO

2

E X H I B I T S

3

4 PLAINTIFF'S EXHIBITS:

5

| 6 | EXHIBIT | EXHIBIT | PAGE |
|----|---------|--------------------------|------|
| 7 | NUMBER | DESCRIPTION | |
| 8 | 1 | Letter dated 3/17/09 | 10 |
| 9 | 2 | Appellate Brief | 19 |
| 10 | 3 | Letter dated 9/29/08 | 23 |
| 11 | 4 | Letter dated 8/4/08 | 26 |
| 12 | 5 | Decision After Hearing | 38 |
| 13 | 6 | Notice of Entry | 42 |
| 14 | 7 | Two-page WebCrims | 68 |
| 15 | | article | |
| 16 | 8 | Three-page New York Post | 69 |
| 17 | 9 | Rule 11 | 73 |

18

19

20

21

22

I N D E X

23

24 EXAMINATION BY PAGE

25 MR. MALONEY 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MANCUSO

C E R T I F I C A T E

STATE OF NEW YORK)
 : SS.:
COUNTY OF KINGS)

I, PHYLLIS GOLDBERG, a Notary Public
for and within the State of New York, do
hereby certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action by blood or by marriage and that I
am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of July 2011.

PHYLLIS GOLDBERG

MANCUSO

| | | | |
|---|--|---|--|
| \$ | 32:22 250 [1] - 72:24 26 [2] - 73:12, 78:11 272 [1] - 3:12 28-J [4] - 22:6, 22:11, 22:18, 23:5 29 [2] - 1:10, 23:15 | ability [1] - 63:10 able [3] - 10:14, 53:11, 64:14 Abuse [1] - 34:11 according [1] - 26:16 acquainted [1] - 72:25 act [7] - 43:9, 44:2, 58:7, 65:17, 65:19, 66:5, 66:8 acting [6] - 13:12, 13:21, 14:11, 14:14, 15:11, 17:9 action [4] - 49:6, 49:9, 49:10, 79:17 actions [1] - 60:20 activities [1] - 44:24 activity [1] - 44:20 actual [2] - 31:19, 37:5 ad [2] - 31:23, 55:19 ADA [2] - 5:16, 5:19 add [1] - 19:16 addition [4] - 14:10, 22:13, 34:5, 58:11 additional [3] - 9:25, 51:19, 72:18 address [2] - 3:12, 61:14 addressed [3] - 22:15, 25:24, 32:6 adjudicated [1] - 35:14 adjunct [1] - 10:9 administrative [1] - 72:20 admissible [1] - 73:15 admission [3] - 4:19, 5:13, 5:15 Admission [1] - 62:23 admissions [2] - 4:5, 62:21 Admissions [1] - 62:24 admitted [1] - 4:22 ADS(AKT) [1] - 1:6 adverb [3] - 53:16, 53:18 adverse [1] - 41:10 aforementioned [9] - 10:21, 19:11, 23:17, 26:6, 39:2, 42:13, 68:2, 69:22, 73:21 agencies [2] - 47:10, 54:12 agree [4] - 32:14, 69:3, 69:5, 71:10 allegations [1] - 12:10 alleged [2] - 34:23, 44:7 alleges [1] - 44:10 alternative [1] - 54:24 amended [1] - 45:15 amount [1] - 72:18 | amounts [1] - 48:15 annotations [2] - 61:18, 61:20 answer [16] - 4:8, 7:11, 8:15, 12:24, 28:21, 43:20, 46:9, 58:19, 59:22, 61:10, 62:9, 62:14, 62:16, 63:23, 64:16, 71:21 answering [1] - 73:8 Antignani [2] - 16:7, 16:8 anybody [2] - 50:2, 63:10 anymore [1] - 57:23 anytime [1] - 16:18 anywhere [2] - 40:10, 61:24 Appeals [9] - 4:11, 20:15, 20:24, 24:12, 24:17, 24:20, 24:23, 63:15, 64:4 appeals [1] - 18:23 appear [2] - 39:14, 71:14 appeared [1] - 61:22 Appellate [22] - 17:23, 18:11, 18:13, 18:17, 18:22, 18:25, 19:12, 19:25, 21:23, 35:9, 40:25, 45:11, 49:8, 55:14, 56:19, 57:5, 57:9, 57:11, 57:17, 59:25, 63:12, 78:9 appellate [1] - 18:8 Appellate's [2] - 42:11, 42:15 applied [3] - 56:7, 56:10, 56:20 appropriate [1] - 56:4 approved [1] - 12:15 approximate [2] - 14:3, 51:9 Approximately [1] - 7:21 area [1] - 7:8 arisen [1] - 56:23 arising [1] - 21:22 article [3] - 69:21, 69:23, 78:15 asking [2] - 3:16, 12:25 aspect [6] - 40:2, 50:11, 50:16, 50:20, 54:9, 54:10 aspects [3] - 29:6, 61:2, 61:7 assigned [2] - 8:24, 36:2 Assistant [11] - 5:11, 8:11, 13:8, 13:20, 14:6, |
| \$250 [1] - 72:24 | | | |
| 1 | 3 | | |
| 1 [5] - 47:24, 64:21, 65:16, 68:19, 78:8 10 [1] - 78:8 10:00 [1] - 1:11 11 [2] - 73:22, 78:17 11050 [1] - 2:6 114 [1] - 1:19 11501 [3] - 1:20, 2:9, 3:13 11:30 [1] - 77:4 12 [9] - 44:15, 46:13, 46:20, 47:4, 48:9, 50:4, 52:4, 54:3, 68:18 17 [1] - 62:5 17th [2] - 11:11, 11:23 19 [2] - 43:3, 78:9 195.00 [4] - 47:25, 64:21, 65:10, 68:18 1954 [1] - 3:21 1975 [1] - 5:5 1978 [1] - 4:4 1979 [2] - 4:23, 5:18 1983 [3] - 5:25, 6:4, 6:6 1984 [3] - 5:25, 6:5, 6:6 1986 [1] - 6:15 1993 [1] - 7:12 1994 [2] - 8:7, 8:18 | 3 [4] - 29:21, 51:16, 78:10, 78:25 3/17/09 [2] - 10:22, 78:8 30th [1] - 79:21 32 [1] - 71:25 33 [1] - 2:5 344 [1] - 1:19 38 [1] - 78:12 | | |
| | 4 | | |
| | 4 [6] - 29:21, 30:11, 66:17, 66:25, 67:9, 78:11 42 [1] - 78:13 422 [8] - 44:16, 46:13, 47:4, 48:9, 50:4, 52:5, 54:3, 68:17 | | |
| | 5 | | |
| | 5 [2] - 51:17, 78:12 551 [1] - 2:5 | | |
| | 6 | | |
| | 6 [5] - 33:19, 33:23, 48:14, 60:5, 78:13 68 [1] - 78:14 69 [1] - 78:16 | | |
| 2 | 7 | | |
| 2 [1] - 78:9 2000 [1] - 40:13 2006 [1] - 9:19 2007 [6] - 14:4, 16:19, 20:3, 20:4, 34:13, 43:3 2008 [36] - 12:12, 14:20, 20:11, 21:3, 22:7, 22:11, 22:17, 22:22, 22:25, 23:10, 23:12, 23:13, 23:15, 24:8, 25:24, 26:4, 26:15, 30:11, 33:16, 33:24, 34:18, 34:21, 36:10, 37:17, 40:14, 40:22, 43:5, 44:4, 47:14, 51:11, 59:5, 62:2, 66:17, 66:25, 67:7, 67:9 2009 [4] - 16:19, 45:17, 45:24, 62:5 2011 [3] - 1:10, 69:8, 79:21 20 [1] - 77:11 23 [1] - 78:10 24 [1] - 20:3 24th [3] - 27:17, 27:18, | 7 [1] - 78:14 71162 [1] - 34:14 73 [1] - 78:17 | | |
| | 8 | | |
| | 8 [1] - 78:16 8/4/08 [2] - 26:7, 78:11 | | |
| | 9 | | |
| | 9 [3] - 34:14, 69:8, 78:17 9/29/08 [2] - 23:18, 78:10 | | |
| | A | | |
| | A-N-T-I-G-N-A-N-I [1] - 16:7 a.m [2] - 1:11, 77:4 | | |

MANCUSO

| | | | |
|---|--|--|---|
| <p>15:3, 15:9, 15:15, 15:17, 15:23, 17:7 assistant [4] - 5:13, 10:2, 25:21, 27:2 associated [3] - 61:17, 61:19, 61:20 Association [4] - 71:22, 72:4, 72:14, 72:19 Association's [1] - 72:20 associations [1] - 71:17 assume [2] - 13:24, 14:2 assuming [1] - 7:6 attempting [1] - 60:8 attention [3] - 11:10, 30:21, 74:2 attorney [2] - 64:8, 71:4 Attorney [37] - 1:7, 1:16, 5:11, 5:12, 8:11, 10:3, 12:11, 13:8, 13:21, 14:7, 15:3, 15:10, 15:16, 15:18, 15:24, 16:20, 16:23, 17:8, 22:22, 22:25, 23:8, 24:2, 25:5, 25:22, 25:25, 26:2, 26:17, 26:24, 29:22, 29:25, 30:7, 32:6, 32:16, 32:18, 32:19, 43:17, 64:7 ATTORNEY [1] - 2:8 Attorney's [13] - 5:9, 6:10, 8:6, 8:18, 10:10, 14:22, 17:21, 19:19, 41:7, 60:7, 64:6, 64:11, 68:24 Attorneys [1] - 2:8 August [23] - 12:12, 20:11, 21:3, 22:22, 25:24, 26:4, 26:15, 30:11, 33:16, 33:24, 34:18, 34:21, 36:10, 43:5, 44:4, 47:14, 59:5, 62:2, 66:17, 66:25, 67:7, 67:9, 69:8 authority [3] - 63:25, 64:5, 64:9 available [1] - 72:19 Avenue [1] - 2:5 aware [7] - 11:16, 31:21, 31:25, 41:12, 58:14, 58:21, 75:23</p> | <p>50:18, 66:17, 69:3 basis [10] - 10:5, 15:21, 35:6, 37:9, 52:3, 52:9, 52:17, 52:19, 52:23, 55:11 Bayview [1] - 2:5 bear [1] - 75:6 BEFORE [1] - 1:13 behalf [1] - 64:13 behaved [1] - 58:5 belief [1] - 28:16 believe [20] - 9:19, 13:25, 21:14, 23:2, 33:23, 36:8, 42:6, 45:2, 45:10, 45:25, 47:15, 48:13, 49:15, 55:8, 56:12, 56:15, 56:17, 60:2, 66:12, 77:2 believed [4] - 33:24, 52:3, 52:10, 58:22 belong [1] - 71:16 BEN [31] - 2:10, 4:7, 7:10, 7:24, 8:14, 11:20, 12:22, 24:25, 27:17, 31:16, 31:24, 36:21, 38:5, 43:10, 43:19, 45:13, 50:5, 58:17, 59:21, 62:8, 63:22, 64:15, 71:20, 72:5, 72:22, 73:4, 73:9, 73:14, 74:25, 76:16, 77:2 BEN-SOREK [31] - 2:10, 4:7, 7:10, 7:24, 8:14, 11:20, 12:22, 24:25, 27:17, 31:16, 31:24, 36:21, 38:5, 43:10, 43:19, 45:13, 50:5, 58:17, 59:21, 62:8, 63:22, 64:15, 71:20, 72:5, 72:22, 73:4, 73:9, 73:14, 74:25, 76:16, 77:2 benefit [4] - 65:14, 65:15, 66:3, 66:4 billable [1] - 62:10 birth [2] - 3:19, 3:20 blood [1] - 79:17 bold [1] - 30:12 books [1] - 37:7 Box [1] - 2:5 break [1] - 53:23 Brief [22] - 17:24, 18:11, 18:13, 18:18, 18:22, 18:25, 19:12, 19:25, 21:23, 35:9, 40:25, 42:11, 42:15, 49:8, 55:14, 56:19, 57:5, 57:9, 57:17, 59:25, 63:12, 78:9 brief [12] - 18:15, 19:6, 19:9, 20:5, 20:10, 20:13, 48:15, 55:24, 59:12,</p> | <p>60:8, 62:11, 64:12 Bureau [15] - 5:24, 9:12, 9:13, 9:14, 9:23, 16:2, 16:5, 20:15, 20:24, 24:13, 24:18, 24:21, 24:23, 63:15, 64:4 bureau [23] - 6:2, 8:24, 9:2, 9:9, 9:10, 13:11, 13:12, 13:22, 14:11, 14:15, 15:5, 15:6, 15:11, 15:14, 15:25, 16:4, 16:9, 17:9, 41:22, 42:5, 71:7 BY [3] - 2:10, 3:6, 78:24</p> <p style="text-align: center;">C</p> <p>California [1] - 76:13 call [3] - 35:17, 37:11, 58:23 calling [1] - 67:13 can you [9] - 3:18, 25:16, 28:8, 30:13, 30:16, 33:22, 51:6, 51:9, 63:16 capacity [3] - 1:7, 1:15, 17:7 case [17] - 3:15, 15:21, 17:18, 17:20, 18:14, 18:16, 18:21, 32:25, 35:22, 36:3, 41:23, 42:2, 45:10, 46:22, 55:9, 61:14 case-by-case [1] - 15:21 cases [7] - 17:22, 18:9, 18:24, 19:5, 49:23, 50:6, 61:16 caused [1] - 39:25 central [7] - 45:5, 47:9, 48:17, 49:12, 49:24, 54:11, 57:3 certify [2] - 79:10, 79:15 challenge [1] - 56:23 chance [2] - 39:11, 46:25 change [4] - 5:22, 6:9, 8:20, 64:12 changed [1] - 65:7 changes [1] - 8:22 charges [1] - 68:14 Cheryl [7] - 25:20, 25:22, 26:22, 27:9, 29:17, 29:20, 32:24 chief [17] - 13:11, 13:12, 13:22, 14:11, 14:15, 15:5, 15:11, 15:14, 15:25, 16:4, 16:9, 17:9, 24:17, 63:14, 64:3 Chief [2] - 5:24, 24:20 Child [5] - 34:7, 34:11, 34:23, 35:17, 58:16</p> | <p>children [2] - 56:25, 57:4 choosing [1] - 11:18 chose [1] - 11:12 Circuit [3] - 4:11, 23:6, 60:9 circumstances [1] - 64:10 citation [3] - 36:15, 36:17, 36:18 cite [1] - 37:13 cited [5] - 19:18, 35:23, 49:7, 57:21, 67:18 citing [1] - 34:12 City [4] - 3:21, 7:5, 76:10, 76:15 Class [4] - 43:18, 44:21, 44:24, 47:12 closed [1] - 12:15 Code [2] - 47:25, 64:22 College [2] - 75:24, 76:2 columns [1] - 75:8 coming [1] - 17:13 comment [1] - 43:13 Commercial [1] - 6:3 commission [1] - 43:18 commits [2] - 65:16, 66:5 communicate [1] - 33:11 communication [2] - 28:13, 30:24 compel [1] - 29:10 complaining [1] - 47:16 complaint [1] - 58:16 Complaint [13] - 18:6, 33:13, 33:25, 37:10, 37:11, 43:17, 43:23, 44:3, 47:20, 47:24, 66:15, 66:17, 66:21 completely [1] - 3:23 complies [4] - 33:21, 39:10, 65:3, 70:8 component [1] - 53:21 concern [1] - 31:10 concerned [1] - 60:24 concluded [7] - 35:3, 35:5, 52:11, 52:15, 58:9, 60:22, 77:6 concluding [2] - 34:8, 52:23 conclusion [2] - 55:14, 55:25 conduct [8] - 12:6, 17:25, 20:22, 52:12, 52:15, 52:24, 53:22, 67:14 conducted [3] - 12:12, 47:13, 49:20</p> |
| <p style="text-align: center;">B</p> <p>Bachelor [1] - 5:2 Bar [8] - 4:5, 5:14, 10:8, 71:22, 72:3, 72:13, 72:18, 72:19 base [2] - 25:10, 25:11 based [5] - 22:6, 46:3,</p> | | | |

MANCUSO

| | | | |
|---|--|---|---|
| <p>confidential [4] - 27:5, 27:7, 30:20, 31:10 Confidential [1] - 30:15 connection [6] - 12:9, 21:22, 32:24, 35:8, 37:20, 49:10 consider [10] - 9:20, 43:9, 43:13, 49:22, 50:24, 51:24, 54:23, 60:7, 61:2, 63:11 consideration [3] - 57:19, 58:4, 64:20 considerations [4] - 57:25, 58:12, 61:7, 61:15 considered [7] - 52:12, 56:3, 56:5, 56:21, 57:14, 58:13, 66:14 constitute [1] - 58:9 constituted [1] - 51:4 constituting [2] - 65:17, 66:6 constitution [1] - 56:17 Constitutional [1] - 49:11 constitutional [2] - 56:7, 56:9 contacted [1] - 27:25 contained [4] - 45:5, 47:9, 48:17, 49:24 contents [1] - 28:24 context [5] - 41:19, 41:21, 52:22, 57:17, 69:11 continually [1] - 4:18 continued [2] - 15:2, 60:25 Continued [1] - 76:21 continuing [2] - 10:4, 10:6 conversation [21] - 25:11, 25:13, 25:17, 25:20, 27:14, 27:19, 27:22, 27:23, 28:4, 28:5, 28:6, 28:8, 28:11, 28:19, 28:24, 29:7, 29:13, 29:15, 32:22, 33:4, 74:13 copies [1] - 20:19 copy [8] - 20:12, 20:18, 21:11, 22:5, 22:23, 22:24, 45:9, 62:20 Cornell [2] - 4:2, 4:24 correctly [2] - 41:17, 65:21 correspondence [2] - 17:19, 17:20 Corruption [5] - 9:14, 9:23, 15:7, 16:2, 16:5 Counsel [1] - 75:24 counsel [3] - 7:13, 7:20,</p> | <p>76:19 Country [2] - 1:19, 3:13 COUNTY [3] - 2:8, 79:5 County [10] - 1:8, 1:16, 5:8, 8:5, 34:13, 49:7, 64:7, 71:22, 72:3, 72:13 couple [1] - 64:23 course [5] - 28:6, 31:7, 49:6, 53:12, 58:6 court [7] - 22:13, 23:23, 39:19, 41:3, 41:9, 57:20, 57:22 Court [11] - 4:11, 4:12, 17:22, 38:8, 56:3, 56:5, 57:11, 57:12, 57:15, 57:19, 62:16 COURT [1] - 1:2 cousin [1] - 76:12 crime [1] - 54:20 criminal [2] - 35:7, 43:9 current [3] - 9:15, 75:18, 75:20 currently [3] - 68:23, 69:6, 72:2 CV-03-0786 [1] - 1:5</p> | <p>decisions [2] - 18:8, 41:3 declaratory [2] - 56:16, 56:23 defendant [2] - 68:15, 68:21 DEFENDANT [1] - 1:9 Defendant [2] - 1:14, 2:8 defined [1] - 44:24 defines [2] - 44:20, 45:2 Demand [2] - 42:10, 42:14 demonstratively [1] - 53:2 deposition [4] - 19:2, 29:2, 36:18, 38:3 deprive [2] - 65:14, 66:3 deputy [1] - 24:17 Deputy [1] - 5:24 DESCRIPTION [1] - 78:7 detail [1] - 66:14 details [2] - 27:22, 38:21 determination [6] - 37:10, 37:14, 37:16, 48:7, 55:12, 58:3 determine [3] - 12:7, 35:20, 52:17 determined [1] - 56:10 determining [2] - 56:3, 56:5 Diamond [1] - 1:18 Did he [2] - 16:12, 76:14 did it [1] - 36:15 did she [3] - 13:23, 21:2, 30:5 did you [35] - 3:25, 4:3, 4:5, 6:12, 6:19, 7:19, 11:8, 11:22, 16:18, 17:12, 17:16, 20:18, 34:22, 35:12, 35:16, 36:20, 36:23, 37:4, 37:9, 37:13, 37:21, 37:25, 38:13, 38:16, 39:21, 47:15, 49:23, 50:9, 50:15, 52:17, 54:23, 55:11, 58:14, 67:17, 67:18 differs [1] - 45:25 direct [1] - 73:25 directed [2] - 12:6, 17:2 direction [2] - 17:4, 17:8 disclosing [1] - 41:9 disclosure [2] - 52:5, 59:12 discoverable [1] - 73:13</p> | <p>discovered [1] - 19:3 discussed [3] - 20:6, 28:15, 28:19 discussing [3] - 24:16, 50:20, 74:15 disjunctive [2] - 54:24, 55:5 DIST [1] - 34:13 distinguish [1] - 17:10 distributor [2] - 7:13, 7:14 DISTRICT [2] - 1:2, 1:2 District [53] - 1:7, 1:15, 4:10, 5:8, 5:11, 5:12, 6:10, 8:5, 8:11, 8:18, 10:2, 10:10, 12:11, 13:8, 13:20, 14:7, 14:21, 15:3, 15:10, 15:15, 15:18, 15:24, 16:20, 16:23, 17:7, 17:21, 19:19, 22:22, 22:25, 23:7, 24:2, 25:4, 25:21, 25:24, 26:2, 26:17, 26:23, 29:22, 29:25, 30:7, 32:6, 32:15, 32:17, 32:19, 41:7, 43:17, 52:6, 60:7, 64:6, 64:11, 68:24 do you [23] - 3:11, 11:14, 12:20, 16:14, 16:22, 22:10, 25:9, 27:25, 31:2, 31:18, 32:4, 32:9, 32:15, 36:7, 37:6, 41:25, 48:13, 49:15, 50:24, 61:13, 68:10, 71:16, 72:2 Document [1] - 60:5 document [32] - 11:3, 11:5, 11:7, 19:23, 19:24, 21:7, 21:10, 21:14, 26:12, 39:21, 39:25, 40:4, 42:20, 42:22, 43:2, 43:5, 43:8, 43:15, 44:4, 59:6, 59:7, 59:15, 59:23, 60:2, 62:22, 67:3, 67:10, 67:16, 68:13, 70:5 documents [20] - 17:12, 17:14, 17:16, 18:2, 18:3, 18:4, 20:7, 20:20, 21:2, 22:4, 22:8, 22:14, 23:9, 32:25, 33:14, 59:10, 59:14, 63:2, 67:6, 67:12 Does it [2] - 69:10, 70:13 Does that [4] - 39:14, 53:18, 70:10, 72:16 Does this [1] - 44:6 doesn't [2] - 48:25, 70:20 doubt [3] - 54:5, 54:17, 54:22</p> |
| | <p style="text-align: center;">D</p> <p>D.A. [4] - 26:21, 31:3, 31:14, 31:15 D.A.'s [1] - 9:22 data [11] - 47:8, 48:16, 49:3, 49:24, 53:6, 54:10, 54:19, 55:4, 55:9, 60:15, 60:22 DATE [1] - 1:10 date [15] - 10:24, 11:11, 11:12, 11:14, 19:14, 23:20, 26:9, 27:15, 39:5, 42:18, 42:25, 68:5, 69:7, 69:25, 73:24 dated [8] - 10:22, 20:3, 23:18, 26:7, 30:11, 78:8, 78:10, 78:11 dates [2] - 51:6, 51:10 day [2] - 77:11, 79:21 Day [2] - 11:17, 11:19 dead [1] - 73:18 deal [1] - 31:9 dealings [1] - 74:22 decide [1] - 37:14 decides [1] - 40:15 deciding [1] - 53:12 Decision [2] - 39:3, 78:12 decision [6] - 31:13, 31:20, 32:5, 57:12, 57:22, 64:2 decision-making [1] - 31:20</p> | | |

MANCUSO

| | | | |
|---|--|--|---|
| <p>draw [1] - 11:10 duly [2] - 3:3, 79:12</p> | <p>excuse [2] - 21:9, 56:4 Executive [9] - 13:7, 13:20, 14:6, 15:3, 15:9, 15:15, 15:17, 15:23, 17:7 executive [1] - 32:12 exercise [2] - 65:18, 66:7 EXHIBIT [2] - 78:6 Exhibit 1 [3] - 10:20, 10:23, 11:4 Exhibit 2 [6] - 19:10, 19:13, 19:22, 33:18, 48:15, 63:13 Exhibit 3 [7] - 23:16, 23:19, 23:24, 25:2, 25:6, 38:4, 39:17 Exhibit 4 [9] - 26:5, 26:8, 26:13, 30:10, 59:8, 59:17, 60:3, 66:19, 67:2 Exhibit 5 [3] - 38:25, 39:4, 39:8 Exhibit 6 [9] - 42:12, 42:16, 42:21, 59:7, 59:19, 59:24, 67:4, 67:11, 67:17 Exhibit 7 [2] - 67:24, 68:4 Exhibit 8 [3] - 69:20, 69:24, 70:6 Exhibit 9 [3] - 73:20, 73:23, 74:3 exhibit I [1] - 45:9 Exhibits [2] - 29:21, 51:16 exhibits [1] - 71:15 EXHIBITS [1] - 78:4 exist [1] - 18:10 existed [1] - 19:3 existence [1] - 18:25 exists [1] - 7:18 expedite [1] - 11:25 explanation [2] - 30:5, 53:10 express [1] - 32:18 extent [5] - 3:22, 28:7, 56:14, 61:5, 63:6</p> | <p>56:17 fall [1] - 51:11 familiar [11] - 9:21, 41:18, 44:17, 56:13, 65:6, 65:8, 66:10, 68:7, 69:10, 69:11, 69:14 Family [1] - 34:8 fashion [1] - 74:23 February [1] - 16:10 Federal [1] - 49:18 file [4] - 34:20, 59:3, 59:5, 62:2 filed [1] - 64:13 final [1] - 62:3 find [3] - 35:2, 36:20, 49:23 firm [1] - 6:16 first [22] - 3:3, 5:6, 5:21, 8:19, 8:23, 20:9, 23:7, 24:5, 27:6, 27:8, 30:16, 33:11, 34:16, 34:19, 43:4, 43:12, 52:19, 54:8, 59:4, 68:13, 70:4 First [2] - 3:18, 72:8 focused [1] - 47:21 follow [2] - 47:6, 76:19 follow-up [1] - 76:19 followed [1] - 19:4 following [3] - 13:11, 18:24, 22:7 follows [1] - 3:5 form [4] - 12:23, 58:18, 59:22, 75:2 forth [1] - 79:12 forward [2] - 28:25, 29:2 forwarding [1] - 44:3 founded [2] - 35:14, 37:15 four [1] - 68:16 frame [10] - 5:25, 6:7, 13:3, 13:6, 13:23, 14:20, 16:10, 18:5, 37:18, 67:7 frauds [1] - 6:3 free [1] - 57:19 freely [1] - 50:2 Friday [4] - 25:15, 27:14, 27:16, 32:22 front [4] - 38:21, 46:16, 47:2, 59:18 function [1] - 15:20 functions [2] - 65:19, 66:7</p> | <p>generated [2] - 18:24, 23:11 germane [1] - 45:14 Giuseppe [1] - 76:8 give [7] - 30:5, 33:3, 38:20, 51:6, 51:9, 64:19, 64:23 given [6] - 15:12, 15:13, 20:12, 33:6, 67:13, 79:14 Glenn [1] - 68:22 GOLDBERG [2] - 79:8, 79:24 Goldberg [1] - 1:21 gotten [1] - 26:21 graduate [1] - 4:3 graduation [3] - 4:6, 4:14, 4:16 grandfather [1] - 76:7 granted [1] - 38:23 great [1] - 31:9 guess [2] - 19:8, 74:4 guilty [3] - 47:11, 65:12, 65:25</p> |
| <p style="text-align: center;">E</p> | <p style="text-align: center;">F</p> | <p style="text-align: center;">G</p> | <p style="text-align: center;">H</p> |
| <p>early [2] - 23:12, 24:7 Eastern [2] - 4:9, 52:6 EASTERN [1] - 1:2 Economics [1] - 5:3 education [5] - 3:23, 4:25, 10:2, 10:5, 10:7 effect [4] - 41:4, 45:19, 45:20, 46:6 elect [1] - 75:21 element [1] - 53:5 elements [2] - 53:23, 54:20 email [3] - 51:19, 51:23, 62:4 employed [1] - 7:12 employees [1] - 9:8 employer [1] - 8:2 employment [3] - 5:6, 7:8, 8:4 enclosure [4] - 38:13, 38:16, 38:19, 39:15 enclosures [1] - 30:18 encourage [4] - 54:23, 60:14, 60:20 encouraged [2] - 54:19, 55:4 encourages [2] - 47:8, 59:2 encouraging [1] - 45:3 end [1] - 73:18 enter [1] - 57:25 entitled [1] - 49:6 Entry [4] - 42:10, 42:14, 43:21, 78:13 envelope [2] - 27:7, 30:19 Ernststein [1] - 75:14 ESQ [2] - 2:4, 2:10 established [1] - 71:7 evaluating [1] - 66:15 evaluation [1] - 66:16 evidence [4] - 40:7, 40:16, 40:21, 73:16 exactly [4] - 13:4, 14:3, 14:5, 28:18 examination [2] - 79:11, 79:13 Examination [1] - 77:5 EXAMINATION [3] - 1:13, 3:6, 78:24 examined [1] - 3:5 examining [1] - 52:20 except [1] - 54:16 exception [1] - 18:7</p> | <p>fact [4] - 31:2, 35:4, 35:21, 49:8 factor [2] - 56:2, 56:21 factors [1] - 57:14 facts [1] - 48:10 Fair [1] - 22:3 fair [12] - 15:8, 31:22, 40:6, 40:13, 40:14, 40:16, 40:21, 43:7, 48:24, 52:2, 60:4, 63:9 faith [3] - 53:2, 53:7,</p> | <p>game [1] - 48:24 Garden [1] - 7:5 gasoline [2] - 7:13, 7:14 gave [2] - 17:4, 17:8</p> | <p>hand [1] - 79:21 handed [1] - 71:15 handling [2] - 71:3, 71:5 hasn't [1] - 65:7 Have you [7] - 9:25, 10:8, 39:11, 41:14, 65:4, 71:23, 72:9 haven't [2] - 46:19, 56:13 he's [1] - 69:5 headed [1] - 65:10 heard [3] - 41:14, 41:21, 42:7 Hearing [2] - 39:3, 78:12 hearing [2] - 40:13, 40:14 held [2] - 1:18, 72:9 hereby [1] - 79:10 hereinbefore [1] - 79:12 hereunto [1] - 79:20 hierarchy [1] - 15:22 hoc [1] - 31:23 hold [2] - 57:23, 72:2 holiday [1] - 11:15 home [1] - 34:6 hominem [1] - 55:19 hours [2] - 62:6, 62:10 house [1] - 57:2 housekeeping [1] - 29:8 How did [1] - 35:20 How many [2] - 51:3,</p> |

MANCUSO

| | | | |
|---|---|---|--|
| <p>62:5 Hudson ^[10] - 12:9, 18:9, 20:2, 22:19, 35:8, 37:19, 40:25, 44:6, 53:13, 57:18 Hudson's ^[2] - 17:23, 49:8</p> | <p>insure ^[1] - 30:20 intended ^[2] - 30:23, 43:22 intent ^[2] - 65:13, 66:2 intentional ^[2] - 52:24, 53:7 interested ^[1] - 79:18 interoffice ^[1] - 28:13 interpret ^[5] - 47:19,</p> | <p>judgment ^[1] - 56:16 July ^[1] - 79:21 June ^[3] - 1:10, 27:18, 32:22 jurat ^[1] - 76:22 jurors ^[1] - 54:7</p> | <p>22:19, 22:21, 22:24, 23:2, 23:5, 23:7, 23:11, 23:15, 23:18, 23:23, 23:25, 24:23, 25:2, 25:6, 25:23, 26:4, 26:7, 26:14, 26:15, 27:4, 30:10, 30:17, 31:3, 38:3, 38:10, 38:12, 39:16, 62:5, 66:18, 66:25, 67:9 Letter ^[3] - 78:8, 78:10, 78:11 letters ^[7] - 11:22, 22:6, 22:12, 22:14, 22:16, 25:25, 29:20 level ^[1] - 32:12 Lex ^[1] - 36:7 Lexus ^[4] - 34:14, 36:7, 36:11, 49:17 lie ^[1] - 63:25 light ^[1] - 41:2 line ^[3] - 27:6, 30:16, 73:5 lines ^[2] - 29:12, 45:4 LIORA ^[1] - 2:10 list ^[3] - 10:14, 68:16, 74:7 listed ^[2] - 34:10, 41:10 listening ^[1] - 65:24 listing ^[7] - 34:23, 35:3, 35:4, 35:13, 35:21, 40:5, 40:12 lists ^[3] - 68:14, 69:7, 74:4</p> |
| I | | K | |
| <p>I'd ^[9] - 11:2, 11:10, 19:20, 26:11, 30:9, 39:7, 46:2, 70:3, 73:25 I've ^[5] - 23:22, 42:6, 58:10, 62:19, 70:9 idea ^[1] - 71:2 identical ^[3] - 45:10, 46:19, 46:20 identification ^[9] - 10:24, 19:14, 23:20, 26:9, 39:5, 42:17, 68:5, 69:25, 73:23 identify ^[2] - 19:24, 33:22 Immediately ^[1] - 4:16 impunity ^[1] - 50:3 IN ^[1] - 79:20 incident ^[3] - 34:7, 34:9, 56:22 include ^[2] - 57:5, 76:22 included ^[2] - 55:17, 55:23 incoming ^[1] - 32:5 independently ^[1] - 46:3 indicated ^[1] - 34:9 indicates ^[1] - 40:4 indicating ^[2] - 47:22, 59:20 individual ^[4] - 41:15, 56:11, 71:11, 74:14 individually ^[2] - 1:7, 1:14 individuals ^[2] - 74:21, 75:5 infant ^[1] - 34:6 information ^[16] - 25:9, 45:5, 47:9, 48:16, 49:13, 49:15, 49:16, 49:19, 49:22, 54:10, 55:16, 57:21, 60:15, 63:8, 73:13, 73:16 informs ^[1] - 70:18 initial ^[4] - 5:10, 40:2, 43:8, 73:16 initiated ^[1] - 27:23 inside ^[1] - 56:25 instance ^[1] - 27:8 instructions ^[3] - 33:4, 33:7, 67:13</p> | <p>53:11, 60:19, 67:11, 67:21 interpretation ^[6] - 48:8, 50:10, 50:13, 50:16, 50:19, 53:4 interpreted ^[1] - 60:18 interval ^[1] - 36:24 investigate ^[6] - 17:2, 34:20, 34:22, 35:12, 35:16, 47:23 investigated ^[2] - 34:8, 67:22 investigation ^[9] - 12:7, 12:13, 12:16, 20:21, 33:8, 33:12, 47:14, 67:14, 74:14 Investigation ^[1] - 9:6 investigations ^[2] - 9:3, 9:5 Investigations ^[10] - 9:12, 9:13, 13:9, 13:21, 14:7, 15:4, 15:10, 15:16, 15:18, 15:24 involved ^[1] - 56:24 involvement ^[1] - 15:19 involving ^[2] - 9:7, 69:7 is that ^[19] - 12:3, 23:25, 26:14, 29:20, 29:22, 40:7, 40:17, 44:11, 45:22, 53:5, 54:24, 56:9, 59:12, 61:11, 67:4, 68:19, 69:2, 71:7 is there ^[3] - 29:9, 48:22, 53:21 Is this ^[1] - 43:16 issue ^[3] - 40:23, 48:11, 58:13 items ^[1] - 28:15</p> | <p>Karen ^[14] - 12:9, 17:23, 18:9, 18:17, 18:21, 20:2, 22:19, 35:8, 37:19, 40:24, 44:6, 49:8, 53:13, 57:18 Kase ^[1] - 75:9 KASE ^[1] - 75:9 Kathleen ^[1] - 25:5 KATHLEEN ^[2] - 1:7, 1:14 keep ^[3] - 62:10, 73:5, 73:7 kinds ^[1] - 31:8 KINGS ^[1] - 79:5 Kluewer ^[1] - 75:11 KLUEWER ^[1] - 75:11 knowing ^[2] - 65:19, 66:7 knowledge ^[13] - 16:17, 31:4, 32:2, 41:8, 43:25, 48:5, 48:6, 57:24, 58:25, 60:6, 69:18, 70:23, 76:17</p> | <p>Letter ^[3] - 78:8, 78:10, 78:11 letters ^[7] - 11:22, 22:6, 22:12, 22:14, 22:16, 25:25, 29:20 level ^[1] - 32:12 Lex ^[1] - 36:7 Lexus ^[4] - 34:14, 36:7, 36:11, 49:17 lie ^[1] - 63:25 light ^[1] - 41:2 line ^[3] - 27:6, 30:16, 73:5 lines ^[2] - 29:12, 45:4 LIORA ^[1] - 2:10 list ^[3] - 10:14, 68:16, 74:7 listed ^[2] - 34:10, 41:10 listening ^[1] - 65:24 listing ^[7] - 34:23, 35:3, 35:4, 35:13, 35:21, 40:5, 40:12 lists ^[3] - 68:14, 69:7, 74:4</p> |
| | J | L | |
| | <p>JAMES ^[2] - 1:3, 2:4 Jersey ^[3] - 76:10, 76:14 Jim ^[1] - 3:15 job ^[6] - 5:10, 5:22, 6:9, 8:9, 8:19, 8:21 Joseph ^[3] - 76:5, 76:9, 76:12 Judge ^[5] - 16:15, 22:15, 75:9, 75:11, 75:13</p> | <p>lack ^[1] - 40:20 last ^[4] - 27:14, 27:16, 32:22, 62:14 Last ^[1] - 25:15 late ^[2] - 16:15, 23:12 Late ^[1] - 24:7 latter ^[1] - 14:4 Law ^[17] - 3:24, 19:18, 21:8, 21:11, 21:12, 21:21, 37:12, 44:16, 46:14, 47:5, 54:4, 58:24, 66:20, 66:23, 68:17, 68:18 law ^[6] - 3:25, 5:7, 5:12, 6:19, 26:25, 61:14 lead ^[1] - 73:12 leave ^[1] - 14:21 leaving ^[1] - 7:23 legal ^[2] - 10:4, 10:7 let's ^[1] - 73:17 Let's ^[8] - 23:14, 26:3, 27:13, 29:14, 33:17, 42:9, 59:2, 64:18 letter ^[41] - 10:22, 12:4, 12:5, 12:10, 12:16, 19:18, 22:11, 22:18,</p> | <p>litigated ^[1] - 57:16 Litigation ^[2] - 6:22, 6:24 litigation ^[3] - 6:23, 55:16, 56:15 live ^[1] - 76:14 lived ^[1] - 76:10 lives ^[2] - 76:10, 76:13 located ^[2] - 7:17, 36:9 locating ^[1] - 36:3 logical ^[1] - 32:11 logistics ^[1] - 28:25 Lower ^[1] - 75:8 lower ^[2] - 8:12, 74:2</p> |
| | | | M |
| | | | <p>Magistrate ^[1] - 75:13 mail ^[2] - 31:9, 32:5 main ^[6] - 45:11, 45:19, 46:2, 46:18, 46:21, 65:5 maintain ^[2] - 4:18, 10:7 MALONEY ^[19] - 1:3, 2:4, 3:7, 10:19, 19:8, 23:14, 25:3, 26:3, 27:15, 38:24, 42:9, 45:16, 62:13, 67:23, 69:19,</p> |

MANCUSO

| | | | |
|---|---|---|---|
| <p>73:11, 73:17, 76:18, 78:25 Maloney [3] - 3:15, 34:12, 49:7 maltreatment [3] - 34:9, 57:3, 58:22 Maltreatment [1] - 34:12 managed [3] - 41:23, 41:25, 42:4 MANCUSO [2] - 1:17, 77:8 Mancuso [12] - 3:10, 3:14, 11:2, 19:20, 23:22, 26:11, 42:19, 65:22, 73:25, 76:6, 76:9, 76:13 March [3] - 11:11, 11:23, 62:5 Marion [3] - 75:16, 75:18, 75:23 Maritime [1] - 75:25 mark [6] - 19:9, 23:14, 23:23, 26:3, 42:9, 75:6 Mark [5] - 10:19, 38:24, 67:23, 69:19, 73:19 marked [26] - 10:22, 11:4, 19:12, 19:22, 23:18, 26:7, 26:13, 27:5, 27:7, 30:19, 31:9, 38:3, 39:3, 39:8, 39:16, 42:16, 42:21, 59:23, 60:2, 66:18, 67:10, 67:17, 68:3, 69:24, 70:5, 73:22 marking [1] - 45:8 marriage [1] - 79:17 Marshall [3] - 13:10, 14:15, 37:23 MARSHALL [1] - 13:10 material [1] - 47:19 materials [1] - 31:8 matter [8] - 17:3, 33:9, 34:20, 60:23, 62:7, 63:5, 64:5, 79:19 matters [3] - 9:7, 15:17, 28:7 McKinney's [1] - 64:23 mean [8] - 18:14, 36:7, 37:6, 46:15, 60:16, 63:12, 72:16, 73:11 meaning [1] - 23:5 means [2] - 52:21, 72:17 meant [3] - 52:24, 52:25, 53:11 Meg [6] - 13:7, 13:11, 13:19, 14:21, 17:3, 37:23 Melville [1] - 7:17 member [3] - 71:24, 72:13, 75:24</p> | <p>members [3] - 73:2, 74:5, 74:7 membership [1] - 10:8 memo [2] - 50:9, 50:12 memoranda [4] - 51:3, 51:7, 61:8, 61:10 Memorandum [4] - 21:8, 21:11, 21:12, 21:21 mention [2] - 13:19, 69:9 mentioned [6] - 12:19, 24:11, 28:5, 41:22, 68:22, 71:13 Michael [1] - 75:14 mid [1] - 34:18 Mid [2] - 33:16, 34:21 middle [1] - 20:11 mind [3] - 22:9, 32:20, 58:2 Mineola [4] - 1:20, 2:9, 3:13, 7:3 minute [1] - 65:9 minutes [1] - 70:4 Misconduct [1] - 65:11 misconduct [5] - 65:13, 66:2, 66:22, 67:15, 67:19 misdeemeanor [5] - 43:18, 44:8, 44:21, 44:25, 47:12 misdeemeanors [1] - 44:13 MIT [1] - 5:3 modify [1] - 60:8 moments [1] - 19:21 money [1] - 72:18 month [1] - 72:11 morning [2] - 3:14, 46:19 motion [7] - 21:9, 21:12, 21:13, 21:22, 22:6, 29:10, 58:15 motions [1] - 69:8 moved [1] - 7:4 MR [17] - 3:7, 10:19, 19:8, 23:14, 25:3, 26:3, 27:15, 38:24, 42:9, 45:16, 62:13, 67:23, 69:19, 73:11, 73:17, 76:18, 78:25 Mr [12] - 3:14, 11:2, 16:8, 16:12, 16:15, 19:20, 23:22, 26:11, 42:19, 65:22, 70:12, 73:25 MS [30] - 4:7, 7:10, 7:24, 8:14, 11:20, 12:22, 24:25, 27:17, 31:16, 31:24, 36:21, 38:5, 43:10, 43:19, 45:13,</p> | <p>50:5, 58:17, 59:21, 62:8, 63:22, 64:15, 71:20, 72:5, 72:22, 73:4, 73:9, 73:14, 74:25, 76:16, 77:2 multi [1] - 19:23 multi-page [1] - 19:23 myself [2] - 56:13, 57:23</p> | <p>offered [1] - 56:2 offhand [1] - 51:8 OFFICE [1] - 2:8 Office [1] - 34:7 office [32] - 3:12, 5:9, 5:23, 6:11, 7:2, 7:16, 8:6, 8:18, 9:22, 10:11, 14:22, 17:21, 19:19, 20:15, 20:24, 32:13, 36:13, 41:8, 60:7, 63:4, 63:10, 63:25, 64:6, 64:12, 65:17, 66:6, 68:25, 69:16, 71:3, 72:3, 72:7, 72:10 offices [1] - 1:18 Official [1] - 65:10 official [10] - 1:7, 1:15, 30:2, 65:13, 65:18, 66:2, 66:7, 66:22, 67:15, 67:19 officials [1] - 9:7 Oil [1] - 7:15 Oil's [1] - 7:16 Okay [6] - 12:18, 48:3, 60:4, 66:9, 74:11, 74:19 okay [1] - 6:25 old [1] - 56:25 Old [2] - 1:19, 3:12 one-page [1] - 26:12 one-year [1] - 56:25 ones [2] - 22:9, 71:19 opened [1] - 27:8 operate [1] - 32:12 opinion [5] - 32:18, 35:25, 36:4, 36:6, 52:7 opposition [2] - 21:13, 22:20 order [2] - 54:2, 58:6 ordinary [1] - 31:6 original [2] - 16:25, 35:17 outcome [1] - 79:18 Overall [1] - 61:25 overall [1] - 13:18</p> |
| N | | | |
| <p>name [10] - 3:8, 26:22, 40:17, 41:18, 41:22, 42:7, 44:6, 62:22, 68:22, 69:9 named [2] - 41:15, 76:7 Nassau [9] - 1:8, 1:16, 5:8, 8:5, 34:13, 49:7, 71:22, 72:3, 72:13 NASSAU [1] - 2:8 nature [5] - 28:25, 29:8, 51:23, 52:25, 70:11 NEW [2] - 1:2, 79:4 NOTARY [1] - 77:12 Notary [3] - 1:21, 3:4, 79:8 Note [1] - 74:25 Notice [4] - 42:10, 42:14, 43:21, 78:13 notice [5] - 36:23, 43:16, 43:23, 44:2, 67:18 noticed [1] - 67:20 November [1] - 43:3 NUMBER [1] - 78:7 number [3] - 10:16, 36:7, 36:9</p> | | | |
| O | | | |
| <p>object [1] - 59:21 Objection [20] - 4:7, 7:10, 7:24, 8:14, 11:20, 12:22, 31:16, 31:24, 36:21, 43:10, 43:19, 50:5, 58:17, 62:8, 63:22, 64:15, 71:20, 72:22, 73:4, 76:16 objection [4] - 12:3, 45:8, 72:5, 75:2 obligation [1] - 58:23 obtain [2] - 65:14, 66:3 obviously [1] - 4:14 Obviously [1] - 70:18 occurred [3] - 40:12, 40:13, 58:22 October [5] - 14:20, 20:3, 23:13, 24:8 odd [1] - 36:20 OF [4] - 1:2, 2:8, 79:4, 79:5</p> | | | |
| P | | | |
| <p>P.O [1] - 2:5 Page [4] - 33:19, 33:23, 34:14, 48:14 page [14] - 19:23, 26:12, 42:20, 42:25, 68:3, 68:13, 69:7, 69:23, 70:4, 70:5, 74:3, 76:21, 78:14, 78:16 PAGE [2] - 78:6, 78:24 pages [2] - 67:25, 69:21 parameters [1] - 64:9 part [20] - 13:15, 14:4, 28:3, 28:4, 29:14, 45:11, 45:14, 45:19, 45:24,</p> | | | |

MANCUSO

| | | | |
|--|---|--|--|
| <p>46:2, 46:10, 46:11, 46:18, 46:21, 54:8, 59:11, 65:5, 65:7 parties [1] - 79:16 parts [1] - 13:13 party [1] - 41:10 passage [1] - 34:17 passed [1] - 27:11 Patrick's [2] - 11:16, 11:19 pay [1] - 72:17 Penal [5] - 37:12, 47:25, 64:22, 66:23, 68:18 people [1] - 32:12 period [2] - 13:13, 14:11 Permit [1] - 53:20 permit [1] - 58:8 permits [1] - 47:7 permitted [5] - 47:11, 54:9, 54:12, 54:17, 55:3 permitting [3] - 45:3, 52:14, 55:8 perpetrator [1] - 44:7 person [11] - 26:20, 47:7, 54:2, 54:7, 54:17, 54:18, 55:2, 55:3, 65:14, 66:3 personal [7] - 25:21, 27:2, 27:7, 30:19, 30:21, 31:9, 74:22 Personally [1] - 31:4 personally [2] - 31:17, 32:7 persons [2] - 47:10, 54:12 pertaining [1] - 55:15 PETER [2] - 1:17, 77:8 Peter [1] - 3:10 PH [1] - 16:6 phrase [2] - 40:9, 74:9 PHYLLIS [2] - 79:8, 79:24 Phyllis [1] - 1:20 place [3] - 3:19, 14:18, 25:14 placed [3] - 40:17, 49:12, 57:2 PLAINTIFF [1] - 1:4 Plaintiff [3] - 1:18, 3:15, 34:10 PLAINTIFFS [1] - 78:4 Plaintiff's [48] - 10:20, 10:23, 11:4, 19:9, 19:13, 19:22, 23:16, 23:19, 23:24, 25:2, 25:6, 26:4, 26:8, 26:13, 29:21, 30:10, 33:17, 34:5, 38:4, 38:25, 39:4, 39:8, 39:16, 42:12, 42:16, 42:21,</p> | <p>48:15, 51:16, 59:6, 59:8, 59:17, 59:18, 59:24, 60:3, 63:13, 66:18, 67:2, 67:3, 67:11, 67:17, 67:24, 68:4, 69:20, 69:24, 70:6, 73:19, 73:22, 74:3 Please [1] - 3:8 please [13] - 10:20, 23:16, 26:5, 33:18, 38:25, 42:12, 42:19, 42:24, 62:14, 63:18, 67:24, 69:20, 73:20 pocket [7] - 45:14, 45:24, 46:11, 46:17, 46:21, 65:5, 65:7 point [5] - 7:3, 7:6, 37:13, 61:3, 61:4 points [1] - 61:2 police [2] - 56:24, 58:22 policies [1] - 9:21 policy [4] - 30:3, 31:19, 31:23, 32:2 Port [1] - 2:6 position [7] - 7:25, 9:16, 10:10, 14:24, 15:2, 56:18, 57:18 Post [3] - 69:21, 69:23, 78:16 practice [4] - 6:13, 6:18, 6:20, 7:7 prefer [1] - 36:11 prepared [4] - 18:11, 18:12, 19:2, 20:2 preparing [1] - 36:17 preponderance [3] - 40:6, 40:16, 40:21 present [2] - 16:22, 53:3 president [3] - 72:8, 75:19, 75:20 printout [4] - 67:25, 68:3, 68:11, 69:4 prior [3] - 5:13, 14:7, 67:9 prism [1] - 66:22 private [2] - 6:13, 7:7 privilege [1] - 28:14 privileged [10] - 17:14, 28:8, 28:17, 29:7, 29:13, 50:25, 51:24, 61:6, 61:11, 73:10 Pro [1] - 2:4 problem [1] - 36:3 procedure [1] - 30:3 procedures [1] - 9:21 proceed [1] - 33:8 proceeding [1] - 41:10 proceedings [1] - 57:20 professional [2] - 6:9,</p> | <p>71:17 programs [1] - 10:9 prohibited [1] - 53:22 promotion [2] - 5:21, 8:19 pronouncing [1] - 41:16 proper [1] - 62:22 proposition [1] - 50:8 prosecuted [12] - 12:9, 12:14, 37:19, 41:8, 53:13, 58:3, 58:6, 68:24, 69:6, 69:15, 69:17, 71:11 prosecuting [1] - 54:14 prosecution [10] - 9:6, 35:7, 41:13, 41:15, 41:20, 54:25, 69:12, 69:13, 70:12, 70:24 Protective [3] - 34:23, 35:17, 58:16 prove [2] - 54:2, 54:5 proven [1] - 54:21 proves [1] - 55:2 provide [3] - 21:3, 53:9, 53:19 provided [6] - 17:18, 17:21, 20:14, 20:16, 21:21, 63:7 provision [5] - 44:18, 47:21, 48:9, 48:22, 66:10 provisions [3] - 47:16, 50:3, 71:12 PUBLIC [1] - 77:12 public [12] - 9:7, 9:8, 44:10, 49:13, 49:14, 49:16, 49:19, 49:22, 49:25, 50:19, 65:12, 65:25 Public [8] - 1:21, 3:4, 9:14, 9:23, 15:7, 15:25, 16:5, 79:8 pursuant [1] - 30:2</p> | <p>Read [1] - 62:13 read [20] - 30:13, 30:16, 30:22, 34:3, 34:16, 35:10, 38:8, 38:16, 39:20, 43:14, 46:5, 47:3, 62:16, 63:17, 63:20, 65:9, 65:21, 65:23, 67:20, 70:9 reading [5] - 35:22, 46:17, 55:13, 61:23, 69:6 reads [1] - 47:6 reason [5] - 7:22, 11:12, 11:18, 55:15, 57:4 reasonable [3] - 54:5, 54:16, 54:21 reasons [1] - 58:10 recall [7] - 11:24, 28:12, 28:18, 28:23, 29:12, 60:17, 61:13 receive [5] - 25:5, 30:20, 34:19, 38:13, 67:5 received [36] - 5:2, 5:22, 21:7, 21:11, 21:15, 22:5, 22:8, 22:12, 22:13, 22:14, 22:17, 22:20, 22:21, 22:23, 23:7, 23:9, 24:6, 30:24, 31:5, 31:8, 38:2, 38:10, 38:12, 47:20, 51:16, 59:4, 59:5, 62:20, 66:24, 67:3, 67:6, 67:8, 67:12, 67:16 receiving [2] - 22:10, 67:9 recent [2] - 74:4, 74:23 recently [2] - 62:20, 62:25 recess [1] - 62:11 recipient [1] - 30:23 recognize [1] - 68:10 recollection [8] - 21:24, 21:25, 28:17, 38:18, 70:11, 70:14, 70:16, 70:21 recommend [1] - 53:12 recommendation [21] - 12:8, 12:13, 12:15, 35:7, 35:11, 37:18, 37:22, 38:2, 38:11, 39:22, 40:2, 50:18, 50:21, 51:4, 51:15, 51:20, 51:21, 51:22, 60:24, 62:3, 62:4 reconsider [1] - 39:25 record [6] - 3:9, 30:14, 34:4, 47:3, 59:17, 79:13 records [1] - 17:17 reference [3] - 43:22, 52:22, 66:19 referenced [1] - 38:14 referred [6] - 17:23, 18:9, 18:17, 18:22,</p> |
| | | Q | |
| | | <p>quadrant [1] - 74:2 question [24] - 13:4, 13:16, 28:22, 32:11, 38:6, 38:7, 39:20, 45:22, 46:8, 50:15, 56:6, 58:11, 61:11, 62:10, 62:14, 62:15, 62:19, 63:20, 69:2, 74:8, 74:10, 74:12, 75:3, 75:4 questions [3] - 3:17, 21:19, 76:20</p> | |
| | | R | |
| | | <p>raise [1] - 50:15 range [1] - 72:24</p> | |

MANCUSO

| | | | |
|--|--|--|--|
| <p>26:15, 63:19 referred-to [1] - 63:19 referring [7] - 12:21, 18:16, 20:6, 23:2, 23:4, 24:3, 46:12 Referring [1] - 24:25 reflected [1] - 61:7 reflecting [1] - 12:17 refresh [4] - 70:10, 70:13, 70:15, 70:20 regard [7] - 17:19, 18:8, 22:18, 32:3, 33:7, 47:20, 48:11 regarding [2] - 32:5, 51:19 register [10] - 40:5, 40:17, 40:24, 41:11, 45:6, 47:10, 48:17, 49:25, 54:11, 57:3 Register [2] - 34:12, 34:24 registry [1] - 49:12 regular [1] - 10:5 Reis [5] - 13:7, 13:19, 14:21, 17:3, 37:23 REIS [1] - 13:9 Reis' [1] - 13:12 relate [1] - 9:22 related [7] - 16:15, 27:21, 29:16, 29:19, 32:23, 76:5, 79:16 relating [3] - 31:19, 65:17, 66:5 relation [1] - 26:23 relatively [1] - 74:23 release [12] - 45:4, 47:8, 48:16, 50:19, 52:15, 53:6, 54:10, 54:19, 55:4, 55:8, 58:9, 60:14 released [7] - 48:21, 48:23, 49:4, 49:5, 49:25, 50:2, 60:23 relevant [3] - 17:24, 20:21, 61:22 remain [1] - 7:19 remember [4] - 21:5, 21:6, 22:10, 36:15 remembered [1] - 62:19 renamed [2] - 9:14, 9:18 renewal [3] - 51:15, 51:18, 62:3 renewed [2] - 38:10, 39:22 repeating [1] - 73:6 rephrasing [1] - 43:14 replace [1] - 16:12 replaced [1] - 14:14 reply [1] - 21:16 report [9] - 12:20, 13:2,</p> | <p>13:18, 15:9, 15:13, 16:19, 16:23, 43:16, 44:2 reported [7] - 13:2, 13:6, 36:4, 36:6, 49:17, 49:18, 49:21 Reporter [13] - 10:25, 19:15, 23:21, 26:10, 38:8, 39:6, 42:18, 49:19, 62:17, 63:21, 68:6, 70:2, 73:24 reporter [3] - 23:23, 37:5, 39:20 reporting [3] - 15:20, 43:8, 43:23 Reporting [1] - 1:19 reports [1] - 15:14 represent [1] - 74:20 represented [1] - 64:7 represents [1] - 11:15 request [3] - 20:18, 21:4, 62:20 Request [3] - 38:23, 62:23, 62:24 requested [3] - 20:19, 59:11, 59:24 requests [2] - 20:23, 60:5 research [2] - 19:5, 61:14 reside [1] - 3:11 resolved [2] - 60:23, 61:3 response [4] - 21:13, 21:18, 21:20 responses [1] - 62:21 resulting [1] - 57:2 Retired [1] - 75:13 retract [2] - 21:10, 29:4 Retraction [2] - 42:11, 42:15 retraction [3] - 59:11, 59:25, 60:5 returned [2] - 8:17, 8:23 review [10] - 17:12, 17:16, 17:24, 39:11, 39:21, 45:21, 46:2, 46:7, 49:21, 66:21 reviewed [10] - 17:17, 17:19, 17:22, 18:2, 18:19, 18:21, 18:23, 19:17, 61:16, 61:18 reviewing [2] - 18:5, 44:23 reviews [1] - 57:11 Rice [12] - 25:5, 25:20, 25:22, 26:22, 27:9, 29:17, 29:20, 31:3, 32:24, 75:16, 75:18, 75:23</p> | <p>RICE [2] - 1:7, 1:14 Right [5] - 18:19, 19:7, 36:20, 70:15, 70:25 right [4] - 30:13, 40:11, 59:19, 61:23 Rights [1] - 49:11 Road [2] - 1:19, 3:13 roles [3] - 13:20, 13:24, 17:11 roster [1] - 74:4 Rule [3] - 73:12, 73:22, 78:17</p> <p style="text-align: center;">S</p> <p>S-M-I-L-E-Y [1] - 20:17 salutation [1] - 30:17 satisfaction [2] - 54:6 save [1] - 65:9 school [3] - 3:24, 3:25, 5:7 Science [1] - 5:3 scope [1] - 9:4 Se [1] - 2:4 Second [3] - 4:11, 23:5, 60:9 second [4] - 42:25, 54:9, 54:14, 69:7 section [13] - 19:17, 46:4, 46:5, 46:12, 46:17, 52:14, 61:17, 61:19, 61:21, 65:6, 66:22, 67:15, 67:19 Section [11] - 44:16, 46:20, 47:4, 47:24, 48:9, 50:4, 52:5, 54:3, 64:21, 68:17, 68:18 seek [2] - 4:6, 56:16 send [1] - 11:22 separate [2] - 51:21, 51:22 September [7] - 22:11, 22:25, 23:9, 23:12, 23:15, 24:7, 37:17 series [1] - 3:16 servant [2] - 65:12, 65:25 servants [1] - 44:11 serve [1] - 43:23 served [1] - 13:14 service [1] - 13:12 Services [13] - 19:17, 34:8, 34:24, 35:18, 37:12, 44:16, 46:13, 47:5, 54:4, 58:16, 58:24, 66:20, 68:17 She's [1] - 24:12 she's [2] - 64:3, 75:20 shield [1] - 31:15 show [5] - 31:14, 36:15,</p> | <p>54:15, 54:16, 54:18 simultaneously [1] - 67:8 sister [1] - 26:25 sister-in-law [1] - 26:25 sit [1] - 48:13 situation [2] - 49:2, 56:8 six [1] - 54:7 Smiley [19] - 20:17, 20:25, 24:9, 25:12, 25:19, 26:16, 26:20, 27:19, 27:24, 29:15, 31:6, 31:12, 32:23, 33:3, 33:6, 33:12, 63:7, 63:14, 64:3 Smiley's [2] - 24:12, 64:9 Social [9] - 19:17, 37:12, 44:16, 46:13, 47:4, 54:4, 58:24, 66:20, 68:17 sole [2] - 28:4, 52:3 solely [1] - 48:8 solo [2] - 6:17, 6:18 someone [1] - 69:15 Somewhere [1] - 6:6 sons [2] - 34:6, 34:10 SOREK [31] - 2:10, 4:7, 7:10, 7:24, 8:14, 11:20, 12:22, 24:25, 27:17, 31:16, 31:24, 36:21, 38:5, 43:10, 43:19, 45:13, 50:5, 58:17, 59:21, 62:8, 63:22, 64:15, 71:20, 72:5, 72:22, 73:4, 73:9, 73:14, 74:25, 76:16, 77:2 sorry [3] - 6:4, 26:19, 75:22 sort [2] - 41:19, 56:16 sought [1] - 62:21 sound [1] - 69:10 sounded [1] - 69:10 sounds [1] - 69:14 Southern [1] - 4:10 speak [1] - 48:25 Special [3] - 9:3, 9:11, 9:13 special [2] - 9:4, 10:9 specific [1] - 59:16 specifically [4] - 20:16, 50:13, 57:21, 70:15 spelled [1] - 41:17 spent [1] - 62:7 spoke [1] - 52:20 SS [1] - 79:4 St [2] - 11:16, 11:19 stamped [1] - 30:12 stand [1] - 56:24</p> |
|--|--|--|--|

MANCUSO

| | | | |
|--|--|--|--|
| <p>stand-off [1] - 56:24 standard [1] - 73:15 state [2] - 3:8, 32:20 State [8] - 1:21, 3:4, 4:9, 4:17, 4:19, 34:11, 75:25, 79:9 STATE [1] - 79:4 statement [2] - 35:9, 40:8 states [1] - 27:6 STATES [1] - 1:2 States [1] - 4:12 stating [1] - 45:23 statute [16] - 44:23, 47:2, 48:23, 48:25, 50:10, 50:14, 50:17, 52:20, 53:5, 53:9, 53:14, 56:6, 56:10, 56:19, 60:13, 64:19 statutes [1] - 37:13 statutory [3] - 44:17, 47:16, 47:21 Stephen [1] - 16:6 stopped [1] - 7:7 Street [1] - 2:9 strike [2] - 21:9, 22:6 sub [1] - 46:13 Subdivision [1] - 44:15, 47:4, 47:24, 48:9, 50:4, 52:4, 54:3, 64:21, 65:16, 68:17, 68:19 subdivision [1] - 45:25 subject [4] - 28:13, 33:25, 41:3, 52:21 submitted [2] - 18:15, 60:9 Subscribed [1] - 77:10 substance [3] - 25:17, 61:9, 69:17 substituted [1] - 29:3 successful [1] - 54:25 successfully [1] - 10:18 Suite [1] - 1:19 sum [1] - 25:16 summer [3] - 22:7, 22:16, 22:17 superior [1] - 13:14 superiors [5] - 12:8, 12:14, 12:19, 12:21, 50:17 Supp [3] - 36:15, 36:18, 36:25 support [3] - 21:8, 21:12, 50:7 supported [1] - 40:6 Supreme [1] - 4:12 surprise [1] - 30:23 sustaining [3] - 72:12, 73:2, 74:5</p> | <p>sworn [3] - 3:3, 77:10, 79:12 system [2] - 36:12, 68:8</p> <p style="text-align: center;">T</p> <p>T-A-R-T-A-N [1] - 7:15 T-U-I-F-E-L [1] - 41:17 tabs [1] - 64:24 talked [1] - 28:9 talking [3] - 46:16, 53:14, 64:20 Tammy [2] - 20:17, 20:25, 24:9, 24:11, 25:12, 25:19, 26:16, 26:20, 27:19, 27:24, 29:15, 31:6, 31:12, 32:23, 33:3, 33:6, 33:12, 63:7, 63:14, 64:3, 64:9 Tartan [3] - 7:15, 7:16, 7:20 term [1] - 15:23 terminated [1] - 7:25 terms [1] - 12:2 testified [1] - 3:5 testifying [1] - 29:11 testimony [2] - 17:2, 79:14 text [2] - 33:22, 34:3 Thank [1] - 34:15 thanks [1] - 12:18 THE [3] - 2:8, 63:17, 73:7 there's [4] - 12:2, 29:6, 32:2, 45:7 they're [1] - 46:18 three [5] - 42:20, 51:12, 69:21, 69:23, 70:5 Three [2] - 51:5, 78:16 Three-page [1] - 78:16 three-page [3] - 42:20, 69:23, 70:5 TIME [1] - 1:11 times [1] - 74:24 title [12] - 5:10, 5:22, 6:9, 8:9, 8:19, 8:21, 15:5, 24:12, 24:15, 24:19, 47:11, 54:13 topic [1] - 23:6 Traeger [7] - 13:10, 14:15, 16:12, 16:15, 16:16, 37:24 trail [1] - 19:5 transaction [1] - 14:17 transactional [1] - 6:24 transpired [1] - 12:4 TRIAL [1] - 1:13 true [2] - 5:12, 79:13 TUIFEL [1] - 68:23 Tuifel [4] - 41:15, 42:8,</p> | <p>68:22, 70:12 Two-page [1] - 78:14 two-page [1] - 68:3 type [3] - 6:19, 11:15, 69:12 typed [1] - 30:12</p> <p style="text-align: center;">U</p> <p>ultimately [1] - 37:24 Ultimately [1] - 22:5 unanimous [1] - 54:6 unauthorized [4] - 65:18, 65:20, 66:6, 66:8 unconstitutional [1] - 56:20 undergraduate [1] - 4:25 underlying [2] - 18:9, 56:15 understand [1] - 60:21 understanding [2] - 25:7, 25:10 understood [1] - 48:10 undertaking [1] - 46:6 undertook [1] - 45:21 unfounded [1] - 35:14 unit [1] - 9:9 UNITED [1] - 1:2 United [1] - 4:12 University [1] - 75:25 unpublished [1] - 35:25 upper [1] - 30:12 US [1] - 34:13 uses [1] - 72:20</p> <p style="text-align: center;">V</p> <p>venue [1] - 49:25 verb [1] - 53:20 verbiage [2] - 47:3, 48:14 versus [2] - 34:13, 49:7 vice [1] - 72:8 vice-president [1] - 72:8 view [2] - 61:2, 61:4 viewed [1] - 55:5 violate [1] - 52:14 violated [1] - 54:3 Violation [1] - 37:11 violation [2] - 49:11, 52:4 voice [1] - 65:9 volume [2] - 46:15, 46:21</p> <p style="text-align: center;">W</p> <p>wanted [1] - 64:12</p> | <p>was he [1] - 29:10 was it [3] - 6:16, 9:18, 55:23 was that [8] - 5:4, 6:14, 9:2, 17:6, 30:2, 52:5, 56:19, 57:18 was there [2] - 13:15, 39:24 Washington [1] - 2:6 ways [1] - 52:13 We'll [2] - 42:8, 59:16 we'll [2] - 44:14, 48:3 we're [1] - 23:6 we've [2] - 50:20, 74:15 WebCrim [6] - 67:25, 68:3, 68:8, 68:11, 69:4, 78:14 were you [3] - 4:22, 8:23, 20:12 weren't [1] - 41:6 West [1] - 2:9 Westlaw [7] - 36:8, 36:11, 36:16, 36:24, 49:17, 49:21, 61:19 what are [1] - 51:16 What did [2] - 35:2, 60:15 What is [4] - 3:22, 24:15, 24:19, 62:22 what was [17] - 4:25, 5:6, 5:21, 6:8, 6:16, 7:8, 7:22, 8:3, 8:9, 8:18, 9:4, 14:24, 27:15, 28:19, 38:5, 38:18, 45:20 What were [1] - 10:13 what's [4] - 19:21, 29:8, 39:8, 45:13 wheels [1] - 58:15 when did [7] - 13:25, 14:17, 16:8, 25:13, 33:11, 34:16, 34:19 when you [10] - 8:9, 8:23, 36:6, 38:12, 49:14, 58:2, 59:4, 66:14, 66:24, 67:16 Where is [1] - 7:16 Where was [1] - 7:2 WHEREOF [1] - 79:20 Whereupon [18] - 10:21, 19:11, 23:17, 26:6, 33:20, 38:7, 39:2, 39:9, 42:13, 62:11, 62:15, 63:19, 65:2, 68:2, 69:22, 70:7, 73:21, 77:4 who are [1] - 12:20 Who is [4] - 16:4, 25:20, 68:23, 69:15 who was [1] - 13:7 willful [10] - 52:12,</p> |
|--|--|--|--|

MANCUSO

52:16, 52:18, 52:21,
 52:23, 53:8, 53:10,
 53:15, 55:9, 57:7
willfully [9] - 45:3, 47:7,
 53:16, 54:8, 54:17, 55:3,
 58:5, 58:7, 58:13
wish [1] - 53:24
withdraw [1] - 63:11
Witness [1] - 77:5
witness [9] - 1:17, 3:3,
 33:20, 39:9, 59:22, 65:2,
 70:7, 79:11, 79:14
WITNESS [3] - 63:17,
 73:7, 79:20
Wolf [1] - 22:15
word [5] - 21:17, 21:18,
 30:11, 30:13, 60:14
words [4] - 19:4, 41:4,
 54:25, 55:18
work [4] - 9:5, 9:22,
 62:6, 63:5
worth [1] - 61:22
wouldn't [5] - 10:14,
 26:21, 28:12, 57:23, 58:8
write [4] - 12:3, 12:5,
 50:9, 50:12
writing [2] - 50:22,
 50:24
writings [1] - 51:4
written [1] - 53:15
wrote [3] - 11:7, 40:25,
 62:5

Y

year [11] - 3:19, 4:3,
 4:22, 5:4, 6:14, 7:9, 7:21,
 16:11, 56:25, 63:3, 72:24
years [2] - 10:18, 71:25
YORK [2] - 1:2, 79:4
York [18] - 1:20, 1:22,
 2:6, 2:9, 3:4, 3:13, 3:21,
 4:9, 4:10, 4:11, 4:17,
 4:19, 34:11, 69:21,
 69:23, 75:25, 78:16, 79:9
you've [3] - 11:5, 42:22,
 74:13
yourself [2] - 9:20,
 56:24