

3

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KIRK and AMY HENRY,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	CASE NO.
	)	2:08-CV-00635-PMP-GWF
FREDRICK RIZZOLO aka RICK	)	
RIZZOLO, an individual; LISA	)	
RIZZOLO, an individual; THE	)	
RICK AND LISA RIZZOLO FAMILY	)	
TRUST,	)	
	)	
Defendants.	)	
	)	
<hr/> LISA RIZZOLO,	)	
	)	
Crossclaimant,	)	
	)	
vs.	)	
	)	
FREDRICK RIZZOLO aka RICK	)	
RIZZOLO, DOES I through X and	)	
ROE CORPORATIONS I through	)	
X, inclusive,	)	
	)	
Crossdefendants.	)	
<hr/>	)	

VIDEOTAPED DEPOSITION OF LISA M. RIZZOLO

Taken at the offices of Campbell & Williams

on Tuesday, May 12, 2009

at 10:31 a.m.

at 700 South Seventh Street

Las Vegas, Nevada

Reported by: Denise P. Kelly, CCR #252, RPR

1 APPEARANCES:

2 For Plaintiffs:

CAMPBELL & WILLIAMS  
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Las Vegas, Nevada 89101

3 BY: DONALD J. CAMPBELL, ESQ.  
4 JACK DEGREE, ESQ.

5 For Defendant  
6 Crossclaimant  
7 Lisa Rizzolo:

BAILUS, COOK & KELESIS  
400 South Fourth Street  
Suite 300  
Las Vegas, Nevada 89101

8 BY: MARK B. BAILUS, ESQ.  
9 GEORGE P. KELESIS, ESQ.

10 Also Present:

LAS VEGAS LEGAL VIDEO  
11 GEOFFREY KLIMAS, SR.,  
12 VIDEOGRAPHER  
13 729 South Seventh Street  
14 Las Vegas, Nevada 89101

15 \* \* \* \* \*

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20 INFORMATION TO BE SUPPLIED

21 None

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23  
24  
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10:53:25 1 Q. All right. And then what did he do?

10:53:30 2 A. He tried to find a job and there -- you  
3 know, there wasn't a lot of opportunity for him here.  
4 So he had the opportunity to go to Florida and he  
5 went.

10:53:42 6 Q. Did he ever work were at the Crazy Horse?

10:53:45 7 A. No.

10:53:45 8 Q. Never did?

10:53:46 9 A. No.

10:53:47 10 Q. Okay. Do you in any way contribute to his  
11 support?

10:53:51 12 A. I pay his car insurance.

10:53:53 13 Q. What type of car does he have?

10:53:55 14 A. He has a Honda Accord.

10:53:58 15 Q. And who owns the car?

10:54:02 16 A. He does.

10:54:05 17 Q. When he was in Chicago, where did he live?

10:54:07 18 A. He lived in a condo that I have there.

10:54:10 19 Q. All right. So you have another piece of  
20 real estate; is that correct?

10:54:15 21 A. Had.

10:54:15 22 Q. Had. It was sold?

10:54:17 23 A. Um-hum.

10:54:17 24 Q. When was it sold?

10:54:18 25 A. Last year.

10:56:04 1 A. At 8632 Canyon View Drive.

10:56:08 2 Q. She lives with you?

10:56:09 3 A. She does.

10:56:11 4 Q. Okay. Has she ever had her own residence?

10:56:14 5 A. When she was in college in California, she  
6 did.

10:56:18 7 Q. And where was that?

10:56:19 8 A. An apartment, and I'm sorry, I don't  
9 recall the address.

10:56:26 10 Q. All right. Very good.

10:56:27 11 Did you contribute -- other than  
12 providing her shelter through the home, do you  
13 contribute to her support in any other way? Do you  
14 give her money?

10:56:37 15 A. I don't give her money, no.

10:56:38 16 Q. Okay. Do you pay any bills for her,  
17 insurance or anything?

10:56:42 18 A. I do.

10:56:42 19 Q. What's that?

10:56:43 20 A. Her car insurance, any medical that she  
21 might have. I pay for her health insurance. That  
22 kind of thing. If she needed, you know, something, I  
23 would help her.

10:57:01 24 Q. Do your children have cellular phone  
25 numbers?

11:01:09 1 Q. Okay. How old are your grandchildren?

11:01:12 2 A. They are 3 and soon to be 2 in just about  
3 a month, and a brand new little one that's four months  
4 old. The first two are twins.

11:01:35 5 Q. Your car insurance is through what agency?

11:01:39 6 A. It is through Fireman's Fund.

11:01:43 7 Q. And who's your agent, do you know?

11:01:45 8 A. Her name is Jan, and a big question mark.

11:01:54 9 Q. Orgill Singer?

11:01:55 10 A. Yes. Originally, yes.

11:01:59 11 Q. Is she still with Orgill Singer?

11:02:03 12 A. Um-hum.

11:02:03 13 Q. That's a "yes"?

11:02:04 14 A. Yes.

11:02:05 15 Q. Okay. And your son's car insurance that  
16 you pay for is through Orgill Singer as well?

11:02:13 17 A. No. His is through Allstate in Florida.

11:02:22 18 Q. All right. And how is it that you pay for  
19 that?

11:02:25 20 A. Credit card.

11:02:30 21 Q. Okay. And how do you pay for your  
22 daughter's?

11:02:33 23 A. I write a check.

11:02:35 24 Q. To Orgill Singer?

11:02:37 25 A. No, I write it to --

11:02:38 1 Q. Or Fireman's Fund?

11:02:39 2 A. **No, her insurance is Progressive.**

3 **Leslie --**

11:02:45 4 Q. That's for Leslie?

11:02:46 5 A. **Leslie's insurance is Progressive, yes.**

11:02:49 6 Q. And you write a check?

11:02:51 7 A. **I do.**

11:02:52 8 Q. On what account?

11:02:53 9 A. **On Wells Fargo.**

11:03:00 10 Q. Okay. Do you provide support to any other  
11 third party?

11:03:04 12 A. **No.**

11:03:07 13 Q. You know, any relative or friend or --

11:03:09 14 A. **No.**

11:03:12 15 Q. Okay. Have we now -- have you now  
16 detailed for us all of those individuals that you  
17 provide any support to?

11:03:19 18 A. **Yes.**

11:03:19 19 Q. Have you now detailed for us all the  
20 support that you do in fact provide --

11:03:24 21 A. **Yes.**

11:03:24 22 Q. -- to those individuals?

11:03:36 23 I'd like to take you through some  
24 documents that have been provided --

11:03:41 25 A. **Okay.**



11:34:33 1 BY MR. CAMPBELL:

11:34:33 2 Q. I'm sorry?

11:34:33 3 A. **My ex-husband.**

11:34:33 4 Q. Your ex-husband. Okay. Mr. Rizzolo's  
5 signature appears above that; is that correct?

11:34:37 6 A. **Yes.**

11:34:37 7 Q. Okay. All right. I would like to go to  
8 the first page of that document, it's 733.

11:34:46 9 A. **Okay.**

11:34:57 10 Q. What is Southpac Trust International?

11:35:02 11 A. **It is the bank that's over there. I guess**  
12 **at the -- I guess it's the Cook Islands. I wasn't**  
13 **aware of what islands it was on.**

11:35:18 14 Q. All right. Do you have a beneficial  
15 interest in that foreign bank account?

11:35:23 16 A. **In this account, no.**

11:35:24 17 Q. You have no interest in it whatsoever?

11:35:27 18 A. **This account does -- this trust doesn't**  
19 **exist.**

11:35:31 20 MR. BAILUS: Objection as to the form of  
21 the question.

11:35:33 22 Continue answering.

11:35:36 23 THE WITNESS: I'm sorry. The trust  
24 doesn't exist.

11:35:38 25 ///

11:35:38 1 BY MR. CAMPBELL:

11:35:39 2 Q. This trust doesn't exist?

11:35:39 3 A. No.

11:35:39 4 Q. All right. Do you have any foreign bank  
5 account?

11:35:41 6 A. I do.

11:35:42 7 Q. Where?

11:35:42 8 A. At Southpac. But I wasn't aware that it  
9 was the Cook Islands, sorry.

11:35:47 10 Q. All right.

11:35:48 11 A. So, but this -- it is my own trust. Not  
12 part of this trust that no longer exists.

11:35:54 13 Q. All right. Did it ever exist at any time?

11:35:56 14 A. The account existed, but I don't believe  
15 there's ever been any money in it.

11:36:02 16 Q. All right. When was there first money in  
17 this Cook Islands account?

11:36:08 18 A. This account?

11:36:09 19 MR. BAILUS: Objection as to the form of  
20 the question.

11:36:13 21 BY MR. CAMPBELL:

11:36:13 22 Q. Any account?

11:36:15 23 A. I personally have an account. This  
24 account that's involved with this trust --

11:36:19 25 Q. Yes.

11:38:00 1           **A.     Right.**

11:38:01 2           **Q.     -- as an individual, as a stockholder in a**  
3           **corporation, as a member of an LLC, anything of that**  
4           **nature or type. Do you understand question now?**

11:38:13 5           **A.     I think so.**

11:38:15 6           **Q.     Okay. So what's the answer to my**  
7           **question?**

11:38:17 8           **A.     My account that's an international account**  
9           **is held by me and my own personal trust.**

11:38:28 10          **Q.     All right. And when was the first time**  
11          **that you funded that account?**

11:38:34 12          **A.     I don't know the exact date, but it's**  
13          **possible in either 2005 -- I believe 2005.**

11:38:46 14          **Q.     All right. And was that a short time**  
15          **after your divorce?**

11:38:55 16          **A.     Yes.**

11:38:55 17          **Q.     At any time prior to that, did you ever**  
18          **have any beneficial ownership or entitlement either**  
19          **directly or indirectly in any foreign account or**  
20          **holding?**

11:39:04 21          **A.     No.**

11:39:05 22          **Q.     Okay. Do you know if your husband did?**

11:39:09 23          **A.     No, I'm not aware of anything.**

11:39:12 24          **Q.     All right. Have you filed your tax return**  
25          **for 2008?**

1 that.

12:16:00 2 BY MR. CAMPBELL:

12:16:01 3 Q. Okay. There's a bank, South --

12:16:03 4 A. Pac.

12:16:04 5 Q. -- Pac?

12:16:04 6 A. Um-hum.

12:16:05 7 Q. And where is Southpac Bank located?

12:16:09 8 A. According to the records that I just  
9 looked at, I'm assuming the Cook Islands.

12:16:17 10 Q. All right. Have you ever been to the Cook  
11 Islands?

12:16:19 12 A. No.

12:16:19 13 Q. Do you know where they are located?

12:16:21 14 A. No. Far away.

12:16:22 15 Q. Far away.

12:16:23 16 Do you know what body of water they  
17 are located in?

12:16:26 18 A. No.

12:16:29 19 Q. Okay. And is Southpac a bank?

12:16:35 20 A. Yes.

12:16:37 21 Q. All right.

12:16:37 22 A. To my knowledge, yes.

12:16:38 23 Q. All right. And what's that knowledge  
24 based upon?

12:16:43 25 A. My attorney, John Dawson said that it was

1 a bank. I've never seen it.

12:16:52 2 Q. Do you get financial statements from  
3 Southpac --

12:16:54 4 MR. BAILUS: Wait a minute. Excuse me.

12:16:56 5 We are going to invoke the  
6 attorney-client privilege. However, we're going to  
7 waive the privilege only to the extent that she can  
8 answer that question, which she did.

12:17:09 9 BY MR. CAMPBELL:

12:17:09 10 Q. Do you get statements of, you know, asset  
11 retention, distribution, things of that nature from  
12 Southpac Bank?

12:17:21 13 MR. BAILUS: Objection as to the form.

12:17:26 14 THE WITNESS: I get a statement saying the  
15 holdings of the account.

12:17:31 16 BY MR. CAMPBELL:

12:17:32 17 Q. All right. And where do you receive that  
18 statement at?

12:17:34 19 A. At my home.

12:17:36 20 Q. They send it directly to you from the Cook  
21 Islands?

12:17:39 22 A. They do.

12:17:40 23 Q. All right. And how frequently do you get  
24 such statements?

12:17:53 25 A. I have to say at least quarterly. They

1 are not as regular that I think -- I think -- you  
2 know, I thought that they should be monthly, but I  
3 don't know that they are. I can't promise you that  
4 they are monthly.

12:18:12 5 Q. When is the last one you got,  
6 Miss Rizzolo?

12:18:15 7 A. Last month.

12:18:16 8 Q. Okay. And what was the balance in the  
9 account?

12:18:20 10 A. I don't know exactly.

12:18:22 11 Q. Ballpark it.

12:18:23 12 A. 6 million.

12:18:23 13 Q. Okay.

12:18:29 14 MR. CAMPBELL: You got to get back, be  
15 there by 12:30. You want to break now and come back  
16 in an hour. Does that work?

12:18:35 17 MR. BAILUS: Are you coming back?

12:18:36 18 MR. CAMPBELL: Are you coming back?

12:18:37 19 MR. KELESIS: I should be. I've just got  
20 to get them started.

12:18:40 21 MR. CAMPBELL: Okay. In the interim,  
22 would you try to get the latest tax return for us too.

12:18:46 23 MR. KELESIS: I already e-mailed Sherri  
24 and put a call in to get it.

12:18:48 25 MR. CAMPBELL: Great, perfect. Why don't

1 we see you quarter after 1:00, then. Does that work  
2 for you?

12:18:52 3 MR. BAILUS: That would be fine.

12:18:53 4 THE VIDEOGRAPHER: This is the  
5 videographer. The time is 12:18 p.m. We are going  
6 off the record.

12:19:02 7 (Recessed from 12:18 p.m. to 1:27 p.m.)

01:27:35 8 THE VIDEOGRAPHER: This is the  
9 videographer. The time is approximately 1:27 p.m. We  
10 are now on the record.

01:27:35 11 BY MR. CAMPBELL:

01:27:35 12 Q. Miss Rizzolo, you understand, of course,  
13 that even though we've come back from a recess, that  
14 you are still under an oath and the same obligations  
15 of telling the truth carry forward. We don't have to  
16 reswear you, in other words.

01:27:48 17 A. Yes.

01:28:00 18 Q. Okay. What is the Capital Security Bank?

01:28:06 19 A. I don't know.

01:28:11 20 Oh, I do know. The --

01:28:13 21 Q. Tell me what it is.

01:28:15 22 A. It's the statement that comes for -- with  
23 holdings in my international account. That's how the  
24 statement comes from them.

01:28:31 25 Q. From the Cook Islands?

01:28:33 1 A. Yes. I'm not -- I'm not positive it's the  
2 Cook Islands, but that's what the paperwork said that  
3 I saw that you showed me.

01:28:42 4 Q. And you say the last time you received a  
5 statement from them was when?

01:28:47 6 A. I believe last month.

01:28:50 7 Q. Okay. And --

01:28:51 8 A. It could be, it could have been within  
9 the month of May.

01:28:56 10 Q. Okay. The last one we have is from  
11 approximately a year ago showing a balance of  
12 \$6,173,426.27. Has the amount been increased or  
13 decreased since that time?

01:29:16 14 A. What was the amount that you showed?

01:29:17 15 Q. \$6,173,426 and change.

01:29:22 16 A. I believe it has increased.

01:29:24 17 Q. All right. And what has that increase  
18 been attributable to?

01:29:29 19 A. Interest.

01:29:31 20 Q. Okay. And you report that interest on  
21 your tax returns?

01:29:34 22 A. I believe that I do. Amanda handles my  
23 taxes and she's aware of the information.

01:29:43 24 Q. All right. Is there a reason why you  
25 haven't turned over the other statements that you've



1 received?

01:29:49 2 **A. No.**

01:29:50 3 MR. BAILUS: Objection as to form.

01:29:54 4 BY MR. CAMPBELL:

01:29:58 5 Q. Why did you not turn over the other  
6 statements that you've received from the Cook Island  
7 bank account?

01:30:04 8 MR. BAILUS: Objection as to form.

01:30:06 9 BY MR. CAMPBELL:

01:30:06 10 Q. Go ahead.

01:30:07 11 **A. When I was asked for the information, I**  
12 **gave the information that I had at the time.**

01:30:10 13 Q. Okay. So you haven't supplemented since  
14 then?

01:30:13 15 **A. No. I just -- I have just turned over the**  
16 **information that I had at the time that my attorneys**  
17 **asked for it.**

01:30:22 18 Q. When was that?

01:30:24 19 **A. Whenever you requested the information.**

01:30:28 20 Q. Yes, I'm asking you when did you do that?  
21 When was it that you last turned over information  
22 concerning your accounts to your attorneys? When was  
23 that?

01:30:36 24 **A. I don't know the date.**

01:30:37 25 Q. Okay. Approximately when was it?

01:30:40 1 A. I don't know the date. I don't know.

01:30:41 2 Q. I certainly appreciate that you wouldn't  
3 know the precise date. I'm asking you when generally  
4 was it?

01:30:57 5 A. I don't know. I'm sorry.

01:30:58 6 Q. Within the last three months?

01:31:00 7 A. I couldn't even -- I don't know when it  
8 first started. I don't know when we first started. I  
9 know that it was a process of getting information.  
10 So, you know, whenever it was required, I -- it took  
11 some effort to find the information that was required  
12 for the lawsuit. So I did my best.

01:31:19 13 Q. Do you understand that there is a duty to  
14 supplement?

01:31:24 15 A. I wasn't trying to hide any information.

01:31:31 16 Q. I'm just asking these questions. I'm not  
17 ascribing --

01:31:33 18 A. No, I didn't know.

01:31:33 19 Q. You have to wait until I'm done.

01:31:33 20 I'm not --

01:31:33 21 A. I'm sorry.

01:31:34 22 MR. BAILUS: Objection. I'm sorry, go  
23 ahead.

01:31:35 24 BY MR. CAMPBELL:

01:31:36 25 Q. I'm not ascribing any intentional or

1 volitional action or -- one way or another.

01:31:43 2 **A. Um-hum.**

01:31:43 3 Q. I'm just simply asking questions.

01:31:45 4 You understand that there is a duty  
5 to supplement your responses to request for production  
6 of documents?

01:31:52 7 MR. BAILUS: Objection to form. Calls for  
8 a legal conclusion.

01:31:55 9 THE WITNESS: No.

01:31:55 10 BY MR. CAMPBELL:

01:31:55 11 Q. You don't understand that. So this is the  
12 first time that you are hearing that?

01:31:58 13 **A. Yes.**

01:31:58 14 Q. Okay. So had you heard that earlier, you  
15 would have supplemented your production?

01:32:02 16 **A. Certainly, sure.**

01:32:03 17 Q. Okay. And you would have no objection to  
18 doing so?

01:32:05 19 **A. No, I have no objection.**

01:32:07 20 Q. Okay.

01:32:11 21 You have mentioned in the past a  
22 Wells Fargo checking account.

01:32:15 23 **A. Right.**

01:32:16 24 Q. Do you recall that?

01:32:17 25 **A. Um-hum.**

01:33:45 1 Q. Okay. Is Leslie a signatory on any of  
2 your accounts?

01:33:51 3 A. No.

01:33:57 4 Q. Okay. Is Mr. Rick Rizzolo a signatory on  
5 any of your accounts?

01:34:03 6 A. No.

01:34:09 7 Q. You have a Wells Fargo credit card  
8 account?

01:34:12 9 A. I do.

01:34:14 10 Q. And what's the name of that account, do  
11 you know?

01:34:19 12 A. MasterCard.

01:34:20 13 Q. Okay. And you have a line of credit  
14 attached to that?

01:34:28 15 A. How -- how much I'm allowed to spend on  
16 the card?

01:34:31 17 Q. Yes.

01:34:31 18 A. I do.

01:34:32 19 Q. What is it?

01:34:35 20 A. I'm not positive of the amount. Probably  
21 \$20,000.

01:34:42 22 Q. Okay. And when is the last time -- you  
23 receive monthly statements for that?

01:34:48 24 A. I do. Um-hum.

01:34:49 25 Q. And what was the last outstanding balance

1 on that?

01:35:06 2 A. \$9,000.

01:35:08 3 Q. Okay. And that account is held

4 exclusively in your name?

01:35:15 5 A. It is actually an account that I have had

6 since I was 16. And when Rick and I married, I added

7 him to the account. And I don't believe that he's

8 ever been removed. He's never used the card.

01:35:31 9 Q. So he's still -- so there is at least, at

10 least one account that you're aware of that he's still

11 on?

01:35:38 12 A. He is on it, but never has used it.

01:35:49 13 Q. Okay. I'll inform you that the last

14 account statement we have from that is from October of

15 '08. The last account statements we have from

16 Wells Fargo are October '08. Capital Security was

17 June of '08.

01:36:14 18 I'm informing your counsel of the

19 need to supplement.

01:36:20 20 A. Okay.

01:36:21 21 MR. BAILUS: And we will supplement

22 appropriately.

01:36:23 23 MR. CAMPBELL: Well, it should have been

24 done a long time ago. That's why I'm just saying --

01:36:27 25 MR. BAILUS: It's my understanding that

1 the account that you are talking to, there has been no  
2 movement of the assets at all.

01:36:31 3 MR. CAMPBELL: I don't care. I want all  
4 the accounts.

01:36:32 5 MR. BAILUS: I understand and --

01:36:33 6 MR. CAMPBELL: I just want every single  
7 account.

01:36:35 8 MR. BAILUS: -- we will supplement it.  
9 And we will supplement. We recognize the continuing  
10 need and we will supplement.

01:36:40 11 BY MR. CAMPBELL:

01:36:40 12 Q. You have a -- you have a bank account at  
13 Sun West?

01:36:43 14 A. I have a CD.

01:36:47 15 Q. Okay. In the amount of how much?

01:36:50 16 A. \$100,000.

01:36:50 17 Q. Where did that money come from?

01:36:52 18 A. It came from my Wells Fargo account to put  
19 into a CD.

01:36:58 20 Q. For what purpose? Why did you want to put  
21 it into a CD?

01:37:03 22 A. To earn higher interest.

01:37:04 23 Q. All right. And is anyone else on that  
24 account?

01:37:07 25 A. No. I believe my children are the

1 correctional facility?

01:53:00 2 **A. You are asking me how many times I went to**  
3 **see him?**

01:53:04 4 **Q. No, I'm asking you something different.**

01:53:05 5 **A. Okay. I'm sorry. I don't understand the**  
6 **question.**

01:53:07 7 **Q. Okay. I'm happy to repeat it.**

01:53:08 8 **A. Okay.**

01:53:08 9 **Q. All right. And maybe I should rephrase it**  
10 **and see if you can understand it better.**

01:53:12 11 **A. Okay.**

01:53:13 12 **Q. Can you tell us, as you sit here today, or**  
13 **give us a reasonable estimate of how many times you**  
14 **went to the federal correctional facility to see your**  
15 **husband, or ex-husband, Mr. Rizzolo, while he was**  
16 **incarcerated?**

01:53:30 17 **A. An estimate of --**

01:53:32 18 **Q. Yes.**

01:53:35 19 **A. I can give you a guess.**

01:53:37 20 **Q. Give me your guess.**

01:53:41 21 **A. Seven, six or seven times.**

01:53:43 22 **Q. Okay.**

01:53:44 23 **A. Um-hum.**

01:53:45 24 **Q. Do you know who else was on his permanent**  
25 **list?**

02:01:12 1 Q. All right. Your husband was also given  
2 the 1958 Chevrolet Corvette?

02:01:18 3 A. Correct.

02:01:18 4 Q. Where is that?

02:01:19 5 A. I believe he sold it.

02:01:20 6 Q. And when did he sell it?

02:01:25 7 A. I don't know.

02:01:26 8 Q. It was in your garage while he was  
9 incarcerated, was it not?

02:01:30 10 A. No.

02:01:30 11 Q. It wasn't?

02:01:33 12 A. It was not.

02:01:34 13 Q. All right.

02:01:34 14 A. While he was incarcerated, Fletcher Jones  
15 had it in their garage.

02:01:39 16 Q. Okay. It was subsequently in your home at  
17 Canyon Gate --

02:01:43 18 A. Yes. When --

02:01:45 19 Q. Wait a second. You have to wait until I  
20 get the question out.

02:01:45 21 A. I'm sorry.

02:01:46 22 Q. It was subsequently at your home at Canyon  
23 Gate in your husband's possession after he was  
24 released from being incarcerated; do you recall that?

02:01:54 25 MR. BAILUS: Object as to form.



02:01:58 1 THE WITNESS: He -- the car was delivered  
2 to my house because Fletcher Jones is located close to  
3 my home, and Rick picked it up there. So it was only  
4 there for a short time before Rick picked it up from  
5 my house. That's where he picked up the Corvette  
6 from.

11:21:21 7 BY MR. CAMPBELL:

02:02:16 8 Q. And it was garaged at your house?

02:02:19 9 A. For such a short time. Just till he came  
10 to get it.

02:02:25 11 Q. Is Mr. Rizzolo still on your list of  
12 invited persons at the Canyon Gate security gate?

02:02:33 13 A. I have made no effort to put him on the  
14 list. So if he's --

02:02:40 15 Q. Did you ever take him off the list?

02:02:42 16 A. No, I did not take him off.

02:02:44 17 Q. Okay. So as far as you know, he's still  
18 on as a permanent invited guest who comes goes as he  
19 pleases?

02:02:51 20 MR. BAILUS: Objection as to form.

02:02:53 21 THE WITNESS: I believe that he can.

02:02:54 22 BY MR. CAMPBELL:

02:02:55 23 Q. Okay. Next we have real property and  
24 related structures in Philadelphia, Pennsylvania. And  
25 what are those?

02:18:43 1 "The parties" --

02:18:44 2 I'm over on 4 now, are you there  
3 now?

02:18:48 4 **A. I'm not -- yes, I am.**

02:18:49 5 **Q. Okay. At the top.**

02:18:49 6 -- have agreed that Fredrick  
7 Rizzolo will be responsible for any and all  
8 debts and impositions of fines or liens  
9 against the community business."

02:18:57 10 **A. That's correct.**

02:18:58 11 **Q. See that?**

02:18:59 12 **A. Um-hum.**

02:18:59 13 **Q. Okay. Meaning all liens of any kinds or**  
14 **type, fines, criminal, whatever, he was responsible**  
15 **for that, right?**

02:19:07 16 **A. Right.**

02:19:07 17 **MR. BAILUS: Objection as to form. Calls**  
18 **for a legal conclusion.**

02:19:09 19 **BY MR. CAMPBELL:**

02:19:10 20 **Q. Okay. And he was to hold you completely**  
21 **harmless, correct?**

02:19:14 22 **A. That's correct.**

02:19:15 23 **Q. All right. Now, you also received an**  
24 **entitlement despite your being granted \$7.2 million in**  
25 **cash, you also received an entitlement to alimony as**

1 well; is that correct?

02:19:38 2 MR. BAILUS: Objection as to form.

02:19:39 3 BY MR. CAMPBELL:

02:19:41 4 Q. Spousal support?

02:19:48 5 A. **It actually was listed this way, but --**

02:19:49 6 Q. Right. Under --

02:19:49 7 MR. BAILUS: Objection. Let her finish  
8 her answer.

02:19:50 9 MR. CAMPBELL: I think she was done.

02:19:51 10 BY MR. CAMPBELL:

02:19:52 11 Q. I'm specifically calling your attention to  
12 Arabic or Roman numeral IX -- XI. Are you there?

02:19:59 13 A. **I'm at the same point you are, yes.**

02:20:02 14 Q. Okay. Let me read it into the record so  
15 you and I are both on the same page and the jury knows  
16 what we are talking about. It says:

02:20:09 17 "The Petitioner, Fredrick  
18 Rizzolo, agrees to pay Lisa Rizzolo spousal  
19 support in the amount of \$83,333 per month  
20 for 60 months which will commence no later  
21 than January 5, 2006. Spousal support will  
22 be paid each and every month for 60  
23 consecutive months up to and including  
24 January 5, 2011. Each payment will be made  
25 to Lisa Rizzolo on or before the 5th day of

1 each month."

02:20:44 2 That was the agreement that you had;  
3 is that correct?

02:20:46 4 MR. BAILUS: Objection as to form. Calls  
5 for a legal conclusion.

02:20:51 6 THE WITNESS: The -- there was a change to  
7 this section to --

02:20:56 8 BY MR. CAMPBELL:

02:20:58 9 Q. Okay.

02:20:58 10 A. -- to not read spousal support.

02:21:01 11 Q. Uh-huh.

02:21:01 12 A. It was changed to, I believe, separation  
13 of property.

02:21:06 14 Q. Separation of property?

02:21:07 15 A. Right.

02:21:09 16 Q. Okay.

02:21:09 17 A. So -- and he was to make those payments as  
18 part of a separation of property, not alimony or  
19 spousal support.

02:21:20 20 Q. Not alimony or spousal support.

02:21:22 21 So there is some other document that  
22 in some way changed what we have as marked and has  
23 been presented to us by you --

02:21:32 24 A. Right.

02:21:32 25 Q. -- as Exhibit 4?

02:21:34 1 A. I believe so.

02:21:36 2 Q. Okay. Where does -- where does that  
3 exist?

02:21:38 4 Hold on.

02:21:42 5 A. You have it, as far as I know.

02:21:44 6 Q. Okay. All right. And when did that  
7 change take place?

02:21:50 8 A. When it -- when I went to go do my taxes  
9 that year, Mr. Purdy said that it was worded  
10 incorrectly and that we should change it.

02:22:06 11 Q. And so there was a modification?

02:22:08 12 A. Right.

02:22:08 13 Q. And was that because Mr. Purdy informed  
14 you that you could be taxed on that amount?

02:22:17 15 A. It was for tax purposes. But it -- I felt  
16 that it should be spousal support.

02:22:26 17 Sorry, I keep hitting the mike.

02:22:30 18 So it should have been, you know,  
19 separation of property and not spousal support.

02:22:36 20 Q. The total amount -- do you know what the  
21 total amount was if you add up that 60 months?

02:22:42 22 A. 5 million.

02:22:45 23 Q. Were those payments -- any of those  
24 payments ever made?

02:22:48 25 A. None.

02:22:49 1 Q. Okay. And what action have you ever taken  
2 in all of the years since this particular agreement  
3 was reached to enforce against your husband the  
4 provisions of this agreement with respect to that  
5 support? In other words, have you filed any legal  
6 action or claim against him in that regard?

02:23:13 7 MR. BAILUS: Objection as to form.

02:23:15 8 THE WITNESS: I intend to.

02:23:15 9 BY MR. CAMPBELL:

02:23:16 10 Q. Have you ever?

02:23:17 11 A. **I have not yet.**

02:23:19 12 Q. Okay. So, if I understand correctly, this  
13 was entered in May of 2005.

02:23:28 14 A. **Um-hum.**

02:23:29 15 Q. And specifically May 24th. And now some  
16 four years later you have yet to receive one monthly  
17 installment, right?

02:23:39 18 A. **Right.**

02:23:40 19 MR. BAILUS: Objection as to form.

02:23:41 20 BY MR. CAMPBELL:

02:23:42 21 Q. Or to take any action to enforce the  
22 obligation, correct?

02:23:45 23 MR. BAILUS: Objection as to form.

02:23:46 24 THE WITNESS: Not yet.

02:23:47 25 ///

02:47:37 1 BY MR. CAMPBELL:

02:49:23 2 Q. Okay. I want to show you -- now, as I  
3 understand, you established the offshore bank account  
4 in 2005 shortly after you were divorced, correct?

02:49:37 5 A. Right.

02:49:38 6 Q. Okay. And you've had that offshore bank  
7 account, when I say "offshore," foreign bank account,  
8 in 2005, 2006, 2007, 2008, and 2009?

02:49:53 9 A. I don't recall the date of its inception,  
10 so...

02:49:56 11 Q. Well, I know it was --

02:49:58 12 A. I do have it currently, but I don't --

02:50:00 13 Q. We can agree -- I'm sorry, I didn't mean  
14 to interrupt you. I apologize.

02:50:05 15 A. I do not have the bank account currently,  
16 I don't recall when I opened it.

02:50:09 17 Q. Okay. But we know it was opened sometime  
18 in 2005, as I understand.

02:50:15 19 A. We don't know that for sure.

02:50:16 20 Q. We know it was open sometime -- we know it  
21 was open in 2006?

02:50:20 22 A. I believe.

02:50:21 23 Q. We know it was open in 2007?

02:50:32 24 A. Yes.

02:50:58 25 Q. Okay. Let me show you again Exhibit 5.

1 Okay? Are you with me? And let me get to my  
2 Exhibit 5. I'm sorry. This is your 2005 tax return.

02:51:18 3 **A. Okay.**

02:51:30 4 Q. Okay. Go to the page that's marked  
5 LR00051, please.

02:51:38 6 **A. Okay.**

02:51:39 7 Q. Are you there?

02:51:40 8 **A. Um-hum.**

02:51:40 9 Q. Okay. You'll see the last part, it says,  
10 "Foreign Accounts and Trusts." Do you see that?

02:51:45 11 **A. Where does it say that?**

02:51:47 12 Q. Right here, ma'am.

02:51:48 13 **A. Oh, okay, yes.**

02:51:49 14 Q. Okay. It says that -- it asks you a  
15 question:

02:51:55 16 "At any time during 2005, did  
17 you have an interest in or signature or other  
18 authority over a financial account in a  
19 foreign country, such as a bank account,  
20 securities account, or other financial  
21 account?"

02:52:07 22 And you answered "No." Correct?

02:52:10 23 MR. BAILUS: Objection as to form. Calls  
24 for a legal conclusion.

02:52:13 25 Go ahead.



02:52:14 1 THE WITNESS: I didn't fill out these  
2 papers so...

02:52:16 3 BY MR. CAMPBELL:

02:52:17 4 Q. This is your tax return.

02:52:18 5 A. Exactly.

02:52:19 6 Q. Okay.

02:52:20 7 A. But I have it filled out by an accountant,  
8 so I didn't fill them out.

02:52:28 9 Q. Did you tell your accountant that you had  
10 a foreign bank account?

02:52:30 11 A. I gave them all -- all information that I  
12 had.

02:52:30 13 Q. So you did tell them that you had a  
14 foreign bank account?

02:52:35 15 A. If I had it at this time.

02:52:39 16 Q. You would have told them?

02:52:39 17 A. I would have told them.

02:52:39 18 Q. And how would you have memorialized the  
19 fact that you told them? In other words, how would  
20 you have put it down or maintained some record of  
21 having told that to them so the Internal Revenue  
22 Service could rely upon that?

02:52:49 23 A. I gave them all paperwork that I had  
24 regarding whatever, whatever I had.

02:52:54 25 Q. Well, that's what I'm asking you. What

1 paperwork did you give your accountants?

02:52:59 2 **A. I don't know. Whatever -- whatever**  
3 **statements I had --**

02:53:02 4 Q. All right.

02:53:02 5 **A. -- regarding my status.**

02:53:07 6 Q. Really, okay.

02:53:08 7 Let's go to the next question. It  
8 asked for the name of a foreign country. There is  
9 nothing listed there, right?

02:53:17 10 **A. Right.**

02:53:18 11 Q. Okay. No. 8:

02:53:19 12 "During 2005, did you receive a  
13 distribution or were you the grantor of, or  
14 transferor to, a foreign trust?"

02:53:27 15 And you had "no" there, right?

02:53:29 16 **A. That's what marked.**

02:53:29 17 Q. Okay.

02:53:29 18 MR. BAILUS: Objection as to form. Calls  
19 for a legal conclusion.

02:53:32 20 MR. CAMPBELL: What, that it's marked  
21 "no"?

02:53:34 22 MR. BAILUS: The testimony was -- well,  
23 the testimony was it was prepared by her tax preparer,  
24 but it is her tax return is the testimony.

02:53:42 25 MR. CAMPBELL: And she is responsible for.

02:53:45 1 MR. BAILUS: Object and move to strike the  
2 commentary.

02:53:47 3 BY MR. CAMPBELL:

02:53:48 4 Q. Okay. I'm going to show you Exhibit No. 6  
5 now and you're going to see that that -- the same  
6 series of questions is listed. Do you see that,  
7 ma'am?

02:54:00 8 A. I do.

02:54:02 9 Q. Okay. And, again, the tax return that you  
10 filed with the Internal Revenue Service stated that  
11 you did not have any interest or signature or other  
12 authority over a financial account in a foreign  
13 country, right?

02:54:15 14 MR. BAILUS: Objection as to form. Calls  
15 for a legal conclusion.

02:54:18 16 BY MR. CAMPBELL:

02:54:19 17 Q. Right?

02:54:19 18 A. That's what it's marked, um-hum.

02:54:22 19 Q. And that it doesn't have the name of any  
20 foreign country there, correct?

02:54:26 21 MR. BAILUS: Objection as to form. Calls  
22 for a legal conclusion.

02:54:29 23 THE WITNESS: That's correct.

02:54:29 24 BY MR. CAMPBELL:

02:54:30 25 Q. And moreover, when asked if there was a

1 distribution or whether you were a grantor of or  
2 transferor of a foreign trust, your tax return  
3 indicated once again in the negative, "no," right?

02:54:44 4 MR. BAILUS: Objection as to form. Calls  
5 for a legal conclusion.

02:54:47 6 THE WITNESS: That's what it says, "no."

02:54:49 7 BY MR. CAMPBELL:

02:54:49 8 Q. Okay. And we know certainly by that time  
9 you had in fact established a foreign trust, correct?

02:54:55 10 MR. BAILUS: Objection as to form. Calls  
11 for a legal conclusion.

02:55:00 12 THE WITNESS: I don't know that that's  
13 certain.

02:55:01 14 BY MR. CAMPBELL:

02:55:02 15 Q. You don't?

02:55:02 16 A. So I don't know that that -- at the time  
17 of my tax return that that was certain. I really  
18 don't know the date I opened the account.

02:55:08 19 Q. All right. Well, if -- well, when you  
20 reviewed your tax return and you saw that you didn't  
21 have a foreign bank account or trust account of any  
22 kind, did that bother you?

02:55:22 23 A. I -- to be honest, I just took them at  
24 their expertise and signed it.

02:55:29 25 Q. All right. But you understand that you

02:56:52 1 Q. Okay.

02:56:52 2 "-- I declare that I have  
3 examined this return" --

02:56:56 4 Correct, that's what it says?

02:56:58 5 **A. It does say that.**

02:56:59 6 Q. -- "and accompanying schedules  
02:57:03 7 and statements, and to the best of my  
02:57:04 8 knowledge and belief, they are true,  
02:57:06 9 correct, and complete."

02:57:09 10 Right?

02:57:09 11 **A. That's what it says, um-hum.**

02:57:11 12 Q. All right.

02:57:17 13 Now, could I have you -- showing you  
14 Exhibit No. 7.

02:57:39 15 And this is your '07?

02:57:45 16 MR. DeGREE: Yes.

02:57:46 17 MR. CAMPBELL: Do you have a listing?

02:57:47 18 MR. DeGREE: Yes.

02:57:48 19 MR. CAMPBELL: Okay.

02:57:48 20 BY MR. CAMPBELL:

02:57:50 21 Q. And calling your attention once again to  
22 LR00074 --

02:57:57 23 **A. Um-hum.**

02:57:58 24 Q. -- foreign accounts and trusts, correct?

02:58:01 25 **A. Right.**