

UNITED STATES OF AMERICA, ) CR 17-00101 LEK  
 )  
 Plaintiff, ) Honolulu, Hawaii  
 ) February 6, 2020  
 vs. )  
 ) JURY TRIAL - DAY 4  
 (1) ANTHONY T. WILLIAMS, )  
 )  
 Defendant. )  
 )

APPEARANCES :

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GREGG PARIS YATES, AUSA  
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Also Present: MEGAN CRAWLEY, FBI Special Agent

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UNITED STATES DISTRICT COURT

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1 THURSDAY, FEBRUARY 6, 2020 8:42 A.M.

2 (Open court out of the presence of the jury.)

3 THE COURTROOM MANAGER: This is Criminal  
4 No. 17-00101 LEK, United States of America versus Anthony T.  
5 Williams.

6 The case has been called for a further jury trial, day 4.  
7 Counsel, please make your appearances for the record.

8 MR. SORENSON: Good morning, Your Honor.

9 Assistant U.S. Attorneys Ken Sorenson and Gregg Yates  
10 here for the United States. We have FBI Special Agent Megan  
11 Crawley with us.

12 THE COURT: Good morning to all of you.

13 And Mr. Williams?

14 THE DEFENDANT: Good morning.

15 Private attorney general Anthony Williams appearing sui  
16 juris.

17 MR. ISAACSON: Oh, Your Honor, Lars Isaacson as  
18 standby counsel. Also Ivy Yeung and Ms. Beecher will be  
19 arriving shortly.

20 THE COURT: Good morning to all of you.

21 The record will reflect the jury is not present. I  
22 believe the government has an issue they'd like to raise  
23 outside of the presence of the jury.

24 Mr. Yates.

25 MR. YATES: Yes, Your Honor, very briefly. In our

1 enthusiasm and haste to ensure that all records that have come  
2 into the government's possession was turned over as soon as  
3 possible, we turned over some criminal history records for  
4 government witnesses, and as it turns out, one of the witnesses  
5 who'll be testifying today has a number of arrests. These  
6 arrests did not result in convictions. The matter -- I guess  
7 the defendant was released pending investigation and there was  
8 no further disposition that we're aware of.

9 Prior to this witness's testimony today, we would like a  
10 ruling that a history of arrest and not conviction is not  
11 admissible. We do note for, you know, the Court's attention  
12 and for the record that Rule 609 for impeachment by way of  
13 prior criminal record -- rather conviction -- requires a  
14 conviction. Thank you, Your Honor.

15 THE COURT: All right. Mr. Williams?

16 THE DEFENDANT: I have the issue on yesterday  
17 the --

18 THE COURT: Oh, no, I'm sorry. We'll first take  
19 their issue.

20 THE DEFENDANT: Okay.

21 THE COURT: Do you have any objection to that, that  
22 you would not be permitted to go into the criminal history of a  
23 witness regarding arrest if they were not convicted of that  
24 offense? And then the rules of evidence also require usually  
25 that the arrests -- I mean, the conviction has to do with some

1 sort of lying or something related to moral turpitude.

2 So I think that's what Mr. Yates has brought up with  
3 regard to the arrests at least, that they can't be used or  
4 introduced in front of the jury.

5 Do you have any -- any problem with his request, any  
6 objection?

7 THE DEFENDANT: Well, I object in the sense that if  
8 it's still pending, so it hasn't been dissolved yet, so it's  
9 still an open case right now, correct? It hasn't been disposed  
10 of?

11 THE COURT: So I think Mr. Yates can clarify, but I  
12 believe what he's referring to is in the past there were  
13 arrests that did not result in any charges nor any conviction.

14 Would that be correct, Mr. Yates?

15 MR. SORENSON: Yes, Your Honor. The record does  
16 indicate this person was released pending investigation and  
17 there's no further disposition on the criminal record.

18 THE COURT: All right. And when were they released  
19 pending investigation?

20 MR. YATES: 2018.

21 THE COURT: Okay. So over a year ago. So if it's  
22 arrest pending investigation, then he's asking that you not be  
23 able to refer to that or bring it up into evidence.

24 THE DEFENDANT: Well, is there a rule against it?  
25 If there is, then, I mean, I --

1           THE COURT: Yes, there is. So he referred to  
2 Rule 608 of the Federal Rules of Evidence.

3           MR. YATES: 609, Your Honor, character -- oh, I'm  
4 sorry -- 609, right, impeachment so for -- of a criminal  
5 conviction. And it has to be a conviction as opposed to an  
6 arrest or an accusation or a complaint.

7           THE DEFENDANT: Okay. If that's the law, then I  
8 have no objection to it, if that's what the law is.

9           THE COURT: Okay. All right. So the ruling and  
10 Mr. Williams agrees with that pursuant to Rule 609 impeachment  
11 by evidence of a criminal conviction, it requires that the  
12 following rules apply to attacking a witness's character for  
13 truthfulness by evidence of a criminal conviction, and then it  
14 refers to the fact that it has to be a conviction and not  
15 merely an arrest or a complaint. And that's where we are  
16 apparently on that.

17           Okay. So it's understood that that will not be referred  
18 to or otherwise introduced before the jury.

19           All right. Are you -- do you have any other issues?

20           MR. YATES: Nothing further from the government,  
21 Your Honor.

22           THE COURT: Okay. Mr. Williams, what concern do you  
23 want to bring to the court?

24           THE DEFENDANT: Yesterday when I was questioning  
25 Agent Lavelle --

1 THE COURT: Yes.

2 THE DEFENDANT: -- I questioned him regarding, you  
3 know, any federal charges being filed against me, you know, in  
4 any states. When Mr. Sorenson came up, he questioned him on  
5 the state charges which is not relevant to any federal charges,  
6 and so I feel like it has prejudiced me because now I have  
7 to -- if I didn't want to testify, now I have to testify to  
8 explain that state charge when I never brought up any state  
9 charges and we're not in state court. We in federal court. So  
10 now I feel like my constitutional rights has been violated  
11 because now I'ma have to testify to explain why I was  
12 unlawfully, you know, convicted of it. It's still pending, you  
13 know, in the Florida Supreme Court right now.

14 THE COURT: All right. So your objection's noted  
15 for the record. I believe you also timely objected during the  
16 examination, and the court's ruling was that in asking -- even  
17 though you believe that you limited it to the federal charges,  
18 you did bring up charges arising out of the same conduct. So  
19 that leads to what's called opening the door to relevant  
20 evidence having to do with any charges that may have arisen or  
21 been -- or having resulted from that type of conduct. And  
22 that's why I permitted Mr. Sorenson to ask those questions.

23 Whether or not you choose to testify at that point in the  
24 trial, I will ask you a series of questions before -- outside  
25 the presence of the jury to determine whether you wish to



1   testify in your own defense and to go over the risks and  
2   benefits. So that's something that you then can consider. But  
3   I believe we're several days away from that for to you make the  
4   decision. But your objection is noted for the record.

5               THE DEFENDANT: And he also put some false  
6   statements on there. He said I've been convicted of identity  
7   theft and I haven't. I've never been convicted of identity  
8   theft. I've never been charged with identity theft, and he  
9   said that I've been convicted of identity theft. So now the  
10  jury has heard oh, he's been convicted of identity theft and I  
11  haven't.

12              THE COURT: Right. I believe you still have time to  
13  question him with regard to that, and so if you want to impeach  
14  him or challenge him as to his testimony, you still have that  
15  ability. I haven't excused Agent Lavelle as a testimonial  
16  witness in this case and I believe where we left it is that you  
17  indicated that you had additional questions and we had maybe  
18  about five minutes left or so and you felt that you couldn't  
19  finish it in that time.

20              So Agent Lavelle, I guess, did have a flight at 4:30  
21  yesterday, but I ordered him to be available this morning. So  
22  he stayed over to answer your questions. So if you want to --  
23  I'm not saying you have to question him -- but you do have that  
24  opportunity.

25              All right. Anything else for the record, Mr. Williams?

1 THE DEFENDANT: That'll be all.

2 THE COURT: All right. Thank you.

3 Are we -- Mr. Isaacson, speak into a microphone. Do you  
4 need --

5 MR. ISAACSON: I'm sorry, Judge. I'm sorry.

6 Ms. Beecher said she was entering the building -- I don't know  
7 why. There are some new exhibits -- I'm very sorry to the  
8 Court, Your Honor. Ms. Yeung and I will endeavor to get it all  
9 distributed.

10 THE COURT: So we can't bring in the jury?

11 MR. ISAACSON: I don't think so, Judge. If I could  
12 just --

13 THE COURT: So will it be for this first witness,  
14 Mr. Lavelle?

15 MR. ISAACSON: Were some of these yesterday for  
16 today?

17 THE DEFENDANT: Yeah.

18 MR. ISAACSON: Yes, Judge, as quick as we can.  
19 We'll do it right now.

20 THE COURT: So right now it's about 10 of 9:00, so  
21 at 9:00 I'm going to ask Ms. Elkington to go get the jury.

22 MR. ISAACSON: That'll be fine. Sorry.

23 MR. SORENSON: Your Honor, if I could just inquire?

24 THE COURT: Yes.

25 MR. SORENSON: Are these exhibits related to

1 Mr. Lavelle, Special Agent Lavelle?

2 THE COURT: Yes, he said -- right.

3 MR. SORENSON: Okay. I believe to that narrow  
4 subject matter?

5 THE COURT: What do they have to do with?

6 MR. ISAACSON: What do they have to do with with  
7 Mr. Lavelle?

8 THE DEFENDANT: The FBI criminal history of me  
9 'cause he didn't have it before him. So I want to be able to  
10 show him the FBI criminal history so he can truthfully state  
11 what they have in my FBI file.

12 THE COURT: Okay. Let's do this. Rather than her  
13 go get the jury at 9:00 -- I'm assuming, but I don't mean to  
14 speak for you, Mr. Sorenson -- you want to take a look at it  
15 before Agent Lavelle takes the stand?

16 MR. SORENSON: Yes, Your Honor.

17 THE COURT: So let's do this. Let's take a recess,  
18 and when you folks have organized, that is, Mr. Williams's team  
19 has organized the exhibits, then we'll give Mr. Sorenson an  
20 opportunity to review it. And once you're satisfied with your  
21 review, you let Ms. Elkington know; she'll go get the jury and  
22 she'll bring me in.

23 MR. SORENSON: All right. Thank you, Your Honor.

24 THE COURT: All right. We're in recess.

25 (A recess was taken.)

1 (Open court in the presence of the jury.)

2 THE COURTROOM MANAGER: This is Criminal  
3 No. 17-00101 LEK, United States of America versus Anthony T.  
4 Williams.

5 The case has been called for a further jury trial, day 4.  
6 Counsel, please make your appearances for the record.

7 MR. SORENSON: Yes, Your Honor.

8 Your Honor, U.S. Attorneys Ken Sorenson and Gregg Yates  
9 here and Special Agent Megan Crawley also.

10 THE COURT: All right. Good morning to all of you.  
11 Mr. Williams.

12 THE DEFENDANT: Good morning.  
13 Private attorney general Anthony Williams.

14 THE COURT: Good morning.

15 MR. ISAACSON: Good morning, Your Honor.  
16 Lars Isaacson, standby counsel, with Claire Beecher.

17 THE COURT: All right. Good morning.

18 And good morning, ladies and gentlemen of the jury. Thank  
19 you for your patience with us this morning. We're trying to  
20 get the exhibits organized so we could go more smoothly today.

21 So Agent Lavelle is back on the stand. I remind you  
22 you're still under oath.

23 Mr. Williams, I believe it's your turn to question.

24 THE DEFENDANT: Can I get the government  
25 exhibit -- I don't know exactly the number -- with the badge,

1 my ID?

2 MR. SORENSON: Oh.

3 THE COURTROOM MANAGER: It was 604.

4 MR. SORENSON: Your Honor, may I approach and hand  
5 this --

6 THE COURT: Yes, you may, the actual badge, yes.

7 MR. SORENSON: This is, for the record, Exhibit 501,  
8 Your Honor.

9 THE COURT: Thank you. All right. Let the record  
10 reflect 501 is before the witness.

11 Mr. Williams.

12 **JOSEPH LAVELLE, PREVIOUSLY SWORN, RESUMED THE STAND**

13 RECROSS-EXAMINATION

14 BY THE DEFENDANT:

15 Q Yes. Mr. Lavelle -- Agent Lavelle, do you remember  
16 making a statement that I had been convicted of identity theft?

17 A No, sir. I believe I said that you were accused.  
18 Whether or not you were found guilty, uhm, there were several  
19 trials in Broward County, so I believe you were charged with  
20 identity theft. I don't -- I don't recall whether or not you  
21 were found guilty.

22 Q Okay. 'Cause yesterday you had said I was found  
23 guilty; that's why I questioned you about it.

24 A Okay.

25 Q But I was not. So I don't have to ask you other

1 questions.

2           After your investigation, other than these federal  
3 charges in Hawaii, have any of your agencies in any other state  
4 filed any federal charges against me for my conduct or my  
5 business conduct?

6           A       No, sir.

7           Q       And did the FBI investigate, charge, or arrest any  
8 of my white employees in the state of New York?

9           A       State of New York, no, sir.

10          Q       Did they investigate, charge, or arrest any of my  
11 agent employees in New York?

12          A       No, sir.

13               MR. SORENSON: Your Honor, I'm going to object as  
14 this being beyond the scope. We were not talking about other  
15 employees of his. I think it was narrowed now to just him  
16 and --

17               THE COURT: All right. Overruled. Go ahead.

18          Q       (BY DEFENDANT WILLIAMS:) Did the FBI investigate,  
19 charge, or arrest any of my white employees in Arkansas?

20          A       No, sir.

21          Q       Did they investigate, charge, or arrest any of my  
22 agent employees in Arkansas?

23          A       No, sir.

24          Q       Did they investigate, arrest, or charge any of my  
25 Caucasian or Asian employees in California?

1 A No, sir.

2 Q Did they investigate, charge, or arrest any of my  
3 Asian or Caucasian employees in Illinois?

4 A No.

5 Q Did they investigate, charge, or arrest any of my  
6 employees in the state of Florida?

7 A Well, the term "employee," there was Mr. William  
8 Hatchett. Whether or not he was an employee of MEI --

9 Q He's not Caucasian.

10 A Oh, Caucasian. So, yes, sir, correct.

11 Q All right. So did you all investigate, charge, or  
12 arrest any of my Caucasian employees in Florida?

13 A Investigate, yes, sir.

14 Q And who was that?

15 A But charge, no.

16 Q And who was that?

17 A Ms. Donna Hickenbottom.

18 Q Again, you investigated her, but you never charged  
19 her?

20 A Yes, sir.

21 Q And did you investigate, charge, or arrest any of my  
22 Caucasian or Asian employees in North Carolina?

23 A No, sir.

24 Q Okay. Did the FBI file any charges against me for  
25 bank fraud?

1           A       Did we investigate you for bank fraud or --  
2           Q       Right.  
3           A       -- or charge you with bank fraud? I'm sorry.  
4           Q       Charge me for bank fraud.  
5           A       We did not charge you with bank fraud.  
6           Q       Did you file charges against me for mortgage fraud?  
7           A       In the Southern District?  
8           Q       Yes.  
9           A       No, sir.  
10          Q       Okay.  
11          A       Of Florida.  
12          Q       And did you file charges against me for unlicensed  
13 mortgage broker?  
14          A       Federally or state in South Florida?  
15          Q       In the federal?  
16          A       Federal, no. No, sir.  
17          Q       Okay. And I had questioned you yesterday about why  
18 you all had designated me as a possible terrorist in your  
19 system; do you remember that?  
20          A       Yes, sir.  
21                  THE DEFENDANT: Okay. I have a criminal history  
22 from the FBI. It's Exhibit 2114, and it's on -- start at  
23 page 7.  
24                  MR. SORENSON: Your Honor?  
25                  THE COURT: Yes.



1           MR. SORENSON: We have looked at 2114. It does not  
2 have a criminal history in it and certainly not an FBI criminal  
3 history. There is a DMV record in here I see.

4           THE COURT: Can I have a copy of it?

5           MR. SORENSON: It's 2114.

6           THE DEFENDANT: Yes, page 7.

7           THE COURT: Do you have a copy for the court?  
8 You're supposed to have a copy for the court, the law clerk,  
9 the witness.

10          MR. ISAACSON: We have two sets of binders.

11          THE DEFENDANT: Yes, it's Defense Exhibit 2114.

12          MR. ISAACSON: It's over there, Judge. I can bring  
13 you --

14          THE COURT: Yeah, but where's the court copy? Do  
15 you not want the witness to have one?

16          MR. ISAACSON: Yes, Your Honor. We have two sets of  
17 binders. Can I give you those?

18          THE COURT: Where's the court's copy? That's all  
19 I'm asking. It's in here?

20          THE COURTROOM MANAGER: Is this part of the exhibits  
21 that were already in the binders?

22          MR. ISAACSON: Yes, yes.

23          THE DEFENDANT: Yes.

24          THE COURTROOM MANAGER: Thank you.

25          THE COURT: So this is not a new exhibit that --

1 THE DEFENDANT: No, it's not a new exhibit.

2 THE COURT: All right. So, Mr. Sorenson, are you  
3 referring to page 7 or the entire document?

4 MR. SORENSON: Well, there's a -- there's a lot of  
5 stuff in here.

6 THE COURT: Correct.

7 THE DEFENDANT: I'm only going to question him on  
8 page -- off of page 7, 8, 9, and 10.

9 MR. SORENSON: Okay.

10 THE COURT: Where's the page numbering for that?

11 THE DEFENDANT: It should be at the bottom. It says  
12 2114 dash and it has 000007.

13 THE COURT: Okay. I'm not --

14 THE DEFENDANT: Bates number 029020.

15 THE COURT: Okay. So you're going to question him  
16 as to 7, 8, and 9?

17 THE DEFENDANT: Yeah, 7, 8, 9, and 10.

18 THE COURT: This is 2014, right?

19 THE DEFENDANT: 2114. 2114.

20 THE COURT: Yeah, so 2114, I don't have that page  
21 numbering. I have 290116, 290117 on the bottom right-hand  
22 corner. I'm sorry. What --

23 THE COURTROOM MANAGER: It's Exhibit 2114, Your  
24 Honor.

25 THE COURT: Oh, so the one in the middle you're

1 talking about, not the bottom right?

2 THE DEFENDANT: Yeah, the one in the middle, yeah.

3 It should have Message Detail at the top, the name --

4 THE COURT: Yes, I see that.

5 THE DEFENDANT: Okay.

6 THE COURT: 7, 8 and 9. You're going to question  
7 him about 9 and 10?

8 THE DEFENDANT: Yes, ma'am.

9 THE COURT: Okay. And so plaintiffs, I'm sorry, you  
10 have an objection to this or --

11 MR. SORENSON: Well, I -- Your Honor, I think it's  
12 an incomplete record. It does appear to be related to  
13 Mr. Williams. He's purported to call this his criminal  
14 history, which it is not. It may be part of an NCIC record,  
15 but we're not sure. It's certainly not complete.

16 I guess if he needs the witness to have his recollection  
17 refreshed by something, this could be used for that, but it's  
18 certainly not something he can subsequently talk about from  
19 here as to the content of it.

20 THE COURT: All right. So if you can lay a  
21 foundation that this witness is familiar with this or somehow  
22 created it or relied on it, then you can ask him questions  
23 about it.

24 THE DEFENDANT: Okay.

25 THE COURT: All right?

1           Q       (BY THE DEFENDANT:) You have the document in front  
2 of you, Agent Lavelle?

3           A       I do.

4           Q       And do you recognize that that's like a criminal  
5 NCIC check for, you know, individuals when they run it?

6           A       It does appear to be so, yes, sir.

7           Q       Okay. And where it says --

8           THE COURT: Before you go into the content, he has  
9 to say that he used it, that he's familiar with this, that he  
10 knows who it's related to.

11           THE DEFENDANT: Okay.

12           Q       (BY THE DEFENDANT:) Can you just go over and see  
13 who it's related to?

14           THE COURT: Well, first of all, Agent Lavelle, are  
15 you familiar with this format of this document?

16           THE WITNESS: I am, yes, Judge.

17           THE COURT: Okay. And that's the type of document  
18 or information that you use in your duties as a FBI agent,  
19 correct?

20           THE WITNESS: Yes, Judge.

21           THE COURT: Okay. And so by looking at this  
22 document, can you see if it refers to any individual?

23           THE WITNESS: Yes, I do.

24           THE COURT: Okay. So you can ask him now with  
25 regard to the contents.

1           Q       (BY THE DEFENDANT:) Okay. And who does this  
2 document refer to, Agent Lavelle?

3           A       Anthony Troy Williams.

4           Q       Okay. And on the -- it should have a gray area  
5 that's highlighted. The first gray area that's highlighted, do  
6 you see what that says?

7           A       Yes, I do.

8           Q       And is that related to what we talked about about  
9 the FBI putting me on a possible terrorist list?

10          A       Well, list -- the questioning yesterday were if -- I  
11 think you asked me was if I thought you were a terrorist or  
12 something along those lines.

13          Q       Well, that I was classified by the FBI as being a  
14 possible terrorist.

15          A       Yes, sir.

16                   THE DEFENDANT: Okay. Can I move the --

17                   THE COURT: You wanted to move this page and the  
18 next page into evidence?

19                   THE DEFENDANT: Yes, ma'am.

20                   THE COURT: All right. Any objection?

21                   MR. SORENSON: Well, Your Honor, if it's purported  
22 to be a criminal history, like I indicated, it's not a complete  
23 document. There's a --

24                   THE COURT: Let him put --

25                   MR. SORENSON: There appears to be a selective

1 choice of a couple pages here. We're willing to stipulate that  
2 the document states that he was on a terrorist watch list.

3 THE COURT: All right. Mr. Williams.

4 THE DEFENDANT: Well, the whole document, I mean,  
5 you can start from page 1 where it says Suspect, but I thought  
6 we'd just expedite it so I don't have to go through all this  
7 stuff.

8 THE COURT: So you want this page which says Page 1  
9 of 1 and Page 2 of 2? Or you don't want the second page?

10 THE DEFENDANT: Yeah, I really wanted to enter in 7,  
11 8, but we can enter the whole thing if need be, if you want to  
12 have the continuity of the whole document. But the rest of the  
13 document is really not relevant to Mr. Lavelle, and, you know,  
14 with them putting me on a terrorist watch list.

15 THE COURT: I agree. So over the objection of the  
16 government, Exhibit 2114 at pages 2114-000007, and -08 will be  
17 received.

18 THE DEFENDANT: All right. And I would like to  
19 publish it.

20 THE COURT: All right. You may publish. You're  
21 going to have to use the docucam. I don't think the government  
22 has it on its computer.

23 (Exhibit 2114-000007, 2114-000008 received  
24 into evidence.)

25 Q (BY THE DEFENDANT:) Okay. Can you see that on the

1 screen?

2 A Yes, sir.

3 THE DEFENDANT: Can you put it on here? 'Cause I  
4 can't see it on this one. It's not going to show on this  
5 screen.

6 THE COURTROOM MANAGER: Your Honor, I believe it's  
7 because it's hooked to the -- thank you.

8 Q (BY THE DEFENDANT:) Okay. Agent Lavelle, can you  
9 read what the first thing highlighted that says "Do not  
10 advise"?

11 A "Do not advise this individual that they may be on a  
12 terrorist watch list."

13 Q And is that the normal procedure with the FBI if  
14 they do have someone on the terrorist watch list that they  
15 don't advise them that they're on that type of list?

16 A Yes, sir.

17 Q And can you go down to where it says the Do not  
18 detain and read that what that says?

19 A "Do not detain or arrest this individual unless  
20 there's evidence of a violation of federal, state or local  
21 statutes."

22 Q Okay. And can you read under where it says "Law  
23 enforcement sensitive information" starting with "Warning"?

24 A "Warning. The following record contains expired  
25 license plate data. Use caution. Contact entering agency to

1 confirm status."

2           You want me to continue?

3           "Do not advise this individual they are on a  
4 terrorist watch list, possible terrorist organization member.  
5 Caution."

6           Q       So when a police officer sees this type of  
7 information and, say, they stop me, would that put them on a  
8 heightened alertness or awareness when they stop me?

9           A       Yes, sir.

10          Q       So that will place me in a more dangerous situation  
11 with a law enforcement officer being that I been labeled as a  
12 terrorist, wouldn't you say?

13          A       I would not agree with that.

14          Q       So if they were being on alert heightened, so  
15 they're not going to treat me just as a average citizen, would  
16 you not say?

17          A       I would agree they would follow their normal  
18 procedures with whatever incident that they would have  
19 encountered you with. I don't know what -- are you talking  
20 about like a traffic stop?

21          Q       Right. Any type of encounter. So if they pull this  
22 up --

23          A       Right.

24          Q       -- they gonna be on more of a, like, alerted;  
25 otherwise they wouldn't be so, you know, Okay, this guy might



1 be a terrorist. You know what I'm talking about? Like that?

2 A Sir, I would say a local police officer's always on  
3 high alert. He's always going to be aware of his surroundings  
4 and any potential danger. Traffic stops are inherently  
5 dangerous for any individual they pull over, so...

6 Q So do you all put this for every citizen? Do you  
7 all put this in your system for every citizen?

8 A No, sir.

9 Q So I've been selected to have a different status  
10 than the average citizen when I'm pulled over?

11 A Yes, sir.

12 Q Where you see where it says Date of birth, can you  
13 read that line where it says "FBI" and the number?

14 A Hmm, I'm trying to find the line. Is it towards the  
15 bottom?

16 Q You see where the first redacted --

17 A The first redaction under 1971?

18 Q Right.

19 A Right.

20 Q It's on that line. You see where it says "FBI"?

21 A 658?

22 Q Right. Can you read that number for me?

23 A 658566RB7.

24 Q And what is that number?

25 A That's your FBI number according to this document.

1           Q       Okay. So if you was to look up that number in the  
2 FBI system, that would bring up the information regarding me?

3           A       It would -- I could use that number to bring up your  
4 NCIC.

5           Q       Okay. So when you brought up the NCIC from that  
6 number, it would bring up all this information?

7           A       Theoretically, yes, sir.

8           THE DEFENDANT: Okay. Now we need to go to  
9 Government Exhibit 604, and I'd like to publish.

10          MR. SORENSON: No objection, Your Honor.

11          THE COURT: Okay. You need to hook in the laptop  
12 again? Is it hooked in?

13          MR. SORENSON: Your Honor, I think it's good to go.

14          THE COURT: All right. It's not on the screen.

15          THE COURTROOM MANAGER: Oh, sorry. There we go.

16          Q       (BY THE DEFENDANT:) And you have a copy of  
17 the -- my actual ID up there with you?

18          A       I do.

19          Q       Okay. Can you look on the back of the ID? And do  
20 you see where it says "FBI number"?

21          A       I do.

22          Q       And can you read that number for me?

23          A       658566R137.

24          Q       And is that the same number that's on the FBI NCIC  
25 report?

1           A       With the exclusion of the last few digits, the first  
2   7 or so digits are identical.

3           Q       Okay.  So if you saw that number, you would  
4   recognize that that's a FBI number that they have assigned to  
5   me?

6           A       Yes, sir.  Sir, as we spoke yesterday, I don't have  
7   your FBI number memorized, I mean, no.

8           Q       Okay.  But if that was my FBI number, you would be  
9   able to -- if I presented that ID to you, you could look in  
10   your system and it would bring up any information regarding me  
11   if that's my FBI number that's printed on there?

12          A       It would bring up your NCIC criminal history.

13          Q       And so you would be able to identify that that's who  
14   I am --

15          A       Yes, sir.

16          Q       -- correct?

17                   Okay.  I'd like for to you look at the letter that's  
18   on exhibit page 9 -- 2114, page 9.  You have that in front of  
19   you?  And who is that letter addressed to?

20          A       FBI Honolulu.

21                   MR. SORENSON:  Your Honor, this is not in evidence,  
22   this letter.  Appears to be a letter written by Mr. Williams.

23                   THE COURT:  All right.  So you can't refer to the  
24   contents of the report.

25                   THE DEFENDANT:  Okay.

1 THE COURT: Unless you establish that somehow he  
2 created it, received it, used it, has personal knowledge.

3 Q (BY THE DEFENDANT:) Are you familiar with this  
4 letter that I sent to the FBI Honolulu?

5 A Not off the top of my head, sir.

6 THE DEFENDANT: Okay. I can't question him on this.  
7 I have no more questions for Agent Lavelle.

8 THE COURT: All right. Thank you very much.

9 Mr. Sorenson, I'll give you a brief -- I don't know what  
10 this is. If it's --

11 MR. SORENSON: Mercifully, Your Honor, no. We will  
12 not go forward.

13 THE COURT: All right. Very good.

14 So, Agent Lavelle, I thank you. I excuse you as a  
15 witness. You can leave all the exhibits there, and please  
16 don't discuss your testimony with anyone till the conclusion of  
17 the trial. Good day.

18 THE WITNESS: Thank you.

19 THE COURT: All right. Your next witness,  
20 Mr. Yates.

21 MR. YATES: Your Honor, the government will be  
22 calling Les Kobata to the stand.

23 THE COURT: Good morning.

24 THE WITNESS: Good morning.

25 **LESLIE KOBATA, GOVERNMENT'S WITNESS, WAS SWORN**

1 THE COURTROOM MANAGER: Thank you. Please be  
2 seated.

3 State your full name and spell your last name for the  
4 record.

5 THE WITNESS: Leslie Kobata, K-o-b-a-t-a.

6 THE COURT: Your witness.

7 MR. YATES: Thank you, Your Honor.

8 DIRECT EXAMINATION

9 BY MR. YATES:

10 Q Mr. Kobata, could you please explain to the jury who  
11 your employer is?

12 A My employer is State of Hawaii, Department of Land  
13 and Natural Resources.

14 Q Is the Bureau of Conveyances part of the Department  
15 of Land and Natural Resources?

16 A It is.

17 Q And what is your title?

18 A Registrar of conveyance.

19 Q Okay. And that is at the Bureau of Conveyances,  
20 correct?

21 A That's correct.

22 Q Can you please explain to the jury the role of the  
23 Bureau of Conveyances.

24 A The Bureau of Conveyances is responsible for making  
25 public notice of documents that get filed for land conveyances.

1 So it's our job to just make sure that documents are submitted  
2 and recorded accurately and on a timely basis.

3 Q Can you please provide for the jury examples of  
4 documents for land conveyances?

5 A Sure. We record deeds, we record mortgages that are  
6 tied to these deeds, we have leases that get filed with us, we  
7 also have Uniform Commercial Code files that get done with us  
8 which are a little bit different. They're not actually land  
9 conveyances, but they are notices for things like large  
10 machinery or the solar panels and things like that that are  
11 being leased by individuals. So it's that arrangement that is  
12 made a public record so people know that XYZ Company owns this,  
13 but it's being leased or used by a private party.

14 Q So just so we have that clear, the UCC document that  
15 you're referring to, what is that -- what does the UCC refer  
16 to?

17 A Uniform Commercial Code.

18 Q And that document that you're referring to pertains  
19 to, as you put it, equipment and things of that nature, but not  
20 land interests, correct?

21 A Generally not land, correct.

22 Q Okay. And typically, when someone borrows money to  
23 buy a home, what would be recorded at the Bureau of  
24 Conveyances?

25 A Well, when they borrow money, it would normally be

1 the mortgage that gets recorded with the Bureau.

2 Q Now, when someone borrows money in connection with a  
3 purchase and records a mortgage with the Bureau of Conveyances,  
4 what does the Bureau of Conveyances do to ensure the  
5 authenticity of the document itself or any statement in the  
6 document?

7 A The Bureau is actually not responsible for verifying  
8 the authenticity of the document. Our charter and our goal is  
9 to ensure that our statutes are being followed, and in those  
10 statutes it says specifically the forming basically of how the  
11 document can -- what documents can be recorded. So we're  
12 looking for recordability, not necessarily for authenticity or  
13 any of the information that's within that document.

14 Q Can you give to the jury some examples of  
15 recordability, what you look for?

16 A Sure. Main thing is we got to make sure that names  
17 match. So in the document generally it's referring to a party  
18 and the signature line has to match up. These documents are  
19 normally notarized as well, so we verify the notary and, for  
20 example, the effective date of the notary, need to make sure  
21 that it's still in effect when they took that document in.

22 We look for things like derivation. Derivation just  
23 means that if somebody's selling a piece of land or passing a  
24 piece of land on, that we have a link as to where it originated  
25 and where it's going. So there are things to that nature that

1 we check for. Again, they're all within our statutes and our  
2 staff is responsible for reviewing for that only and not  
3 necessarily reading the document to see if it's authentic or  
4 correct.

5 Q So if a document contained false information, what  
6 would the Bureau of Conveyances catch?

7 A We actually wouldn't catch anything. If the  
8 document had some false statement in there, it is not our  
9 responsibility to catch the false statement. We look  
10 specifically for recordability. And of course they need to  
11 also pay the proper fees to have it recorded. So we're looking  
12 for those two things.

13 Q So let's talk a little bit about how your office  
14 would operate on a typical mortgage arrangement. In such a  
15 typical mortgage arrangement, who would be the party that would  
16 record the mortgage lien on a property?

17 A Typically the financial institution.

18 Q Okay. And the mortgage lien, as you would  
19 understand it, involves a loan; is that right?

20 A Correct.

21 Q Okay. And so at such a time when a loan is paid  
22 off, what would happen to the mortgage lien that's recorded at  
23 the Bureau of Conveyances?

24 A The financial institution would be filing what's  
25 called a release with us. And the release is -- basically it's



1 one-page notice that says that this particular party who had  
2 this particular loan with us, and they refer to it with, you  
3 know, document numbers and things, and the date of the loan and  
4 all, and that it was satisfied.

5 Q Now, what safeguards does the Bureau of Conveyances  
6 have that would prevent a third party from filing a release on  
7 a lien?

8 A None.

9 Q Now, Mr. Kobata, can a court order the release of a  
10 lien?

11 A Yes.

12 Q And how about the cancellation of a UCC?

13 A Yes.

14 Q Now, Mr. Kobata, I understand that you are the  
15 registrar of the Bureau of Conveyances. As such, are you the  
16 records custodian for the records -- excuse me -- for the  
17 Bureau of Conveyances?

18 A That's correct.

19 Q Okay. Now, are records -- recorded documents kept  
20 at the Bureau of Conveyances in the same condition as when they  
21 are recorded?

22 A They are actually kept in digital format when they  
23 are recorded.

24 Q In the same condition --

25 A Correct.

1 Q -- otherwise?

2 A Yes.

3 Q Thank you. And they're recorded by or at the time  
4 the person is submitting and stamped as recorded by someone  
5 with a duty to do so, correct?

6 A That's correct.

7 Q Okay. Now, Mr. Kobata, do you have in front of you  
8 a witness binder that says --

9 A Uhm, I don't think so.

10 MR. YATES: Okay. One moment. Your Honor, may I  
11 approach and hand this to the courtroom manager?

12 THE COURT: You may. Did you have a copy of this,  
13 Mr. Williams?

14 MR. ISAACSON: I don't know if we do, Judge.

15 THE COURT: Did you tell him what numbers?

16 MR. YATES: I did and it's Exhibits 200 through 209.

17 MR. ISAACSON: One moment.

18 THE COURT: All right. Let the record reflect  
19 Mr. Williams has those records before him.

20 You may continue with your questioning.

21 MR. YATES: Thank you, Your Honor.

22 Q (BY MR. YATES:) Now, Mr. Kobata, please review  
23 Exhibits 200 through 208, and please look up when you're done.

24 A Through 208?

25 Q Correct.

1           A       Okay.  Yeah.

2           Q       Okay.  Now, are Exhibits 200 through 208 the  
3 business records of the Bureau of Conveyances?

4           A       Yes.

5           Q       Okay.  So I'm going to walk through some of these.  
6                   We will not move them in just yet until he's had a  
7 chance to look them over.

8                   THE COURT:  All right.

9           Q       (BY MR. YATES:)  Mr. Kobata, please look at  
10 Exhibit 200, and then 202.  I'll first ask you about  
11 Exhibit 200.  Is Exhibit 200 a UCC financing statement for a  
12 Julita Asuncion recorded at the Bureau of Conveyances?

13          A       Yeah.

14          Q       Okay.  And Exhibit 202, is that a UCC financing  
15 statement for Rey and Mary Jane Laforteza recorded at the  
16 Bureau of Conveyances?

17          A       Correct.

18          Q       Okay.  Now, Is Exhibit 204 the UCC financing  
19 statement for Evelyn and Arnold Subia recorded at the Bureau of  
20 Conveyances?

21          A       Correct.

22          Q       Is Exhibit 206 the UCC financing statement recorded  
23 for Loreen Troxel at the Bureau of Conveyances?

24          A       Yes.

25          Q       And is Exhibit 208 the UCC financing statement for

1 Melvin and Fely Ventura recorded at the Bureau of Conveyances?

2 A Correct.

3 Q Okay. Now, I'd like to walk you through the  
4 remainder of those documents. Exhibit 201, is Exhibit 201 the  
5 mortgage purportedly for Julita and Miguel Asuncion recorded at  
6 the Bureau of Conveyances?

7 A Correct.

8 Q Okay. And is Exhibit 203 the mortgage for -- I  
9 should note that it's the mortgage for Rey Laforteza and Mary  
10 Jane Laforteza with the servicer mortgagee Mortgage Enterprise  
11 Investments. You see that? And it's recorded by the Bureau of  
12 Conveyances --

13 A Uh-huh, correct.

14 Q -- is that correct?

15 A Yeah.

16 Q Okay. I'll ask you to turn to Exhibit 205. Is that  
17 the mortgage for Arnold and Evelyn Subia with the servicer  
18 Mortgage Enterprise Investments recorded at the Bureau of  
19 Conveyances?

20 A Correct.

21 Q Okay. And I'll ask you about Exhibit 207. Is that  
22 the mortgage for Loreen Troxel, the servicer Mortgage  
23 Enterprise Investments, recorded by the Bureau of Conveyances?

24 A Correct.

25 Q Okay.

1           MR. YATES: At this time, Your Honor, I move for the  
2 admission of Exhibits 200 through 208.

3           THE COURT: Any objections?

4           THE DEFENDANT: No objection.

5           THE COURT: Received.

6           (Exhibits 200 to 208 received into evidence.)

7           MR. YATES: We don't need to publish these at this  
8 time, Your Honor.

9           Q        (BY MR. YATES:) Mr. Kobata, I'm going to ask you to  
10 turn your attention now to Exhibit 209.

11          A        Okay.

12          Q        Could you take a moment to review Exhibit 209, let  
13 me know when you're finished?

14          A        Okay.

15          Q        So is Exhibit 209 a document entitled Final Judgment  
16 and Permanent Injunction In Favor of Plaintiff and Against  
17 Defendants listing as among the defendants Mortgage Enterprise  
18 Investments recorded at the Bureau of Conveyances?

19          A        Correct.

20          Q        Okay. And is Exhibit 209 a stamped certified copy  
21 of this final judgment document?

22          A        Stamped, certified by our office?

23          Q        Correct.

24          A        Correct.

25                 MR. YATES: Your Honor, at this time I move to admit

1 Exhibit 209.

2 THE COURT: Any objections?

3 THE DEFENDANT: No objection.

4 THE COURT: Received.

5 (Exhibit 209 received into evidence.)

6 MR. YATES: Your Honor, I would like to  
7 publish -- well, excuse me. Let me put it up first.

8 THE COURT: Yes.

9 MR. YATES: Your Honor, may I publish Exhibit 209?

10 THE COURT: You may.

11 Q (BY MR. YATES:) Now, Mr. Kobata, I would like to  
12 draw your attention to page 8 of Exhibit 209. Let me know when  
13 you have it in front of you.

14 A Okay.

15 Q I'm going to direct your attention in particular to  
16 paragraph 10. Could you please read paragraph 10 to the -- to  
17 the jury?

18 A (Reading:) "All MEI financing statements, all MEI  
19 mortgages, and all ME financing statements recorded in the  
20 Bureau are declared unenforceable at law or in equity and are  
21 further declared void and released. The documents released  
22 include, but are not limited to," and there's that list.

23 Q Okay. Now, what is your understanding of this  
24 language?

25 THE DEFENDANT: Objection. Speculation. Document

1 speaks for itself.

2 MR. YATES: It does, Your Honor. He is, however,  
3 the registrar for the Bureau of Conveyances.

4 THE COURT: All right. Overruled.

5 THE WITNESS: From the Bureau's perspective, the  
6 court is telling us that all of the listed documents that are  
7 here are no longer enforceable. Uhm, it does not tell us to  
8 block these from the public notice, but again, we're being  
9 instructed that these are not enforceable, and again, as far as  
10 the Bureau goes, we don't do anything further, but we recognize  
11 that it is declared void.

12 MR. YATES: Thank you. Nothing further from the  
13 government, Your Honor.

14 THE COURT: All right.

15 MR. YATES: Actually, one moment.

16 THE COURT: Yes.

17 Q (BY MR. YATES:) Actually, just some follow-up  
18 questions for you, Mr. Kobata. Can I briefly ask you about the  
19 requirements that are necessary for the recording of any  
20 document with the Bureau of Conveyances? In particular, if  
21 someone were to take, for instance, a UCC financing statement  
22 or any such document for recording, what is it that the filer  
23 would have to present to the Bureau of Conveyances?

24 A Well, first of all, they have to use this particular  
25 form. It's a federal form basically that gets generated.

1 We're not verifying that the submitter matches with any of the  
2 names that are here, but as long as they can -- this is  
3 completed correctly, okay, and submitted with the proper fees,  
4 we're able to record it.

5 Q Is it required to be notarized?

6 A No.

7 Q Anything else?

8 A No.

9 MR. YATES: Okay. Thank you. No further questions  
10 from the government on direct.

11 THE COURT: Mr. Williams, any questions?

12 THE DEFENDANT: Yes.

13 THE COURT: Your witness.

14 THE DEFENDANT: Back to Government Exhibit 200.

15 THE COURT: Do you wish to publish?

16 THE DEFENDANT: Yes.

17 THE COURT: Okay. You may publish.

18 CROSS-EXAMINATION

19 BY DEFENDANT WILLIAMS:

20 Q What was your name again, sir?

21 A Les Kobata.

22 Q Mr. Kobata. Mr. Kobata, is it against the law for a  
23 homeowner to file a UCC lien for their own property interest in  
24 the Bureau?

25 A I don't think I can answer that. I am -- again, we



1 don't read what's stated in the body of the document itself.

2 Q Okay. So you all don't actually read the language  
3 of the document. So what your job is is just to make sure that  
4 the document is filled out correctly, that it goes to the form  
5 per your policy, and if it meets the proper form and procedure,  
6 then you're going to file it?

7 A Along with the proper fees, correct.

8 Q Proper fees. So your office don't make a legal  
9 determination regarding the validity of the document?

10 A That is correct.

11 Q Okay. And who has the authority by law to release a  
12 UCC lien?

13 A Who by law?

14 Q Yeah, by law.

15 A The person that's placing the indebtedness.

16 Q Okay. And is there another way that the UCC lien  
17 can be removed by law?

18 A Probably through the court.

19 Q And would it have to be a trial by jury before it's  
20 released?

21 A I can't speak to that.

22 Q Okay. Do you know what a quitclaim deed is?

23 A I do.

24 Q And so you seen many quitclaim deeds filed in the  
25 Bureau of Conveyances, correct?

1           A       Correct.

2           Q       And when someone files a quitclaim deed, is it  
3 common that the consideration is like ten dollars?

4           A       I would say yes, it's common. It's a nominal  
5 amount.

6           Q       Right. So a quitclaim deed does what?

7           A       It passes title from one party to another.

8           Q       Right. So for ten dollars someone can get title to  
9 a property like a home through a document called a quitclaim  
10 deed for usually about ten dollars, correct?

11          A       I don't know that that statement characterizes the  
12 purpose of that document.

13          Q       Okay. Well, what would you say the purpose of the  
14 quitclaim deed document is?

15          A       To make sure that we have public notice, again,  
16 through my office, that property has changed hands.

17          Q       Okay.

18          A       And again, I mentioned the dollar amount is nominal,  
19 so I don't think it would be characterizing the true value of  
20 the property.

21                 THE DEFENDANT: Okay. Exhibit 201 and I'd like to  
22 publish it?

23                 THE COURT: You may publish.

24          Q       (BY THE DEFENDANT:) So when your office sees a  
25 document like this, the only thing they're looking for is that

1 it's filled out properly, that it's drafted properly, and that  
2 once it's filled out properly that you're going to record it?

3 A As long as, again, it meets our recording standards,  
4 that's correct.

5 Q Have your office ever rejected any documents like  
6 this in your experience?

7 A Yes, we have.

8 Q Okay. And what would be the reason that you all had  
9 rejected this document like this before?

10 A Again, not meeting the recordable format or fees.

11 Q Okay. So what would have been not meeting  
12 recordable requirements? Like what would be in the document  
13 that you looked for that would made it not recordable?

14 A An example would have been an expired notary.

15 Q Expired notary? So as long as the notary's not  
16 expired, then you would file that document?

17 A It's one of a number of things that we're looking  
18 for. Again, it's -- there are requirements for recordability.

19 Q Okay.

20 A And I mentioned some of them.

21 Q Right.

22 A So we're going to be looking for those items. But  
23 as an example, it would be an expired notary; that would be one  
24 of the things that we might reject the document for.

25 Q Okay. So you wouldn't -- you wouldn't be the person

1 that would know what the actual UCC law is in regards to  
2 discharging a mortgage that's been deemed fraudulent? So you  
3 wouldn't be the person that would know the laws regarding that,  
4 would you?

5 A That's a correct statement. I would not be aware of  
6 the laws around that.

7 THE DEFENDANT: All right. I have no more  
8 questions.

9 THE COURT: Any redirect?

10 MR. YATES: No, Your Honor.

11 THE COURT: Mr. Kobata, thank you very much. You're  
12 released as a witness. Please don't discuss your testimony  
13 with anyone till the completion of the trial. Good day, sir.  
14 Your next witness.

15 THE WITNESS: Would you like me to leave this here?

16 THE COURT: Yes, you can just leave it right there.  
17 Thank you.

18 MR. YATES: Yes, Your Honor. The government will  
19 call Loreen Troxel to the stand.

20 **LOREEN TROXEL, GOVERNMENT'S WITNESS, WAS SWORN**

21 THE COURTROOM MANAGER: Thank you. Please be  
22 seated.

23 Please state your full name and state your -- spell your  
24 last name for the record.

25 THE WITNESS: My first name is Loreen, my last name

1 is Troxel.

2 THE COURT: Okay. Just a minute. Can everybody see  
3 the woman? I'm just concerned. The seat's a little low.  
4 Would that -- or is it the screen? The monitor, okay.

5 So we're going to move the monitor to the side. Is that  
6 better? Can you see or you want it moved some more? I mean,  
7 let us know because you need to be able to see the witness.

8 Okay. All right. Thank you very much, Ms. Elkington.

9 Mr. Yates, your witness.

10 MR. YATES: Thank you, Your Honor. May I approach  
11 the courtroom manager to pass along this binder?

12 THE COURT: You may. And, Mr. Williams, do you have  
13 the exhibit range for this witness?

14 MR. YATES: We discussed this prior to testimony.  
15 It's going to be Exhibit 806 and 206.

16 THE COURT: All right. You may begin.

17 DIRECT EXAMINATION

18 BY MR. YATES:

19 Q Good morning. Ms. Troxel, can you please briefly  
20 explain to the jury what you do for a living?

21 A I am a caregiver.

22 Q And where are you employed as a caregiver?

23 A Aiea.

24 Q Do you have a care home?

25 A Foster home.

1 Q Okay. And who is -- who owns that foster home?

2 A I do.

3 Q And how long have you owned this foster home?

4 A Ever since 2000.

5 Q And how many patients do you have living at the

6 foster home?

7 A Three elderly.

8 Q Okay. And they live in your foster home, correct?

9 A Yes.

10 Q Is it fair to say that you depend on your house to

11 make a living?

12 A Yes.

13 Q Now, do you have a mortgage on that home?

14 A Yes.

15 Q And how much did you borrow to buy that home?

16 A Uhm, 699.

17 Q Was that the price or the amount that you borrowed?

18 A That's the price for the house.

19 Q And do you recall how much you borrowed?

20 A Uhm, could be 611.

21 Q Okay. Now, Ms. Troxel, you were an MEI client,

22 correct?

23 A Yes.

24 Q Okay. That's Mortgage Enterprise Investments?

25 A Yes, sir.

1           Q       Right. Now, before you became an MEI client, how  
2 much were you paying on your monthly mortgage?

3           A       2200.

4           Q       Okay. Per month, correct?

5           A       Per month, yeah.

6           Q       Now, when you first got your mortgage, do you recall  
7 who your mortgage was with?

8           A       Could you repeat the last question?

9           Q       Sure. Who was your lender and your servicer when  
10 you first got the mortgage?

11          A       Ocwen.

12          Q       At some point your mortgage servicer was Ocwen; is  
13 that right?

14          A       Yes.

15          Q       Okay. Now, when did you first meet Anthony  
16 Williams?

17          A       I don't remember the date, but I met him over at  
18 Democrat Street in Kalihi.

19          Q       And when you say Democrat Street, are you referring  
20 to anyone's house in particular?

21          A       Yes.

22          Q       Okay. And whose house?

23          A       It's Anabel Cabebe's house.

24          Q       Okay. And do you remember that meeting when you  
25 first met Anthony Williams?

1           A       Yes, sir.

2           Q       Can you please explain to the jury the purpose of  
3 that meeting?

4           A       That meeting was to explain to us that we can get  
5 cut in half our mortgage payment.

6           Q       How many people were at that meeting?

7           A       Kind a few.

8           Q       And what does a few mean?

9           A       But -- yeah.

10          Q       What does a few mean?

11          A       Uhm, I have my friend, uhm, Edna -- Edna Franco was  
12 there, uhm, Anabel Cabebe was there, and Mr. Anthony Williams  
13 was there.

14          Q       Okay. Now, how long did you stay at this meeting?  
15 Do you recall?

16          A       Oh, I believe it was 10 to 30 minutes.

17          Q       Okay. And you heard Anthony Williams speak?

18          A       Uhm, Edna, no.

19          Q       No. Anthony Williams?

20          A       Yes.

21          Q       Okay. And what did you hear Anthony Williams say at  
22 that meeting?

23          A       About cutting down -- cutting in half our mortgage  
24 payment.

25          Q       Okay. How did Anthony Williams introduce himself?



1           A       Anthony Williams, attorney general.

2           Q       Okay. And did you understand what attorney general  
3 was?

4           A       All I -- I know about attorney general is have a  
5 power to do something important for me.

6           Q       Okay. And did you ever talk to Anthony Williams  
7 yourself?

8           A       Yes.

9           Q       And how did you refer to Anthony Williams?

10          A       He's a very powerful man.

11          Q       Okay. When I say "how do you refer to him" is when  
12 you addressed him, did you call him Anthony? Did you call him  
13 Mr. Williams? Or did you call him something else?

14          A       I call him Mr. Williams, sir.

15          Q       Okay. All right. Now, what did you understand that  
16 an attorney general could do for you in particular?

17          A       He could do a lot.

18          Q       Yeah?

19          A       Especially my mortgage. I know he can cut it in  
20 half.

21          Q       And if you got into legal trouble or if there was  
22 any foreclosure, did Mr. Williams say what he could do for you?

23                   THE DEFENDANT: It's leading. Objection. It's  
24 leading.

25                   THE COURT: All right. Foundational, so I'll

1     overrule the objection.

2             Do you have the question before you? Do you want him to  
3     repeat it?

4             THE WITNESS: Yes.

5             THE COURT: Yes. Could you repeat it for her?

6             MR. YATES: No problem.

7             Q       (BY MR. YATES:) If you got into legal trouble or  
8     foreclosure, what could Anthony Williams do for you?

9             A       Yes. He can -- like, he can file the UCC for me to  
10    protect me from any -- anybody that have interest in my home to  
11    foreclose it.

12            Q       Did he say anything else about what he could do if  
13    you got into legal trouble?

14            A       Yes.

15            Q       What did he say?

16            A       If my mortgage company, Ocwen, ever call me, I have  
17    to tell him that he will be charging them 1,000 every time they  
18    call.

19            Q       Okay. \$1,000?

20            A       \$1,000, yeah.

21            Q       Okay. So as a result of Anthony Williams's  
22    representations, you eventually signed up for MEI, correct?

23            A       Yes, sir.

24            Q       Okay. So I'm going to ask you to take a look in  
25    your binder at Exhibit 806.

1           A       This is the UCC financial statement?

2           Q       No, no. It's 806.

3           A       806.

4           Q       There should be tabs on the side.

5           A       Okay. Yes.

6           Q       Okay. So can you please take a look at Exhibit 806

7   and tell me if you recognize your signature on those documents?

8           A       Oh, this is 806.

9           Q       806.

10          A       Yeah.

11                THE COURT: Are you going to enter 806 into

12   evidence?

13                MR. YATES: After she lays a foundation.

14                THE COURT: All right. Any objection, Mr. Williams,

15   to 806?

16                THE DEFENDANT: No objection.

17                THE COURT: Received.

18                (Exhibit 806 received into evidence.)

19                THE COURT: Do you wish to publish?

20                MR. YATES: Sure.

21                THE WITNESS: Oh, okay.

22                MR. YATES: Yes, Your Honor, may I publish?

23                THE COURT: You may. So it's also on the screen,

24   too, so whatever's easiest for you, Ms. Troxel.

25          Q       (BY MR. YATES:) So, Ms. Troxel, can you see

1 Exhibit 806?

2 A Yes.

3 Q And you recognize your handwriting and your  
4 signatures throughout 806?

5 A Yes, the handwriting. Not the handwriting, but the  
6 signature is.

7 Q Okay. And is 806 your MEI application?

8 A Yes, sir.

9 Q Okay. So it says here on your MEI application that  
10 your mortgage company at the time was Ocwen and your monthly  
11 payment was 2263.09. Do you see that on the first page?

12 THE COURT: Do you want to highlight it for her on  
13 the screen?

14 All right. If you look at the screen, Ms. Troxel.

15 THE WITNESS: Yes.

16 THE COURT: That's what he's pointing out to you.  
17 Do you see that?

18 THE WITNESS: Yes, that's my mortgage payment.

19 Q (BY MR. YATES:) Okay. Now, did Anthony Williams  
20 tell you what he was going to do with the mortgage that Ocwen  
21 had or was servicing for you?

22 A He gonna cut it in half.

23 Q Okay. So that's referring to the payment, right?

24 A Yes.

25 Q But what about the underlying mortgage itself? What

1 did he say MEI was going to do with the mortgage itself?

2 A He will take it over.

3 Q He will take it over?

4 A Yeah.

5 Q And by "he," you mean Mortgage Enterprise

6 Investments?

7 A Yes.

8 Q Okay. And so at the time that you signed up for

9 Mortgage Enterprise Investments, how would you characterize

10 your payment history with Ocwen?

11 A I am on time.

12 Q On time?

13 A Yes.

14 Q So you were paying Ocwen on time for your mortgage

15 payments, right?

16 A Yes.

17 Q And then you signed up for MEI?

18 A Yes, sir.

19 Q Okay. So did Anthony Williams tell you anything

20 about what to do with your monthly payments to Ocwen?

21 A Stop -- we are not gonna pay them any more. We

22 gonna start paying MEI.

23 Q Okay. And how much were you supposed to start

24 paying MEI?

25 A Uhm, suppose to be half of this 2263.09, but

1 we -- and then he calculated into half of that. But we  
2 negotiate to Anabel Cabebe if we can pay 900, and he said yes.

3 Q Okay. So after you signed up for MEI, you started  
4 to pay just \$900 per month to MEI, correct?

5 A Yes, sir.

6 Q Okay. And how much were you paying to Ocwen after  
7 that?

8 A We was paying 2,200.

9 Q After MEI how much were you paying? So after you  
10 signed up and you started to pay MEI, how much were you paying  
11 Ocwen every month?

12 A That, 2,200 -- oh, after the --

13 Q After MEI.

14 A Okay. It was --

15 Q No, no. Hold on.

16 A 20- --

17 Q Let me back you up. So you signed up for MEI,  
18 right?

19 A Yes.

20 Q And Anthony Williams told you to stop paying Ocwen?

21 A Yes.

22 Q So did you stop paying Ocwen?

23 A Yes.

24 Q So you didn't pay Ocwen any more money?

25 A No more.

1           Q       Okay.  So I'm going to ask you -- I'll take this  
2 down.  I'm going to ask you to turn to the next exhibit, okay?  
3 And the next exhibit is Exhibit 206 which has been admitted.

4                   So, Your Honor, may I publish Exhibit 206?

5                   THE COURT:  You may.

6                   THE WITNESS:  206.  Yes.

7           Q       (BY MR. YATES:)  Okay.  So do you have Exhibit 206  
8 in front of you, Ms. Troxel?

9           A       Yes, sir.

10          Q       Okay.  So now, what do you recognize Exhibit 206 to  
11 be?

12          A       This is about UCC.

13          Q       Okay.  And did Anthony Williams tell you what the  
14 UCC was going to do?

15          A       Yes.

16          Q       Okay.  What did he say?

17          A       He told me that UCC is something that will -- I can  
18 get protected whoever that have interest and foreclosing on my  
19 property.

20          Q       Okay.  Who filed this UCC document?

21          A       Anabel Cabebe.

22          Q       And whose idea was it to file this document?

23          A       Anthony Williams.

24          Q       So if you look at Exhibit 206, it lists your name as  
25 the debtor and the secured party.  Do you see that?

1           A       Yes, sir.

2           Q       Okay. And whose idea was it to write your name as  
3 the debtor and the secured party on this UCC document?

4           A       Anthony Williams.

5           Q       Okay. So I'm going to point your attention to the  
6 bottom of the Exhibit 206. The bottom of 206 has a sentence  
7 that says, "This mortgage will be discharged in accordance with  
8 UCC 1-20139-3-401 and 1-308."

9                   Do you see that?

10          A       Yes, sir.

11          Q       Who wrote that language?

12          A       Anthony Williams probably.

13          Q       Okay. And what did you understand that this  
14 language meant when you -- when you signed up with MEI?

15          A       This is just like a lien in my property.

16          Q       Okay. So let's talk -- talk about what happened  
17 after you signed up for MEI. I believe you testified that you  
18 stopped paying Ocwen; is that right?

19          A       Yes.

20          Q       So what happened after you stopped paying Ocwen your  
21 monthly mortgage payments?

22          A       I receive foreclosure letter from the attorney.

23          Q       And did you have any communication with Anthony  
24 Williams about the foreclosure letter from Ocwen?

25          A       No, because he already in jail.



1           Q       Okay. Did Anthony Williams -- I believe you said  
2 earlier something about Anthony Williams was going to charge a  
3 thousand dollars?

4           A       Yes.

5           Q       Okay. Could you clarify what you meant there?

6           A       Uhm, he told me that when Ocwen calls, he will  
7 charge them \$1,000 a day every time they call.

8           Q       And did you ever talk with Ocwen when they started  
9 to talk to you about the -- or when they started to reach out  
10 to you about the foreclosure?

11          A       Uhm, yes.

12          Q       Okay. So at a certain point, did you ever doubt  
13 that Anthony Williams's program was real?

14          A       When he got, uhm, put in jail, that's when I think  
15 it's not real.

16          Q       So did Anthony Williams do anything to stop your  
17 foreclosure?

18          A       Not really.

19          Q       What is the status of your foreclosure now?

20          A       I have to hire a lawyer to defend me.

21          Q       And has he done anything to help you stay in your  
22 home?

23          A       Yes.

24          Q       How much have you paid in legal fees to fight  
25 foreclosure?

1           A       I paid him 25,000.  
2           Q       Dollars?  
3           A       Dollar.  
4           Q       And before you stopped paying your mortgage to  
5   Ocwen, your Ocwen mortgage was, you said, \$2,200 per month?  
6           A       Yes.  
7           Q       At some point since you joined MEI, you entered into  
8   a modification with Ocwen, correct?  
9           A       Correct.  
10          Q       Okay. Or at least you were negotiating  
11   for -- negotiated --  
12          A       Yes.  
13          Q       -- been negotiating for -- okay.  
14                   How much is Ocwen asking you to pay on your mortgage  
15   after a modification?  
16          A       It was 3800.  
17          Q       How many months were you working -- or were you  
18   involved in the MEI program?  
19          A       Uhm, how many months?  
20          Q       I'll ask that question a different way. How much  
21   did you pay to MEI?  
22          A       I paid \$900 a month times 4, plus the beginning, the  
23   initial fee of 3500.  
24          Q       Now, Ms. Troxel, have you ever tried to sell your  
25   home?

1           A       Yes, sir.

2           Q       And what was the result?

3           A       I couldn't sell it because of the lien.

4           Q       Yeah. And what do you mean by the lien?

5           A       I hire a Realtor to sell the property for me so it  
6 will stop all this problem. I cannot sell because there was a  
7 lien in my property that put by me -- I put a lien on my own.  
8 I found that out when I hire a Realtor and then the Realtor  
9 told me You cannot sell your property because there is a lien  
10 on it and it's putting it by you and you need to hire a lawyer  
11 to remove that because of the UCC that's being put in there.

12          Q       Ms. Troxel, when you refer to the UCC lien, are you  
13 talking about Exhibit 206 that was before --

14          A       Yes.

15          Q       -- the jury moments ago? That was Exhibit 206,  
16 correct?

17          A       Yes, sir.

18                 MR. YATES: Your Honor, there are a number of things  
19 I'd like to get into. Is this a good time for a break 'cause  
20 we have been going on for about an hour 20 minutes.

21                 THE COURT: I think we started after 9:00. Let's  
22 see. Yeah, we started at 9:15, so that means we'll be going to  
23 10:45.

24                 MR. YATES: Okay.

25          Q       (BY MR. YATES:) Ms. Troxel, is English your native

1 language?

2 A Pardon me, sir?

3 Q What is your first language?

4 A Uhm, Filipino-English, Ilocano.

5 Q Ilocano? Okay. If you found out that Anthony  
6 Williams was not an attorney, would you still have signed up  
7 for the Mortgage Enterprise Investments?

8 A No, sir.

9 MR. YATES: Nothing further from the government on  
10 direct, Your Honor.

11 THE COURT: All right. Thank you.

12 Mr. Williams, do you have any questions for this witness?

13 THE DEFENDANT: Yes, ma'am.

14 Can we publish the Government's Exhibit 806, please,  
15 the MEI app?

16 THE COURT: You may.

17 CROSS-EXAMINATION

18 BY THE DEFENDANT:

19 Q Okay. Ms. Troxel, who referred you to my program?  
20 Do you remember the person? I mean, you can look at the  
21 application and see who was on there, who referred you. See  
22 where it says Referred By?

23 A It's -- it's you.

24 Q Oh, on the application it says referred By --

25 THE COURT: Do you want to circle the area you're

1 referring her to --

2 THE WITNESS: Henry Malinay.

3 Q (BY THE DEFENDANT:) Okay. Henry Malinay. And who  
4 is Henry Malinay?

5 A He's your partner.

6 Q He used to work for me, that's correct?

7 A Pardon me?

8 Q Did he used to work for me?

9 A Yeah, he used -- he worked for you.

10 Q Okay. And who also used to work for me?

11 THE COURT: That she can remember?

12 Q (BY THE DEFENDANT:) Yeah, that you can remember.

13 Who else did I hire that used to work for me also?

14 A Anabel Cabebe.

15 Q And is there anybody else?

16 A Edna Franco.

17 Q Edna Franco. Now, when you met me, do you remember  
18 what you said about Edna Franco, what you told me about how you  
19 felt about her?

20 A I don't have a good relationship with her.

21 Q Right. And so you -- is it safe to say when we had  
22 our conversation, you had told me that you didn't trust her; is  
23 that correct?

24 A Could you repeat that, please?

25 Q When we -- when we spoke and I had told you who I

1 had hired and when you found out that it was Edna Franco, do  
2 you remember telling me, "I don't trust that woman"?

3 A Correct.

4 Q Okay. Now, on this application, what's the date  
5 that you signed up?

6 A Henry Malinay.

7 Q No. What date?

8 A What date?

9 Q Yes.

10 THE COURT: If you look at the screen, he's circled  
11 the area he wants you to look at.

12 THE WITNESS: 12-9-13.

13 THE DEFENDANT: No. 7 --

14 THE WITNESS: Is that the 7 --

15 THE DEFENDANT: Yes.

16 THE WITNESS: -- 9, 2013?

17 Q (BY THE DEFENDANT:) Yes. So you signed up on  
18 July 9th, 2013, correct?

19 A Yes.

20 Q And after he -- you were just questioned by the  
21 prosecutor and you had outlined that I had went to jail?

22 A Yes.

23 Q Do you remember what month I went to jail?

24 A I don't remember, but I just know you went to jail.

25 Q Right. And it was shortly after this, correct?

1           A       Yes.

2           Q       Right.  So you was not able to actually go through  
3 the full process of what my company does; is that correct?

4           A       Could you say that again?

5           Q       Since I was incarcerated, you were not able -- I was  
6 not able to take you through the whole process of what my  
7 company does, correct?

8                   MR. YATES:  Objection.  Foundation.  Also  
9 testimony -- providing testimony from the questioner.

10                  THE COURT:  All right.  Overruled.

11           If you understand the question, you can answer it.  If you  
12 don't, just let him know.

13           Q       (BY THE DEFENDANT:)  Like, okay, you signed up in  
14 July?

15           A       Yes.

16           Q       So August and September -- September I was  
17 unlawfully and illegally arrested and jailed?

18                   MR. YATES:  Objection.  Testifying.

19                  THE COURT:  So she doesn't know when you were in  
20 jail.  She just knows when you're in jail.  So you can't tell  
21 her to assume that or what have you.  But you can ask her about  
22 what she expected or what she knew your company was going to do  
23 or did for her.

24           Q       (BY THE DEFENDANT:)  So after I was wrongfully  
25 incarcerated, that's when you answered that that's when you

1     felt like what I did didn't work; is that correct?

2           A       I still don't understand your question.

3           Q       When he asked you did you feel like my  
4     company -- well, my process would work, you said after I got  
5     locked up and I got jailed is when you felt that what I did  
6     wouldn't work; is that correct? After I got -- after I got  
7     incarcerated, is that when you felt like, okay, this is not  
8     going to work?

9           A       I just don't -- I don't know. I don't understand  
10    your question.

11          Q       You had answered with the prosecutor that after I  
12    got locked up, after I went to jail, your statement was that's  
13    when you felt like, okay, this is not going to work; is that  
14    correct?

15          A       Yes.

16          Q       Okay. So after I got incarcerated, what happened  
17    during my incarceration? Who did you turn to? Who tried to  
18    help you during my incarceration?

19          A       It was Anabel Cabebe.

20          Q       And was there anybody else?

21          A       Uhm, Henry Malinay.

22          Q       Okay. And did you know that before I got  
23    incarcerated that I had already fired Henry Malinay and Anabel  
24    and Edna before I got incarcerated? Did you know that?

25                   MR. YATES: Objection. Testifying.



1 THE COURT: Overruled.

2 Q (BY THE DEFENDANT:) Did you know that, that I had  
3 fired them --

4 THE COURT: Your question is pending. So what's  
5 your answer?

6 THE WITNESS: Yes, I knew.

7 Q (BY THE DEFENDANT:) Okay. So after my  
8 incarceration and I won my case and I came back to Hawaii, did  
9 you rehire me to assist you with your foreclosure?

10 A Not a foreclosure.

11 Q What did you --

12 A You continue what Edna Franco started.

13 Q Well, do you remember when I met you after I won my  
14 case and I was released -- when I met you, you had told me what  
15 Edna and her crew had done, and I told you what they did was  
16 totally wrong, what they told you was a lie? Do you remember  
17 that conversation?

18 A Yes.

19 Q Okay. So at that point you had already went into  
20 foreclosure, correct? This is 2015. Do you remember the year?

21 A Yes.

22 Q Okay. So did I --

23 A But it wasn't foreclosure.

24 Q Was in foreclosure?

25 A No.

1 Q Okay. So what was it?

2 A It was Edna's idea to do a litigation in my property  
3 because I can get it without paying for it.

4 Q And so Edna told you that you would get it free and  
5 clear?

6 A Yes.

7 Q Okay. And did I tell you that what Edna then was  
8 telling people was wrong? Do you remember?

9 A No.

10 Q You don't remember the conversation?

11 A You would continue on the paperworks that Edna were  
12 started to do.

13 Q No. Do you remember what I told you is that I will  
14 help you litigate with your lawsuit against Deutsch Bank? Do  
15 you remember that? And I filed the document against Deutsch  
16 Bank? Do you want me to show you the documents to refresh your  
17 memory?

18 MR. YATES: Objection, Your Honor. He's testifying.

19 THE DEFENDANT: No, I'm asking --

20 THE COURT: Overruled.

21 So do you remember this, what he's -- do you understand  
22 his question?

23 THE WITNESS: Yeah.

24 THE COURT: Okay. Do you remember what he asked  
25 you, if you remember? Do you remember?

1 THE WITNESS: I don't remember that.

2 THE COURT: Okay. At one time did you know the  
3 answer to that question?

4 THE WITNESS: Uhm --

5 THE COURT: If you looked at documents, would it  
6 help you?

7 THE DEFENDANT: Okay.

8 THE COURT: You have to answer out loud. Is that a  
9 yes?

10 THE WITNESS: Yes.

11 THE COURT: All right. What document would you like  
12 to show her to refresh her memory?

13 THE DEFENDANT: I'd like to show Defense  
14 Exhibit 2040.

15 THE COURTROOM MANAGER: 2040?

16 THE DEFENDANT: Yeah, 2040.

17 THE COURT: Did you have a page number that you'd  
18 like her to look at a particular page?

19 THE DEFENDANT: It's starting at page 1.

20 THE COURT: You want her to look at the entire  
21 document?

22 THE DEFENDANT: Well, this -- no, not the entire  
23 document, just from page 1 to -- it's actually going to have to  
24 skip around 'cause all of that's not relevant to her testimony  
25 right now. So we're going to have to skip from page 1, 2,

1 3 -- page 1, 2, and 3 and page 20 through --

2 THE COURT: Okay. Let's start with this. If you  
3 could look at page 1, 2, and 3 --

4 THE DEFENDANT: Right.

5 THE COURT: -- of Exhibit 2040. All right? And  
6 just read it to yourself. And when you're done, if you could  
7 look up.

8 Okay. Now the question he asked you was, "Do you remember  
9 what I told you is that I will help you litigate with your  
10 lawsuit against Deutsch Bank? Do you remember that I filed the  
11 document against Deutsch Bank?"

12 THE WITNESS: Yes, I do.

13 Q (BY THE DEFENDANT:) Okay. So the document before  
14 you is the document that I drafted for you, correct?

15 A Correct.

16 Q Okay. One of the documents. Okay. Now turn to --

17 MR. YATES: I'm sorry, Your Honor. I understood  
18 that he was going to refresh his -- the witness's recollection  
19 with this document.

20 THE COURT: He did, yes.

21 MR. YATES: Okay.

22 THE COURT: So what's -- we're waiting for the next  
23 question.

24 MR. YATES: I see. Okay.

25 Q (BY THE DEFENDANT:) Turn to page 20.

1           THE COURT: Okay. This is not in evidence, so she  
2 can't read it or anything.

3           Do you have a question?

4           THE DEFENDANT: Yeah. I just want her to verify  
5 that I also filed this document on her behalf.

6           THE COURT: Well, you can ask her.

7           Q       (BY THE DEFENDANT:) Okay. You see page 20?

8           A       I don't know how to look.

9           Q       Okay. Can --

10          A       It's kind of too many.

11          THE DEFENDANT: Can you all help her like get  
12 page 20?

13          THE COURT: Put the page on the docucam and show it  
14 to her. It will not be displayed to the jury.

15          All right. If you'd look at the screen and take a look at  
16 that, have you seen that document before? Have you seen that  
17 document before?

18          THE WITNESS: Did saw it before.

19          THE COURT: Okay. What's your question about the  
20 document?

21          Q       (BY THE DEFENDANT:) Okay. And so that's the  
22 document that I drafted for you for you to file for your  
23 litigation against Deutsch Bank?

24          A       Yeah, but you did not do anything.

25          Q       This is the document I filed on your behalf,

1 correct?

2 A What did you say again? Question?

3 Q Is this not the document, the motion that I filed on  
4 your behalf to fight Deutsch Bank to litigate on your behalf?

5 A Yes.

6 Q Correct?

7 A Correct.

8 THE DEFENDANT: Okay. I would like to publish that.

9 MR. YATES: Objection to the --

10 THE DEFENDANT: I'd like to enter it into evidence.

11 MR. YATES: -- the document. This appears to  
12 be -- the Exhibit 2040 appears to be several documents grouped  
13 together. And they appear to be unrelated.

14 THE DEFENDANT: I mean, it's related because this is  
15 a document I filed on behalf of -- on her behalf to fight the  
16 bank.

17 THE COURT: Right. So what his objection, though,  
18 is is not that you can't -- it's not authentic and it's not  
19 admissible. What he's saying, though, it's more than one  
20 document.

21 So you're saying -- she has to take a look at each of the  
22 documents that were filed. So there's one that was filed  
23 July 30, 2015. She's looked at the face sheet of that and  
24 she's recognizes it and she has testified that this was filed  
25 on her behalf by you.

1           The next document is also filed on July 30, 2015, and it's  
2   a separate document from the first one. She hasn't recognized  
3   that one.

4           And then there's a third document that is filed at a later  
5   date that is a separate document as well and she has not  
6   recognized that.

7           So do you want all of these in evidence?

8           THE DEFENDANT: Yeah. Let me let her recognize them  
9   first and identify them, and then we'll enter all of them in.

10          THE COURT: Okay.

11          THE DEFENDANT: So let me get into the next  
12   document.

13          THE COURT: Well, no, I think that's part -- isn't  
14   that part of the -- the one that you already have indicated?

15          THE DEFENDANT: Well, this is the -- it's part of  
16   the document, part of the 2040 document. But I thought I  
17   needed to let her --

18          THE COURT: No. So my point is if you look at  
19   2040-01, that's the one she recognized. So that entirety of  
20   the document I understand that you want her -- you want to  
21   receive that. She's recognized the document.

22          THE DEFENDANT: Okay. So --

23          THE COURT: If you look at 2040 page 35 --

24          THE DEFENDANT: Right.

25          THE COURT: That's a separate filing. She hasn't

1 recognized that as anything.

2 And then if you look at 2040 page 41, that's yet another  
3 filing filed August 15, 2015, and she hasn't recognized that.  
4 So that's what I'm saying.

5 THE DEFENDANT: Okay. I just --

6 THE COURT: Yeah, so not each page but --

7 THE DEFENDANT: Each filing.

8 THE COURT: Right, each filing.

9 THE DEFENDANT: Okay.

10 Q (BY THE DEFENDANT:) Mrs. Troxel, do you recognize  
11 this filing that I drafted on your behalf?

12 A I don't remember.

13 Q Do you recognize your signature?

14 A Yes, I do.

15 Q Okay.

16 THE COURT: Wait. What page was that on that you  
17 just showed her?

18 THE DEFENDANT: Page 5.

19 THE COURT: Okay. Page 5. And this is having to do  
20 with the July 30, 2015 --

21 THE DEFENDANT: Right.

22 THE COURT: -- filing, and that appears at 2040 page  
23 39. Okay.

24 Q (BY THE DEFENDANT:) And do you recognize this  
25 document, Ms. Troxel? You don't recognize that?



1           A           I don't.

2                   THE COURT:   Okay.   So you want to admit this  
3   entire --

4                   THE DEFENDANT:   Yeah.   Well, let me -- 'cause she  
5   don't recognize it.

6                   THE COURT:   Oh, I thought she said -- oh, "I don't."  
7   I thought she said, "I do."   Okay.

8           Q           (BY THE DEFENDANT:)   Okay.   Do you recognize your  
9   signature?

10          A           Yes, I do.

11                   THE DEFENDANT:   Okay.   That's the whole document.  
12   That's each which motion that was filed.   I'd like to enter  
13   this into evidence.

14                   THE COURT:   All right.   Any objection?

15                   MR. YATES:   Yes.   It appears that the witness did  
16   not recognize every document.   If we can split this up into  
17   separate exhibits, that might be more appropriate --

18                   THE COURT:   No.   It's received.

19                   (Exhibit 2040 received into evidence.)

20                   MR. YATES:   Okay.

21                   THE COURT:   You don't have a legal objection.   She  
22   recognized her signature, it's filed under her name, so it's  
23   received.

24                   All right.   Do you want to publish anything?

25                   THE DEFENDANT:   Yes, I would like to publish.

1 THE COURT: Okay. What do you want to publish?

2 THE DEFENDANT: Page 1 first.

3 THE COURT: All right. Put it under the docucam.

4 Q (BY THE DEFENDANT:) And Ms. Troxel, can you read  
5 the name of this document that I filed on your behalf?

6 THE COURT: No, let's move on. Okay. We can all  
7 read it. It's in evidence. What do you have a question about  
8 this?

9 Q (BY THE DEFENDANT:) This litigation was against  
10 Deutsch Bank, right? The lawsuit that you said Edna had  
11 initiated for you, correct?

12 A Yes.

13 Q Okay. And the lawsuit was because Deutsch Bank had  
14 used fraudulent documents, fraudulent signed mortgage to get  
15 your mortgage. Do you remember that?

16 A No.

17 Q You don't --

18 A I don't remember.

19 Q You don't remember. Okay. I'm going to refresh  
20 your memory.

21 Do you recognize this assignment of mortgage by  
22 Deutsch Bank?

23 A I don't remember anything you showing me.

24 Q These are your documents that was in your mortgage  
25 and filed on your mortgage.

1 THE COURT: Okay. Ask her the next question.

2 Q (BY THE DEFENDANT:) Do you remember this document  
3 that was in your mortgage by Deutsch Bank?

4 A I don't.

5 Q Don't remember that. Ms. Troxel, do you remember me  
6 explaining to you that the assignment of mortgage was signed by  
7 what is called robo-signers or fake signers? Do you remember  
8 the conversation about that?

9 A Robo-signers.

10 Q Right?

11 A Yes, you said about that.

12 Q All right. The document that I'm going to show you  
13 is what I drafted for you outlining the robo-signers in the  
14 documents.

15 THE COURT: This is Exhibit 2040?

16 THE DEFENDANT: Yes. It's Exhibit 2040 and this is  
17 page -- from page 20 and it goes to page -- it goes to 20 -- it  
18 goes to 2034, that whole document.

19 THE COURT: What page do you want to show her?

20 THE DEFENDANT: I have to show her several pages.

21 THE COURT: All right.

22 THE DEFENDANT: 'Cause I got to show what I actually  
23 did for her and what I was exposing --

24 THE COURT: No, don't tell me what -- testify. Just  
25 show where -- whatever you want to and ask her a question.

1 It's in evidence.

2 THE DEFENDANT: All right.

3 THE COURT: All right? And you have permission to  
4 publish.

5 THE DEFENDANT: Thank you.

6 Q (BY THE DEFENDANT:) Okay. Ms. Troxel, Deutsch Bank  
7 had filed a motion to dismiss your complaint for fraud. Do you  
8 remember that?

9 A No, sir.

10 Q You don't remember them filing a motion to dismiss?

11 THE COURT: She said no.

12 THE WITNESS: No, sir.

13 THE COURT: So ask the next question.

14 Q (BY THE DEFENDANT:) Can you read the caption of the  
15 motion that I filed on your behalf?

16 THE COURT: All right. So it's in evidence. It's  
17 in front of the jury. We can all read. What question do you  
18 want to ask?

19 THE DEFENDANT: Well, I want her to do the same  
20 thing that the prosecutor did with Megan Crawley so I can enter  
21 it in so I can outline different parts of it.

22 THE COURT: Okay. So it's in evidence, so if you  
23 want to direct her attention to a certain part of the document,  
24 you can, and then ask her.

25 I'm not going to have all the witnesses come up here and

1 be reading all the exhibits. If there's a specific area that  
2 you want to ask her about, please do so.

3 Q (BY THE DEFENDANT:) Okay. Can you see section D on  
4 your screen?

5 A I don't even understand all this papers you showing  
6 me.

7 THE COURT: All right. Can you see it, though?

8 Q (BY THE DEFENDANT:) Can you see it?

9 A Yeah, I could see it.

10 THE COURT: All right.

11 THE WITNESS: I don't understand it.

12 THE COURT: Understood. What's your question?

13 Q (BY THE DEFENDANT:) When I was fighting your  
14 litigation, did I expose that the documents that were filed by  
15 Deutsch Bank were robo-signers and they were fraudulent  
16 documents that had already been done a show on *60 Minutes* that  
17 showed that these were actual robo-signers? Do you remember  
18 that?

19 A You may show a robo-signer, but I did not see this  
20 form.

21 Q Well, you filed this document. I drafted it for you  
22 so --

23 THE COURT: No. So ask her a question about the  
24 document. She says she doesn't understand it. She said she  
25 remembers you talking about robo-signers. So what's your

1 question?

2 Q (BY THE DEFENDANT:) Okay. Did you understand what  
3 the robo-signers were?

4 A Yes.

5 Q Okay. And so you did understand that robo-signers  
6 are fraudulent?

7 A Fraudu- --

8 Q Yes.

9 A Your question?

10 Q Yes. Did you understand that robo-signing is  
11 illegal, that you can't sign a document and that's not your  
12 real name. You understand that, right? That was fraudulent?

13 A Fraud, yes.

14 Q Okay. So when I was filing on your behalf, what I  
15 was exposing was that the assignment of mortgage that was in  
16 your case was actually signed by these fraudulent robo-signers.  
17 Now, do you remember that?

18 A Yes.

19 Q Okay. That's what this document was about and  
20 that's what I was fighting on your behalf.

21 THE COURT: Do you know that? That's a question.  
22 Did you know that he was doing this?

23 THE WITNESS: The robo-signer? No.

24 THE COURT: No. Did you know why he was filing  
25 these?

1 THE WITNESS: Yes.

2 THE COURT: Did you file this or did Mr. --

3 THE WITNESS: He did it.

4 THE COURT: Okay.

5 THE WITNESS: I don't know anything about legal  
6 matters. All they do is give me this paper and turn it in  
7 there, bring it to the court. But I don't even know what's  
8 inside that form.

9 THE COURT: Okay. All right. What's your next  
10 question?

11 Q (BY THE DEFENDANT:) Right. So after we filed the  
12 documents for you -- so once I would file the documents for you  
13 and then the bank would respond, did I always respond back with  
14 the response when they would respond to your motion?

15 A Not always. And you don't explain to me what inside  
16 the context of the form that you telling me to turn it into  
17 the -- to the federal court. I don't know.

18 Q So you don't remember coming to the office and after  
19 I drafted the document for you and I explained to you what  
20 I -- the legal case law that I put in the document, what the  
21 contents of the documents was before you filed it, you don't  
22 remember coming to my office and explaining it before I give it  
23 to you for you to go ahead and file it? You don't remember  
24 that?

25 A No, because you supposed -- your helper Anabel

1 supposed to mail that paper without me seeing the form and  
2 you -- and Anabel supposed to mail that paper. She did not  
3 mail it and you -- I get screwed up from that.

4 Q So you're saying that Anabel never showed you the  
5 document?

6 A No, because you supposed to show me the document  
7 because you are the one doing the legal papers.

8 Q Now, Ms. Troxel, I showed you this  
9 document -- didn't you sign a document?

10 A Yeah. You -- if a powerful man, an attorney general  
11 will ask me to sign that papers, I don't have enough -- enough  
12 knowledge of all this legal papers that you asking me to sign.

13 Q Okay. So did you ask me to explain it a little more  
14 before you filed it? Because when you were at my office, I  
15 asked you, I said, "Ms. Troxel" --

16 THE COURT: Okay. You need to ask her one question  
17 at a time.

18 THE DEFENDANT: Okay.

19 THE COURT: So your first question is, Did you ask  
20 him to explain a little more before you filed it? That's the  
21 question. Did you ask him to explain a little more before you  
22 filed it?

23 THE WITNESS: Yeah, but he don't have no time to  
24 answer me that question 'cause he's so busy dealing with other  
25 customers.



1                   THE COURT: Okay. So that's her answer. What's  
2 your next question?

3           Q       (BY THE DEFENDANT:) Okay. So when you signed the  
4 document, where did you sign the document at?

5           A       Democrat.

6           Q       Okay. So was I there after I drafted the document  
7 for you for you to sign it?

8           A       Excuse me?

9           Q       So after I drafted the document for you, you came to  
10 the office to sign it because you have to sign it 'cause I  
11 drafted the document on your behalf. So when you came to the  
12 office, you signed a document, correct?

13          A       Yes.

14          Q       Okay. Now, any client that comes to me before I let  
15 you go and file anything, I ask you do you have any questions  
16 for me?

17          A       But you asked me to sign that papers without my  
18 knowledge what's the content that --

19          Q       I went over the document with you, Ms. Troxel.

20                   THE COURT: All right. So we're going round and  
21 round and she already answered your question about whether she  
22 asked questions. Her answer is her answer, so you need to ask  
23 her another question.

24                   THE DEFENDANT: Okay.

25                   THE COURT: And I'll let you one more and then we're

1 going to take a recess and then you can resume.

2 Q (BY THE DEFENDANT:) Okay. Earlier you said that  
3 after I had got unlawfully incarcerated and I was locked up,  
4 that after that you didn't trust my program, correct?

5 A Correct, yes.

6 Q Okay. So if you didn't trust my program after I got  
7 locked up, why did you hire me after I freed myself after I won  
8 my case and came back to Hawaii?

9 A Because you told me that you won the case and you  
10 got out from jail.

11 Q I did.

12 A And then Anabel Cabebe is in our group. She was the  
13 one telling us that it's okay. But we never know -- we never  
14 even proven it if you can be trusted.

15 THE COURT: All right. Stop. So you can resume.  
16 We're overdo for our first recess. All right. Uhm, resume  
17 after the recess.

18 All right. Ladies and gentlemen, we're going to take our  
19 first recess for 15 minutes. If you would again leave your  
20 iPads and your notes behind. Of course, don't discuss the case  
21 with anyone or allow anyone to discuss it with you.

22 Please rise for the jury. They and the rest of us are in  
23 a 15-minute recess. Thank you.

24 (A recess was taken.)

25 (Open court out of the presence of the jury.)

1           THE COURT: So we have counsel, Mr. Williams -- can  
2 we get the witness on the stand? And I will ask Ms. Elkington  
3 to get the jury, unless there are any matters we need to take  
4 up.

5           No? All right. We're in recess.

6           (A recess was taken.)

7           (Open court in the presence of the jury.)

8           THE COURT: The record will reflect the presence of  
9 the ladies and gentlemen of the jury, counsel, and  
10 Mr. Williams. We'll just have a momentary while we try to --  
11 all right. Very good -- start up the flat screen TV and we are  
12 back in business.

13          All right. So, Mr. Williams, Ms. Troxel's on the stand.

14          I remind you you're still under oath. You may be seated.

15          And you may continue your question.

16          Q       (BY THE DEFENDANT:) Ms. Troxel, you had answered  
17 earlier that you had tried to sell your home and that the  
18 Realtor said that you couldn't sell it because of the UCC that  
19 was filed; is that correct?

20          A       Yes.

21               THE DEFENDANT: Okay. And could you pull up the  
22 Government Exhibit 206, the UCC, please? I'd like to publish  
23 it.

24               THE COURT: You may.

25          Q       (BY THE DEFENDANT:) Ms. Troxel, on line 3, whose

1 name is listed as the secured party on this UCC lien?

2 A The bottom?

3 Q Oh, says line 3, Secured Party right here.

4 THE COURT: Could you put a little dot or -- that's  
5 where he's referring to.

6 THE WITNESS: My name.

7 Q (BY THE DEFENDANT:) Your name, correct? And did  
8 your Realtor tell you that you could have the lien removed  
9 yourself?

10 A No.

11 Q Did your attorney tell you that you could have the  
12 UCC removed yourself?

13 A No.

14 Q When the Realtor or the attorney didn't notify you  
15 that, did you call me and ask me how to remove the UCC lien?

16 A No, because you are in jail.

17 Q So this is at the time I was in jail?

18 A No, when I tried to help -- to sell my house --

19 Q Okay.

20 A -- you already in jail.

21 Q Okay. So you couldn't ask me how to remove it from  
22 the UCC?

23 A There's no way I can get in touch with you.

24 Q Right. So there was no way you could get in touch  
25 with me, but you're saying that the Realtor nor your attorney

1 told you that you could have simply just filed a UCC removal  
2 off the -- in the Bureau to remove the lien to sell your home?  
3 Neither one of them told you that, correct?

4 A No.

5 THE DEFENDANT: Okay. Can I get government  
6 Exhibit 806? And I need page 5.

7 THE COURT: Can you clear the --

8 Q (BY THE DEFENDANT:) Okay. Ms. Troxel --

9 THE COURT: Do you want this published?

10 THE DEFENDANT: Yes, ma'am, I need this published.

11 THE COURT: All right. You may publish.

12 Q (BY THE DEFENDANT:) And I have circled -- the title  
13 of this document, can you read the title of the document?

14 A What's the question, sir?

15 Q Can you read the title of the document?

16 A Foreclosure Disclosure.

17 Q Okay. And is that your signature at the bottom?

18 A Yes.

19 Q And that was my signature with you?

20 A Yes.

21 Q Okay. And when you filled out the MEI application,  
22 I had you sign each document, I read each document to you and  
23 we both signed, correct?

24 A No. As I said, I was asked to sign a papers without  
25 my knowledge what's in it.

1           Q       So when you came to my office and I sat you down,  
2   'cause there are six pages on the MEI app, so I signed and you  
3   signed. I read each page to you and I explained to you what  
4   each paper meant. Do you not remember that, coming to the  
5   office and me explaining that to you?

6           A       Yeah, so many papers in a pack. All you ask me is,  
7   "Sign here," pointing, "Sign here."

8                   As I said, I don't have knowledge of all the legal  
9   papers and I trusted you then 'cause you are general  
10  attorney --

11          Q       Ms. Troxel, do you know --

12          A       -- that explaining to me.

13          Q       Do you mean how many pages the MEI application is?

14          A       I'm not sure.

15                   THE DEFENDANT: Okay. We can go through the -- can  
16  you go to the No. 1 page and we'll see how many pages my  
17  application is? Yes, the same document, 806. So let me count  
18  how many pages it is. I think it's 6 pages.

19                   Now go up to 2, 3, 4, 5, 6, 7 -- that's it.

20          Q       (BY THE DEFENDANT:) Okay. So the MEI application  
21  is only six pages, Ms. Troxel. So it's not a whole stack of  
22  papers. Can you see that?

23          A       Yes, I see it.

24          Q       Okay. And so there's not a whole bunch of language  
25  on the MEI papers on each page, there's not a whole lot of

1 writing, there's not a whole lot of legal terms that would  
2 confuse someone.

3 Can you go back to --

4 THE COURT: Well, is that a question?

5 THE DEFENDANT: Right.

6 THE COURT: Does she agree with you?

7 Q (BY THE DEFENDANT:) Right. Do you see a lot of  
8 legal terms on there that you don't understand --

9 A I did not see this form.

10 Q Is that your signature, Ms. Troxel.

11 A I know it's my signature, but I did not see this  
12 form being specifically show me what's in this form. All I  
13 being asked is, "Sign here. Sign here."

14 Q No, Ms. Troxel, you came to my office, I read each  
15 page to you. You don't remember me reading each page to you?  
16 'Cause there's not that much to read.

17 THE COURT: Okay. So the question is do you  
18 remember him reading each page of this document?

19 THE WITNESS: No.

20 THE COURT: Okay.

21 Q (BY THE DEFENDANT:) No, you don't --

22 THE COURT: She said, "No." So what's the next  
23 question?

24 Q (BY THE DEFENDANT:) Do you remember what I  
25 explained to you what it meant by you being the secure party on

1 your UCC? Do you remember what I explained to you what that  
2 does for you?

3 A Yes. You told me that UCC can protect me from  
4 anyone that have interest of foreclosing or taking my property  
5 away from me.

6 Q And when I explained to you that the UCC liens  
7 protects your interest in your property, that in order for it  
8 to be removed, do you remember what I told you in order for  
9 that UCC to be removed?

10 A No. You don't tell me anything about being removed.  
11 All you told me is I -- that UCC can protect me from anyone  
12 that are interested foreclosing or taking away my property from  
13 me.

14 Q So what did I explain to you what the UCC does?

15 A I just said.

16 Q Right. So if the bank tried to foreclose on you,  
17 what would they have to do to the UCC lien? Do you remember me  
18 explaining that to you? Like if they tried to foreclose --

19 A As I said, what you said to me, the UCC will protect  
20 me from anyone that will interest and will foreclose my  
21 property.

22 Q And that they would have to go to court -- we would  
23 have to go to court, correct?

24 A No, you did not tell me anything about going to  
25 court.



1 Q So what did I explain to you then?

2 A I just said. That will protect me from anyone that  
3 taking away my property or foreclose my property from me.

4 Q So -- so you really didn't -- I don't think you  
5 really understood what I said to you that day, Mrs. Troxel.

6 THE COURT: Is that your question?

7 THE WITNESS: No.

8 Q (BY THE DEFENDANT:) Did you fully understand what I  
9 told you that day?

10 A Yes, sir. I just said you told me UCC can protect  
11 me from anyone that interested or taking my property away from  
12 me or foreclosing my property away from me.

13 Q And even after I got incarcerated, were they able to  
14 evict you out of your house?

15 A I did not understand a word.

16 Q I said even after I got incarcerated, when I was  
17 illegally incarcerated in 2013, two months after you signed up,  
18 was the bank able to evict you from your house?

19 A No.

20 Q Okay.

21 A Because I called them myself.

22 Q Okay. You called them yourself?

23 A Uh-huh.

24 Q And what happened?

25 A And then they talked to me that as long as I gonna

1 agree with Ocwen to pay my mortgage and do my modification, I  
2 will be okay.

3 Q And did they tell you that the lien would somehow  
4 encumber them or was damaging to you or damaging to them? Did  
5 they --

6 A That wasn't discussed when I'm doing the  
7 modification with Ocwen. That only mentioned only when I tried  
8 to sell my property.

9 Q Okay. Now, do you remember me going over your  
10 mortgage that was by Deutsch Bank and the note? Do you  
11 remember coming to my office, you bringing your mortgage  
12 documents, and I went over and explained to you the legal terms  
13 in your mortgage document? Do you remember that?

14 A No. I did not bring my mortgage note to you. You  
15 have printed out for me.

16 Q Well, no, you came to the office. I had  
17 Anabel -- you came to the office with the mortgage document  
18 'cause that's in the application. You have to get your  
19 mortgage note and your mortgage document.

20 A No.

21 THE COURT: Okay. So you're asking her did she  
22 bring it to you?

23 THE DEFENDANT: Right.

24 THE COURT: And to Anabel?

25 THE DEFENDANT: Right.

1 THE COURT: Did you bring your mortgage documents to  
2 Mr. Williams and Anabel?

3 THE WITNESS: No, I did not, ma'am.

4 THE COURT: Okay. So the next question.

5 Q (BY THE DEFENDANT:) So who brought it to us?

6 A You got it -- you have it yourself.

7 Q So I got it or did Anabel --

8 A I don't know how you got it.

9 Q So --

10 A I don't know.

11 Q So when you came to my office, I had your mortgage  
12 and your note documents from your original lender?

13 A Yeah.

14 Q Okay. Now, do you remember the conversation that we  
15 had and me explaining --

16 THE COURT: Well, "Do you remember the  
17 conversation" --

18 THE DEFENDANT: Right.

19 THE COURT: -- "that we had?"

20 Q (BY THE DEFENDANT:) Do you remember the  
21 conversation that we had?

22 THE COURT: So this is the first time you met?

23 THE DEFENDANT: No, this wouldn't be first time.  
24 This would probably been the second or third time.

25 THE WITNESS: What conversation we had?

1           Q       (BY THE DEFENDANT:) Regarding your mortgage with  
2   Deutsch Bank, the mortgage and the note.

3           A       All I remember that you mentioned to me about is the  
4   robo-signing.

5           Q       Okay. I mentioned that. I did mention that. I --  
6   but I also mentioned about the note, what happens to your note.  
7   You don't remember that conversation --

8           A       Don't remember.

9           THE DEFENDANT: Okay. Can the -- Government  
10   Exhibit 409 -- 408 and 409 -- actually, 409, just 409.

11          THE COURT: We don't have that -- those as being in  
12   evidence. Did you offer them in evidence?

13          THE DEFENDANT: Oh, it's not in evidence.

14          MR. SORENSON: Your Honor, those are not in evidence  
15   at this time. They could be loan documents from another  
16   person.

17          THE COURT: Okay. So if you offer them -- if you  
18   want to offer them into evidence, you have to, you know, have  
19   this witness verify that --

20          THE DEFENDANT: Yeah, I need to verify it. Can I  
21   get your Exhibit 409 for her to verify that it's her note and  
22   that it's her signature?

23          MR. SORENSON: 409?

24          THE DEFENDANT: Yeah, 409.

25          THE COURT: All right. Mr. Yates, are you objecting

1 to having it received into evidence?

2 MR. YATES: Actually, no, Your Honor.

3 THE COURT: Okay. So they're going to agree to have  
4 it received in evidence.

5 THE DEFENDANT: All right. I'd like to publish it.

6 THE COURT: Okay. So this is Exhibit 409 is  
7 received in evidence.

8 (Exhibit 409 received into evidence.)

9 THE COURT: All right. So that's before the  
10 witness. And wish to publish? Yes.

11 Q (BY THE DEFENDANT:) You recognize that document,  
12 Ms. Troxel?

13 A I don't recognize the document, but I can recognize  
14 my --

15 Q You recognize your signature? Okay. So that's the  
16 note that you signed that is attached to your mortgage for  
17 Deutsch Bank?

18 MR. YATES: Objection. Testimony.

19 THE COURT: All right. So you're asking her --

20 THE DEFENDANT: Right.

21 THE COURT: -- if she recognizes that --

22 THE DEFENDANT: Right.

23 THE COURT: -- as the note about Deutsch Bank.

24 Do you recognize that --

25 Q (BY THE DEFENDANT:) Do you recognize that as the

1 note?

2 A This?

3 Q Yes, with your signature.

4 A With my signature, yes.

5 Q (BY THE DEFENDANT:) Right. Can you see -- look to

6 the left and where it says right here -- you see where it says,

7 "Paid to the order of without recourse Argent Mortgage Company

8 LLC"?

9 A Where?

10 Q I got it circled.

11 THE COURT: If you look at the screen --

12 THE DEFENDANT: The screen?

13 THE COURT: -- he has it circled in red.

14 THE DEFENDANT: Uh-huh.

15 THE WITNESS: What's the question again?

16 Q (BY THE DEFENDANT:) Was that on the document when

17 you signed it? Do you remember that?

18 A I'm sorry, but I cannot recall.

19 THE DEFENDANT: You don't recall?

20 Okay. Got no more questions for Ms. Troxel.

21 THE COURT: Thank you. And we can depublish that.

22 MR. YATES: May I begin?

23 THE COURT: All right. Your witness, Mr. Yates.

24 MR. YATES: Thank you, Your Honor.

25 REDIRECT EXAMINATION

1 BY MR. YATES:

2 Q Now, Ms. Troxel, Mr. Williams asked you a number of  
3 questions relating to some legal work that he did for you. Do  
4 you recall that?

5 A No, sir.

6 Q No, when he just asked you questions about the legal  
7 documents, do you remember that Mr. Williams a few minutes ago  
8 asked you about some legal documents?

9 A Yes.

10 Q Okay. And he asked you a question about how you  
11 hired Anthony Williams again after he was in jail. Do you  
12 remember that?

13 A I did not hire him again.

14 Q Okay.

15 A It was continued of what he left out.

16 Q Fair enough. And you said that he continued because  
17 he had won his case? Do you remember saying that?

18 A What -- can you repeat?

19 Q Why did you work with Anthony Williams again after  
20 he went to jail?

21 A Because I was already in deep kim chee of my  
22 mortgage, and they are the one that started the trouble, so I  
23 have to continue with him. So, you know, I need the help at  
24 that time.

25 Q And when you realized you were in deep kim chee, you

1 said that you spoke with Anabel Cabebe. Do you remember that?

2 A Yes. We been speaking with Anabel Cabebe during the  
3 time that he was incarcerated.

4 Q Okay. And what did Anabel Cabebe say to you about  
5 continuing with Anthony Williams after he was incarcerated?

6 A He won -- he won the case and he still -- he's a  
7 good guy. He can do a lot of things for us. He -- you  
8 could -- you could get your house for free if he will continue  
9 fighting for you.

10 Q Okay. So Anabel Cabebe promised that you could get  
11 your house for free; is that right?

12 A Yes.

13 Q What was your relationship to Anabel Cabebe?

14 A She, uhm -- we both caregivers, so we belong in the  
15 same association together, so we see each other once in a  
16 while.

17 Q And were you friends?

18 A We consider a friend because we belong in the same  
19 group.

20 Q Now, you just talked about some lawsuits that  
21 Anthony Williams was helping you with. Do you remember that?

22 A Yes, sir.

23 Q Okay. And I believe Mr. Williams just asked you  
24 that he filed a lawsuit for you in court. Do you remember  
25 saying that?



1           A       He -- uhm, he helped me and continue what Edna  
2 started.

3                   MR. YATES:   Okay.   Can I publish I guess it's  
4 Exhibit 2040 page 35.

5           Q       (BY MR. YATES:)   So Ms. --

6                   THE COURT:   So wait.   You may publish.   And what  
7 page?

8                   MR. YATES:   It's to the page -- the appropriate  
9 page, it's page 35.

10                  THE COURT:   Okay.   Is that on the screen?   Yeah.  
11 Okay.

12           Q       (BY MR. YATES:)   Ms. Troxel, do you recall this  
13 document?

14           A       UCC, yes.

15           Q       No, no.   It's -- it's the document that should be on  
16 the screen.   It has your name on it and it says on the side,  
17 "Common law jurisdiction demand for a trial by jury."

18                   You recognize that document?

19                   No problem.   We can take it down.

20                   My question is just that you recall that Anthony  
21 Williams and you were involved in filing a lawsuit; is that  
22 right?

23           A       Yes, sir.

24           Q       Okay.   And that was during your foreclosure; is that  
25 right?

1           A       Uhm, yes, yes.

2           Q       Okay. Now, at that time you believed that Anthony  
3 Williams was a lawyer, correct?

4           A       Yes.

5           Q       And that he could write legal briefs for you?

6           A       Yes.

7           Q       Okay. And that he could give you legal advice,  
8 right?

9           A       Yes.

10          Q       And you believed that Anthony Williams could save  
11 your house from foreclosure, right?

12          A       Yes.

13                   THE DEFENDANT: These are all leading questions.

14                   MR. YATES: Yes, Your Honor. The witness has  
15 demonstrated that she has some difficulty with English, so I  
16 would ask for a little bit of latitude here.

17                   THE COURT: All right. Overruled on that basis.

18          Q       (BY MR. YATES:) Now, at any time did Anthony  
19 Williams tell you that he was not allowed to practice law in  
20 court?

21          A       Yes, yes.

22          Q       He told you that he was not allowed to practice law?

23          A       Yes.

24          Q       Okay.

25          A       So I have -- I will be the one to deal with all this

1 judges or bring the papers to the court.

2 Q Okay. So he said that he couldn't do it, so he was  
3 going to ask you to do it; is that right?

4 A Yes.

5 Q But did he ever tell you that he was not allowed to  
6 write the briefs for you?

7 A A brief --

8 Q Did he tell you that he was not allowed to write a  
9 legal brief?

10 A Yes.

11 Q He told you that he couldn't write it?

12 A Yes.

13 Q Okay. But he wrote one for you anyway?

14 A Yes.

15 Q Okay. Anthony Williams just asked you about your  
16 UCC lien. Do you remember him asking you?

17 A Yes.

18 Q And he asked you whether you understood that you  
19 could -- let me withdraw that question.

20 Ms. Troxel, did you understand how to remove a  
21 lien?

22 A I don't.

23 Q Okay. And Anthony Williams never told you, right?

24 A No, sir.

25 Q Mr. Williams just asked you a number of questions

1 about signing documents and you answered that you signed the  
2 documents without understanding what was in the documents; is  
3 that right?

4 A Yes.

5 Q Okay. Did you sign those documents because you  
6 trusted Anthony Williams?

7 A Yes, sir.

8 Q And you trusted him because he was an attorney  
9 general, right?

10 A Yes.

11 Q Ultimately, despite the lawsuits that Mr. Williams  
12 filed, did the bank put your house in foreclosure?

13 A Yes.

14 Q Okay. Did you ever get your MEI money back?

15 A No.

16 MR. YATES: No further questions, Your Honor.

17 THE COURT: So, Ms. Troxel, thank you for your  
18 testimony. You're excused as a witness -- yes, Mr. Williams?  
19 No, it's direct, cross-examination, and redirect. Is she  
20 a witness that you subpoenaed?

21 THE DEFENDANT: Yes.

22 THE COURT: Oh, okay. So you're -- so I'll let you  
23 do -- I guess -- I don't know what it would be -- redirect and  
24 cross. I'll give you an opportunity to do that.

25 RECROSS-EXAMINATION

1 BY THE DEFENDANT:

2 Q Ms. Troxel, the document he just showed you was a  
3 demand for a trial by jury that I had filed on your behalf that  
4 you signed. Do you remember that document?

5 A I don't understand how you ask me the question.

6 THE COURT: Okay. So it's not whether she remembers  
7 it. What question do you have about the document?

8 THE DEFENDANT: The document he just pulled up.  
9 Which number was it?

10 MR. YATES: That's your document.

11 THE COURT: I believe it's 2040.

12 THE DEFENDANT: 2040.

13 MR. SORENSON: No, we don't have it. You're going  
14 to have to put it on there.

15 THE COURT: All right. Ask her another question  
16 while they find that document.

17 Q (BY THE DEFENDANT:) Ms. Troxel, did I explain to  
18 you that by the Constitution, the Seventh Amendment, that you  
19 have a right to a trial by jury before you could be deprived of  
20 your property?

21 A I don't remember.

22 Q Did the court grant you a trial by jury before you  
23 could be at least in foreclosure and kicked out of your home?

24 A I'm sorry, but I don't understand the question.

25 THE COURT: So he's asking you did you have a trial

1 in that case with a jury like this?

2 THE WITNESS: Yes.

3 THE COURT: You had a trial?

4 THE WITNESS: No.

5 THE COURT: Okay.

6 THE WITNESS: No.

7 THE COURT: On the lawsuit that was filed, did you  
8 have a trial?

9 THE WITNESS: No.

10 THE COURT: All right. Next question.

11 Q (BY THE DEFENDANT:) Okay. And do you understand  
12 that that was your constitutional right to have one?

13 THE COURT: Asked and answered. She already said  
14 she doesn't understand. So get --

15 THE WITNESS: I don't know.

16 Q (BY THE DEFENDANT:) Okay. And so he just  
17 requested you about you couldn't talk to me because I was  
18 incarcerated. So you couldn't have asked -- asked me how to  
19 remove the UCC because I was incarcerated, correct?

20 A No.

21 Q Right. And so -- but you had already answered that  
22 your Realtor nor your attorney didn't tell you that you could  
23 have simply removed it yourself to sell your home?

24 A No, because that wasn't put there in the first  
25 place.

1           Q       No, I'm saying but you said you tried to sell your  
2 home and then your Realtors said that you couldn't sell it  
3 because the lien was on there. I'm saying they didn't notify  
4 you that you could have just removed it yourself because you're  
5 a secure party, correct?

6           A       I don't know how to remove it. Plus, in the first  
7 place, that lien shouldn't be there in the first place.

8           Q       Well, that lien was put on there 'cause remember I  
9 explained to you why the lien? You still don't remember the  
10 conversation we had when you came to the office?

11          A       But it's gonna -- it's gonna -- it's kind of tricky  
12 that we put that lien in there without me knowing what gonna  
13 affect me in the future.

14          Q       No. I explained that to you, Ms. Troxel.

15          A       No, you did not.

16                 THE COURT: Okay. This not for you folks to have a  
17 discussion. This is for you to have a question and she'll  
18 answer it.

19          Q       (BY THE DEFENDANT:) Okay. Do you remember how long  
20 you was at my office and how many hours you was talking to me?  
21 Do you remember how many hours?

22          A       I remember that time.

23          Q       Okay. How long were you at the office and do you  
24 remember at what time --

25          A       Long, long time.

1           THE COURT: Okay. So you have to wait till he  
2 finishes the question --

3           THE WITNESS: Okay.

4           THE COURT: -- and then you answer. Okay.

5           Q       (BY THE DEFENDANT:) Okay. And do you remember  
6 about what time in the day that you came to my office?

7           A       Night time.

8           Q       Night time? About what time?

9           A       I cannot tell you the time, but it's night time.

10          Q       So would you say it was after 8 o'clock at night?

11          A       Could be, yes.

12          Q       Okay. And so after 8 o'clock at night I was still  
13 at my office working?

14          A       Yes.

15          Q       Okay. And so I took my time with you to sit down  
16 with you and explain to you late at night at my office all the  
17 documents that I was going to file, the UCC, the mortgages, the  
18 things I was going to file. You don't remember the long  
19 conversation that we had, the hours? You don't remember all  
20 those hours?

21          A       I asked you all the question.

22          Q       Right.

23          A       And you answer all the questions I ask you.

24          Q       That's correct. Right. So do you remember that it  
25 was probably about four or five hours we were there?



1           A       Yeah, because I have plenty concern to ask you --

2           Q       Yes, you did.

3           A       -- and for you to answer.

4           Q       Yes, ma'am, you did. And that's why I went through  
5 that whole application with you. I took my time with you  
6 because I do see that you --

7           THE COURT: No, no. So you have to ask her a  
8 question.

9           THE DEFENDANT: Okay.

10          THE COURT: Did he take his time with you and go  
11 over everything with you in his office?

12          THE WITNESS: Only with my question to be answered.

13          THE COURT: Okay. Next question, yeah.

14          THE DEFENDANT: I have no more questions.

15          THE COURT: All right. Thank you very much.

16          All right. Now I'm going to excuse you as a witness,  
17 Ms. Troxel. Please don't discuss your testimony with anyone  
18 until the trial's completed. Good day, ma'am.

19          THE WITNESS: Thank you.

20          THE COURT: Okay. Mr. Yates, your next witness.

21          MR. YATES: Is going to be Mr. Bryce Oleski.

22          **BRYCE OLESKI, GOVERNMENT'S WITNESS, WAS SWORN**

23          THE COURTROOM MANAGER: Thank you. Please be  
24 seated.

25          State your name and spell your last name for the record.

1 THE WITNESS: My name is Bryce Oleski, last name  
2 O-l-e-s-k-i.

3 THE COURT: Your witness, Mr. Yates.

4 MR. YATES: Thank you, Your Honor. May I approach  
5 to hand the witness binder to the court manager?

6 THE COURT: You may. And, Mr. Williams, do you have  
7 the exhibits that are in the witness binder, the numbers?

8 MR. ISAACSON: One moment, Your Honor.

9 THE COURT: All right. You may hand it to the  
10 witness.

11 MR. YATES: Thank you.

12 MR. ISAACSON: Could I see 605 again?

13 DIRECT EXAMINATION

14 BY MR. YATES:

15 Q Good morning.

16 A Good morning.

17 Q Can you please explain to the jury who your employer  
18 is?

19 A Sure. I work for the FBI as a special agent. I  
20 work white collar crime in the Washington, D.C. area.

21 Q That's the Washington field office?

22 A That's correct.

23 Q Now, you were involved in the investigation of  
24 Anthony Williams and Mortgage Enterprise Investments, correct?

25 A Yes.

1           Q       And can you please explain to the jury what you were  
2   tasked to do?

3           A       Sure.  So the Honolulu office of the FBI reached out  
4   to me and asked me to assist with the investigation.  
5   Specifically, they asked me to take a look at an address in  
6   Washington, D.C., 6230 Third Street, NW, Unit No. 5 in  
7   Washington, D.C., and they gave me a list of businesses, and  
8   they wanted me to verify or disprove whether those businesses  
9   had actually operated at that address in Washington, D.C.

10          Q       Okay.  And what businesses were you tasked to look  
11   up?

12          A       There were several, specifically, Mortgage  
13   Enterprise Investments, the Common Law Office of America, the  
14   United States Office of the Private Attorney General, Federal  
15   Mortgage American Trust, and the Federal American Title  
16   Company.

17          Q       Okay.  Now, what evidence did you uncover that there  
18   was a business at 6230 Third Street, NW, Apartment or Suite 5  
19   called the Federal Mortgage American Trust?

20          A       There was no evidence that that business ever  
21   operated from that address.

22          Q       Did you conduct a business records search for  
23   businesses in Washington, D.C., at that address between 2012  
24   and 2015?

25          A       Yes, I did.

1           Q       And what was the results of that business records  
2 search?

3           A       So I went on the Washington, D.C. business records  
4 site and I typed in the address, and it came up with eight  
5 businesses that operated during that time frame, none of which  
6 were any of the businesses I previously mentioned.

7           Q       Now, did you ever visit that address, 6230 Third  
8 Street, NW?

9           A       I did.

10          Q       Okay. I'm going to ask you to turn to an exhibit in  
11 front of you, that is, Exhibit 605.

12          A       All right. I'm looking at it.

13          Q       So before we show that to the jury, I ask you if you  
14 recognize Exhibit 605?

15          A       I do.

16          Q       Okay. And is Exhibit 605 a photograph that you  
17 took?

18          A       Yes.

19          Q       And is that a fair and accurate depiction of the  
20 commercial property that that's at 6230 Northwest,  
21 Washington, D.C.?

22          A       Yes.

23                   MR. YATES: Your Honor, at this time we ask to admit  
24 Exhibit 605.

25                   THE COURT: Any objections?

1 THE DEFENDANT: No objection.

2 THE COURT: Received.

3 (Exhibit 605 received into evidence.)

4 MR. YATES: May we publish, Your Honor?

5 THE COURT: You may.

6 Q (BY MR. YATES:) The jury is now looking at  
7 Exhibit 605. Can you please explain to the jury what it is  
8 that they're looking at?

9 A Sure. This is a photo that I took of the outside of  
10 the address that I mentioned. The bottom floor is a day care  
11 center, and then in the very center of the photo is a door that  
12 leads to the upstairs, and when you go up the stairs it's a  
13 long hallway with offices on either side.

14 Q I'm going to ask you, Agent Oleski to look in your  
15 binder at Exhibit 606.

16 A All right.

17 Q And before I ask to have this moved in, I'm going to  
18 ask you some foundational questions.

19 Do you recognize Exhibit 606?

20 A I do.

21 Q Okay. Now, is 606 a photograph that you took?

22 A Yes.

23 Q And is this a fair and accurate depiction of what  
24 appears to be a sign at the commercial property 6203  
25 Street -- Third Street, NW?

1           A       Yes.

2                   MR. YATES:  Okay.  Your Honor, at this time I ask to  
3 move into evidence Exhibit 606.

4                   THE COURT:  Any objection?

5                   THE DEFENDANT:  No objection.

6                   THE COURT:  Received.

7                   (Exhibit 606 received into evidence.)

8                   MR. YATES:  May we publish?

9                   THE COURT:  You may.

10           Q       (BY MR. YATES:)  Sir, so can you please explain to  
11 the jury what they're looking at Exhibit 606?

12           A       Sure.  So at the building that I showed you that we  
13 looked at a photograph of a minute ago, as soon as you open the  
14 door, this is the directory that hangs on the wall of the  
15 businesses that operate out of that building.

16           Q       So when you got to the property, can you please  
17 explain to the jury what it is that you did?

18           A       Yes.  So I -- when I arrived at the property, I  
19 walked around, I took photos of the outside.  The front door is  
20 actually locked with a pin code, so I spoke with someone and  
21 they let me in, walked up the stairs -- or actually before I  
22 walked up the stairs, I took this photo, and then when I walked  
23 up the stairs, I spoke with a few of the neighbors and they  
24 directed me to the landlord, the person who managed the  
25 property.

1 Q What was the name of that landlord?

2 A It was a gentleman by the name of Micah Bump.

3 Q And did you get a sense for how large Suite 5 of the  
4 property at 6203 Third Street, NW, is?

5 A Yes. I got to enter the suite directly adjacent to  
6 it and it was about 550 square feet roughly, big enough for a  
7 few desks for people to work at.

8 Q Did you ascertain the name of the tenant who  
9 occupied Suite 5 of that address from 2012 to 2015?

10 A I did. It was -- it's actually on this  
11 list -- Integrative Bodywork and Massage. It's a office where  
12 they have -- gave massages.

13 Q How about historically between 2012 and 2015?

14 A Sure. Between 2012 and 2015, the person who leased  
15 the unit was named Dorita M. Dixon.

16 Q Did you have an opportunity to speak with Ms. Dixon?

17 A I did.

18 Q And what did she say about whether she knew Anthony  
19 Williams?

20 THE DEFENDANT: Objection. That's hearsay.

21 MR. YATES: It's actually --

22 THE COURT: Go ahead.

23 MR. YATES: Oh, that's not offered for the truth.

24 THE COURT: All right. But regarding his  
25 investigation and steps he took. All right. Overruled on that

1 basis.

2 Q (BY MR. YATES:) And what did she say about whether  
3 she knew Ms. Anthony Williams? Excuse me.

4 A She said that she did not know Anthony Williams.

5 MR. YATES: Nothing further on direct, Your Honor.

6 THE COURT: All right. Any questions, Mr. Williams?

7 THE DEFENDANT: Yes.

8 CROSS-EXAMINATION

9 BY THE DEFENDANT:

10 Q Mr. Oleski, you out of the Washington, D.C. office?

11 A So I'm part of the Washington field office, but I  
12 physically sit in Manassas, Virginia.

13 Q And did you speak with one of my employees in  
14 Washington, D.C., named Shirley Ann Stewart?

15 A I did not.

16 Q Okay. And did you know that she runs my office in  
17 Washington, D.C.?

18 A I did not.

19 Q Okay. Did you visit my office there?

20 A I don't know your office.

21 Q Okay. And the address that he just had you read,  
22 did you know that that was just a mailing address for Federal  
23 Mortgage American Trust and not the actual physical location?

24 A I did not know; however, from speaking with  
25 Ms. Dixon, I've determined that she did not receive mail there



1 that didn't belong to her.

2 Q Okay. So she told you that she did not know me at  
3 all?

4 A That's correct.

5 THE DEFENDANT: Okay. Can I get the government  
6 Exhibit 817, please?

7 Q (BY THE DEFENDANT:) And before I get into this, are  
8 you familiar with FedEx and UPS where you can actually purchase  
9 a mailing address from one of those businesses but not have  
10 your physical address actually at the FedEx or UPS store?

11 A Can you resay the question?

12 Q Are you familiar with, you know, the UPS and FedEx  
13 where you can actually purchase a business mailing address just  
14 for mailing purposes and your actual physical business not be  
15 at that mailing address?

16 A I was not aware that that -- that you can use a  
17 address that you're not physically at.

18 Q Okay. On this document -- can I publish it?

19 THE COURT: It's not in evidence, I believe.

20 THE DEFENDANT: Can I enter it into evidence.

21 THE COURT: It is in evidence? Okay. Then you may  
22 publish.

23 THE DEFENDANT: Okay.

24 Q (BY THE DEFENDANT:) And are you familiar with this  
25 type of document?

1           A       No, I'm not.

2           Q       So you not familiar with sending MoneyGram from  
3 Walmart? You've never seen a MoneyGram sent from Walmart?

4           A       I've seen MoneyGram before. I'm not personally  
5 familiar with this document.

6           Q       Okay. Can you read who the sender information is,  
7 who the end is sender is on this document?

8           A       "Sender information: Anthony Williams."

9           Q       Okay. And can you read who the receiver is on this  
10 document?

11          A       "Receiver: Dorita Dixon."

12          Q       Okay. Now, you just testified that Dorita Dixon  
13 said she did not know me?

14          A       That's correct.

15          Q       Okay. So from this document could you ascertain  
16 that she does know me, if I'm sending her money?

17          A       I don't know that.

18          Q       Okay. So -- but you talked to her?

19          A       I did speak with her.

20          Q       Okay. And I'm showing you a document of a money  
21 order of a wire that I sent from MoneyGram from me to her. And  
22 what's her address there? What's the city and state?

23          A       I see two addresses. Are you talking about the part  
24 of the box you're sending from or --

25          Q       No, the receiver. What's the receiver's city and

1 state destination? What's the receiver's --

2 A Destination is Washington, D.C.

3 Q Washington. And does it have a phone number?

4 A Yes.

5 Q Okay. Do you -- do you know like what's the prefix

6 for usually Washington, D.C. numbers?

7 A It's 202.

8 Q Okay. So that is a Washington, D.C. number?

9 A It would appear to be so.

10 Q Okay. So if I'm sending someone a MoneyGram, and I

11 have their actual number, that is, a number that's in the

12 Washington, D.C. area, would you say that I actually do know

13 this person, that I have had communication in order for me to

14 send them some money?

15 A It's possible; however, dealing with a lot of

16 identity theft, I do not know -- I would not know that to be

17 proof that you know this person.

18 Q Okay. So -- and when you -- have you ever done a

19 MoneyGram?

20 A I have not.

21 Q You ever sent a Western Union?

22 A Yes.

23 Q Okay. So if you sent the Western Union, what is the

24 procedure in sending the money? Do you have to -- let me ask

25 you this question.

1           A       Sure.

2           Q       Do you have to present valid identification to send  
3 it?

4           A       You have to present identification. Doesn't have to  
5 be valid as my experience in identity theft tells me.

6           Q       Okay. So what type of identification would you have  
7 to present in order to send money?

8           A       You'd want to present some type of photo ID.

9           Q       And that would consist of what?

10          A       Could be a driver's license.

11          Q       A driver's license. Could it had be state ID?

12          A       I'm not an expert on Western Union, but I assume it  
13 could be.

14          Q       So if you was to receive it when someone send you  
15 money and you go to, say, Western Union and MoneyGram and say,  
16 "Hey, someone sent me some money," so would you have to present  
17 valid identification that you were the person that the money  
18 was sent to so you would be the right person to pick that money  
19 up? Correct?

20          A       I believe you do.

21          Q       Okay. So could you see the amount of money that I  
22 sent? What was the amount?

23          A       \$430.

24          Q       Okay. Now, did you ask her had she ever had any  
25 money sent to her from me?

1           A       No, I did not.

2           Q       Okay. Did you ask the building manager how much did  
3 it cost to rent a mailing address there?

4           A       I did not.

5           Q       Okay. So how do you know that I didn't have a  
6 mailing address purchased for this location by Ms. Dorita  
7 Dixon?

8           A       So my understanding is that Dorita Dixon doesn't  
9 have the ability to sell a mailing address for a location she  
10 doesn't own. Speaking with the property manager, I would  
11 believe that the property manager would have knowledge of such  
12 a deal.

13          Q       So she had never had rented a spot out of there?  
14 She had never rented a office space or a space there? She had  
15 never rented it at all?

16          A       No, she absolutely rented a space there.

17          Q       Okay. So she did rent a space there. Okay. So how  
18 long was she there?

19          A       I don't know the full length. I just know she was  
20 there between 2012 and 2015.

21          Q       Okay. So she was there during the time that the  
22 trustee of the company that I have as trustee listed as the  
23 mailing address, correct?

24          A       That's correct.

25          Q       Okay. So do you not understand that that was

1 the -- what the money was sent for to have a mailing address in  
2 Washington, D.C., that was attached to my Washington, D.C.  
3 office?

4 A I do not understand that.

5 Q Okay. So you didn't complete your investigation?

6 A I completed the investigation of speaking with  
7 Dorita Dixon on and asking her if she knows Anthony Williams,  
8 and she said no.

9 Q So you never talked to anybody else in Washington,  
10 D.C., any of my other employees in Washington, D.C.?

11 A I don't know who your employees are.

12 THE DEFENDANT: Okay. I have no more questions.

13 THE COURT: All right. Thank you.

14 Mr. Yates, do you have any questions?

15 MR. YATES: Very briefly, Your Honor.

16 REDIRECT EXAMINATION

17 BY MR. YATES:

18 Q Agent Oleski, you testified that you did conduct  
19 some interviews in connection with your investigation, correct?

20 A That's correct.

21 Q And you were asked in particular by Anthony Williams  
22 regarding your interaction with Ms. Dorita Dixon, correct?

23 A That's correct.

24 Q And Dorita Dixon indicated to you that  
25 you -- that -- excuse me -- that she did not know Anthony

1 Williams, correct?

2 A That's correct.

3 Q All right. And then Mr. Williams had raised and  
4 presented to you and showed to you Exhibit 817, correct?

5 A That's correct.

6 Q Okay. And 817 appears to --

7 THE COURT: We have it in front of us, so what's  
8 your question.

9 Q (BY MR. YATES:) Okay. Is it possible that Dorita  
10 Dixon was lying about knowing Mr. Anthony Williams?

11 A Absolutely possible.

12 MR. YATES: Nothing further.

13 THE COURT: All right. You're excused as a witness.  
14 Thank you. Please don't discuss your testimony with anyone  
15 until the conclusion of the trial. Good day, sir.

16 THE WITNESS: Thank you, ma'am.

17 THE COURT: Yes. Your next witness.

18 MR. YATES: Thank you, Your Honor. The government  
19 will be calling Julita Asuncion.

20 **JULITA ASUNCION, GOVERNMENT'S WITNESS, WAS SWORN**

21 THE COURTROOM MANAGER: Thank you. Please be  
22 seated.

23 If you can state your name and spell your last name for  
24 the record.

25 THE WITNESS: Yes, ma'am.

1 MR. YATES: Your Honor, may -- oh, sorry.

2 THE COURT: Okay. Wait. And your name is?

3 THE WITNESS: My name is Julita Asuncion.

4 J-u-l-i-t-a, Asuncion, A-s-u-n-c-i-o-n.

5 THE COURT: All right. Thank you.

6 Mr. Yates?

7 MR. YATES: Your Honor, may I approach and give her  
8 the witness binders?

9 THE COURT: And does Mr. Williams have the numbers?

10 MR. YATES: He is aware, yes.

11 THE COURT: All right. So if you need to, he'll  
12 tell you the number of what the document is and you can look at  
13 it if you want, okay?

14 THE WITNESS: Yes, Your Honor.

15 THE COURT: Okay. Mr. Yates.

16 MR. YATES: Thank you, Your Honor.

17 DIRECT EXAMINATION

18 BY MR. YATES:

19 Q Ms. Asuncion, can you please explain to the Court  
20 what you do for a living?

21 A Oh, I am a travel agent.

22 Q Okay.

23 A And I have three children.

24 Q Right.

25 A And married.



1           Q       And where are you from originally?

2           A       Excuse me, sir?

3           Q       Where are you from originally?

4           A       From the Philippines.

5           Q       And what is your native language? What's your

6 native language?

7                   THE COURT: Wait. When you first started speaking,

8 what language did you speak?

9                   THE WITNESS: Can you repeat, sir?

10                  THE COURT: Sure. When you first started speaking,

11 was it in English?

12                  THE WITNESS: Yes.

13                  THE COURT: English.

14                  THE WITNESS: Ilocano, Tagalog.

15                  THE COURT: Okay. So your first language is

16 Ilocano?

17                  THE WITNESS: And Tagalog.

18                  THE COURT: And Tagalog. Could you pull the

19 microphone a little closer to you -- thank you -- 'cause we're

20 having a hard time.

21           Aga, can you mover it closer?

22           Q       (BY MR. YATES:) Okay. And Ms. Asuncion, do you own

23 your own home?

24           A       Yes, sir.

25           Q       Okay. And when did you buy your own home?

1           A       What year?

2           Q       Yeah.

3           A       I think 1993, if I'm not mistaken.

4           Q       And you were a client of Anthony Williams and

5 Mortgage Enterprise Investments, correct?

6           A       Yes, sir.

7           Q       Okay. Before you became involved with Mortgage

8 Enterprise Investments or MEI, did you have a mortgage?

9           A       Yes, sir.

10          Q       And when you signed up for MEI, who was your

11 mortgage servicer?

12          A       Ocwen Company.

13          Q       Okay. And how much did you pay per month in

14 mortgage payments before you started with MEI?

15          A       1700, sir.

16          Q       \$1700?

17          A       Yes, sir.

18          Q       Per month, correct?

19          A       Yes, sir.

20          Q       Okay. Now, how did you become familiar with

21 Mortgage Enterprise Investments?

22          A       Uhm, I was called by Anabel Cabebe.

23          Q       Okay. Anabel Cabebe?

24          A       Yes, sir.

25          Q       And how do you know Anabel Cabebe?

1           A       She's a friend of ours.

2           Q       And what, if anything, did Anabel Cabebe tell you  
3 about Mortgage Enterprise Investments or Anthony Williams?

4           A       She told me that our mortgage will be reduced in  
5 half for monthly payment.

6           Q       And what did you think about that?

7           A       It's very interesting and I'm happy about it.

8           Q       Did you also meet with Anthony Williams?

9           A       Yes, sir.

10          Q       Okay. How many times?

11          A       I think two times.

12          Q       And where did you meet Anthony Williams?

13          A       At Anabel place.

14          Q       Okay. How did Anthony Williams introduce himself to  
15 you?

16          A       He told us about the mortgage investment.

17          Q       Okay. But how did he refer to himself? Did he have  
18 a title?

19          A       Uhm, he said he is private attorney general.

20          Q       Okay. And what did you understand a private  
21 attorney general was?

22          A       Well, he's a lawyer.

23          Q       Okay. When you met Anthony Williams either of those  
24 times, was he wearing anything that stood out to you?

25          A       Yes. He have the badge.

1 Q He had a what now?

2 A He had the badge.

3 Q A badge?

4 A Badge.

5 MR. YATES: Your Honor, may I approach the  
6 witness -- or the courtroom manager with Exhibit 500?

7 THE COURT: You may.

8 THE WITNESS: Yeah, this is.

9 Q (BY MR. YATES:) Ms. Asuncion, can you take a look  
10 at what's been handed to you which has been labeled 500? Is  
11 that the badge that you saw?

12 A Just like this.

13 Q Okay. And was Anthony Williams wearing that badge  
14 when you met him?

15 A I think so.

16 Q Okay. And did Anthony Williams say anything about  
17 that badge?

18 A He's a federal agent.

19 Q He said he was a federal agent?

20 A Yeah.

21 Q I'm sorry?

22 A Federal agent.

23 Q Okay. And what do you remember Anthony Williams  
24 saying about his mortgage program?

25 A He told us that the payment will be lower down.

1 Q Okay.

2 A And it's very interesting for us, and even the  
3 principal going to be half of it, so that's why we sign with  
4 him.

5 Q So you'd be paying half the amount per month and  
6 half the principal; is that right?

7 A Yes, sir.

8 Q Did he explain what was going to happen to your old  
9 mortgage that was being serviced by Ocwen?

10 A He mentioned to us that he will contact our existing  
11 mortgage company and hopefully he did, but he never do it.

12 Q Okay. And what did he say he was going to do when  
13 he contacted the old mortgage company?

14 A He gonna transfer our mortgage to his company.

15 Q Okay. And what was your opinion of MEI at that time  
16 when you talked to him?

17 A He's very good. But at the end, they will foreclose  
18 our house already because he never do anything at all.

19 Q Okay. We're going to get to that. So did you fill  
20 out an MEI application?

21 A Yes.

22 Q And do you recall how much you were supposed to pay  
23 or how much you did pay per month to MEI?

24 A For the mortgage, sir?

25 Q Sure, for MEI's service, whatever it is.

1           A       I don't remember how much I paid, but we paid  
2   some -- some amount.

3           Q       Okay. But it wasn't 1700, correct?

4           A       No. No, sir.

5           Q       Okay. Was it about half of that?

6           A       I think we give not that much, but I pay my mortgage  
7   to him with my check.

8           Q       To MEI?

9           A       Yes.

10          Q       Correct. Okay. Now, once you filled out the MEI  
11   application and you started to pay MEI, what did Anthony  
12   Williams tell you to do with your payments to Ocwen?

13          A       Okay. We have to stop our payment already to Ocwen  
14   Company.

15          Q       Okay.

16          A       So the payment that we did give it to him, that what  
17   we paid to him already.

18          Q       Okay. So do I understand what you just said to me  
19   in that you stopped paying Ocwen?

20          A       Yes.

21          Q       And you started to pay MEI?

22          A       Yes.

23          Q       Okay. So when you started with MEI, what was the  
24   status of your payments to Ocwen?

25          A       Well, they sent us a note that --

1 Q No, no. Before you joined MEI, were you on time --  
2 A I paying monthly.  
3 Q You were paying monthly?  
4 A Yes, sir.  
5 Q Okay. And then you started with MEI, correct?  
6 A Yes, sir.  
7 Q Okay. I'm going to have you take a look at one of  
8 those exhibits. It's Exhibit 200.  
9 A Yes, sir.  
10 MR. YATES: Okay. And, Your Honor, Exhibit 200 has  
11 been admitted into evidence. May I publish?  
12 THE COURT: You may.  
13 Q (BY MR. YATES:) So, Ms. Asuncion, do you recognize  
14 Exhibit 200?  
15 A Yes, sir.  
16 Q Okay. And what did Anthony Williams tell you about  
17 what Exhibit 200 was?  
18 A Excuse me, sir?  
19 Q What did he tell you the significance of that  
20 document?  
21 A He told me to register this in the conveyance.  
22 Q You would register this with the conveyance?  
23 A Yes.  
24 Q And you mean by the Bureau of Conveyances?  
25 A Conveyances, I'm sorry.

1 Q I see. Who filled out Exhibit 200?

2 A I fill it out, sir, but they pull it in typewritten,  
3 so they gave us the original after they already registered to  
4 the Bureau of Conveyance.

5 Q I see. And you said -- when you said you filled it  
6 out, but they typed it, what do you mean?

7 A Yes.

8 Q What do you mean when you say you filled it out but  
9 they typed it?

10 A I just fill out the application.

11 Q In handwriting?

12 A And give it to them.

13 Q When you say, "I filled out," do you mean you filled  
14 it out in handwriting?

15 A Yes.

16 Q Okay. And then you gave it to them?

17 A Yes.

18 Q Who is them?

19 A I gave it to Anabel, their office, Anabel.

20 Q Anabel. Anabel Cabebe, correct?

21 A Yes.

22 Q Was it Anabel Cabebe who typed up this form?

23 A She told me to go to the Bureau of Conveyance to  
24 register our property.

25 Q Okay. Using this Exhibit 200 form, correct?



1           A       Yes, sir.

2           Q       Okay. Did Anabel or Anthony Williams explain to you  
3 what would happen once you registered your property with  
4 Exhibit 200 at the Bureau of Conveyances?

5           A       Well, our mortgage will be transferred already to  
6 their office business.

7           Q       Okay. So you understood that Exhibit 200 would  
8 transfer your mortgage?

9           A       Yes.

10          Q       Okay. If you learned that this Exhibit 200 form did  
11 not result in your mortgage transferring over to their office,  
12 to MEI, would you still have joined the MEI program?

13          A       Yes.

14          Q       What's that?

15          A       Can you repeat, sir?

16          Q       Sure. If you learned that this form didn't transfer  
17 your property or your mortgage to MEI, would you still have  
18 signed the -- signed up for MEI's program?

19          A       If it is -- if this confirmed one, but they never do  
20 anything, so...

21          Q       Okay. So you said that they didn't do anything --

22          A       Yes.

23          Q       -- after they formed -- after you registered this  
24 document?

25          A       Yes.

1 Q Okay. Did you also sign an MEI mortgage?

2 A Yes.

3 Q Okay. I'm going to ask you to turn to Exhibit 201.

4 Your Honor, Exhibit 201 has been admitted. May we  
5 publish?

6 THE COURT: You may.

7 THE WITNESS: Yes, sir. I see it.

8 Q (BY MR. YATES:) Do you recognize Exhibit 201?

9 A Yes. 201, sir, yeah.

10 Q So if you turn to the last page of Exhibit 201 --  
11 actually there is a number of pages that have your signature.  
12 Can you verify that those are your signatures on Exhibit 201?  
13 Are those your signatures, your --

14 A Oh, yes, sir, me and my husband.

15 Q Okay. So this appears to be -- if I go back to the  
16 first page -- a Mortgage Enterprise Investments mortgage for  
17 you and your husband; is that correct?

18 A Yes, sir.

19 Q Now, on this document I blew up a part of the  
20 screen -- or blew up a part of the text. It lists you on the  
21 very first page as -- in the middle of the screen, if you look  
22 at your screen next to you, I've blown up a part of the  
23 mortgage. The second or third sentence it says, "The secured  
24 party creditors and the beneficiaries are Miguel, Julita  
25 Asuncion solely as nominee for secured-party creditors as

1   herein defined, and secured-party creditor, successor, and  
2   assigned have an exclusive and superior lien on this mortgage,"  
3   and has an address and telephone number of and it gives an  
4   address.

5                   Do you see that?

6           A       Yes, sir.

7           Q       Okay. Did you understand the significance of this  
8   language?

9                   THE COURT: Do you understand what that means?  
10   What -- the part that is on the screen, do you understand the  
11   words?

12                   THE WITNESS: They gonna transfer our mortgage to  
13   their company.

14           Q       (BY MR. YATES:) You're listed as a secured-party  
15   creditor. Do you see that?

16           A       Yes, sir.

17           Q       Okay. Did you loan money to anybody?

18           A       No, sir.

19           Q       Okay. So this mortgage also says at the bottom,  
20   "This mortgage replaces and makes null and void the original  
21   mortgage instrument" -- and it gives some numbers -- "recorded  
22   in the State of Hawaii, Bureau of Conveyances and any other  
23   instrument preceding this document."

24                   You see that?

25           A       Yes, sir.

1           Q       Did you understand that this mortgage would make  
2 your mortgage being serviced by Ocwen void?

3           A       No.

4           Q       Okay. But do you understand that you -- your old  
5 mortgage that was being serviced by Ocwen, did you understand  
6 that that was not in effect any more?

7           A       You mean to say it was not affected, my mortgage?

8           Q       Yeah, your old mortgage.

9           A       Yes, because they already taking my mortgage to  
10 them, so at that time I am not paying already my mortgage to  
11 Ocwen.

12          Q       So you understood that MEI had your mortgage and  
13 Ocwen did not have a mortgage; is that right?

14          A       Yes.

15          Q       Okay. Or that Ocwen was not servicing your mortgage  
16 any more?

17          A       Yes, sir.

18          Q       Is that right?

19          A       Yes, sir.

20          Q       Now, if you learned that this MEI mortgage was not  
21 valid and that you still had a valid mortgage with Ocwen that  
22 was being serviced by Ocwen, would you have paid money to MEI  
23 and Anthony Williams?

24          A       No.

25          Q       Okay. You said you believed that Anthony Williams

1 was a lawyer; is that right?

2 A Yes.

3 Q Okay.

4 A In the beginning.

5 Q If you learned that Anthony Williams was not a  
6 lawyer, would you still have paid Anthony Williams and MEI?

7 A No.

8 Q Now, before you started with MEI, you said that the  
9 status of your mortgage payments to Ocwen was -- was that  
10 current?

11 A Yes.

12 Q And after you joined MEI, you stopped paying Ocwen,  
13 correct?

14 A Yes, sir.

15 Q Okay. And why did you stop paying Ocwen?

16 A Because our mortgage payment is cheaper than our old  
17 one.

18 Q Okay. Did Anthony Williams or MEI tell you anything  
19 about stopping to pay Ocwen?

20 A Can you repeat, sir?

21 Q Did Anthony Williams tell you to stop paying Ocwen?

22 A Yes.

23 Q Okay. So can you please tell the jury what happened  
24 when you stopped paying Ocwen your monthly mortgage payments?

25 A Send me a letter that they gonna foreclose my house.

1 Q Okay. And what did you do in response?

2 A Uhm, I went to the office and they said they gonna

3 to continue follow up our mortgage payment.

4 Q You went to which office?

5 A Yeah.

6 Q To whose office?

7 A Anabel office.

8 Q Anabel Cabebe?

9 A Yes.

10 Q Okay. And so what did Anabel Cabebe tell you?

11 A She said that Anthony Williams will follow up --

12 THE DEFENDANT: Objection. That's hearsay.

13 THE COURT: All right. It is hearsay.

14 MR. YATES: Correct. I was actually just having it

15 for her notice, but I can move on to another question.

16 THE COURT: Okay. Thank you. Sustained.

17 Q (BY MR. YATES:) And how long did you pay MEI its

18 service fees?

19 A Maybe only two times.

20 Q Okay. What is the total amount that you paid MEI?

21 A 700 each month.

22 Q Okay. Was there an initiation fee as well?

23 A Uhm, I don't remember, sir.

24 Q And why did you only pay MEI for one or two months?

25 A Because it's cheaper.

1 Q No. Why did you only pay him twice? You said --

2 A Oh, because at that time they said that we have  
3 already news that they're not doing anything already.

4 Q So you realized that they were not doing anything?

5 A Yes.

6 Q Okay. So at any time after you stopped paying  
7 Ocwen, did Ocwen foreclose on your house?

8 A They send me only a letter, sir, but I went to one  
9 lawyer in Honolulu.

10 Q Okay. And what did you do with the lawyer?

11 A Uhm, she follow up our mortgage company and they  
12 never do anything.

13 Q Okay. At some point, though, what was the end  
14 result of the foreclosure proceedings?

15 A I went to another modification because they never  
16 sell our house, so they give me an advice to go to a  
17 modification, so finally it was okay.

18 Q So you modified your existing mortgage that was  
19 being serviced by Ocwen; is that correct?

20 A Yes, sir.

21 Q Okay. And how much again were you paying Ocwen  
22 before you met MEI?

23 A \$1700, sir.

24 Q After the modification, how much are you currently  
25 paying on your mortgage per month?

1           A       Right now it's 2700, sir.

2           Q       Okay. Did Anthony Williams or MEI ever return any  
3 of your money?

4           A       No.

5           Q       Okay. And did Anthony Williams do any of the things  
6 that he promised he would do?

7           A       No.

8                   MR. YATES: Nothing further on direct, Your Honor.

9                   THE COURT: All right. Thank you.

10           So, Mr. Williams, I'm going to have us take our next  
11 recess 'cause we've been going for over an hour and then we'll  
12 start then with your cross-examination.

13           All right. Ladies and gentlemen, if you would leave your  
14 notebooks and iPads behind. And of course, don't do any  
15 research or investigate any of the witnesses or matters that  
16 were testified about in the trial.

17           Please rise for the jury. We're on our 15-minute recess.  
18 Thank you.

19                   (A recess was taken.)

20                   (Open court out of the presence of the jury.)

21           THE COURT: All right. Let the record reflect the  
22 presence of counsel and Mr. Williams, that the jury's not  
23 present. If there's no other matters we need to take up, then  
24 I'm going to have Ms. Elkington get the jury and then you'll be  
25 on cross-examination, Mr. Williams.



1 All right. We're in recess.

2 (A recess was taken.)

3 (Open court in the presence of the jury.)

4 THE COURT: Let the record reflect the ladies and  
5 gentlemen of the jury, the witness is on the stand. Counsel's  
6 present.

7 Mr. Williams, your witness.

8 THE DEFENDANT: Can I get Government Exhibit 200?

9 CROSS-EXAMINATION

10 BY THE DEFENDANT:

11 Q Ms. Asuncion, do you remember the date that this  
12 document was filed? You read the paper right here?

13 A Maybe around 2013.

14 Q Say it again?

15 A 2013.

16 Q What's the actual month and day?

17 A September 10th.

18 Q Right. September 10th, '13?

19 A '13.

20 Q Okay. And who's listed on the UCC as a secure party  
21 on No. 3?

22 A Me and my husband.

23 Q So you and your husband are listed as a secured  
24 party. Does it state anywhere on that document that MEI is the  
25 secure-party creditor?

1 THE COURT: Did you want this published?

2 THE WITNESS: Yeah --

3 THE DEFENDANT: Yes, I need to publish.

4 THE COURT: All right. You may publish.

5 THE WITNESS: Can you repeat, sir?

6 Q (BY THE DEFENDANT:) Did you see MEI listed on there  
7 anywhere?

8 A Only the conveyance.

9 Q Under secure party?

10 A No.

11 Q And so this is the time that you had signed up for  
12 the MEI program?

13 A Yes.

14 Q And do you remember that three days after you signed  
15 this document and signed up, that I was illegally incarcerated  
16 for rape and child molestation by the FBI?

17 A I don't know.

18 Q You don't remember me going to jail?

19 A I don't remember.

20 Q So you don't remember me being gone for 9 months?

21 A No. I don't know.

22 Q Now, you testified earlier that I never contacted  
23 Ocwen; is that correct?

24 A Yes.

25 THE DEFENDANT: Can we get Defense Exhibit 2055,

1 please, so she can recognize it?

2 THE COURTROOM MANAGER: 2055?

3 THE DEFENDANT: Yes, ma'am.

4 Q (BY THE DEFENDANT:) And do you see where it says  
5 Borrower Name you?

6 A I never receive this kind of documents.

7 Q But is your name listed on this document?

8 A No.

9 Q It's from Ocwen.

10 THE COURT: Do you see your name? You see your name  
11 on this document?

12 THE WITNESS: Yes, Your Honor?

13 THE COURT: Do you see your name on the document?

14 THE WITNESS: Yes.

15 THE COURT: Okay. Ask your next question.

16 Q (BY THE DEFENDANT:) Okay. And is that your  
17 address?

18 A Yes.

19 THE DEFENDANT: I'd like to enter this in as  
20 exhibit --

21 MR. YATES: Objection, Your Honor. It does not  
22 appear that the witness has testified that she's seen or  
23 produced this document or otherwise has the appropriate  
24 foundation for this document.

25 THE COURT: So --

1 THE DEFENDANT: Let me ask a few questions.

2 THE COURT: Yes, if you can establish that because  
3 it's not addressed to her.

4 Q (BY THE DEFENDANT:) Okay. Who was your servicer  
5 for your mortgage? What was the name of the company?

6 A Before your company?

7 Q Yes.

8 A Ocwen.

9 Q So Ocwen Services was the name of your company. So  
10 when you signed up for the MEI program, did I tell you that I  
11 would contact Ocwen?

12 A You told us, but until that such time I never  
13 receive anything because I call Ocwen; they said that you never  
14 contact them. I give your name, but nothing at all.

15 THE DEFENDANT: Okay. Now I would like to enter  
16 this into evidence?

17 THE COURT: All right. Refused. She can't verify  
18 this. So you can bring somebody in from Ocwen or another  
19 person who received this or sent it, all right? But she  
20 doesn't know anything about this document. All right?

21 So ask another question, please.

22 Q (BY THE DEFENDANT:) Do you not recognize this  
23 document from Ocwen that was sent to my Common Law Office of  
24 America on your behalf that was in your file that you had a  
25 copy of?

1 A No.

2 Q You don't recognize this --

3 A No.

4 Q -- either?

5 Now, after I was incarcerated, Ms. Asuncion, did you  
6 believe that the MEI process wouldn't work?

7 A No.

8 Q You also testified that you hired an attorney at law  
9 that didn't do anything either; is that correct?

10 A No.

11 Q Is that correct?

12 A No.

13 Q You hired an attorney at law? Did you hire an  
14 attorney at law?

15 A I only have for Attorney Shigemura for my mortgage  
16 when she follow up.

17 Q Right. What I'm saying, you testified that you had  
18 hired an attorney at law before, correct? You had -- you  
19 testified that you had hired --

20 THE COURT: So she said she hired Shigemura. So  
21 what's your question?

22 Q (BY THE DEFENDANT:) Okay. So when you hired  
23 Shigemura, what did he do for you?

24 A He contacted my mortgage company and they said that  
25 they will follow up.

1 Q And then what happened?

2 A And then after that, they talked to my mortgage  
3 company and he's asking if that -- my property sold or not, but  
4 they said it's not.

5 Q And did he save it from foreclosure?

6 A No. But the thing is because he never finished all  
7 the documents.

8 Q So?

9 A So what I did was I went to a modification  
10 processing for that.

11 Q Okay. So --

12 A I don't want that they will foreclose my house.

13 Q Okay. So the attorney you hired didn't do all the  
14 documents that he was supposed to?

15 A Yeah.

16 Q Okay. And you testified that you only made two  
17 payments; is that correct?

18 A To you, yes.

19 Q Okay. And you also testified that you never  
20 received a refund; is that correct?

21 A No. Yeah.

22 Q Okay. Did you ever fill out the MEI affidavit form  
23 for a refund?

24 A No.

25 Q Did you ever send an email to me requesting a

1 refund?

2 A No.

3 Q Did you ever mail me a letter asking me for a

4 refund?

5 A No, because I don't know your address.

6 Q Did you email or mail MEI and ask for a refund?

7 A No.

8 Q When I introduced myself to you, did I introduce

9 myself as private attorney general Anthony Williams or federal

10 officer Anthony Williams?

11 A Yes.

12 Q Which one did I --

13 A Both.

14 Q I said I was a federal officer?

15 A Uh-huh.

16 Q When did I tell you that?

17 A The first time I met you.

18 Q And I told you I was a federal officer?

19 A Yeah.

20 Q But not private attorney general?

21 A You are a private attorney general you said.

22 Q Are you mistaking federal officer for sovereign

23 peace officer?

24 A Well, because you give us both, federal officer and

25 private general.

1           Q       Okay.  Would you like to look at the badge -- the  
2 badge up there?

3           A       Yeah, that's the one you showed us.

4           Q       That's the badge I showed you?

5           A       Yes.

6           Q       Can you read what it says on that badge?  What's the  
7 name on it?

8           A       Sovereign Peace Officer USA.

9           Q       Right.  So does it say federal officer anywhere on  
10 that badge?

11          A       No.  Just like you told us federal agent at that  
12 time, so that's why I know you gave it to us.

13          Q       So I told you that I was a federal agent?

14          A       Yes.

15          Q       Did you see any of the videos of me representing  
16 clients in court?  Did you see any of my YouTube videos?

17          A       No.

18          Q       After I won my case and I was released, did you seek  
19 my assistance after I was released in 2014 and 2015?

20          A       No, I don't remember.

21          Q       So you don't -- so after 2013, you didn't seek my  
22 assistance no longer after 2013?

23          A       Yes.

24                   THE DEFENDANT:  Can I get Government Exhibit 201,  
25 please?  I'd like to publish it.



1 THE COURT: Is that received in evidence?

2 THE DEFENDANT: Yes, it was received. It's the  
3 government's exhibit.

4 THE COURT: Right. They have lots of exhibits, but  
5 not all of them received. Is that received?

6 THE COURTROOM MANAGER: It is.

7 THE COURT: All right. You may publish.

8 Q (BY THE DEFENDANT:) Okay. Ms. Asuncion, can you  
9 read the date that this mortgage was executed?

10 A Yeah, the Exhibit 201?

11 Q Where it says, "This mortgage security instrument is  
12 made on" -- can you read what date that is?

13 A I don't think this is the time you recorded my  
14 mortgage.

15 Q Can you see the date?

16 A Yes.

17 THE COURT: It's in evidence. She can read the  
18 date --

19 Q (BY THE DEFENDANT:) Okay. The date on the document  
20 is 17th day of June 2015.

21 A Uh-huh.

22 Q Okay? Now, you just testified that after 2013 you  
23 did not seek my assistance at all, and this is two years later?

24 A Yes.

25 Q Okay. So you did seek my assistance after 2013?

1 A Yes.

2 Q So when I filed this mortgage on your behalf, do you  
3 remember when you came to the office?

4 A 2013?

5 Q No, ma'am. What day did you come to the office to  
6 fill this out?

7 THE COURT: Well, you have --

8 THE WITNESS: First time you came here in Hawaii.

9 Q (BY THE DEFENDANT:) So in 2015 after I won my case  
10 and I came back to Hawaii, do you remember coming to the office  
11 and me drafting documents for you 'cause at that time you was  
12 already in foreclosure? Do you remember that?

13 A I don't remember.

14 Q You don't remember --

15 A No.

16 Q -- signing this document?

17 A Oh, for the mortgage company?

18 Q MEI mortgage. You don't remember signing this in  
19 2015?

20 A The last page of the paper? Or the mortgage?

21 Q Yeah, yeah, your signature on there?

22 A But there's no signature -- there's no date. I only  
23 signed the paper.

24 Q Well, the date is on the front of the document.

25 A But the contract is here. This is only the UCC.

1 THE COURT: Okay. So ask her a question. The  
2 document's in evidence, speaks for itself. So what's your  
3 question? Does she remember this document? Is that your  
4 question?

5 THE DEFENDANT: Yes.

6 THE COURT: Okay. Do you remember ever seeing this  
7 document?

8 THE WITNESS: Yes. I signed this one, but there's  
9 no date when I sign it.

10 THE COURT: All right. So what's your next  
11 question?

12 Q (BY THE DEFENDANT:) Can you see the date right  
13 there where I circled?

14 THE COURT: Is that your handwriting on the date  
15 where it says --

16 THE WITNESS: Yes.

17 THE COURT: -- 17th of June? Is that your  
18 handwriting?

19 THE WITNESS: Yeah.

20 THE COURT: That's your -- don't guess now. Do you  
21 recognize the handwriting?

22 THE WITNESS: Yes. Yes, Your Honor.

23 THE COURT: Okay. Whose handwriting is that for the  
24 date June?

25 THE WITNESS: Yes, Your Honor.

1           THE COURT: Whose handwriting is that, if you know?  
2 Do you know?  
3           THE WITNESS: Yeah, that's the time, but --  
4           THE COURT: No. Okay. So you recognize your  
5 handwriting, yes?  
6           THE WITNESS: Yes, Your Honor.  
7           THE COURT: Okay. Your signature?  
8           THE WITNESS: Yes, Your Honor.  
9           THE COURT: Okay. And then the signature to the  
10 left of your signature is your husband?  
11           THE WITNESS: Yes, Your Honor.  
12           THE COURT: Okay. But above it there's a date. Do  
13 you see that inside the red circle?  
14           THE WITNESS: Yes, Your Honor.  
15           THE COURT: Do you know who wrote that?  
16           THE WITNESS: I don't know, Your Honor.  
17           THE COURT: Okay. All right. Ask her another  
18 question.  
19           Q       (BY THE DEFENDANT:) Okay. And do you know who  
20 Anabel Cabebe is?  
21           A       Right now?  
22           Q       Yeah. Do you know who Anabel Cabebe is?  
23           A       Yes.  
24           Q       Okay. And she's the one that notarized this  
25 document --

1           A       Yes.

2           Q       -- correct?  So you did have the document notarized  
3   and it was filed in 2015.

4                   THE COURT:  Does she know that?

5           Q       (BY THE DEFENDANT:)  Right.  Do you know that?

6                   THE COURT:  Did you see Anabel sign this document,  
7   Anabel Cabebe?  Did you see her sign it?

8                   THE WITNESS:  'Cause the time I give the  
9   application, I don't know what time, what day she notarized  
10  'cause I just fill out the application.

11                  THE COURT:  Okay.

12                  THE WITNESS:  The UCC.

13                  THE COURT:  So he's just asking you did you see  
14  Anabel sign it and put the seal on the paper?  Did you see it?

15                  THE WITNESS:  I don't think so.

16                  THE COURT:  Okay.

17           Q       (BY THE DEFENDANT:)  Okay.  So you saying Anabel  
18  notarized this document outside of your presence?

19           A       I think so.

20           Q       Okay.  So you and your husband weren't at  
21  the -- there at the same time to sign this document?

22           A       Yes, because the only thing I did was to fill out  
23  the application.

24           Q       No.  I'm saying so is that your signature or you  
25  saying Anabel forged your signature?

1 THE COURT: No. She's saying that's her signature.

2 THE DEFENDANT: Okay. So --

3 THE COURT: Yeah.

4 Q (BY THE DEFENDANT:) So that's your signature and  
5 that's your husband's signature?

6 A Yes.

7 Q So are you saying that you and your husband signed  
8 this document and then later at another time that Anabel  
9 notarized it?

10 A I think so, yes.

11 Q Okay. Do you remember shortly after filing this  
12 mortgage document, did you go to the Bureau of Conveyances or  
13 did Anabel file it?

14 A Anabel did.

15 Q Anabel filed it?

16 A Yes.

17 Q Okay. And were you able to complete the full MEI  
18 process which takes approximately three to four years? Was you  
19 able to complete the process?

20 THE COURT: Wait. Does she know what the process  
21 is?

22 THE DEFENDANT: Well, it's a lot of different  
23 documents that, you know --

24 THE COURT: I understand. But you're asking her if  
25 she was able to, but you haven't established that she knows

1     what you're talking about.

2                   THE DEFENDANT:   Okay.

3                   THE COURT:    Yeah.

4           Q       (BY THE DEFENDANT:)   In the -- did you get to fill  
5     out -- did you fill out a QWR -- do you remember filling out a  
6     QWR form, a qualified written request form?

7           A       I don't remember, sir.

8           Q       Do you remember filling out a secretary of state  
9     form?

10          A       I don't remember.

11          Q       Do you remember filling out a notice of validation  
12     and demand to validate the debt form?

13          A       No, I don't think so.

14          Q       Okay.   So then you never got to go through the  
15     process then; is that correct?

16          A       Yes.

17          Q       Okay.   Now, when you used to come to the office to  
18     see me, about approximately what time would it usually be when  
19     you would come by the office to see me?

20          A       Late afternoon.

21          Q       Late afternoon?   Did you ever come to visit me in  
22     the evenings?

23          A       Yes, one time.

24          Q       About what time was that?

25          A       About 6:00 to 7:00.

1           Q       6:00 to 7:00? And when you first signed up the MEI  
2 application, did -- who was the one who signed you up? Did I  
3 sign you up? Did Anabel sign you up? Did Henry Malinay sign  
4 you up? Who was the one that signed you up?

5           A       For the mortgage?

6           Q       Yeah. When you signed -- when you filled out the  
7 application, who was the one that signed -- what was the person  
8 that signed you up and you signed the documents with?

9           A       With Anabel.

10          Q       It was Anabel? Okay. So when you signed the  
11 documents, did she sign the documents with you? Like, when she  
12 showed you a document, did she explain the document and then  
13 ask you, "Do you understand?" Did she do that with you?

14          A       Yes.

15          Q       And so after she explained that to you, then you  
16 would sign it?

17          A       Yes.

18          Q       Okay. So she did that with each page of the  
19 application?

20          A       No. Just let me sign.

21          Q       So did she do that with some pages or a few pages or  
22 none of the pages? 'Cause I just asked you did she go through  
23 it and you said yes and you signed.

24                   THE COURT: I'm sorry. You need to ask her one  
25 question. So what's the question you want to ask her?



1           Q       (BY THE DEFENDANT:) So did Anabel explain before  
2 you signed? Did she read the document to you and ask you,  
3 "Ms. Asuncion, do you understand?"

4           A       I don't remember I did that because the only thing I  
5 sign is the mortgage documents. That's all I did.

6           Q       So you didn't sign no other -- so you didn't  
7 sign -- you don't remember signing the MEI application?

8           A       No.

9           Q       Because you wouldn't have been able to do this if  
10 you didn't sign --

11                   THE COURT: Well, you can't testify, so you need to  
12 ask her what she knows, what she remembers.

13           Q       (BY THE DEFENDANT:) Okay. So the mortgage document  
14 is the only document that you remember signing?

15           A       Yes.

16           Q       You don't remember signing a note?

17           A       No.

18           Q       You don't remember signing any document that we had  
19 to send to Ocwen in order to have -- to represent you for -- in  
20 place of Ocwen to represent you?

21           A       No.

22           Q       So you don't remember signing any of that?

23           A       I don't remember.

24                   THE DEFENDANT: Okay. I have no more questions.

25                   THE COURT: All right. Mr. Yates, do you have any

1 other questions?

2 MR. YATES: Very briefly, Your Honor.

3 REDIRECT EXAMINATION

4 BY MR. YATES:

5 Q Ms. Asuncion, I believe you were asked just now  
6 about the MEI mortgage document. Do you remember that?

7 A Yes.

8 Q Okay. And you were asked some questions about the  
9 dates on the MEI mortgage document. Do you recall that?

10 A Yes.

11 Q Okay. You remember that you filled out some forms  
12 when you signed up for MEI, correct?

13 A I think so.

14 Q Okay. And do you remember whether these forms had  
15 dates on them?

16 A Can I remember -- the only thing is the mortgage  
17 documents.

18 Q You remember the mortgage document?

19 A Yeah.

20 Q And you remember signing that?

21 A Yeah.

22 Q Okay. And I believe you just testified that you  
23 don't recall the date being there?

24 A Yes.

25 Q Is that correct?

1           A           Yes, I think so.

2                   MR. YATES:  Nothing further for this witness, Your  
3 Honor.

4                   THE COURT:  All right.  Any other questions,  
5 Mr. Williams?

6                   THE DEFENDANT:  No.

7                   THE COURT:  All right.  So thank you very much.  
8 You're excused as a witness.  Don't talk about your testimony  
9 until the trial has finished.  All right?

10                  THE WITNESS:  Yes, Judge.

11                  THE COURT:  Have a good day.

12                  THE WITNESS:  Thank you so much.

13                  THE COURT:  Your next witness?

14                  MR. SORENSON:  Your Honor, we call Iris Ikeda to the  
15 stand.

16                  THE WITNESS:  Thank you, Your Honor.

17                  THE COURT:  Thank you.

18                   **IRIS IKEDA, GOVERNMENT'S WITNESS, WAS SWORN**

19                  THE COURTROOM MANAGER:  Thank you.  Please be  
20 seated.

21                  State your name and spell your last name for the record.

22                  THE WITNESS:  My name Iris Ikeda, I-k-e-d, as in  
23 dog, -a.

24                  THE COURT:  Your witness.

25                  MR. SORENSON:  Thank you, Your Honor.

1 DIRECT EXAMINATION

2 BY MR. SORENSON:

3 Q Good afternoon, Ms. Ikeda. Let me ask you first  
4 where do you work?

5 A So I work at the Department of Commerce and Consumer  
6 Affairs, the Division of Financial Institutions.

7 Q And what are your duties?

8 A So I'm the Commissioner, which is the head of the  
9 division, and I supervise, license, and examine our licensees.

10 Q Okay. So you're the Commissioner, so you're kind of  
11 the -- is it fair to say the big cheese over there?

12 A Yes.

13 Q But you work for DCCA, correct?

14 A Yes.

15 Q And who is over DCCA?

16 A Who's over DCCA? The governor.

17 Q Yes. Okay. And as far as being the Commissioner of  
18 DFI, do you police any particular or regulate any particular  
19 area?

20 A So we license, supervise, and examine banks, credit  
21 unions, mortgage loan originators, mortgage loan originator  
22 companies, mortgage servicers, money transmitters, and escrow  
23 depositories.

24 Q And are you familiar with the laws and regulations  
25 with respect to the regulation of those industries here in

1 Hawaii?

2 A Yes.

3 Q And how is that so?

4 A So as part of my job, I oversee the staff and  
5 implement some of that, and I work on and provide comments to  
6 all of our laws.

7 Q So I think you indicated that you regulate mortgage  
8 servicing companies; is that correct?

9 A Yes.

10 Q And really any businesses that are dealing with --  
11 commercially with mortgages, is that fair to say?

12 A Yes.

13 Q Would that also involve private, like, residential  
14 mortgages?

15 A Residential mortgages for consumers as well as  
16 commercial.

17 Q And is this an application process?

18 A Yes.

19 Q All right. And the application, if you want to be a  
20 business operating in Hawaii that's dealing with mortgages, do  
21 you have to do an application?

22 A Yes. We have a whole application process.

23 Q Okay. And what kind of information is required in  
24 the application?

25 A So for mortgage servicer, we ask for the name of the

1 company, make sure that they're registered with the business  
2 registration, we ask for who the owners of the company are, and  
3 we do a background check which includes a criminal background  
4 check and a credit report on those folks.

5 Q Okay. And those would be the principals of the  
6 company, is that fair to say?

7 A Yes.

8 Q What about if you're an employee or a person working  
9 for one of these companies? Do you also require some form of  
10 approval or application?

11 A Not for mortgage servicers.

12 Q Okay. But companies doing this types of business,  
13 do require to apply; is that correct?

14 A If they are mortgage loan originator companies, yes,  
15 both the companies and individuals.

16 Q What about mortgage servicing companies?

17 A Yes, mortgage servicing companies.

18 Q And any company that purports to perform a mortgage  
19 service, would that be fair to say?

20 A Yes.

21 Q All right. And if you could just describe the  
22 application process.

23 A So the application is online and we ask for, like I  
24 said, the name, the address of the company, where they keep  
25 their books and records, the principals of the company, and ask

1 for authorization to get a credit report and a federal and  
2 state criminal background check.

3 Q Now, why do you care enough that you're going to ask  
4 for that kind of information and do these kinds of extensive  
5 checks, the criminal history check and the credit history  
6 check?

7 A So what we do is we are trying to protect the  
8 consumers from any fraud, deceit, or misrepresentation.

9 Q And is that the reason you do these kinds of checks?

10 A Yes, to protect the public.

11 Q Now, from time to time have you run across  
12 businesses that may not be legitimate, an illegitimate business  
13 that might avoid this process or try to avoid this process?

14 A Yes.

15 Q And why would they try to avoid this process do you  
16 think?

17 A They either --

18 THE DEFENDANT: Objection. Speculation.

19 THE COURT: All right. So you're asking her to  
20 speculate? This is based on what?

21 Q (BY MR. SORENSON:) Do you know factually why  
22 companies have avoided in the past? I think you've indicated  
23 some companies have avoided this.

24 THE DEFENDANT: Objection.

25 Q (BY MR. SORENSON:) Do you know factually --

1 THE COURT: Wait. Finish your question.

2 Q (BY MR. SORENSON:) Do you know factually why  
3 companies avoid this process?

4 A So companies don't want --

5 THE COURT: Okay. So overruled.

6 And that's a yes or no answer. Do you know?

7 THE WITNESS: Yes.

8 THE COURT: Okay.

9 Q (BY MR. SORENSON:) And why would that be?

10 A So companies will try to avoid the process because  
11 they don't want to go through -- they don't want their  
12 principals to go through the background check for either  
13 criminal background checking or credit report checking.

14 Q Have there been companies that have been denied  
15 either licensure under the DFI or otherwise because of  
16 information uncovered in a criminal history check?

17 A Not mortgage servicers.

18 Q Okay. Is -- would information in a criminal history  
19 check, though, sometimes be a ground for denial?

20 A It would be a ground for denial.

21 Q What about a credit history check?

22 A Both, yes.

23 Q Now, have you heard of the National Multistate  
24 Licensing System?

25 A Yes.



1 Q What is that?

2 A So that is a system we use and that is a database  
3 that keeps all of the applications and any of the approvals or  
4 denials for any of the licensing.

5 Q And do you have access to that database?

6 A Yes.

7 Q Are you familiar with a company that goes by the  
8 trade name of Mortgage Enterprise Investments?

9 A They are not a licensee.

10 Q Okay. Well, let me just ask you first off to answer  
11 are you familiar with this company?

12 A Yes.

13 Q Have you heard of them?

14 A Yes.

15 Q In what context have you heard of them?

16 A So we -- our division had a complaint about that  
17 particular company and we did some investigation.

18 Q And as a part of doing that investigation, what did  
19 you find?

20 A The company was not licensed.

21 Q Okay. Not licensed, does that mean that they were  
22 not licensed within the National Multistate Licensing System?

23 A Yes.

24 Q And would that also mean they weren't licensed here  
25 in Hawaii to do business?

1 A Yes.

2 Q All right. And I'll ask you also about the name  
3 Anthony Williams. Are you familiar with the name of Anthony  
4 Williams or that person?

5 A Yes.

6 Q Okay. How so?

7 A It came up with that investigation.

8 Q Okay. And did you do any database checks on the  
9 name Anthony Williams?

10 A Yes.

11 Q Did you determine whether or not an Anthony Williams  
12 was licensed to conduct mortgage-based business here in Hawaii?

13 A His name was not part of the database.

14 Q And did you check that or have it checked?

15 A I checked it.

16 Q You checked that personally?

17 A Yes.

18 Q All right. And so you checked MEI and Anthony  
19 Williams personally, is that fair to say?

20 A Yes.

21 Q All right. Now, in order to operate in this  
22 mortgage business, I think you indicated -- at least a mortgage  
23 business here in Hawaii, would you require a license?

24 A Yes.

25 Q Now, are you familiar with the registration of trade

1 names?

2 A Yes.

3 Q Is that different than getting a license?

4 A Yes.

5 Q How so?

6 A So registration for the trade name is just a -- just  
7 like it sounds, a registration from a sister agency within the  
8 Department of Commerce and Consumer Affairs to use -- use a  
9 name as part of their business.

10 Q Is there a rigorous application process to register  
11 a trade name?

12 A No.

13 Q Any criminal history checks?

14 A No.

15 Q Credit checks?

16 A No.

17 Q If I could, can I direct your attention to  
18 Exhibit 802?

19 Your Honor, we're going to pull it up back on your  
20 screen, if that's okay?

21 THE COURT: Yes.

22 Q (BY MR. SORENSON:) It's going to be on your screen,  
23 Ms. Ikeda. Okay. I'm going to ask you to look at 802. Do you  
24 recognize that?

25 A Yes.

1 Q What is that?

2 A So that is a confirmation that the trade name  
3 Mortgage Enterprise Investments applied or received the trade  
4 name.

5 MR. SORENSON: Your Honor, at this time we're going  
6 to move in 802.

7 THE COURT: Any objection?

8 THE DEFENDANT: No objection.

9 THE COURT: Received.

10 (Exhibit 802 received into evidence.)

11 Q (BY MR. SORENSON:) Okay. So -- and this document  
12 here indicates that this particular trade name is registered in  
13 Hawaii; is that correct?

14 A Yes.

15 Q But --

16 THE COURT: Did you want to publish? Did you want  
17 to publish?

18 MR. SORENSON: I don't think so, Your Honor.

19 Q (BY MR. SORENSON:) Does that mean this company is  
20 licensed to do business here in Hawaii?

21 A No.

22 Q Okay. Does that mean Anthony Williams would be  
23 licensed to do business here in Hawaii?

24 A No.

25 MR. SORENSON: Your Honor, we surrender the witness.

1 Thank you.

2 THE COURT: All right. Mr. Williams, do you have  
3 any questions for this witness?

4 THE DEFENDANT: Yes.

5 MR. ISAACSON: One moment, Your Honor.

6 THE COURT: Yes.

7 THE DEFENDANT: Can we have a sidebar right quick?  
8 Can we have a sidebar?

9 THE COURT: All right. It has to do with one  
10 document or a general issue? 'Cause I don't want to leave the  
11 jury here for a long period of time.

12 MR. ISAACSON: May I?

13 THE DEFENDANT: Just --

14 MR. ISAACSON: There's a document.

15 THE DEFENDANT: Document.

16 THE COURT: Just one document?

17 THE DEFENDANT: Yes.

18 THE COURT: All right. Come to sidebar.

19 (Sidebar conference:)

20 THE COURT: Let the record reflect the presence of  
21 Mr. Williams, Mr. Yates, Mr. Sorenson, and Mr. Isaacson.

22 What is the issue?

23 THE DEFENDANT: This is a document from the DCCA to  
24 the FBI and it's signed by this witness. So I want to question  
25 her --

1 THE COURT: Did you list it as an exhibit?

2 THE COURT REPORTER: I can't hear you.

3 THE COURT: You have to speak into the microphone.

4 THE DEFENDANT: We didn't get it as an exhibit yet.

5 THE COURT: Okay.

6 THE DEFENDANT: I just got this.

7 THE COURT: All right. Was this just produced?

8 MR. YATES: No. We have it in discovery.

9 THE COURT: All right. So you never identified it

10 as a possible exhibit?

11 THE DEFENDANT: Right. It was never listed on

12 discovery.

13 MR. SORENSON: I'd agree, Your Honor.

14 THE COURT: Okay. Yeah. Why don't you show it to

15 him.

16 THE COURTROOM MANAGER: Your Honor, Debi can't hear.

17 THE COURT: Debi can't hear. You have to speak into

18 the microphone.

19 MR. SORENSON: I was just -- off the record.

20 THE COURT: All right. So we're off the record.

21 You guys are apparently going to have your own conversation.

22 You guys go ahead and do that. Let's go.

23 (Open court in the presence of the jury.)

24 THE COURT: All right. So would the government

25 agree to that exhibit being designated and received in

1 evidence, Mr. Sorenson?

2 MR. SORENSON: Yes, Your Honor, we agree to that  
3 document.

4 THE COURT: All right. So what's the number?  
5 What's the number?

6 MR. ISAACSON: Be 2148, Your Honor.

7 THE COURT: 2148, and it's received in evidence by  
8 stipulation.

9 (Exhibit 2148 received into evidence.)

10 THE COURT: All right. So, Mr. Williams, you have  
11 your time to question the witness.

12 THE DEFENDANT: Yeah, but get the document 'cause I  
13 have to show her.

14 CROSS-EXAMINATION

15 BY THE DEFENDANT:

16 Q Okay. Ms. Ikeda, are you the person I spoke with  
17 regarding the licensing of MEI?

18 A Possibly.

19 Q Okay. And do you have the email communication that  
20 I had with your office regarding the licensing of my company?

21 A No.

22 Q Now on this document --

23 THE COURT: All right. So the record will  
24 reflect -- what exhibit now are you referring to?

25 THE DEFENDANT: Exhibit 2148.

1 THE COURT: All right. It's a letter dated  
2 November 25th, 2015. What's your question?

3 THE DEFENDANT: I'd like to publish it.

4 THE COURT: All right. It may be published.

5 Q (BY THE DEFENDANT:) And, Ms. Ikeda, is this a  
6 letter that you sent to the FBI regarding me?

7 THE COURT: Can she see the entire document, please?  
8 We'll have a copy placed in front of the witness. Please give  
9 it to Ms. Elkington.

10 THE DEFENDANT: I don't have --

11 THE COURT: Give her a copy of the document. If you  
12 don't, then give her the whole document. Is that the entire  
13 document? That's only the first page. Thank you.

14 Ms. Ikeda, if you take a look at that and after you review  
15 it, let us know if that is a communication that you sent in  
16 writing to the addressee.

17 THE WITNESS: Okay. Yes. Excuse me.

18 THE COURT: It is? Okay. Could you give it back to  
19 Ms. Elkington?

20 All right. And she'll give that back to you,  
21 Mr. Williams, and then you can display what you want with  
22 regard to that document.

23 Q (BY THE DEFENDANT:) Okay. In this letter you  
24 designate that I may be in violation of Hawaii's Revised  
25 Statute 454F; is that correct?



1           A       Yes.

2           Q       And this has to do with what type of mortgage  
3 businesses?

4           A       Chapter 454F the Hawaii Revised Statutes deals with  
5 mortgage loan origination -- excuse me -- the mortgage loan  
6 originator license along with the mortgage loan originator  
7 company license and branch license.

8           Q       Okay. So in your communication with me, did I ever  
9 allude to that MEI was any type of mortgage loan originator?

10          A       I don't know what you're speaking about.

11          Q       You know, when you have to file for your  
12 registration and licensing, you have to give what your  
13 company's purpose is, correct?

14          A       The application is asking for your name, the  
15 address, what type of license you are seeking.

16          Q       Right. So you have to outline what your company is  
17 doing, what your business is, right?

18          A       Not necessarily. You -- as I said, on the  
19 application you can apply for a mortgage loan originator  
20 license, a mortgage loan originator -- or company license, a  
21 servicer license.

22          Q       Okay.

23          A       You have to identify which license you're applying  
24 for.

25          Q       Okay. So what statute is there that has a license

1 for a mortgage and foreclosure assistance?

2 A So mortgage and foreclosure assistance, as we  
3 investigated, we found that that is offering terms and  
4 conditions of a mortgage loan to consumers or servicing the  
5 loans for consumers, both of which need a license.

6 Q So to assist someone in fighting their foreclosure  
7 you need a license?

8 A If you are trying to negotiate terms and conditions  
9 of the mortgage.

10 Q So in your email did you outline that in the email  
11 that you sent me?

12 A I'm not sure what email you're talking about.

13 Q So the mortgage loan originator statute, does it  
14 have anywhere in there where it states about foreclosure  
15 assistance anywhere in the language under that statute?

16 A The servicer license talks about foreclosure  
17 assistance.

18 Q Okay. Here's the definition that you provided to  
19 the FBI of what a mortgage loan originator company means. Can  
20 you read that for me, please?

21 THE COURT: It's on the screen, so what question do  
22 you have about it? I'm not going to waste time having her read  
23 something that's already in evidence. What's the question?

24 Q (BY THE DEFENDANT:) Does it say anywhere on there  
25 where a foreclosure assistance would be labeled under this

1 mortgage loan originator company, yes or no?

2 A Under the mortgage loan originator company?

3 Q Yes.

4 A No, not specifically.

5 Q Under the 454F-1.5 registration, with NMLS required,  
6 do you see anywhere where it says foreclosure assistance  
7 company needs to be licensed or registered?

8 A That particular statute just talks about the  
9 registration on NMLS.

10 Q Okay. This is blurry, I don't know what's going on.  
11 It's blurry. I don't know why.

12 THE COURT: Right. Ms. Elkington, are you able to  
13 assist him --

14 THE COURTROOM MANAGER: It cleared up.

15 THE COURT: Just the mention of your name made it  
16 clear. Thank you.

17 Q (BY THE DEFENDANT:) In the definitions of  
18 Chapter 454F, does it say anything in there about foreclosure  
19 assistance?

20 A This definition talks about what a mortgage loan  
21 originator is.

22 Q So is there anything about foreclosure assistance in  
23 that statute?

24 A "The mortgage loan originator who takes or offers or  
25 negotiates terms of a residential mortgage loan."

1 Q So, again --

2 A Which is what foreclosure assistance is.

3 Q Well, foreclosure assistance is actually fighting  
4 them foreclosures to keep the people in the home, not  
5 remodifying anything.

6 THE COURT: Is that your understanding of what --

7 THE WITNESS: That's my understanding of what  
8 foreclosure assistance is, trying to modify terms and  
9 conditions of the mortgage.

10 Q (BY THE DEFENDANT:) Okay. Is that written in the  
11 language of the law that you just read? Is that written  
12 anywhere in the language to the actual what the law states?

13 A For us it's very clear that offering or negotiating  
14 a term of a residential mortgage loan includes all of that.

15 Q I'm saying but I asked you just a specific question:  
16 Is it written in the law like that?

17 A Not specifically.

18 Q So no? So the answer's, "No"?

19 A For that particular definition.

20 Q So the answer is, "No"?

21 THE COURT: Okay, ask another question. She said  
22 the words aren't in there. So next question.

23 Q (BY THE DEFENDANT:) Now, is your company the  
24 company that licenses all businesses in Hawaii?

25 A No.

1           Q       So what does your office do if it doesn't license  
2 businesses?

3           A       We -- we license specific industries, banks, credit  
4 unions, mortgage loan originators, mortgage loan originator  
5 companies, mortgage servicers, escrow depositories, and money  
6 transmitters.

7           Q       So you all don't license any other business, just  
8 those?

9           A       No.

10          Q       So there's no provision in your DCCA rules or  
11 regulations that has anything for foreclosure assistance or  
12 mortgage reduction, nothing in there that has that language in  
13 there?

14          A       In all of DCCA?

15          Q       Yeah. Is there anything in there with that type of  
16 language that says you have to get a licensing for this, or  
17 there's a statute that governs foreclosure assistance or, you  
18 know, mortgage reduction? Is there anything in the language  
19 that you can show us or provide to the Court that has that  
20 language in there?

21          A       Within DCCA there is another agency that oversees  
22 that mortgage foreclosure assistance.

23          Q       And what agency is that?

24          A       The Office of Consumer Protection.

25          Q       Okay. So -- and there's a statute in there

1 regarding foreclosure assistance that you have to get a  
2 specific licensing?

3 A I'm not familiar.

4 THE DEFENDANT: Okay. I have no more questions.

5 THE COURT: Okay. Any redirect, Mr. Sorenson?

6 MR. SORENSON: Quick follow-up, Your Honor.

7 REDIRECT EXAMINATION

8 BY MR. SORENSON:

9 Q Ms. Ikeda, so if a company came to Hawaii and told  
10 folks that it was going to become their new mortgage company  
11 and operate that way, would that be a company that would  
12 require licensure?

13 A Yes.

14 Q What about a company that told folks that it was  
15 going to take over their mortgage?

16 A They would need a mortgage servicer license.

17 Q What about a company that told folks that they were  
18 going to be their new mortgage servicing company? Would they  
19 need to be regulated and licensed?

20 A They would need a mortgage servicer license.

21 MR. SORENSON: Thank you, Your Honor. That's all I  
22 have.

23 THE COURT: All right. Thank you. You're excused  
24 as a witness. Good day. Please don't discuss your testimony  
25 until the completion of the trial.

1 THE WITNESS: Thank you.

2 THE COURT: All right. You can just leave that  
3 there and we'll take care of it. Thank you.

4 Your next witness?

5 MR. YATES: Yes, Your Honor. We'll be  
6 calling -- well, I should note one thing. We do have a witness  
7 to call and she's waiting outside, but we did not give the  
8 other side notice of this witness yesterday because we went  
9 through our witnesses faster than expected.

10 That said, I've given -- I've posted with the witness's  
11 name and exhibit numbers and we can call Mary Jean Castillo if  
12 Your Honor wishes to do so.

13 THE COURT: All right. So any objection to them  
14 starting their direct?

15 MR. ISAACSON: One moment, Your Honor, if I may?

16 THE COURT: Sure. Yes.

17 THE DEFENDANT: As long as I don't have to cross  
18 today because I'm still --

19 THE COURT: You have to stand up if you're  
20 addressing the court.

21 As long as you don't have to cross today, you don't have  
22 an objection?

23 THE DEFENDANT: Right, I don't have an objection.

24 THE COURT: All right. I won't require you to  
25 cross-examine the witness today.

1 THE DEFENDANT: Okay.

2 THE COURT: All right. You may call Ms. Castillo.  
3 Thank you.

4 So take your time. Do you want Ms. Elkington to  
5 help you up? Do you need some assistance?

6 THE WITNESS: I'm good. I've been practicing this  
7 for two weeks.

8 THE COURT: Okay.

9 THE WITNESS: I had my foot surgery.

10 THE COURT: All right. Before you sit down -- well,  
11 is it okay -- she'll sit down and she'll swear you in. Why  
12 don't you get comfortable.

13 THE WITNESS: I can stand up.

14 **MARY JEAN CASTILLO, GOVERNMENT'S WITNESS, WAS SWORN**

15 THE COURTROOM MANAGER: Thank you. Please be  
16 seated.

17 State your name and spell your last name for the record.

18 THE WITNESS: Mary Jean Castillo, C-a-s-t-i-l-l-o.  
19 Sorry. It's loud.

20 THE COURT: All right. Your witness, Mr. Yates.

21 MR. YATES: Thank you, Your Honor. May I present  
22 the witness binder to the courtroom manager?

23 THE COURT: You may. That's just for your  
24 reference. You don't have to look at now.

25 Mr. Yates, your witness.



1 MR. YATES: Thank you, Your Honor.

2 DIRECT EXAMINATION

3 BY MR. YATES:

4 Q Good afternoon.

5 A Good afternoon.

6 Q Ms. Castillo, could you please explain where you are  
7 from originally?

8 A I'm originally from the Philippines.

9 Q And what is your first language?

10 A Tagalog, Visayan.

11 Q And what do you do for a living currently?

12 A Currently I'm a site manager. I manage properties,  
13 Mauna Loa Village.

14 Q Now, at some point you were working with Anthony  
15 Williams, correct?

16 A Correct.

17 Q So before you were working with Anthony Williams,  
18 what were you doing for a living?

19 A I had my own marketing company working for  
20 nonprofits, especially the sheriff's association, police  
21 association and all that.

22 Q And did you also have any experience in the mortgage  
23 industry?

24 A Yes. For a little time I was a loan officer for  
25 Community Mortgage.

1           Q       So let's talk a little bit about your experience  
2 with Anthony Williams. When did you hear first of Anthony  
3 Williams?

4           A       I heard of him first when I visited a friend, Anabel  
5 Cabebe, in Democrat Street.

6           Q       Okay. And at Democrat Street?

7           A       Democrat Street. It's a -- she has a place there  
8 in -- it's along Nimitz. It's on the left side.

9           Q       And why were you going to see Anabel Cabebe that  
10 day?

11          A       I went there to talk to her about the Beauty Network  
12 marketing that I was promoting at that time.

13          Q       And was anyone present when you went to visit Anabel  
14 Cabebe that day?

15          A       There were a lot of people.

16          Q       And who was there that you recall?

17          A       I could recall there were -- Anabel was there, Henry  
18 Malinay was there and his wife, Marilyn, and there's a lot of  
19 couple from other -- from other islands. I don't know their  
20 name.

21          Q       Why do you understand those people were visiting or  
22 gathering at Anabel Cabebe's house that day?

23          A       Well, I started asking questions when I said, "Wow,  
24 there's so many people here." And I said, "What are you guys  
25 doing?"

1                   And they said, "Well, we're here for mortgage  
2   reductions."

3                   I said, "Oh, wow." So I got interested because I  
4   have my own mortgage back then.

5                   And so I started asking questions from all this  
6   couples and they told me that, "Yeah, we got our mortgage  
7   lowered."

8                   I said, "Are you sure? Are you paying half?"

9                   They said, "Yes, we are paying half."

10                  "For how long?"

11                  "It's like months now."

12                  So, wow, I got excited because I want -- I wanted to  
13   do mine too 'cause I'm struggling.

14                  Q       Okay. At some point did you ever meet Anthony  
15   Williams?

16                  A       Not that night.

17                  Q       Okay. Can you please describe to the Court your  
18   experience when you first met Anthony Williams?

19                  A       So because I got really interested and excited and I  
20   told Anabel, "Can you take me to Anthony and introduce me to  
21   him?" because I really wanted to know if it does work. I have  
22   my own mortgage in Mililani and for me to convince my former  
23   husband, I need to be able to tell him exactly if it does  
24   really work.

25                  So she brought me the next day, I believe, when she

1     went to see him.

2           Q       Okay.  And where did you go to see him or to visit  
3     him?

4           A       I met him at the Century Center, the office of Hep  
5     Guinn.

6           Q       And who is Hep Guinn?

7           A       Hep Guinn was apparently working with Anthony  
8     Williams as a private attorney general.

9           Q       And do you recall what, if anything, Anthony  
10    Williams said to you about his position?

11          A       Yeah.  So they were talking about him even that  
12    night that I went and, yeah, he was a private attorney general.

13          Q       Did he tell you that?

14          A       Yes.

15          Q       Okay.  Was he wearing anything when you first met  
16    him that stood out?

17          A       Yeah.  I noticed the badge.

18          Q       Okay.  What kind of badge was it?

19          A       It's -- looked like official badge, but I didn't  
20    really look too close, but I can see it's a badge.

21                   MR. YATES:  Your Honor, may I approach the courtroom  
22    manager with Exhibit 500?

23                   THE COURT:  You may.

24          Q       (BY MR. YATES:)  So, Ms. Castillo, I've  
25    just -- what's been handed to you is -- has been marked as

1 Exhibit 500. Do you recognize Exhibit 500?

2 A Yes.

3 Q Okay. And is Exhibit 500 the badge that you recall  
4 seeing Anthony Williams with when you met him?

5 A Yeah.

6 Q Okay. And what do you recall thinking when you saw  
7 Exhibit 500?

8 A Well, I was impressed. It looks official.

9 Q Now, you've had occasion to meet Anthony Williams a  
10 few times, isn't that right?

11 A I'm sorry?

12 Q You've met Anthony Williams a few times, correct?

13 A Yes.

14 Q Okay.

15 A Many times after.

16 Q Many times after. And I'd like to show you another  
17 exhibit.

18 May I approach the courtroom manager with what's  
19 been marked as Exhibit 501?

20 THE COURT: You may.

21 Q (BY MR. YATES:) Ms. Castillo, I have just handed to  
22 you Exhibit 501. Do you recognize Exhibit 501?

23 A Yeah. This is his ID.

24 Q Okay. And that appears to be a -- an identification  
25 that identifies him as a private attorney general with what

1 appears to be a U.S. seal; is that right?

2 A Correct. It has his name and the title in the  
3 bottom.

4 Q Now, did Anthony Williams ever represent to you how  
5 he used the badge and ID that are in front of you?

6 A Well, he always wears either the badge or the ID,  
7 and what I remember is that when he gets pulled over by the  
8 cops for driving, then he shows them who he is, of course, and  
9 he shows other paperwork, and I recall that he got away from  
10 some of those tickets.

11 Q Did you ever see that or did he just tell you that?

12 A I just -- he just told us that.

13 Q Okay. Now, when you first met Anthony Williams,  
14 what, if anything, did he say about his mortgage program?

15 A In a nutshell, it's pretty much mortgage reduction,  
16 like cutting your mortgage half.

17 Q Okay. And when you say cutting your mortgage in  
18 half, are you referring to a specific payment or to the  
19 entire --

20 A The entire amount of your loan. Say, for example, I  
21 owe 800,000. That's a lot. So to cut it half into 400-,  
22 that's a lot of savings. Say, if I pay 4,500, my payment would  
23 be 2,200.

24 Q So it sounds like you said he would cut your total  
25 amount and your monthly amount, correct?

1           A       Yes, yes.

2           Q       Now, did Anthony Williams talk about his companies  
3 at that first meeting?

4           A       Just mostly about the Common Law Office of America.

5           Q       Okay.

6           A       How the process works.

7           Q       I see. And what did you understand the Common Law  
8 Office of America was?

9           A       Having my little background about mortgage loan  
10 processor, it's a loan processing company.

11          Q       Okay. Did he tell you that Common Law Office of  
12 America was a loan process company?

13          A       I can't recall, but that's my understanding.

14          Q       And what did you understand MEI was after your  
15 meetings with Anthony Williams?

16          A       It would be a bank.

17          Q       Okay. Now, I believe you testified that Anthony  
18 Williams had referred to himself as a private attorney general.  
19 Did he say what a private attorney general was?

20          A       Yeah, he gives the meaning of it, but my  
21 recollection would be it's -- private attorney general is  
22 protecting the interests of the public.

23          Q       Did he say where he would be protecting the  
24 interests of the public or in what context or what he could do?

25          A       In general, you can do a lot of things as a private

1 attorney general.

2 Q Could he appear in court?

3 A That's what he did.

4 Q Okay. Is that what he told you?

5 A Yes, yeah.

6 Q Now, at that meeting with Anthony Williams, what was  
7 the result?

8 A I was very impressed. I was there for a long time.  
9 I asked a lot of questions. By nature I'm very inquisitive  
10 'cause I really want to know the process and I really  
11 interested to do mine.

12 Q Okay. Did Anthony Williams offer you anything at  
13 that meeting?

14 A Yes. He offered me a job, You could join us, seems  
15 to be very smart.

16 Q Why do you understand that Anthony Williams offered  
17 you a job at that meeting?

18 A Well, he's also impressed as well what I have done.  
19 I brought some magazines, *Hawaii's Most Wanted* magazine. I  
20 published that for the sheriff's association before and I own  
21 the copyright for that. So who wouldn't be impressed for a  
22 female like me that's doing law enforcement work?

23 Q So you had a relationship with a law enforcement  
24 agency, correct?

25 A Yes, a very good relationship.



1           Q       And so he offered you a job. Did Anthony Williams  
2 explain to you how he wanted to pay you?

3           A       Maybe not that day, but some other time.

4           Q       And what did he say?

5           A       Yes.

6           Q       Oh, what did he say?

7           A       Oh, 50 percent of the referral or the commission,  
8 you know, what people paid for their initial fees to join.

9           Q       And did he also offer any in-kind consideration?

10          A       Something like he can lower my mortgage lesser than  
11 what he offer other people.

12          Q       I see. Now, at that time did you have a mortgage?

13          A       Yes, a huge mortgage.

14          Q       Okay. And did you have that mortgage with anybody  
15 else?

16          A       With my former husband, John Barkley.

17          Q       Okay. So did you sign up for the MEI program at the  
18 same time that you started a job with Anthony Williams?

19          A       Not for mine.

20          Q       Okay.

21          A       But I referred friends.

22          Q       And did you have another significant other at the  
23 time?

24          A       Yes. I was divorced, so I live with my boyfriend  
25 Jeff Texeira. He has a mortgage, so I thought he would be a

1 good guinea pig so I can convince my former husband. He was a  
2 Marine, so it's hard to convince him to believe that we can  
3 lower the mortgage. So I got to find out a way to show him  
4 that it works.

5 Q Now, did your boyfriend sign up for MEI?

6 A After very much persuasion, of course he did;  
7 otherwise, we will be fighting all the time.

8 Q Now, did Anthony Williams tell you or your boyfriend  
9 anything about making payments to your existing mortgage  
10 provider or servicer?

11 A No, he told us, or specifically Jeffrey, my  
12 boyfriend, not to pay the current bank.

13 Q Okay. Now, at that time I thought you said that you  
14 thought MEI was a bank; is that right?

15 A Yes.

16 Q Okay. And you understood that MEI was going to take  
17 over your boyfriend's mortgage?

18 A Yeah. That's how my understanding was. That's why  
19 if somebody's taking over the mortgage, then you got to be an  
20 institution.

21 Q Okay. So if you understood that MEI was not a bank,  
22 how would that have affected your decision to sign up your  
23 boyfriend for mortgage services?

24 A It would affect my decision, yes.

25 Q Okay. And how so? Would you have signed up?

1           A       Maybe not right away. I got to dig deeper 'cause  
2   when you have a mortgage, normally it's with a bank, that's  
3   just the practice, that's just what's common -- yeah? -- or  
4   what's expected.

5           Q       So I'm going to show you what's been marked as  
6   Exhibit 6 which is in evidence.

7                   May I publish, Your Honor?

8           THE COURT:   You may.

9           Q       (BY MR. YATES:) Now -- actually before I publish  
10   this, one moment. I'm going to take this down for a moment.

11                   Ms. Castillo, you said that you started a job with  
12   Anthony Williams. Can you explain which company were you  
13   working with that you understood?

14          A       I was working for Common Law Office of America.

15          Q       Okay. And what were your duties at the Common Law  
16   Office of America?

17          A       It's pretty much doing paperwork, processing papers.

18          Q       Okay.

19          A       And learning the system to the best of my ability.

20          Q       Okay. And on occasion did you handle money for the  
21   Common Law Office of America?

22          A       I'm sorry?

23          Q       Did you handle money?

24          A       Only when we collect the registration fees and then  
25   we turn it over to him.

1           Q       Okay. And when you say you collected the  
2 registration fees, from whom were you collecting the  
3 registration fees?

4           A       From the people that I kind of referred.

5           Q       Okay. And you -- when you say you turned it over to  
6 him, are you referring to Anthony Williams?

7           A       Yes.

8           Q       Okay. Who is Barbara Williams?

9           A       Barbara Williams is the mother.

10          Q       Okay. And when you say "the mother," do you mean  
11 Anthony Williams's mother?

12          A       Anthony Williams's mother, yeah.

13          Q       And what role do you recall Anthony Williams's  
14 mother, Barbara Williams, had in the CLOA or MEI companies?

15          A       I talked to her on the phone or in the email. After  
16 we -- we do all the process for the processing, we mail it to  
17 her. So she's -- my understanding would be she's involved with  
18 the MEI.

19          Q       Okay.

20          A       Mortgage Enterprise.

21          Q       Okay. So I want to bring up Exhibit 6 again.  
22 Can we get that published? Looks like they are.  
23 Okay.

24                   So do you recognize what's been marked as Exhibit 6?

25          A       Yes. It's a money transfer from Walmart.

1           Q       Okay. And how many money transfers are shown on  
2 Exhibit 6?

3           A       It is showing two 'cause receipt No. 1 and receipt  
4 No. 2.

5           Q       And do you see the dates at the top of the exhibit?

6           A       One was September 18th, the other one is  
7 September 22nd.

8           Q       As of those dates, where was Barbara Williams?

9           A       She's in Texas.

10          Q       Okay. And where were you at this time?

11          A       I am in Honolulu.

12          Q       Now, did you send these two wires to Barbara  
13 Williams?

14          A       Yes.

15          Q       Okay. And how did you do that?

16          A       I took money from the ATM that he entrusted me, and  
17 he instructed me to send some money to the mother.

18          Q       Okay. And so it was -- and when you say he  
19 instructed you --

20          A       Yeah, Anthony, yes.

21          Q       -- Anthony Williams instructed you --

22          A       To go to Walmart.

23          Q       -- to go to Walmart and send money to Barbara  
24 Williams, correct?

25          A       Yes.

1           Q       And you said that there was an ATM card. What is  
2 the source of the funds from that ATM card?

3           A       I didn't know where the money come from, but it's  
4 the ATM from First Hawaiian Bank.

5           Q       And who was --

6           A       And --

7           Q       Please.

8           A       Had the Mortgage Enterprise and I believe his name.

9           Q       Okay. It was Mortgage Enterprise Investments and  
10 his name?

11          A       Yeah.

12          Q       Okay. Did you send or wire money from Hawaii to  
13 Barbara Williams more than -- on more than two occasions?

14          A       I see two receipts here, but I could recall I sent  
15 three times.

16          Q       Okay. I'd like to show you what's been marked as  
17 Exhibit 8. Do you recognize -- may I publish, Your Honor?

18                   THE COURT: You may.

19          Q       (BY MR. YATES:) Do you recognize what's been marked  
20 as Exhibit 8?

21          A       Yes. It's the same -- it's receipt from Walmart to  
22 Barbara in October 11th, and the handwriting is mine.

23          Q       Okay.

24          A       I recognize.

25          Q       Is this another MoneyGram wire that you sent?

1           A       Yes. That's my handwriting.

2           Q       And you sent this up to Barbara Williams?

3           A       Correct.

4           Q       At Anthony Williams's request; is that correct?

5           A       Yes.

6                   MR. YATES: Your Honor, I have several lines of  
7 questioning, and so here's a good time as any to break. I  
8 notice that we're very close to the end of the trial day.

9                   THE COURT: All right. Thank you, Mr. Yates.

10                  So, ladies and gentlemen of the jury, we are going to  
11 recess for the day. Please leave your iPads and your notebooks  
12 behind. And of course, don't discuss the case with anyone or  
13 allow anyone to discuss it with you. Don't do any research,  
14 Googling, or investigation of any of the witnesses or things  
15 that were discussed in testimony. Of course, don't engage in  
16 any social media about the trial or any of the witnesses, and  
17 don't read, listen to, or watch any media account should there  
18 be any.

19                  Thank you very much for your patience and listening today.  
20 You are excused until Monday at 8:30 we will resume court. All  
21 right? Have a wonderful weekend.

22                  Okay. Please rise for the jury. They're excused for the  
23 rest of the week.

24                  (Open court out of the presence of the jury.)

25                  THE COURT: All right. Let the record reflect the

1 jury's no longer present. Present are counsel and  
2 Mr. Williams.

3 Mr. Yates, are there -- oh, can you help? Are there any  
4 matters that we need to address before we resume on Monday?

5 MR. YATES: Nope.

6 THE COURT: And, Ms. Castillo, you're just  
7 directed -- so, Ms. Castillo, you're just directed to return on  
8 Monday for your further testimony. All right. Thank you.

9 Okay. And, Mr. Isaacson, you have a question?

10 MR. ISAACSON: I do want to inquire. Okay. I was  
11 wondering about the trial schedule, how we're doing. Actually  
12 I want to question how the government's proceeding.

13 MR. YATES: We're on schedule.

14 THE COURT: All right. And, Mr. Williams, is there  
15 anything that you need to raise or we have to address before we  
16 recess for the rest of the week?

17 THE DEFENDANT: I wanted to make sure that we had  
18 the full deposition of this witness because in the discovery  
19 they had her deposition, but it wasn't the full deposition that  
20 he took. And I needed the full deposition that she actually,  
21 you know, swore under oath about my company and about what I  
22 actually did so I can have that to question her on.

23 THE COURT: Mr. Yates?

24 MR. YATES: The full deposition is in discovery.  
25 It's in discovery.



1 THE COURT: So you did produce it to him?

2 MR. YATES: Yes.

3 THE DEFENDANT: It's not all of it. It's like bits  
4 and pieces of it. It's not the whole thing.

5 THE COURT: All right. So you need to meet and  
6 confer with regard to that. Okay? And if that's still an  
7 issue on Monday, we'll take that up.

8 THE DEFENDANT: Okay.

9 THE COURT: All right. So we're going to conclude.  
10 I wish all of a very good weekend. I will see you Monday  
11 morning at 8:30.

12 All right. Mr. Williams, you're remanded back to the  
13 custody of the U.S. Marshals Services.

14 MR. ISAACSON: Could he remain briefly, Judge, so we  
15 could discuss next week?

16 THE COURT: Yes, you may, right. So we'll just sort  
17 of have a standing that you folks can remain for 15 minutes --

18 MR. ISAACSON: Very well, Your Honor.

19 THE COURT: -- afterwards and you can do your  
20 housekeeping with regard to that.

21 All right. We are in recess. Good day.

22 (Proceedings adjourned at 2:01 P.M., until  
23 Monday, February 10, 2019, at 8:30 A.M.)

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COURT REPORTER'S CERTIFICATE

I, DEBRA READ, Official Court Reporter, United States District Court, District of Hawaii, do hereby certify that pursuant to 28 U.S.C. §753 the foregoing is a complete, true, and correct transcript of the stenographically reported proceedings held in the above-entitled matter and that the transcript page format is in conformance with the regulations of the Judicial Conference of the United States.

DATED at Honolulu, Hawaii, March 27, 2020.

/s/ Debra Read

DEBRA READ, CSR CRR RMR RDR