

02:58:04 1 Q. And again, under 7a, calling for the
2 disclosure of any interest you had in a financial
3 account in a foreign country, you said "no," right?

02:58:20 4 MR. BAILUS: Objection as to form. Calls
5 for a legal conclusion.

02:58:23 6 BY MR. CAMPBELL:

02:58:24 7 Q. Correct?

02:58:24 8 A. "No" is marked here.

02:58:25 9 Q. Right. And --

02:58:28 10 A. By my accountant.

02:58:30 11 Q. -- as to the identification or the name of
12 any foreign country, there is nothing listed there,
13 correct?

02:58:35 14 MR. BAILUS: Objection. Calls for --
15 shucks. Strike.

02:58:38 16 Objection as to form and calls for a
17 legal conclusion.

02:58:41 18 THE WITNESS: Right.

11:59:59 19 BY MR. CAMPBELL:

02:58:43 20 Q. And with respect to the question as to:

02:58:48 21 "Did you receive a distribution
22 or were you a grantor of a foreign trust?"

02:58:54 23 You again said "no," correct?

02:58:57 24 MR. BAILUS: Objection as to form and
25 calls for a legal conclusion.

02:59:01 1 THE WITNESS: That's what is marked here.

02:59:01 2 BY MR. CAMPBELL:

02:59:02 3 Q. Okay. And you will see up at the very
4 top, Capital Security Bank, Limited --

02:59:06 5 A. Um-hum.

02:59:06 6 Q. -- is listed, correct?

02:59:06 7 A. Um-hum.

02:59:07 8 Q. And that is a foreign account, you told
9 us, correct?

02:59:13 10 MR. BAILUS: Objection as to form. Calls
11 for a legal conclusion.

02:59:15 12 THE WITNESS: That is the bank, I believe,
13 that holds my international bank account which is
14 listed.

02:59:18 15 BY MR. CAMPBELL:

02:59:24 16 Q. But not identified as a foreign account;
17 is that correct?

02:59:27 18 A. Not according to this paperwork.

02:59:31 19 Q. Nor is there any identification of your
20 foreign trust that you established?

02:59:34 21 MR. BAILUS: Objection as to form.

02:59:36 22 THE WITNESS: I don't have a foreign
23 trust.

02:59:36 24 MR. BAILUS: Calls for a legal conclusion.

02:59:38 25 ///

03:03:28 1 Q. All right.

03:03:29 2 A. -- on here that I -- can I just look at it
3 briefly?

03:03:33 4 Q. Sure. Sure, absolutely.

03:03:52 5 A. I don't believe that I've made any
6 changes.

03:03:57 7 Q. Okay. It states that you have fine arts
8 that are insured for \$134,000. What fine arts are
9 those?

03:04:08 10 A. That's a good question. I don't have
11 any -- I don't know what it's referring to exactly.
12 What is fine arts identified as?

03:04:18 13 Q. Well, I'm asking you since this is your
14 policy.

03:04:23 15 A. Right.

03:04:27 16 Q. Do you have any paintings?

03:04:29 17 A. No.

03:04:29 18 Q. Any sculpture?

03:04:32 19 A. No.

03:04:36 20 Can I rectify that?

03:04:38 21 Q. Sure.

03:04:38 22 A. I do have a painting that's an original
23 LeRoy Neiman.

03:04:45 24 Q. I think that qualifies as fine art.

03:04:47 25 A. It's of Rick and I, so it's really not

1 that fine, so...

03:04:50 2 Q. Uh-huh.

03:04:50 3 A. It depends. It was a gift, so...

03:04:54 4 Q. Uh-huh. Do you think that's what's
5 insured for \$134,000?

03:04:59 6 A. I have no idea.

03:05:00 7 Q. Where does it hang?

03:05:02 8 A. In the upstairs.

03:05:03 9 Q. In your home?

03:05:04 10 A. In the stairwell.

03:05:05 11 Q. In Canyon Gate?

03:05:07 12 A. Uh-huh. We look like Bill Clinton and
13 Barbie, that's who we look like. So I guess we could
14 it's that. It's LeRoy Neiman's interpretation of us.

03:05:26 15 MR. CAMPBELL: I think I saw your counsel
16 write this down; but we of course need the
17 supplementation of this, as well any other insurance
18 policies on her home in California that we didn't get.

03:05:37 19 THE WITNESS: Supplementation of my
20 current policy or --

03:05:38 21 MR. CAMPBELL: Yes.

03:05:40 22 MR. BAILUS: We have a continuing legal --
23 shucks.

03:05:41 24 We have a continuing duty to
25 supplement which we will do.

03:05:49 1 THE WITNESS: Okay.

03:05:50 2 MR. CAMPBELL: Do you have these, all
3 these next in the order.

03:05:56 4 THE WITNESS: That's a current policy of
5 this home?

03:05:59 6 MR. CAMPBELL: Do you have them --
7 something else?

03:06:01 8 MR. DeGREE: No.

03:06:01 9 MR. CAMPBELL: Okay.

03:06:05 10 MR. DeGREE: Yeah.

03:06:06 11 (Deposition Exhibit No. 9 marked.)

03:06:18 12 BY MR. CAMPBELL:

03:06:18 13 Q. Handing you Exhibit No. 9. If you would
14 just flip through these. I'm going to ask you one
15 quick question about them.

03:07:31 16 Okay. Have you looked through them?

03:07:33 17 **A. I'm looking.**

03:07:35 18 Q. Okay.

03:07:40 19 **A. Okay.**

03:07:41 20 Q. This production is of account statements
21 from Capital Security Bank, Limited, Bates stamped
22 LR006263 through and inclusive of 275. Agreed?

03:07:57 23 **A. Agreed.**

03:07:58 24 Q. Go to the last one, if you would,
25 Miss Rizzolo. You'll see that the first one in order

1 we have here is November 30th, 2006.

03:08:09 2 **A. Okay.**

03:08:11 3 **Q. All right. And where would the statements**
4 **be before then?**

03:08:16 5 **A. I don't know if there are statements prior**
6 **to this.**

03:08:20 7 **Q. Okay.**

03:08:20 8 It says that on November 8th, 2006
9 there was a distribution to the trust account of
10 Lionel, Sawyer & Collins of \$200,000. Do you see
11 that?

03:08:32 12 **A. I do.**

03:08:33 13 **Q. What was that for?**

03:08:34 14 **A. I believe that was --**

03:08:41 15 **MR. BAILUS: You know, we are going to**
16 **invoke the attorney-client privilege; but we are going**
17 **to waive it to the extent that she can answer this**
18 **question.**

03:08:47 19 **MR. CAMPBELL: There's nothing that**
20 **provides an attorney-client privilege with respect to**
21 **financial transactions, nothing at all.**

03:08:57 22 **MR. BAILUS: And I'm not sure what the**
23 **transaction is.**

03:08:58 24 **BY MR. CAMPBELL:**

03:08:58 25 **Q. But go ahead.**

03:08:58 1 MR. BAILUS: Well, we waived it to the
2 extent to let her answer.

03:09:00 3 BY MR. CAMPBELL:

03:09:00 4 Q. Go ahead.

03:09:00 5 A. I believe this was a loan.

03:09:04 6 Q. Okay. To who?

03:09:04 7 A. To Rick.

03:09:05 8 Q. Okay. What for?

03:09:08 9 A. He said that he had a stock market call.

03:09:13 10 Q. All right.

03:09:15 11 A. And that he needed to pay it.

03:09:19 12 Q. Okay. And, so, when he asked you -- he
13 asked you for the loan?

03:09:24 14 A. He did.

03:09:25 15 Q. And you agreed to give it to him?

03:09:26 16 A. Yes.

03:09:28 17 Q. Okay. And as a result of agreeing to give
18 him that loan, did you direct Mr. Dawson to make that
19 distribution --

03:09:35 20 A. I --

03:09:35 21 Q. -- on his behalf?

03:09:38 22 A. I did.

03:09:38 23 Q. Okay. And he followed your instructions
24 in that regard?

03:09:42 25 A. He did.

03:09:43 1 Q. And so he distributed 200,000 to Rick
2 Rizzolo at your direction, correct?

03:09:50 3 A. **Correct.**

03:09:51 4 Q. Okay. Was there a separate loan agreement
5 that was drafted?

03:10:01 6 A. **That he would reimburse me?**

03:10:03 7 Q. Yeah.

03:10:03 8 A. **Yes.**

03:10:03 9 Q. Okay. There was a loan document created?

03:10:06 10 A. **I believe so.**

03:10:06 11 Q. Is there a reason you didn't turn that
12 over to us?

03:10:09 13 A. **I don't have it in my possession.**

03:10:11 14 Q. Okay. Who does?

03:10:12 15 A. **I believe Mr. Dawson has it.**

03:10:14 16 Q. Okay. Is there any reason you didn't ask
17 Mr. Dawson to produce your legal documents to you for
18 production in this case?

03:10:21 19 A. **It was under my assumption that he gave
20 you everything that he had.**

03:10:25 21 Q. Who did? That your attorneys, Mr. Bailus
22 and Mr. --

03:10:28 23 A. **Mr. Dawson. That I -- I assumed he had.**

03:10:31 24 Q. He's not -- Mr. Dawson is not an attorney
25 representing you in this action.

03:10:36 1 A. Right. But he represents my estate.

03:10:39 2 Q. And he -- okay. Does he know about this
3 lawsuit?

03:10:45 4 A. I don't know.

03:10:46 5 Q. Have you ever talked to him about this
6 lawsuit?

03:10:48 7 A. No.

03:10:48 8 Q. Okay.

03:10:48 9 A. I have not.

03:10:50 10 Q. All right. Have you ever given him a copy
11 of this lawsuit?

03:10:52 12 A. No.

03:10:53 13 Q. So how is it that you think he would know
14 to give us documents?

03:10:58 15 A. I thought he was required to. I
16 thought -- I thought he was asked for stuff.

03:11:01 17 Q. Okay.

03:11:01 18 A. I didn't -- I was not sure.

03:11:02 19 Q. What is the rate of interest, if any, that
20 you charged Rick Rizzolo for this loan?

03:11:08 21 A. I didn't charge him interest.

03:11:11 22 Q. All right. Is there a promissory note
23 that he signed?

03:11:15 24 A. I believe so.

03:11:16 25 Q. All right. And when is he to pay -- when

1 was the date of that promissory note?

03:11:21 2 **A. The date that I -- that he was supposed to**
3 **pay me back?**

03:11:25 4 Q. Yes, ma'am.

03:11:26 5 **A. I didn't set a date.**

03:11:28 6 Q. You didn't set a date?

03:11:29 7 **A. No.**

03:11:30 8 Q. Was this a legal document that was crafted
9 by Mr. Dawson?

03:11:35 10 MR. CAMPBELL: Is there something going
11 on?

03:11:38 12 MR. DeGREE: I think it's a bird.

03:11:40 13 THE VIDEOGRAPHER: It's the 10-minute
14 warning, that's all.

03:11:42 15 MR. CAMPBELL: I'm sorry, it's a warning?

03:11:42 16 THE VIDEOGRAPHER: The 10-minute warning,
17 that's all.

03:11:42 18 MR. CAMPBELL: Okay.

03:11:42 19 BY MR. CAMPBELL:

03:11:43 20 Q. I apologize to you.

03:11:45 21 Was there -- was this a legal
22 document, this promissory note --

03:11:51 23 **A. Correct.**

03:11:51 24 Q. -- created by Mr. Dawson to memorialize
25 this?

03:11:57 1 MR. BAILUS: Objection. Calls for a legal
2 conclusion.

03:11:59 3 Go ahead and answer.

03:11:59 4 THE WITNESS: Yes.

03:12:00 5 BY MR. CAMPBELL:

03:12:00 6 Q. Okay.

03:12:00 7 A. I had to think about the question.

03:12:03 8 Q. All right. And you were the lender,
9 correct?

03:12:05 10 A. Correct.

03:12:06 11 Q. And was this a document that was signed by
12 Mr. Rizzolo?

03:12:11 13 A. I believe it was.

03:12:12 14 Q. And was this document signed in
15 Mr. Dawson's office?

03:12:17 16 A. I don't know.

03:12:17 17 Q. All right. Did you sign the document?

03:12:20 18 A. I don't recall signing it.

03:12:23 19 Q. Okay. Let's go to next document, if we
20 could, Bates LR274. The next statement of account
21 from the Capital Security Bank is for transactions of
22 1 October 2006 to the 31st of October 2006. Do you
23 see that?

03:12:47 24 A. I do.

03:12:52 25 Q. Okay. It says there was a transfer from,

03:14:29 1 A. I see that, um-hum.

03:14:30 2 Q. Next statement in order is for the
3 following month, January 1 of 2007, showing interest
4 received of \$11,821, correct?

03:14:43 5 A. January 31st?

03:14:44 6 Q. Well, I think it's from January 1 to
7 January 31st.

03:14:47 8 A. Oh, okay.

03:14:48 9 Q. Do you see that?

03:14:48 10 A. I -- okay.

03:14:50 11 Q. So it looks like you are getting these
12 monthly; is that correct?

03:14:55 13 A. I -- I am at this point, um-hum.

03:14:58 14 Q. Next, 269, you're getting interest for the
15 period of February 1 to February 28 of almost \$18 --
16 or almost \$12,000 in interest, right, 11,799.21?

03:15:13 17 A. Right.

03:15:13 18 Q. The next is for the next month,
19 March 31st. 1 through March 30 -- March 1 -- 31st --
20 withdraw.

03:15:24 21 March 1, 2007 through the 31st of
22 March 2007, correct?

03:15:30 23 A. Right.

03:15:32 24 Q. Okay. Has interest received of \$10,692,
25 correct?

03:15:37 1 A. Yes.

03:15:38 2 Q. And then you apparently directed Lionel,
3 Sawyer & Collins to take out another \$400,000 from
4 that account?

03:15:48 5 A. Right.

03:15:48 6 Q. For what purpose?

03:15:49 7 A. I believe that was another loan to Rick.

03:15:52 8 Q. Okay. And that \$400,000 was a loan to
9 Rick that he requested of you?

03:16:00 10 A. Right.

03:16:00 11 Q. All right. And you agreed to make it?

03:16:02 12 A. I did.

03:16:02 13 Q. All right. And what was it for?

03:16:03 14 A. Attorneys' fees, as far as I'm aware of.

15 I'm not positive of what it was required for.

03:16:11 16 Q. All right.

03:16:12 17 A. Attorneys' fees and that's my

18 recollection --

03:16:16 19 Q. All right.

03:16:17 20 A. -- at this time.

03:16:18 21 Q. So you thereafter direct -- so after he
22 asked you for the loan, you directed him -- withdraw.
23 I apologize.

03:16:26 24 After he asked you for the loan, you

25 directed Mr. Dawson, firm of Lionel, Sawyer & Collins

1 to obtain those funds on your behalf so you could make
2 the loan to Rick?

03:16:38 3 **A. Right.**

03:16:39 4 Q. Okay. And the amount he wanted was
5 \$400,000?

03:16:42 6 **A. Yes.**

03:16:43 7 Q. And Mr. Dawson and the firm of Lionel,
8 Sawyer & Collins followed your instructions in that
9 regard?

03:16:50 10 **A. Yes.**

03:16:51 11 Q. And pursuant to those instructions,
12 acquired that money as directed by you; is that
13 correct?

03:16:57 14 **A. Yes.**

03:16:58 15 Q. And gave it to you and you in turn gave it
16 to Mr. Rizzolo?

03:17:02 17 **A. I believe Mr. Dawson gave the money to
18 Mr. Rizzolo.**

03:17:09 19 Q. How did he accomplish that?

03:17:12 20 MR. BAILUS: Objection. Speculative.

03:17:13 21 BY MR. CAMPBELL:

03:17:14 22 Q. No. I don't -- I never want you to
23 speculate, I already told you that.

03:17:17 24 **A. I really don't know.**

03:17:18 25 Q. Okay. See, when somebody says,

1 "Objection. Speculate," you know, that's what's known
2 as an improper objection. And if he wants to make his
3 record --

03:17:26 4 MR. BAILUS: I --

03:17:27 5 MR. CAMPBELL: Excuse me. You can go
6 ahead and do that.

03:17:29 7 BY MR. CAMPBELL:

03:17:29 8 Q. Because it telegraphs to the witness that
9 they should say, "I don't know." So --

03:17:34 10 A. Oh.

03:17:35 11 Q. -- as I said before --

03:17:36 12 A. Okay.

03:17:36 13 Q. -- I never want you to speculate. So I
14 want that very clear in the record.

03:17:40 15 A. Okay.

03:17:40 16 Q. If you know, tell me; if you don't know,
17 as I've told you before --

03:17:43 18 A. Right.

03:17:45 19 MR. BAILUS: Again, I move to strike the
20 commentary.

03:17:46 21 BY MR. CAMPBELL:

03:17:48 22 Q. Saying you don't know is a perfectly
23 acceptable answer, okay?

03:17:51 24 A. Okay.

03:17:51 25 Q. But I'm entitled to your best

1 recollection. And moreover, I'm entitled to your
2 opinion based upon a rational perception of the events
3 that took place. And so that's what I'm asking you
4 for. Okay?

03:18:04 5 **A. I'm sorry. I don't know how he**
6 **accomplished that.**

03:18:07 7 Q. Okay. But in that regard, you believed
8 that he in some fashion enabled Rick Rizzolo to get
9 the money that you directed him to give to him?

03:18:18 10 **A. I believe so.**

03:18:18 11 Q. Okay.

03:18:19 12 THE VIDEOGRAPHER: Mr. Campbell, can we
13 change tapes?

03:18:21 14 MR. CAMPBELL: Oh, yeah, I'm sorry. I
15 thought we -- you know what, I kept on going.

03:18:25 16 THE VIDEOGRAPHER: This is the end of tape
17 No. 4 of the video deposition of Lisa Rizzolo. The
18 time is approximately 3:18 p.m. We are going off the
19 record.

03:18:36 20 (Recessed from 3:18 p.m. to 3:21 p.m.)

03:21:41 21 THE VIDEOGRAPHER: This is the beginning
22 of tape No. 5 of the video deposition of Lisa Rizzolo.
23 The time is approximately 3:21 p.m. We are now on
24 record.

03:21:51 25 ///

03:21:51 1 BY MR. CAMPBELL:

03:21:54 2 Q. Ms. Rizzolo, with respect to this
3 additional \$400,000 loan that you arranged on behalf
4 of your former husband, Rick Rizzolo, was there a
5 promissory note created for that?

03:22:09 6 A. Yes, I believe so.

03:22:10 7 Q. And did you direct Mr. Dawson to create a
8 promissory note?

03:22:17 9 A. I believe that I did.

03:22:19 10 Q. And in that regard was that promissory
11 note signed?

03:22:27 12 A. I didn't see it.

03:22:28 13 Q. You've never seen it?

03:22:30 14 A. Hum-um.

03:22:31 15 Q. "No"?

03:22:31 16 A. No. I'm sorry, no.

03:22:33 17 Q. So you don't know if one was created or
18 not?

03:22:36 19 A. I believe that it was.

03:22:37 20 Q. And what makes you believe that?

03:22:39 21 A. There was a discussion about it.

03:22:41 22 Q. With whom?

03:22:42 23 A. With Mr. Dawson.

03:22:44 24 Q. Did you direct him to prepare a promissory
25 note?

03:22:47 1 A. Yes.

03:22:47 2 Q. Oh, you did?

03:22:49 3 A. Um-hum.

03:22:49 4 Q. All right. But you never requested a
5 copy, a signed copy of it?

03:22:53 6 A. I didn't.

03:22:53 7 Q. Nor have you produced that note in this
8 litigation?

03:22:57 9 A. No.

03:22:58 10 Q. Okay.

03:22:59 11 It also indicates that there was a
12 fee of \$1,646.93 payable to Lionel, Sawyer & Collins
13 for "breakage." Do you know what that is?

03:23:15 14 A. I don't.

03:23:15 15 Q. "Trust breakage"?

03:23:17 16 A. I don't know what that means.

03:23:21 17 Q. And, of course, then the transfer fee of
18 \$50 to transfer the funds, correct?

03:23:26 19 A. I see that.

03:23:30 20 Q. Okay. The next one we have is for the
21 next month April. And it shows interest for April 1
22 through April 30th, almost \$11,000, correct?

03:23:42 23 A. Right, almost.

03:23:44 24 Q. The next one 266 as part of -- what's the
25 aggregate Exhibit No.? I'm sorry to bother you. 9.

1 you with what I had.

03:37:35 2 BY MR. CAMPBELL:

03:37:35 3 Q. Where are these statements mailed to?

03:37:36 4 A. **My home.**

03:38:15 5 Q. Calling your attention, again, to Exhibit

6 No. 9 and specifically page LR268, the account

7 statement dated March 31st, 2007. Could you please

8 tell me whether or not any of that \$400,000 that you

9 loaned to your husband was paid back?

03:38:58 10 MR. BAILUS: Objection as to form.

03:38:59 11 Go ahead and answer.

03:39:01 12 THE WITNESS: I believe so.

03:39:02 13 BY MR. CAMPBELL:

03:39:04 14 Q. And how was it paid back?

03:39:07 15 A. **By check.**

03:39:08 16 Q. And how much was paid back?

03:39:12 17 A. **I believe 600,000. I'm not positive of**

18 **that.**

03:39:18 19 Q. And when was it paid back?

03:39:25 20 A. **I'm not sure of the date.**

03:39:28 21 Q. So this all -- the entire 400,000 was paid

22 back?

03:39:32 23 A. **I believe so.**

03:39:32 24 Q. All right. And you don't know when it was

25 paid back?

03:39:35 1 A. I don't.

03:39:36 2 Q. And it was -- but it was paid by check to
3 you?

03:39:39 4 A. I believe so. I'm questioning my memory.

03:39:45 5 Q. Well, where would the documents be
6 reflecting that payment?

03:39:53 7 A. I imagine in Rick's possession.

03:40:02 8 Q. Your husband is still under probation, is
9 he not?

03:40:06 10 A. My ex-husband.

03:40:07 11 Q. Your ex-husband.

03:40:08 12 A. Yes.

03:40:08 13 Q. Okay.

03:40:08 14 A. Yes.

03:40:09 15 Q. When is he off probation, do you know?

03:40:13 16 A. I'm not sure.

03:40:13 17 Q. Okay. Have you ever --

03:40:15 18 MR. BAILUS: I'm going to object to the
19 form. I don't think it's probation, I think it's --

03:40:21 20 MR. CAMPBELL: Excuse me, I think it's
21 parole.

03:40:24 22 MR. BAILUS: No, supervised release.

03:40:26 23 MR. CAMPBELL: Supervised release,
24 whatever.

03:40:26 25 ///

11:59:59 1 BY MR. CAMPBELL:

03:40:27 2 Q. He is still under the supervision of the
3 United States Bureau of Prisons, as I understand it --

03:40:32 4 A. Um-hum.

03:40:32 5 Q. -- correct?

03:40:33 6 A. I believe so.

03:40:34 7 Q. Do you know where he's living?

03:40:35 8 A. Yes, in Green Valley.

03:40:38 9 Q. Has he at any time stayed at your home
10 since he's been released from the San Diego -- or the
11 Los Angeles correctional facility, I forget?

03:40:49 12 A. Right.

03:40:49 13 Q. Yeah.

03:40:50 14 A. No.

03:40:50 15 Q. He hasn't?

03:40:51 16 A. No.

03:40:51 17 Q. Do you know where he was served with this
18 lawsuit?

03:40:54 19 A. With this lawsuit?

03:40:57 20 Q. Yes.

03:40:57 21 MR. BAILUS: Go ahead.

03:40:58 22 No, I'm going to object as to form.

03:41:00 23 Go ahead.

03:41:00 24 BY MR. CAMPBELL:

03:41:00 25 Q. Go ahead.

03:41:01 1 A. My house is where his -- his was received,
2 um-hum.

03:41:17 3 Q. What did you do with the money that you
4 got back from Mr. Rizzolo?

03:41:20 5 A. I deposited it in my account.

03:41:24 6 Q. What account?

03:41:25 7 A. Probably the Wells Fargo account.

03:41:27 8 Q. And how much money do you think that that
9 was at that time?

03:41:30 10 A. I believe it was 600,000.

03:41:32 11 Q. Does Mr. Rizzolo owe you any money at this
12 time?

03:41:37 13 A. That's up for debate. I believe he owes
14 me \$5 million from our divorce.

03:41:43 15 Q. Okay. Other than that?

03:41:49 16 A. I paid for \$50,000 to his attorneys while
17 he was away.

03:41:57 18 Q. Right.

03:41:57 19 A. And I believe --

03:41:59 20 Q. There was no loan document on that?

03:42:01 21 A. No.

03:42:09 22 Q. Okay. Go ahead.

03:42:10 23 A. I paid for -- Mr. Bart Rizzolo asked me to
24 help him pay the rent for the Crazy Horse.

03:42:16 25 Q. Okay.

03:42:17 1 A. So I paid that.

03:42:19 2 Q. And how much was that?

03:42:21 3 A. Two different occasions of \$25,000 each.

03:42:25 4 Q. So that's \$50,000?

03:42:27 5 A. Right.

03:42:27 6 Q. And Bart Rizzolo is Mr. Rizzolo's father?

03:42:31 7 A. Yes.

03:42:32 8 Q. Okay. And did you talk to Rick Rizzolo
9 about the propriety of making that loan?

03:42:41 10 A. Yes. And he feels that he has compensated
11 me for that by giving me his gun collection.

03:42:52 12 Q. And when you made that loan, where was
13 Rick Rizzolo located?

03:42:59 14 A. At the prison.

03:43:01 15 Q. Okay. And he gave you his opinion as to
16 what you should do in that regard when he was in
17 prison?

03:43:09 18 A. In regard to paying --

03:43:11 19 Q. In regard to giving --

03:43:12 20 A. -- his attorneys?

03:43:14 21 Q. Well, maybe I'm talking about two
22 different things, so let me back up.

03:43:17 23 A. Okay.

03:43:18 24 Q. The \$50,000 that you paid to Patti & Sgro,
25 you did at his request while he was in prison?

1 husband, then husband, as opposed to you?

04:20:25 2 **A. Yes.**

04:20:25 3 Q. Okay.

04:20:58 4 MR. CAMPBELL: Next in -- this is next in
5 the order. Do you have more than one?

04:21:21 6 (Deposition Exhibit No. 16 marked.)

04:21:21 7 BY MR. CAMPBELL:

04:21:25 8 Q. I'm going to show you Exhibit No. 16. And
9 I'm going to show you also another exhibit that we
10 previously discussed here today, Exhibit No. 4, your
11 divorce decree and joint petition.

04:21:37 12 You stated that there was a change
13 in your joint petition for divorce. Do you recall
14 that testimony?

04:21:48 15 **A. I do.**

04:21:48 16 Q. And the change was that it was not going
17 to be characterized as alimony, but, rather, in -- a
18 debt that was to be paid even if Mr. Rizzolo died
19 before paying it, correct?

04:22:03 20 MR. BAILUS: Objection. Misstates her
21 testimony.

04:22:07 22 THE WITNESS: I --

04:22:08 23 BY MR. CAMPBELL:

04:22:09 24 Q. Is that your understanding?

04:22:10 25 **A. Actually, I -- my understanding was that**

1 it was this stipulation changed was to read from
2 alimony to separation of property.

04:22:21 3 Q. Okay. Very good.

04:22:21 4 And in that regard, is this the
5 order that you were talking about that changed it?

04:22:28 6 A. If that's what it states.

04:22:31 7 Q. Have you ever seen it before?

04:22:38 8 A. I believe -- yeah, I believe I did see it
9 at the time that it was written up.

04:22:45 10 Q. Prepared?

04:22:46 11 A. Um-hum.

04:22:46 12 Q. Well, the reason I ask that is because
13 your name is on it, your signature appears on it.

04:22:53 14 A. It is.

04:22:53 15 Q. Is it?

04:22:53 16 A. Um-hum. I don't -- I just don't remember
17 it. I remember that it was done. I don't remember.

04:22:59 18 Q. And, again, this was Dean Patti that did
19 this; is that correct?

04:23:06 20 A. Right.

04:23:06 21 Q. And this was done in July. The
22 stipulation and order was filed in July of 2006,
23 correct?

04:23:17 24 A. Mine says filed after hours on
25 August 4th of '06.

04:23:22 1 Q. I think that's the entry of the order.

04:23:23 2 A. Oh.

04:23:24 3 Q. I think if you go to the actual
4 stipulation and order --

04:23:26 5 A. Uh-huh.

04:23:27 6 Q. -- it's filed July 26th --

04:23:30 7 A. Okay, I see that.

04:23:31 8 Q. -- of 2006.

04:23:36 9 A. Mine doesn't say the 2006 part.

04:23:39 10 Q. I'm sorry.

04:23:41 11 A. Mine just says July 26th.

04:23:43 12 Q. Okay. Go to the last page.

04:23:45 13 A. Sorry.

04:23:46 14 Q. That's all right. We will work through
15 it, no problem.

04:23:49 16 Shows that you signed this on
17 July 12, 2006, right?

04:23:55 18 A. Right.

04:23:55 19 Q. Okay. And it appears, then, it stands to
20 reason, that it was filed on July 26th of that same
21 year?

04:24:02 22 A. I would think so.

04:24:02 23 Q. And in any event, the order is
24 August 4th of 2006, correct?

04:24:08 25 A. Right.

04:24:08 1 Q. And this was a modification of your
2 divorce decree that had been granted over a year
3 earlier; is that correct?

04:24:18 4 A. Correct.

04:24:32 5 Q. What is the Artistry of the Benevolence?

04:24:37 6 A. That is my son-in-law and daughter's
7 company that they created for T-shirts, T-shirt
8 selling, design and selling, and his artistry that
9 he's produced himself.

04:24:54 10 Q. Is that still in operation?

04:24:58 11 A. That's questionable. I'm -- I don't know.
12 I was listed as some part of the company and which I
13 never have signed any paperwork.

04:25:10 14 Q. Yeah, you're listed as an officer and
15 director.

04:25:13 16 A. Right. And I have never signed anything.
17 So it was my understanding that was going to be
18 removed, but I guess that didn't happen.

04:25:33 19 MR. CAMPBELL: What day was the
20 interrogatory supplementation?

04:25:50 21 MR. DeGREE: December 11th, 2008.

04:25:54 22 MR. CAMPBELL: Okay.

04:25:55 23 BY MR. CAMPBELL:

04:25:59 24 Q. When did you sell the Chicago condominium?

04:26:08 25 A. Hum, November or December of 2008.

1 a workout that's trying to be attempted in that regard
2 to fully fund the trust?

04:36:11 3 **A. The paperwork isn't completed.**

04:36:14 4 Q. Have you engaged in a renouncement of
5 right and entitlement?

04:36:19 6 **A. I -- I haven't done anything because I
7 don't have it. I don't have the funds.**

04:36:27 8 Q. How old are the children?

04:36:29 9 **A. 30 and 34, and she has two grandchildren.**

04:36:33 10 Q. And the money is going to go to them and
11 not you?

04:36:36 12 **A. Right.**

04:36:36 13 Q. And you are trying to work that out as to
14 how that's going to happen --

04:36:40 15 **A. Right.**

04:36:40 16 Q. -- because the legal work was improperly
17 done?

04:36:43 18 **A. Right.**

04:36:44 19 Q. Okay. Are there any other insurance
20 policies that you're the beneficiary of?

04:36:49 21 **A. I am the beneficiary of Rick's life
22 insurance policy.**

04:36:53 23 Q. And how much is that?

04:36:55 24 **A. That is questionable because it is related
25 to the stock market. So I really don't know.**

04:37:02 1 Q. How much do you think it's worth?

04:37:03 2 A. I couldn't even guess.

04:37:07 3 Q. And how is it related to the stock market?

04:37:12 4 A. I'm not really sure. I don't understand
5 the policy.

04:37:15 6 Q. Do you have a copy of the policy?

04:37:17 7 A. No. And he's tried to explain it to me
8 years ago when he opened it, and I didn't understand
9 it then and I still don't.

04:38:40 10 Q. I'm going to call your attention again to
11 your interrogatories.

04:38:46 12 A. This one?

04:38:48 13 Q. No, that's your supplement.

04:38:50 14 A. Okay. This one?

04:38:51 15 Q. Right.

04:38:52 16 A. Okay.

04:38:52 17 Q. Would you turn to the last page. It may
18 even be the second-to-the-last page.

04:38:56 19 A. Second-to-the-last?

04:38:57 20 Q. Um-hum.

04:38:57 21 A. Okay.

04:38:59 22 Q. You did not sign those under oath?

04:39:02 23 A. I'm sorry?

04:39:02 24 Q. You did not sign those under oath?

04:39:06 25 A. I did not sign these under oath? Is that

04:41:46 1 Go ahead and answer.

04:41:48 2 THE WITNESS: I'm not sure if I
3 understand.

04:41:50 4 BY MR. CAMPBELL:

04:41:52 5 Q. Okay. We've talked extensively about the
6 fact that you have --

04:41:55 7 A. Are you talking --

04:41:55 8 Q. Hold on and I'll tell you what I'm talking
9 about.

04:41:58 10 We talked extensively about the fact
11 that you have a loan, you got a loan originally to buy
12 the Mission Viejo property.

04:42:06 13 A. Right.

04:42:06 14 Q. You submitted an application in support of
15 that loan?

04:42:09 16 A. When I applied for the loan, yes.

04:42:12 17 Q. That's right.

04:42:12 18 A. I do have a -- yeah.

04:42:12 19 Q. And in support of your application, you
20 had to provide a net worth statement showing your
21 assets and all that sort of thing, right?

04:42:20 22 A. I believe so.

04:42:20 23 Q. Okay. And here's my question.

04:42:22 24 A. Okay.

04:42:23 25 Q. All right. Did you ever attempt to obtain

1 those documents to produce them in this litigation?

04:42:31 2 MR. BAILUS: Objection as to form.

04:42:33 3 Go ahead and answer.

04:42:35 4 THE WITNESS: I believe that I did.

04:42:36 5 BY MR. CAMPBELL:

04:42:37 6 Q. All right. What steps did you take in
7 order to obtain those documents that were requested?

04:42:41 8 A. I looked through all the documents that I
9 had.

04:42:44 10 Q. Okay. But you did not make any further
11 attempt to contact the loan company, the loan officer,
12 or anyone associated with the loan company?

04:42:53 13 A. I didn't remember who it was to even ask
14 the question.

04:42:57 15 Q. Okay.

04:42:57 16 A. So I know who my current --

04:42:59 17 Q. Right.

04:43:01 18 A. -- loan lienholder is. I don't know
19 who --

04:43:04 20 Q. Did you ask? I'm sorry. Did you ask them
21 for such documentation?

04:43:08 22 A. No.

04:43:09 23 Q. Any reason why?

04:43:12 24 A. I didn't even -- it didn't occur to me to
25 ask them.

04:43:16 1 Q. Okay. You would have no objections to
2 doing that?

04:43:19 3 A. Sure. I don't know how to do it, but -- I
4 mean, I don't know who I'm asking for. Would they
5 have my loan information?

04:43:28 6 Q. I'll leave that to you and your --

04:43:30 7 A. Oh, okay.

04:43:31 8 Q. Yeah, they should.

04:43:34 9 MR. BAILUS: You said if she has any
10 objections. We'll supplement --

04:43:40 11 MR. CAMPBELL: Well, yeah, there is a
12 pretty big supplement. I see your draft in there,
13 so...

04:43:48 14 MR. BAILUS: Well, I'm not going to -- we
15 will comply with our continuing duty to supplement.

04:44:20 16 MR. CAMPBELL: Could I have her request
17 for production, please.

04:44:58 18 (Deposition Exhibit No. 19 marked.)

04:44:59 19 BY MR. CAMPBELL:

04:45:01 20 Q. I'm going to show you Exhibit No. 19.

04:45:05 21 A. Do you want these back?

04:45:08 22 Q. Yes, ma'am. Thank you very much.

04:45:11 23 And you'll see that these were our
24 request for production of documents which were
25 submitted to you. Do you see that, ma'am?

04:45:19 1 A. Um-hum.

04:45:19 2 Q. You've seen this before?

04:45:20 3 A. I have.

04:45:21 4 Q. Okay. Your attorneys gave you this
5 document and told you to go and retrieve whatever
6 documents were requested, presumably?

04:45:29 7 A. Yes.

04:45:34 8 Q. Okay. Would you turn to page No. 14.

04:45:38 9 A. I'm sorry, 15?

04:45:39 10 Q. 14. I'm sorry, ma'am. 14.

04:45:43 11 You'll see request No. 18.

04:45:46 12 A. Um-hum.

04:45:46 13 Q. Requires you to:

04:45:47 14 "Produce all other books,
15 records, receipts, contracts, agreements,
16 invoices, documents of title, ownership, or
17 indebtedness, or documents otherwise
18 pertaining to the assets of the defendant,"
19 meaning you.

04:46:04 20 Do you see that?

04:46:05 21 A. I do.

04:46:07 22 Q. As I understand it, many of those
23 documents that would be covered by that request, you
24 believe, or at least some of them are in the
25 possession of Mr. Dawson that have not been produced.

1 For example, the notes of indebtedness.

04:46:22 2 A. Oh, yes.

04:46:25 3 Q. All right.

04:46:36 4 And you've never seen them?

04:46:36 5 A. No. Not that I'm -- not that I can
6 recall.

04:46:37 7 Q. Okay. But if you made a simple phone
8 call, you could acquire those; is that correct?

04:46:40 9 A. If he has them.

04:46:41 10 Q. Any reason why he wouldn't have them?

04:46:44 11 A. I don't know the method of his
12 bookkeeping.

04:46:48 13 Q. Which leads me to my next series of
14 questions.

04:46:52 15 Do you receive monthly statements
16 from the law firm of Lionel, Sawyer & Collins?

04:46:56 17 A. No.

04:46:57 18 Q. Do you receive regular billings from them?

04:46:59 19 A. No.

04:47:00 20 Q. When you pay for legal services rendered,
21 do they submit a legal bill to you --

04:47:08 22 A. Um-hum.

04:47:09 23 Q. -- to pay for those services?

04:47:12 24 A. If there is a -- if there's a bill to be
25 paid, they submit me a -- submit a bill to me.

1 the 10-minute warning.

04:53:21 2 MR. CAMPBELL: No, because we are not
3 going to be done today anyways.

04:53:25 4 THE WITNESS: Every time you mention her,
5 I can't help it.

04:53:26 6 MR. CAMPBELL: You are done for today.

04:53:27 7 THE WITNESS: Am I?

04:53:28 8 MR. CAMPBELL: Yeah.

04:53:28 9 THE VIDEOGRAPHER: Should I close down?

04:53:28 10 MR. CAMPBELL: Yes. Close down for now.

11 We are recessing the deposition.

04:53:30 12 THE VIDEOGRAPHER: This is the end of --
13 this concludes Volume 1 of the videotape deposition of
14 Lisa Rizzolo, consisting of six tapes, on Tuesday,
15 May 12, 2009.

04:53:47 16 The original tapes of this testimony
17 will remain in the custody of Las Vegas Legal Video,
18 729 South Seventh Street, Las Vegas, Nevada 89101.

04:53:57 19 The time is approximately 4:53 p.m.

20 We are now off the record.

04:54:02 21 (Whereupon, the deposition concluded at 4:53 p.m.)

22

23

24

25

1 REPORTER'S DECLARATION

2

3 STATE OF NEVADA)
4) ss
5 COUNTY OF CLARK)

6

I Denise R. Kelly, CCR #252, RPR, do hereby declare:

7

That I reported the taking of the deposition of the witness, LISA M. RIZZOLO, commencing on Tuesday, May 12, 2009, at the hour of 10:31 a.m.

8

9 That prior to being examined, the witness was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth.

10

That prior to being examined, the witness was by me duly sworn to testify to the truth, the whole truth, and nothing but the truth.

11

12 During the deposition, the deponent was advised of the opportunity to read and sign the deposition transcript. The original signature page is being forwarded to Mark Bailus, Esq. to obtain the deponent's signature.

13

14 That I thereafter transcribed my said shorthand notes into typewriting and that the typewritten transcript of said deposition is a complete, true, and accurate transcription of my said shorthand notes taken down at said time.

15

16 I further certify that I am not a relative or employee of an attorney or counsel of any of the parties, nor a relative or employee of any attorney or counsel involved in said action, nor a person financially interested in the action.

17

18 Dated this 18th day of May, 2009.

19

20

21

22

23

24

Denise R. Kelly
CCR #252, RPR

25