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Defendant and Cross-Complainant *pro se*

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CENTRAL DISTRICT**

KENDRICK MOXON

Plaintiff,

v.

GRAHAM BERRY,

Defendants.

GRAHAM E. BERRY, an individual;

Cross-Complainant,

v.

KENDRICK L. MOXON, an individual;

Cross-Defendant.

Case No. BC429217

**DEFENDANT AND CROSS-
COMPLAINANT'S APPENDIX NO. I
OF EXHIBITS AND REQUEST FOR
JUDICIAL NOTICE FILED AS PART OF
THE UNVERIFIED ANSWER AND
VERIFIED COMPULSARY CROSS-
COMPLAINT HEREIN.**

Action filed: January 5, 2010

[Filed concurrently with: (1) Judicial Council
of California Form MC-701 (C.C.P. §391.7;
(2) Appendix No. II of Exhibits [Exhibits B-
D]; (4) Appendix No. III of Exhibits
[Exhibits E-J] ; Unverified answer and
verified cross-complaint]

1 A Yes.

2 Q And then Mr. Ingram told you he was an employee
3 of the Los Angeles Police Department?

4 A Los Angeles Police Department detective.

5 Q Did he tell you why he had come to see you?

6 A No. Not at that moment.

7 Q At some point during the visit did Mr. Ingram
8 advise you of the purpose of his visit?

9 A He started questioning me, and it was common
10 sense to figure out he was investigating Mr. Spiegelman,
11 Mr. Berry, and other folks I knew at the time.

12 Q Did Mr. Ingram ever tell you the reason he was
13 there was to investigate Graham Berry?

14 A No. Not in those words. However, the
15 question -- for example, four or five questions about
16 Mr. Spiegelman to 20 or 30 questions about Mr. Berry.
17 The conversation became more Mr. Berry and less and less
18 Mr. Spiegelman or any other individual.

19 Q How long did the meeting with Mr. Ingram last?

20 A My recollection is an hour or two.

21 Q Was anyone else present during that hour or
22 two hours that you met with Mr. Ingram on the 4th of
23 May, 1994?

24 A Mr. Ingram had a woman with him that was
25 introduced. I don't remember her name. I assumed she

1 was his partner, a detective, as well. She didn't
2 really speak too much. She took notes.

3 Q Did she ever provide any identification other
4 than telling you her name?

5 A I do not remember.

6 Q Did Mr. Ingram ask you to sign a declaration
7 during the course of the meeting on May 4th, 1994?

8 A He says that he would take what I had said and
9 come back with a declaration for me to execute.

10 Q Did Mr. Ingram give you any information about
11 Mr. Berry during the one- to two-hour meeting in May of
12 1994?

13 A Yes.

14 Q What did Mr. Ingram say to you regarding
15 Graham Berry?

16 A At one point early on in the conversation on
17 May 4th he said -- showed me a picture of a gentleman in
18 a nightclub, I believe, and said, "Does this look like
19 Graham Berry to you? Can you identify this as
20 Graham Berry?"

21 It looked like Graham Berry. I said, "I
22 believe that is him."

23 I hadn't seen Mr. Berry since January or
24 February of '85 before his going to Australia. He
25 corrected me that it was to New Zealand. Sorry.

1 He informed me that Berry was involved with
2 people, such as Crispo, Andrew Crispo, and informed me
3 that he was doing illegal things in Los Angeles with
4 regard to his practice.

5 I was shocked because I didn't know that he was
6 back in the United States.

7 He said, "Yeah, he was practicing law in
8 Los Angeles."

9 That made sense with the picture, because it
10 was a nightclub in Los Angeles.

11 He said he had spoken to Mr. Spiegelman, spoken
12 to other people whose names I remembered from that
13 period of time.

14 He also said that Mr. Berry was involved in
15 some seedy sexual occurrences, for lack of a better
16 word. That's what I basically remember.

17 Q What did Mr. Ingram say with regard to
18 Mr. Berry's involvement with Andrew Crispo?

19 A At that -- on May 4th?

20 Q Yes.

21 A I believe he asked me if I remembered somebody
22 named Andrew Crispo. I said that I remembered the name
23 having been a name that was popular in certain gay
24 culture in New York at that time, somebody that was -- I
25 remembered him as being somebody that was -- well,

1 Q Sure. I believe you mentioned that Mr. Ingram
2 told you on May 4, 1994, that he spoke to
3 Mr. Spiegelman.

4 A I believe so.

5 Q Did Mr. Ingram say anything with regard to
6 Mr. Berry in connection with his statement of a
7 conversation with Mr. Spiegelman?

8 A I don't believe so. However, I do remember
9 that I offered a great deal of information that I have
10 personal information of about Mr. Spiegelman and his
11 activities during that period of time.

12 Q Mr. -- Mr. Ingram also stated that Mr. Berry
13 was involved in seedy sexual activities; correct?

14 A Right.

15 Q Did Mr. Ingram give any specifics with regards
16 to the nature of those sexual activities?

17 A That they were male gay contacts and sometimes
18 underage.

19 Q Anything else that Mr. Ingram told you on
20 May 4th, 1994, concerning Mr. Berry's alleged sexual
21 activities?

22 A Maybe, but I don't remember at this time I
23 wouldn't mind taking a break if it's possible for
24 5 minutes.

25 MS. MATTHAI: Sure.

1 Want to smoke?

2 THE WITNESS: Yeah.

3 (A recess was taken.)

4 MS. MATTHAI: Les, what was did I last ask?

5 (The record was read.)

6 BY MS. MATTHAI:

7 Q Did Mr. Ingram tell you on May 4th, 1994, that
8 he knew anything about you?

9 A Yes.

10 Q What did Mr. Ingram tell you on May 4th, 1994,
11 that he knew about you?

12 A He knew and understood that there was a
13 warrant, I guess an arrest warrant, issued in the State
14 of New Jersey for me.

15 He also indicated that he had -- I believe that
16 he heard through some other people that he spoke to
17 prior to me that I was a fugitive from the law and that
18 I was wanted for numerous charges both in New York,
19 New Jersey, and other places.

20 He said that -- he said that I should be very
21 careful not to go to the State of New Jersey, that I
22 could be arrested. He made a joke about getting pulled
23 over driving a car, that I could be arrested.

24 I said that I was aware that there was a matter
25 in May Landing, Atlantic County, and I didn't -- I was

1 seeking counsel to go down and answer. I guess it was
2 an arraignment of some sort. I didn't have knowledge
3 what an arrest was and/or arraignment. I never had any
4 run-in with the law. I thought I should be very careful
5 to a help him, assist him with information about Berry.

6 My understanding was that he was a detective.
7 What didn't make sense to me was that he was a detective
8 from Los Angeles. I had lived in Los Angeles; so in my
9 limited capacity to understand what was going on, it was
10 sort of a connection.

11 Q Did Mr. Ingram -- you said that Mr. Ingram told
12 you that you should be careful to help him with
13 Mr. Berry.

14 What did he say in that context?

15 MR. MOXON: Objection. Mischaracterizes the
16 witness' testimony.

17 BY MS. MATTHAI:

18 Q Let me rephrase the question.

19 What did Mr. Ingram tell you with regard to
20 your helping him with Mr. Berry?

21 A I was lead to understand and believe that if I
22 didn't help Mr. Ingram in my casting him in my
23 understanding him to be a detective with the Los Angeles
24 Police Department, that he could very well take me to
25 New Jersey and have me arrested.

1 Q Did Mr. Ingram return to your house on May 5th,
2 1994?

3 A Yes. Not to my house. May 4th -- he returned
4 on May 4th in the evening while I was out and had,
5 according my wife at that time, an hour or so
6 conversation with her.

7 Q Okay.

8 A My wife was not aware at that time, or even
9 after -- she may be now -- but during the early '80s
10 that I associated in circles in the gay world, and it
11 was something that I wouldn't care for her to know at
12 that time. It was a life that had long-gone past,
13 something that I wasn't real proud of.

14 So I was quite apprehensive. I walked in the
15 door, and there was a gentleman and woman, Ingram and
16 lady, and she said, "We had a wonderful conversation,
17 and he asked me a lot of questions about you."

18 He appeared the next day.

19 Q Let me stop you.

20 What was your wife's name at the time of the
21 conversation with her and Mr. Ingram -- that's a
22 horrible question, I guess. Let me try it again.

23 What is your wife's name?

24 A Valerie Hyman Cipriano.

25 Q What name does she currently use?

1 myself and not having an understanding -- as such, the
2 pressure that I felt being brought to bear on me, I
3 signed his version, or his -- this thing.

4 Q When you say he became angry and belligerent,
5 what do you believe he demonstrated that he was angry
6 and belligerent?

7 A Standing up -- there was a small round
8 conference table in my office. I was sitting. He stood
9 up. When I said, "This isn't what I said," he repeated
10 something to the effect of how easy it was to -- to find
11 you and fugitive information and bringing me back to the
12 fear that I had over the New Jersey matter. I was
13 intimidated.

14 Q What was the New Jersey matter?

15 A One of many companies that I had acquired or
16 built or created with CDG, Artistic Builders Group in
17 Atlantic City, New Jersey, which was a home renovation
18 company.

19 I acquired that company from an old friend at
20 the time not knowing there were umpteen debts. I
21 purchased the company for a dollar and the
22 representation that I would employ the -- the seller in
23 my company in New York in another capacity.

24 Within a few weeks of acquiring the company, I
25 was being called by creditors of this company, the

1 Q Did you compose any of the -- any portion of
2 the declaration that we have marked as Exhibit 5?

3 A No.

4 Q Did you make any handwritten notes during the
5 meeting that had occurred on May the 4th?

6 A No.

7 Q Was the only person who took notes during that
8 meeting the woman who had come with Mr. Ingram?

9 A Mr. Ingram may have had a notepad, as well. I
10 don't remember specifically.

11 Q Do you recall anything that was said during the
12 meeting on May 5th, 1994, when the declaration was
13 signed?

14 A Please repeat the question.

15 Q Sure. Do you recollect what was said between
16 you and Mr. Ingram on May 5th, 1994, when this
17 declaration, Exhibit 5, was actually signed?

18 A I said to Mr. Ingram that this is not what I
19 said; that it mischaracterized what I had said. He
20 became angry, somewhat belligerent.

21 He went on to say, "You know how easy it is for
22 me to find you? How easy do you think it would be for
23 the authorities in New Jersey to find you?"

24 I was terrified of what was going on in
25 New Jersey. And not having the money to represent

1 A Reask the question, please.

2 Q Sure. Did Mr. Ingram make any statement to you
3 on May 5th, 1994, with respect to what would be done
4 with your declaration?

5 A I don't believe so.

6 Q Did Mr. Ingram make any statements to you on
7 May 4th, 1994, with regard to what would be done with
8 your declaration?

9 A I don't believe so.

10 Q Did you at any point on either May 4th or
11 May 5th, 1994, form any belief as to what was going to
12 be done with the declaration that Mr. Ingram was asking
13 for?

14 A Did I form a belief? Is that what you are
15 asking?

16 Q Yes.

17 A I believed it would assist the Los Angeles
18 Police Department in whatever investigations that leads
19 to the illegal things that Mr. Ingram was referring to
20 on May 4th, that it would assist them, I guess in that
21 matter.

22 Q All right. Did Mr. Ingram ever make any
23 statements to you with regard to who your declaration
24 would be given?

25 A No.

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1 Q Where did that occur?
2 A At my office.
3 Q How was that meeting arranged?
4 A I believe that he called. I had given him the
5 number at my office. He called to say that he wanted to
6 come by the office.
7 Q Did he tell you the reason that he wanted to
8 come by?
9 A He wanted me to sign a declaration.
10 Q Did you agree to have Mr. Ingram come to your
11 office on May the 5th?
12 A Yes, I did.
13 Q Did Mr. Ingram bring with him the declaration,
14 which we have marked as Exhibit 5?
15 A I do believe this is the declaration, yes.
16 Q Did -- how long did the meeting on May the 5th
17 last?
18 A 10 minutes.
19 Q Were there any changes made in the proposed
20 declaration during the course of the meeting on May 5th,
21 1994?
22 A I do not believe so.
23 Q Did Mr. Ingram make any statements to you on
24 May 5th, 1994, with regard to the reason that he was
25 asking you to sign the declaration?

1 Atlantic County Police Department. This guy bounced
2 checks, owed money to a lot of people, and had taken
3 money from people to do renovation jobs that he didn't
4 complete.

5 Over appeared of a month or so, I paid as much
6 as I could afford at the time to pay off and/or settle
7 these claims out of court.

8 Finally, I had had it. I dismissed this
9 gentleman, this gentleman Peter Augay from my
10 organization abruptly. There was one debt outstanding.
11 That was \$25,000 that he had taken from somebody,
12 Jerry Farrello, and never paid him back.

13 I refused to pay Mr. Farrello. One, I was down
14 on my funds; and, two, it wasn't my debt. I didn't
15 believe it was my debt. Mr. Farrello brought charges of
16 fraud and criminal charges of theft against me.

17 That was the nature of it.

18 Q Did you, in fact, then sign the declaration
19 after Mr. Ingram became angry and belligerent?

20 A That's correct.

21 MR. MOXON: Move to strike the response.

22 BY MS. MATTHAI:

23 Q The first paragraph of the declaration, which
24 we've marked as Exhibit 5, states that you own
25 Transact Resources International.

1 "Chicken" meaning young, and "hawk" meaning older.

2 Q Okay. On the May 5th meeting with Mr. Ingram,
3 did you have any discussion with regard to this line
4 about Mr. Berry being a "classic example of a chicken
5 hawk"?

6 A Say the date again, your question.

7 Q On the date that the declaration was signed,
8 May 5th.

9 A Not specifically.

10 Q Did you at any time tell Mr. Ingram that it was
11 your opinion that Graham Berry was a classic example of
12 a "chicken hawk"?

13 A Did I tell Mr. Ingram?

14 Q Yes.

15 A No.

16 Q Paragraph No. 5 of Exhibit 5 states that:

17 "(Reading) Mr. Berry would
18 routinely tell me in graphic detail
19 about his sexual exploits with boys
20 under the age of 16."

21 Did Mr. Berry ever tell you about a sexual
22 exploit with a boy under the age of 16?

23 A No. What that refers to is, again, what my
24 answer was a couple of moments ago where -- that I
25 wasn't -- that Mr. Berry would routinely tell me in

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1 detail about his sexual exploits. Mr. Ingram added
2 "boys under the age of 16."

3 Q The next line says:

4 "(Reading) Mr. Berry told me that
5 he would sodomize these boys and have
6 them orally copulate his penis."

7 Did Mr. Berry ever tell you that he engaged in
8 such activity with a boy under the age of 18?

9 A No. It was never discussed regarding age.
10 One, I would never use these terms "sodomize" and
11 "orally copulate the penis."

12 Q So those words were Mr. Ingram's words?

13 A Correct.

14 Q Did you tell Mr. Ingram at any time before this
15 declaration was signed about the specific nature of
16 Mr. Berry's sexual activities with anyone?

17 A No. No.

18 Q The next line says:

19 "(Reading) Between May, 1984, and
20 February, 1985, I personally observed
21 at least 50 to 60 boys between the
22 ages of 14 and 16 in the company of
23 Mr. Berry at the law firm on
24 East 53rd Street."

25 Is that an accurate statement of what you told

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1 Mr. Ingram?

2 A What I told Mr. Ingram was I personally
3 observed 50 to 60 boys in the company of Mr. Berry at
4 the law firm on East 53rd-Street, Rounds, Studio 54, and
5 other places.

6 Q Did you at any time tell Mr. Ingram that those
7 boys were between the ages of 14 and 16?

8 A No. That's ridiculous.

9 Q Why is that ridiculous?

10 A Because a 14-year-old wouldn't be permitted
11 anywhere near the situation. 16, unless he looked
12 older, wouldn't be allowed.

13 Q Did Rounds routinely check identification
14 before you could get in the door?

15 A I never saw.

16 Q Okay. Did you ever go into Rounds?

17 A Frequently.

18 Q Did you ever observe anyone being told to leave
19 Rounds with the statement that they were too young to be
20 in the location?

21 A I never saw it myself, but I don't know whether
22 it happened or not.

23 Q When you say that they wouldn't be allowed
24 anywhere near the situation, what do you base that
25 statement on?

1 A A 14-year-old obviously looks different than an
2 18-year-old. A 16-year-old can look like an 18-year-old
3 and an 18-year-old can look like a 16-year-old. It's
4 hard to do 14 to 18. Males go through puberty and
5 change.

6 What I said -- you can almost replace in this
7 declaration every point in which he says under "age 14
8 to 16 or under 18," with "which were young,
9 good-looking-model types." He replaced "young,
10 good-looking-model types" with "underaged 14 to 16," or
11 whatever.

12 Q When you said "young," did you mean under 18?

13 A No.

14 Q Was there a doorman --

15 A I didn't mean over 18 or under 18. I wasn't
16 referring to age.

17 Q Was there a doorman at Rounds?

18 A At various times.

19 Q The next line of the declaration says:

20 "(Reading) He frequently pointed
21 out which boy he had sex with and
22 would tell me all about it in
23 detail."

24 Did Mr. Berry ever identify anyone that he had
25 sex with who you knew to be under age 18?

1 A The answer to your question, and the keyword is
2 "knew to be under the age of 18."

3 No. At that time, I didn't distinguish
4 between -- I understood from personal observation at
5 that point that there were male hustler types that were
6 probably not of age. You just turned your head the
7 other way and didn't make a thing of it. They were
8 probably 17.

9 From what I knew -- I think that was the
10 operative word. I did not know for a fact, look at
11 their IDs, question, or ask anybody.

12 Q So you were aware that there were hustlers out
13 there that were under age 18, but you don't know one way
14 or the other whether Mr. Berry ever had a sexual
15 relationship with such a person?

16 A Correct.

17 Q When Mr. Berry identified someone with whom he
18 had a sexual relationship, did he give you details about
19 the nature of the sexual activity between Mr. Berry and
20 that person?

21 A Not details. Referred more to bragging. No
22 details, sexual details. It was more like, "I went out
23 with this person to Studio 54, stayed wherever he was.
24 He stayed overnight. He might come by later to see you
25 at the model agency, talent agency." It was just

1 general.

2 Q The next line of the declaration says:

3 "(Reading) Mr. Berry would also
4 frequently have them do odd jobs at
5 the law firm."

6 From time to time did you observe young males
7 working at the law firm?

8 A Whether they were working or not, I don't know.
9 My memory was that there were individuals that would
10 come and go. Sometimes they would be around for a day
11 or two or week.

12 Whether they were like messenger or did
13 something or actually performed stuff, I don't have a
14 specific memory.

15 Q Do you know the ages of any of those people?

16 A Not specifically.

17 Q The next line states that:

18 "(Reading) The odd jobs would be
19 done in exchange for cocaine, which
20 he would provide them."

21 Was that something that you had told
22 Mr. Ingram?

23 A I may very well have said that. My memory was
24 that Mr. Berry had access to cocaine. I had access to
25 cocaine. I would share my cocaine with them; that

1 because of the nature of the -- of the social scene, a
2 lot of people did a lot of cocaine back then. It would
3 not be unusual for some of the younger individuals that
4 Mr. Berry traveled with or dated and/or socialized with
5 to be exchanging cocaine. It was kind of assumed.

6 Q Did you, in fact, observe Mr. Berry give
7 cocaine to anyone who you knew to be under the age of
8 18?

9 A The operative word, no.

10 Q The last line of paragraph 5 states that:

11 "(Reading) Mr. Berry told you
12 that his New Zealand accent was found
13 to be attractive to these boys."

14 Did Mr. Berry ever tell you that?

15 A Once again, I thought he was Australian.

16 Mr. Ingram made it clear that he was from New Zealand;
17 thus, this sentence was created by Mr. Ingram.

18 Q Did Mr. Berry ever tell you that his accent was
19 found to be attractive by these boys?

20 A I don't remember him saying that.

21 Q Did you tell Mr. Ingram that Mr. Berry had made
22 such a statement?

23 A No.

24 Q Going to paragraph 6 of your declaration, the
25 first line is:

1 "(Reading) I also observed the
2 side of Mr. Berry which I felt was
3 even seedier."

4 Was that a word that you had used in your
5 discussions with Mr. Ingram?

6 A I'll help you with this. Paragraph 6 is
7 completely fabricated. There is no basis in reality to
8 what I said.

9 Q Did you have any discussion with Mr. Ingram at
10 all concerning the Anvil Club?

11 A He asked me if I heard of the Anvil Club.

12 Q What did you say?

13 A I said, "I heard of it. I didn't know where it
14 was, know anything about it, other than it was after
15 hours, I think.

16 Q Did you have any knowledge that Mr. Berry had
17 been to the Anvil Club in Greenwich Village?

18 A Absolutely not.

19 Q Did -- in paragraph 6, the third sentence, it
20 states:

21 "(Reading) Homosexual males at
22 the club would orally copulate and
23 sodomize each other in view of other
24 patrons."

25 Is that something you told Mr. Ingram?

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1 A No.

2 Q Did -- did you have any knowledge of what did
3 or did not occur at the Anvil Club?

4 A I had heard the reputation of the Anvil Club.
5 It was an S&M -- sadomasochistic-type club. That was
6 the reputation of the Anvil Club.

7 Q Okay.

8 A I may very well have said that if I was asked
9 if I heard of the Anvil. I may have said, "S&M club."

10 Q Did you make any statement to Mr. Ingram that
11 would indicate that Mr. Berry had been to the
12 Anvil Club?

13 A No.

14 Q Turning to the next page of Exhibit 5, we have
15 paragraph 7 at the top of the page.

16 MR. MOXON: Ms. Matthai, since you are asking
17 these questions, you assume they are relevant to this
18 case?

19 MS. MATTHAI: Yes.

20 MR. MOXON: So can we reschedule Mr. Berry's
21 deposition to go through all of his sexual activities
22 during this time period since they're sort of irrelevant
23 to this case?

24 MS. MATTHAI: No.

25 MR. MOXON: Do you want to have a meet and

1 confer or should we make a motion?

2 MS. MATTHAI: I think the rules would probably
3 require us to have a meet and confer. Now is not the
4 time and place.

5 MR. MOXON: You said they were irrelevant
6 before. I -- go ahead.

7 MS. MATTHAI: Finished?

8 MR. MOXON: I need some dates for his
9 deposition.

10 BY MS. MATTHAI:

11 Q Going to paragraph 7 of Exhibit 5, the
12 paragraph states:

13 "(Reading) Mr. Berry once told me
14 about taking a boy of 12 years of age
15 to the Anvil Club for the purpose of
16 introducing him to gay sex."

17 Did Mr. Berry ever tell you that?

18 A No. Absolutely not.

19 Q Did you tell Mr. Ingram that Mr. Berry had told
20 you that?

21 A No.

22 Q Paragraph 8 of the declaration states that:

23 "(Reading) In about 1984, I met a
24 22-year-old homosexual named
25 David Lee, who was working as a

1 production assistant for Coast to
2 Coast Productions in New York City."
3 Is that a true statement?
4 A Yes.
5 Q Did you hire Mr. Lee to work for
6 Cipriano Enterprises?
7 A Briefly, yes.
8 Q During what period of time did Mr. Lee work for
9 Cipriano Enterprises?
10 A Must have been in '84, late, probably.
11 Q What did he do?
12 A My personal assistant.
13 Q The next line states that:
14 "(Reading) Mr. Berry was living
15 in a homosexual relationship with
16 Mr. Lee at that time."
17 Was that accurate?
18 A That's what I believe.
19 Q Do you know one way or another whether that is
20 a true statement?
21 A I learned from Mr. Berry thereafter that they
22 weren't in a sexual relationship or homosexual
23 relationship; that they were roommates.
24 Q Okay. And you had made that assumption that
25 since they were roommates, there was, in fact, a sexual

1 relationship there?

2 A Pretty much.

3 Q Later on Mr. Berry told you, however, that it
4 had been a roommate relationship?

5 A July, August of last year he said they were
6 roommates and good friends.

7 Q Did you ever have a discussion with Mr. Lee as
8 to whether or not the living arrangement had been one of
9 roommates or had involved a sexual relationship?

10 A I don't think there was ever a specific
11 recollection. I visited, I think, one or two occasions
12 Mr. Berry and/or Mr. Lee in the Park Avenue South
13 apartment, and I just assumed that they were getting it
14 on, for lack of a better word.

15 Q Did -- do you know where David Lee is now?

16 A I understand from Mr. Berry that he has since
17 passed away.

18 Q The next line in the declaration states that
19 you believe Mr. Lee subsequently introduced Mr. Berry to
20 Mr. Spiegelman.

21 Do you see that?

22 A I believe that's what I said to Mr. Ingram.

23 Q Did you believe that to be an accurate
24 statement?

25 A I don't think I had been informed anything

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1 different than that.

2 Can we break.

3 Q Sure.

4 A I have to go to the bathroom.

5 MS. MATTHAI: At some point we're going to take
6 a short break for lunch; so I don't know if you want to
7 do that and maybe miss the crowds.

8 I prefer doing a short break and coming back,
9 and breaking around 1:15 for lunch.

10 MS. PAQUETTE: Fine.

11 MS. MATTHAI: Les?

12 THE REPORTER: Fine.

13 MS. MATTHAI: Let's take a few minutes now and
14 come back.

15 (The proceedings were adjourned for
16 lunch from 1:34 P.M. to 2:06 P.M.)

17

18 MS. MATTHAI: Back on the record.

19

20 EXAMINATION (Continued)

21 BY MS. MATTHAI:

22 Q Just before we broke for lunch, you asked to
23 make a statement on the record, and you did.

24 You mentioned that you had some information
25 with regard to contacts between Mr. Moxon and