

# Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:08 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 1-- AGENT JOSEPH LAVELLE

## TRANSCRIPT TESTIMONY OF AGENT JOSEPH LAVELLE

The following is the transcript of the testimony of FBI Agent Joseph Lavelle who admitted that the undersigned was never charged with impersonation of a police officer by the State or FBI and admitted that there is no crime for a citizen to have their own handcuffs, badge or ID.

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1 Q Okay. Did the Broward County Sheriff's office  
2 charge me with impersonation of a police officer?  
3 A No, sir.  
4 Q Did the FBI charge me with impersonation of a police  
5 officer  
6 A No, sir.  
7 Q Did Broward County Sheriff's office charge me with  
8 carrying a fake ID?  
9 A No, sir.  
10 Q Did the FBI charge me with carrying a fake ID?  
11 A No, sir  
12 Q Did Broward County charge me with carrying  
13 handcuffs?  
14 A No, sir.  
15 Q Did the FBI charge me with carrying fake handcuffs  
16 or handcuffs?  
17 A No, sir.  
18 Q Is it a crime for a citizen to have their own  
19 handcuffs?  
20 A No.  
21 Q Is it a crime for a citizen to go through TSA when  
22 it's been approved by TSA to fly on an airplane with those  
23 handcuffs?  
24 A It is not.  
25 Q Is it a crime if it's been cleared through TSA to

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1 actually wear a sovereign peace officer badge on a plane?  
2 A I don't believe so.  
3 Q And did you call the Davidson Sheriff County Office  
4 in Nashville to ask why they were the one to tell me how to get  
5 a -- obtain a sovereign peace officer badge?  
6 A I don't recall.  
7 Q Did you call the law enforcement agency that  
8 actually created the sovereign peace officer badge for me?  
9 A Not to my recollection.  
10 Q Do you know how long I've had this sovereign peace  
11 officer badge?  
12 A No, sir.

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2 Q So did the FBI charge me with unlicensed mortgage  
3 broker?  
4 A In the Southern District, no, sir.  
5 Q In any district in Florida?  
6 A Not to my recollection, sir.  
7 Q And in your investigation, you--what would the  
8 specific federal charges that you wer investigating me for  
9 that you felt you had probable cause that my business was  
10 committing in Florida?  
11 A The specific charges would have been mail, wire, and  
12 mortgage fraud for the Southern District. Excuse me.  
13 Q So mail, wire, and mortgage fraud.  
14 A Yes, sir.  
15 Q And did you all ever charge me with mail, wire, and  
16 mortgage fraud in Florida?  
17 A No, sir.  
18 Q Did you all receive any statements from any clients  
19 that was written to your office stating that I committed fraud  
20 against them, that I scammed them or defrauded them?  
21 A No, sir.  
22 Q And in your investigation, you found out that I got  
23 offices in multiple states, correct?  
24 A Yes, sir.  
25 Q And do you know what those states were?

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1 A As specifically off the top of my head, Hawaii,  
2 here, and California, and perhaps Tennessee.  
3 Q What about Texas?  
4 A Yes, sir, Texas.  
5 Q Were you one of the agents that searched my mom's  
6 home, took her computer, took the files out of her home office?  
7 A I was present, yes, sir.  
8 Q Okay, so you know I had a office in Texas. Now, in  
9 your investigation in your collaboration with the Texas FBI  
10 office, how many clients in Texas filed charges against me, my  
11 company, or my mother for fraud"  
12 A I don't recall, sir.  
13 Q You don't recall or you don't recall there's any?  
14 A I don't recall that there's any.  
15 Q In California, were you in contact with the FBI  
16 agent or office there?  
17 A Yes, sir, for specifically for the Ventura mortgage  
18 event.  
19 Q Okay. So of all my clients in California that I  
20 have, how many clients in California filed any charges against  
21 me or made a complaint against me or my company for mortgage  
22 fraud or scamming them or anything like that?  
23 MR. SORENSON: Your Honor, I'm going to object  
24 because he keeps saying how many people filed charges and I  
25 think that assumes some kind of legal conclusion. And it

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1 infers that people filed charges. We just object to the form  
2 of the question.  
3 THE COURT: All right. Overruled.  
4 Okay. If you understand the question, you can answer it.

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5 THE WITNESS: Okay. No-- no victims in California,  
6 to my knowledge and recollection.  
7 Q (BY THE DEFENDANT:) Okay. And so you know that  
8 upon your investigation, I also have an office in Tennessee,  
9 correct?  
10 A Yes, sir.  
11 Q And you know I been -- you know how long I been in  
12 Tennessee? Do you know about the time frame I was in Tennessee  
13 before I came to the other states?  
14 A Yes, sir, I was aware of that.  
15 Q Okay. So you know I was in Tennessee around 2009--  
16 since 2009?  
17 A Perhaps, yes, sir.  
18 Q Okay. And so you're aware that the FBI office in  
19 Nashville also did the same thing that you all did in Florida  
20 and had my mortgage company and my common law office under  
21 investigation, federal investigation? You're aware of that  
22 too, correct?  
23 A Yes, sir, I was.  
24 Q Okay. And are you aware that one of your agents --  
25 fellow agents named Joe Craig was calling around my clients and

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1 telling them that I'm a crook, I'm a fraud, I'm not a real  
2 minister? Are you aware that he was doing that?  
3 A No, sir.  
4 Q Did you see the YouTube video that I posted of this  
5 confrontation with the FBI office, confronting about them  
6 defaming my character and slandering my name, saying I'm a  
7 crook, saying my mortgage company is fraudulent? Did you get  
8 to view that video that's on YouTube?  
9 A I don't recall viewing that video, sir.  
10 Q In your communication with the Nashville office, did  
11 they tell you that they ever filed any charges since 2009  
12 against me, my company, or any of my employees for mortgage  
13 fraud, mail fraud, wire fraud, bank fraud, or money laundering?  
14 A They did not file charges.  
15 Q Okay. So in your investigation, the only state  
16 that's ever filed any charges, federal charges against me, is  
17 the state of Hawaii; is that correct?  
18 A Yes, sir.  
19 Q Okay. And are you aware of the federal lawsuit that  
20 I had previously filed against you and Agent Crawley?  
21 A A federal lawsuit?  
22 Q Yes, in 2014 and 2016.  
23 A Well, we didn't know each other, I believe, in 2014,  
24 but I was not aware that you had a federal lawsuit against me.  
25. So you was never served at your office that federal

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1 lawsuit?  
2 A No, sir.  
3 Q And in Florida, who told you that I was committing  
4 these -- or possibly committing these federal crimes? Like,  
5 did you get an anonymous tip? or did a client come by and say,  
6 Hey, this guy's doing this?  
7 A No, sir. As I said before, it was just basically we  
8 viewed your website and Common Law Office of America and your

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9 status as a private attorney general, Mortgage Enterprise  
10 Investments; it seemed pretty clear to us what was going on  
11 from viewing the websites that were attributed to you.  
12 Q So you can tell from a website whether somebody's  
13 committing a crime or not?  
14 A No, you can't. It's a part of an investigation,  
15 it's a piece of evidence.  
16 THE DEFENDANT: Can I get the government exhibit of  
17 my badge and handcuffs? I don't know what number that was.  
18 THE COURT: The photograph?  
19 THE DEFENDANT: Yeah, the photograph.  
20 THE COURT: I believe that's 604.  
21 THE DEFENDANT: That's 604. Now, he's going to have  
22 to actually get the actual ID so he can look at 'cause it don't  
23 have a picture on the back side of it on here. But I want him  
24 to look at the back side of the ---  
25 THE COURT: Is taht still up with you?

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1 THE DEFENDANT: The ID.  
2 THE COURT: Yeah. So is that the badge or the ID?  
3 THE DEFENDANT: The ID.  
4 THE COURT: The ID. So that's 505. Do you want him  
5 to look at that?  
6 THE DEFENDANT: Yes.  
7 THE COURT: Okay.  
8 Q (BY THE DEFENDANT:) On the back of the ID, what  
9 does it say at the top? What's written at the top?  
10 A "U.S. Congress codified the private attorney general  
11 principal into law with the enactment of the Civil Rights  
12 Attorney's Fees Award Act of 1976, 42 U.S.C. , 1988."  
13 Q And what else is written on there?  
14 "Senate report No. 94-9011."  
15 Q Does anywhere on there say FBI number on there? Do  
16 you see where it says, Do not detain --  
17 A "Do not detain. Do not arrest. FBI number."  
18 Q Okay. And can you identify if that's the real FBI  
19 number that you all have for me?  
20 A I cannot.  
21 Q You cannot verify it?  
22 A I don't have your FBI number memorized, sir.  
23 Q You all don't have it --  
24 A Memorized, no, sir.  
25 Q So if I went to the FBI office and I handed you that

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9 Q Okay. So when did -- where did the mortgage fraud  
10 come in?  
11 Q Well, there was a -- what we call a parallel  
12 investigation for mortgage fraud activities that was run of the  
13 Miami division's mortgage fraud squad, and my squad tried to  
14 focus on if there was any threats of basically force or  
15 violence of yourself.  
16 Q So you assessed that I was violent?  
17 A No, sir.  
18 Q So at the conclusion of your investigation, your  
19 office declined prosecution, correct?  
20 A Not my office. The U.S. Attorney's Office, sir.

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21 Q Well, the U.S. Attorney's Office in Florida declined  
22 prosecution?  
23 A Yes, sir.  
24 Q Your office also declined -- can I show him this  
25 Miami office report?

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3 Q Special Agent Lavelle, you testified on direct exam  
4 with respect to the idea or concept of other states filing  
5 charges. Do you remember that?  
6 A Yes, sir.  
7 Q I think the question might have been something like,  
8 so Hawaii's the only state that's ever filed charges. Do you  
9 remember that question?  
10 A Federal charges, yes, sir.  
11 Q Okay, Well, you didn't say federal charges at the  
12 time.  
13 A I believe the question was federal charges.  
14 Q Okay. Were there charges filed in any other state?  
15 A Yes, sir.  
16 Q What charges were filed in another state?  
17 A In the state of Florida --  
18 DEFENDANT: Objection. Beyond the scope.  
19 THE COURT: All right. Overruled. You asked him  
20 about charges filed in other areas, so opened the door.  
21 All right. So the question -- you can finish your answer.  
22 Q (BY MR. SORENSON:) Do you have personal knowledge  
23 of other charges being filed?  
24 A Yes, sir.  
25 Q And did you, in fact, testify at a trial where other

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1. charges were litigated?  
2 A Yes, sir.  
3 Q And who were those charges filed against?  
4 A Anthony Troy Williams  
5 Q And do you recall what those charges were?  
6 A They were grand theft and filing false documents and  
7 I believe identity theft.  
8 Q Are you familiar with the circumstances under which  
9 the grand theft charges were brought?  
10 A Yes, sir.  
11 Q Were they related to mortgage fraud?  
12 A Yes, sir.  
13 Q Were they related to his -- his mortgage fraud -- or  
14 mortgage reduction plan as you've described it?  
15 A Yes, sir.  
16 Q And was it this plan to reduce mortgages by  
17 one-half?  
18 A Yes, sir.  
19 Q And -- and -- but in Florida, the state of  
20 Florida -- was it Broward County?  
21 A Yes, sir.  
22 Q He was charged with grand theft based on that; is  
23 that correct?  
24 A Yes, sir.  
25 THE DEFENDANT: Objection.

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- 1 Q (BY MR. SORENSON:) Did the victims --
- 2 THE COURT: Wait. I'm sorry. So your objection is?
- 3 THE DEFENDANT: Improper impeachment by Rule 609.
- 4 THE COURT: All right. So you opened the door with
- 5 regard to charges being brought on the mortgage-related. So
- 6 I'm going to overrule on that basis.
- 7 Q (BY MR. SORENSON:) Mr. Williams also asked you a
- 8 lot of questions about people complaining about him; is that
- 9 correct?
- 10 A Yes, he did, sir.
- 11 Q And were there homeowners involved with respect to
- 12 those grand theft charges?
- 13 A There were.
- 14 Q And did they have complaints?
- 15 A They testified about Mr. Williams's activities in
- 16 mortgage.
- 17 THE DEFENDANT: Objection. Hearsay.
- 18 THE COURT: All right. Overruled.
- 19 Okay. Next.
- 20 Q (BY MR. SORENSON:) And did they testify that he had
- 21 offered them this same scheme to --
- 22 THE DEFENDANT: Objection. That's leading and
- 23 hearsay.
- 24 THE COURT: Okay. Sustained.
- 25 Q (BY MR. SORENSON:) What did they testify about?

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1. A They testified about Mr. Williams acting as a
- 2 private attorney general and being able to reduce their --
- 3 THE DEFENDANT: Objection. Again, hearsay and
- 4 that's not what they testified.
- 5 THE COURT: Okay, well, you didn't object to the
- 6 question. He already began his answer, so next question.

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:07 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 2-- AGENT JOSEPH LAVELLE - 2

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7 Q (BY MR. SORENSON:) Is -- can he finish the answer,  
8 Your Honor?  
9 THE COURT: NO, 'cause it is hearsay. So ask him  
10 another question. But his answer to that point will stand.  
11 Q (BY MR. SORENSON:) Okay. So -- and you testified  
12 in this trial yourself; is that correct?  
13 A I did, sir.  
14 Q And are you familiar with what happened in that  
15 trial.  
16 A I am.  
17 Q and what happened?  
18 A Mr. Williams was found guilty.  
19 Q Was Mr. Williams seated here in courtroom -- the  
20 courtroom today convicted of grand theft there?  
21 A Yes, he was.  
22 Q All right. And was he also charged any time in  
23 Florida with the unauthorized practice of law?  
24 A He was.  
25 Q And do you know wha that was related to?

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1. A It was related to him --- his activities of  
2 pretending to be a board certified -- a Florida bar certified  
3 attorney.  
4 Q Okay. And was it in the context of representing  
5 people?  
6 A Yes, sir.  
7 Q And was that in court proceedings?  
8 A It was.  
9 Q What types of court proceedings? Do you know?  
10 A Foreclosure proceedings.  
11 Q Do you know how many counts he was convicted of with  
12 the unauthorized practice of law?  
13 A I don't recall.  
14 THE DEFENDANT: Improper 609.  
15 THE COURT: All right. Overruled.  
16 Q (BY MR. SORENSON:) Are you familiar with whether he  
17 was convicted?  
18 A Sir, there were actually several trials for  
19 Mr. Williams. One trial I believe resulted -- it was a hung  
20 jury and then there was a second trial. So I don't have all  
21 those charges.  
22 Q All right. If you don't know for sure, don't  
23 testify to it, okay?  
24 A All right.  
25 Q But was he charged with the unauthorized practice of

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1 law?  
2 A He was, yes, sir.  
3 Q And was he convicted of grand theft in Florida?  
4 A He was.  
5 Q Was that in Broward County, Florida?  
6 A It was.  
7 Q And was that related to a mortgage reduction --  
8 A It was, yes, sir.  
9 Q -- operation.  
10 A Yes, sir.  
11 MR. SORENSON: Thank you, Your Honor. That's all I  
12 have.

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7 THE COURT: What is it, Mr. Williams?  
8 THE DEFENDANT: Do I have to wait till he leave  
9 or --  
10 THE COURT: Yes, that's a good idea.  
11 All right. The record will reflect that Agent Lavelle's  
12 no longer in the courtroom.  
13 Mr. Williams.  
14 THE DEFENDANT: Yeah. I asked him about federal  
15 charges. I didn't aske him about state charges. Since he  
16 brought up those state charges, I have the trial transcript for  
17 the whole trial 'cause he just lied on the stand and said that  
18 it was for mortgage reduction and that's not what the trial was  
19 about.  
20 THE COURT: Well, you can -- you can try to impeach  
21 him if he gave a statement under oath in the transcript. If  
22 it's just -- he didn't testify at it, then you can't confront  
23 him with other people's testimony.  
24 THE DEFENDANT: But, no, he -- what he stated, he  
25 stated that the trial was about mortgage fraud and that was not

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1 the trial -- what the trial about.  
2 THE COURT: Okay. And you can ask him about that  
3 and confront him with that, like, with it. I'm not going to  
4 put the entire trial transcript in evidence because the  
5 majority of that's going to be irrelevant, but you can show him  
6 and ask him to review a part of it or whatever and, you know,  
7 Does that refresh your recollection? It had nothing to do with  
8 mortgage reduction or what have you.  
9 THE DEFENDANT: Well, see, he wouldn't have been  
10 sitting in the rest of the trial, you know. He only sat in his  
11 portion. So he don't know what was testified, and so he's  
12 making a comment that what was testified to by the -- and there  
13 was no victim. There was no homeowner that made a complaint.  
14 That was not what the charge was.  
15 THE COURT: Okay. So you can ask him what he  
16 understands the charge was. He's testified what he testified  
17 about and if you believe that he's mistaken or lying or what  
18 have you, you can point out to him, for instance, isn't it true  
19 it was about identification theft? -- or whatever. I'm not  
20 sure what the case was about. I just used that as an example.  
21 And if he says -- and not mortgage refinancing, or what

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22 have you , and see what his answer is. If he agrees with you,  
23 then we move on. If he doesn't agree with you, then you may  
24 want to show him something and have him take a look at it, ask  
25 him if that refreshes his recollection that, in fact, the trial

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1 was about something else.  
2 Okay. But I'm not going to let the whole trial transcript  
3 in evidence because it's not relevant to the issues in this  
4 case. It's going to introduce a lot of other stuff that may  
5 confuse the jurors.  
6 THE DEFENDANT: I mean, that -- what he said would  
7 confuse them already what he said because now they're thinking  
8 that that's what I was charged with and that's not. And then  
9 he said identity theft. I never been charged or even --  
10 to do with identity theft. I never been charged or even --  
11 THE COURT: I don't know. So you can cross-examine  
12 him on that. So I will let you do that, okay.  
13 And then I believe we'll be finished after Mr. Williams  
14 has an opportunity to question.  
15 But with regard to your -- I don't know if you're raising  
16 an issue about the trial transcript. I'm not going to receive  
17 it into evidence for the reasons I've stated.  
18 Are there any other issues that you want to bring up  
19 before we recess for the day?

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1 Q Yes. Mr. Lavelle -- Agent Lavelle, do you remember  
2 making a statement that I had been convicted of identity theft?  
3 A No, sir. I believe I said that you were accused.  
4 whether or not you were found guilty, uhm, there were several  
5 trials in Broward County, so I believe you were charged with  
6 identity theft. I don't -- I don't recall whether or not you  
7 were found guilty.  
8 Q Okay. 'cause yesterday you had said I was found  
9 guilty; that's why I questioned you about it.  
10 A Okay.  
11 Q But I was not. So I don't have to ask you other  
12 questions.  
13 After your investigations, other than these federal  
14 charges in Hawaii, have any of your agencies in any other state  
15 filed any federal charges against me for my conduct or my  
16 business conduct?  
17 A No, sir.  
18 Q And did the FBI investigate, charge, or arrest any  
19 of my white employees in the state of New York?  
20 A State of New York, no, sir.  
21 Q Did they investigate, charge, or arrest any of my  
22 agent (asian) employees in New York?  
23 A No, sir.  
24 MR. SORENSON: Your Honor, I'm going to object as  
25 this being beyond the scope. We were not talking about other

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1 employees of his. I think it was narrowed now to just him  
2 and ---  
3 THE COURT: All right. Overruled. Go ahead.

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4 Q (BY THE DEFENDANT:) Did the FBI investigate charge,  
5 or arrest any of my white employees in Arkansas?

6 A No, sir.

7 Q Did they investigate, charge, or arrest any of my  
8 agent (asian) employees in Arkansas?

9 A No, sir.

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

12 A No, sir.

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

15 A No.

16 Q Did they investigate, charge, or arrest any of my  
17 employees in the State of Florida?

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

20 Q He's not Caucasian.

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

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

24 A Investigate, yes sir.

25 Q And who was that?

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1 A But charge, no.

2 Q And who was that?

3 A Ms. Donna Hickenbottom.

4 Q Again, you investigated her, but you never charged  
5 her?

6 A Yes, sir.

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

9 A No, sir.

10 Q Okay. Did the FBI file any charges against me for  
11 bank fraud?

12 A Did we investigae you for bank fraud or --

13 Q Right.

14 A --- or charge you with bank fraud? I'm sorry.

15 Q Charge me for bank fraud.

16 A We did not charge you with bank fraud.

17 Q Did you file charges against me for mortgage fraud?

18 A in the Southern District?

19 Q Yes

20 A No, sir.

21 Q Okay.

22 A Of Florida.

23 Q And did you file charges against me for unlicensed  
24 mortgage broker?

25 A Federally or state in South Florida?

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1 Q In the federal?

2 A Federal, no. No, sir.

3 Q Okay. And I had questioned you yesterday about why  
4 you all had designated me as a possible terrorist in your  
5 system; do you remember that?

6 A Yes, sir.

7 THE DEFENDANT: Okay. I have a criminal history

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8 from the FBI. It's Exhibit 2114, and it's on -- start at  
9 page 7.  
10 MR. SORENSON: Your Honor?  
11 THE COURT: Yes.  
12 MR. SORENSON: We have looked at 2114. It does not  
13 have a criminal history in it and certainly not an FBI Criminal  
14 history. There is a DMV record in here I see.  
15 THE COURT: Can I have a copy of it?  
16 MR. SORENSON: IT's 2114.  
17 THE DEFENDANT: Yes, page 7  
18 THE COURT: Do you have a copy for the court?  
19 You're supposed to have a copy for the court, the law clerk,  
20 the witness.  
21 MR. ISAACSON: We have two sets of binders.  
22 THE DEFENDANT: Yes, its Defense Exhibit 2114.  
23 MR. ISAACSON: It's over there, judge. I can bring  
24 you --  
25 THE COURT: Yeah, but where's the court copy? Do

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1 you not want the witness to have one?  
2 MR. ISAACSON, Yes, Your Honor. We have two sets of  
3 binders. Can I give you those?  
4 THE COURT: Where's the court's copy? That's all  
5 I'm asking. It's in here?  
6 THE COURTROOM MANAGER: Is this part of the exhibits  
7 that were already in the binders?  
8 MR. ISAACSON: Yes, yes.  
9 THE DEFENDANT: Yes.  
10 THE COURTROOM MANAGER: Thank you.  
11 THE COURT: So this is not a new exhibit that --  
12 THE DEFENDANT: No, it's not a new exhibit.  
13 THE COURT: All right. So Mr. Sorenson, are you  
14 referring to page 7 or the entire document?  
15 MR. SORENSON: Well, there's a -- there's a lot of  
16 stuff in here.  
17 THE COURT: Correct  
18 THE DEFENDANT: I'm only going to question him on  
19 page --- off of page 7,8,9 and 10.  
20 MR. SORENSON: Okay.  
21 THE COURT: Where's the page numbering for that?  
22 THE DEFENDANT: It should be at the bottom. It says  
23 2114 dash an it has 000007.  
24 THE COURT: Okay. I'm not--  
25 THE DEFENDANT: Bates number 029020

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17 THE COURT: 7,8, and 9. You're going to question  
18 him about 9 and 10?  
19 THE DEFENDANT: Yes, ma'am.  
20 THE COURT: Okay. And so plaintiffs, I'm sorry, you  
21 have an objection to this or --  
22 MR. SORENSON: Well, I -- your Honor, I think it's  
23 an incomplete record. It does appear to be related to  
24 Mr. Williams. He's purported to call this his criminal  
25 history, which it is not. It may be part of an NCIC record,

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1 but we're not sure. It's certainly not complete.  
2 I guess if he needs the witness to have his recollection  
3 refreshed by something, this could be used for that, but it's  
4 certainly not something he can subsequently talk about from  
5 here as to the content of it.  
6 THE COURT: All right. So if you can lay a  
7 foundation that this witness is familiar with this or somehow  
8 created it or relied on it, then you can ask him questions  
9 about it.  
10 THE DEFENDANT: Okay.  
11 THE COURT: All right?  
12 Q (BY THE DEFENDANT:) You have the document in front  
13 of you, Agent Lavelle?  
14 A I do.  
15 Q And do you recognized that that's like a criminal  
16 NCIC check for, you know, individuals when they run it?  
17 A It does appear to be so, yes, sir.  
18 Q Okay. And where it says --  
19 THE COURT: Before you go into the content, he has  
20 to say that he used it, that he's familiar with this, that he  
21 knows who it's related to.  
22 THE DEFENDANT: Okay.  
23 Q (BY THE DEFENDANT:) Can you just go over and see  
24 who it's related to?  
25 THE COURT: Well, first of all, Agent Lavelle, are

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1 you familiar with this format of this document?  
2 THE WITNESS: I am, yes, judge.  
3 THE COURT: Okay. And that's the type of document  
4 or information that you use in your duties as a FBI agent,  
5 correct?  
6 THE WITNESS: Yes, judge.  
7 THE COURT: Okay. And so by looking at this  
8 document, can you see if it refers to any individual?  
9 THE WITNESS: Yes, I do.

## Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:06 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 3-- AGENT JOSEPH LAVELLE 3- & OLESKI 1

10 THE COURT: Okay.  
11 regard to the contents.  
12 Q (BY THE DEFENDANT:) Okay. And who does this  
13 document refer to, Agent Lavelle?  
14 Anthony Troy Williams  
15 Q Okay. And on the -- it should have a gray area  
16 that's highlighted. The first gray area that's highlighted, do  
17 you see what that says?  
18 A Yes, I do.  
19 Q And is that related to what we talked about about  
20 the FBI putting me on a possible terrorist list?  
21 A Well, list -- the questioning yesterday were if -- I  
22 think you asked me if I thought you were a terrorist or  
23 something along those lines.  
24 Q Well, that I was classified by the FBI as being a  
25 possible terrorist.

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1 A Yes, sir.  
2 THE DEFENDANT: Okay. Can I move the --  
3 THE COURT: You wanted to move this page and the  
4 next page into evidence?  
5 THE DEFENDANT: Yes, ma'am.  
6 THE COURT: All right. Any objection?  
7 MR. SORENSON: Well, your Honor, if it's purported  
8 to be a criminal history, like I indicated, it's not a complete  
9 document. There's a --  
10 THE COURT: Let him put --  
11 MR. SORENSON: There appears to be a selective  
12 choice of a couple pages here. We're willing to stipulate that  
13 the document states that he was on a terrorist watch list.  
14 THE COURT: All right. Mr. Williams  
15 THE DEFENDANT: Well, the whole document, I mean,  
16 you can start from page 1 where it says Suspect, but I thought  
17 we'd just expedite it so I don't have to go through all this  
18 stuff.  
19 THE COURT: So you want this page which say Page 1  
20 of 1 and page 2 of 2? or you don't want the second page?  
21 THE DEFENDANT: Yeah, I really wanted to enter in 7,  
22 8, but we can enter the whole thing if need be, if you want to  
23 have the continuity of the whole document. But the rest of the  
24 document is really not relevant to Mr. Lavelle, and, you know,  
25 with them putting me on a terrorist watch list.

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1 THE COURT: I agree. So over the objection of the  
2 government, Exhibit 2114 at pages 2114-00007, and -08 will be  
3 received.

## Rudy Davis

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4 THE DEFENDANT: All right. And I would like to  
5 publish it.  
6 THE COURT: All right. You may publish. You're  
7 going to have to use the docucam. I don't think the government  
8 has it on its computer.  
9 (Exhibits 2114-00007, 2114-00008  
10 received into evidence.)  
11 Q (BY THE DEFENDANT:) Okay. Can you see that on the  
12 screen?  
13 A Yes, sir.  
14 THE DEFENDANT: Can you put it on here? 'Cause I  
15 can't see it on this one. It's not going to show on this  
16 screen.  
17 THE COURTROOM MANAGER: Your Honor, I believe it's  
18 because it's hooked to the -- thank you.  
19 Q (BY THE DEFENDANT:) Okay. Agent Lavelle, can you  
20 read what the first thing highlighted that says "Do not  
21 advise"?  
22 A "Do not advise this individual that they may be on a  
23 terrorist watch list."  
24 Q And is that the normal procedure with the FBI if  
25 they do have someone on the terrorist watch list that they

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1 don't advise them that they're on that type of list?  
2 A Yes, sir.  
3 Q And can you go down to where it says the Do not  
4 detain and read what that says?  
5 A "Do not detain or arrest this individua unless  
6 there's evidence of a violation of federal, state or local  
7 statutes."  
8 Q Okay. And can you read under where it says "Law  
9 enforcement sensitive information" starting with "Warning"?  
10 A "Warning. The following record contains expired  
11 license plate data. Use caution. Contact entering agency to  
12 confirm status."  
13 You want me to continue?  
14 "Do not advise this individual they are on a  
15 terrorist watch list, possible terrorist organization member.  
16 Caution."  
17 Q So when a police officer sees this type of  
18 information and, say, they stop me, would that put them on a  
19 heightened alertness or awareness when they stop me?  
20 A Yes, sir.  
21 Q So that will place me in a more dangerous situation  
22 with a law enforcement officer being that I have been labeled as a  
23 terrorist, wouldn't you say?  
24 A I would not agree with that.  
25 Q So if they were being on alert heightened, so

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1 they're not going to treat me just as a average citizen, would  
2 you not say?  
3 A I would agree they would follow their normal  
4 procedures with whatever incident that they would have  
5 encountered you with. I don't know what -- are you talking  
6 about like a traffic stop?  
7 Q Right. Any type of encounter. So if they pull this

## Rudy Davis

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8 up --

9 A Right.

10 Q -- they gonna be on more of a, like, alerted;  
11 otherwise they wouldn't be so, you know, okay, this guy might  
12 be a terrorist. You know what I'm talking about? Like that?

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

17 Q So do you all put this for every citizen? Do you  
18 all put this in your system for every citizen?

19 A No, sir.

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

22 A Yes, sir.

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

25 A Hmm, I'm trying to find the line. Is it towards the

p. 72

1 bottom?

2 Q You see where the first redacted --

3 A The first redaction under 1971

4 Q Right

5 A Right

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

7 A 658

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

9 A 658566RB7

10 Q And what is that number?

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

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

14 A It would -- I could use that number to bring up your  
15 NCIC.

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

18 A Theoretically, yes, sir.

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

21 MR. SORENSON: No objection, your Honor.

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

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

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

BRYCE OLESKI

P.8

14 Q Did you ascertain the name of the tenant who  
15 occupied suite 5 of that address from 2012 to 2015?

16 A I did. It was -- it's actually on this  
17 list -- integrative Bodywork and Massage. It's a office where  
18 they have -- gave massages.

19 Q How about historically between 2012 and 2015?

20 A Sure. Between 2012 and 2015, the person who leased  
21 the unit was named Dorita M. Dixon.

22 Q Did you have an opportunity to speak with Ms. Dixon?

## Rudy Davis

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23 A I did.  
24 Q And what did she say about whether she knew Anthony  
25 Williams?

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1 THE DEFENDANT: Objection. That's hearsay.  
2 MR. YATES: It's actually --  
3 THE COURT: Go ahead.  
4 MR. YATES: Oh, that's not offered for the truth.  
5 THE COURT: All right. But regarding his  
6 investigation and steps he took. All right. Overruled on that  
7 basis.  
8 Q (BY MR. YATES:) And what did she say about whether  
9 she knew Ms. Anthony Williams? Excuse me.  
10 A She said that she did not know Anthony Williams.  
11 MR. YATES: Nothing further on direct, Your Honor.  
12 THE COURT: All right. Any questions, Mr. Williams?  
13 THE DEFENDANT: Yes.

14 CROSS-EXAMINATION

15 BY THE DEFENDANT

16 Q Mr. Oleski, you out of the Washington, D.C. office?  
17 A So I'm part of the Washington field office, but I  
18 physically sit in Manassas, Virginia.  
19 Q And did you speak with one of my employees in  
20 Washington, D.C. named Shirley Ann Stewart?  
21 A I did not.  
22 Q Okay. And did you know that she runs my office in  
23 Washington, D.C.?  
24 A I did not.  
25 Q Okay. Did you visit my office there?

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1 A I don't know your office.  
2 Q Okay. And the address that he just had you read,  
3 did you know that that was just a mailing address for Federal  
4 Mortgage American Trust and not the actual physical location?  
5 A I did not know; however, from speaking with  
6 Ms. Dixon, I've determined that she did not receive mail there  
7 that didn't belong to her.  
8 Q Okay. So she told you that she did not know me at  
9 all?  
10 A That's correct.  
11 DEFENDANT WILLIAMS: Okay. Can I get the  
12 government Exhibit 817, please?  
13 Q (BY THE DEFENDANT:) And before I get into this, are  
14 you familiar with Fedex and UPS where you can actually purchase  
15 a mailing address from one of those businesses but not have  
16 your physical address actually at the FedEx or UPS store?  
17 A Can you restate the question?  
18 Q Are you familiar with, you know, the UPS and FedEx  
19 where you can actually purchase a business mailing address just  
20 for mailing purposes and your actual physical business not be  
21 at that mailing address?  
22 A I was not aware that that --- that you can use a  
23 address that you're not physically at.  
24 Okay. On this document -- can I publish it?  
25 THE COURT: It's not in evidence, I believe.

## Rudy Davis

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1 THE DEFENDANT: Can I enter it into evidence.  
2 THE COURT: It is in evidence? Okay. Then you may  
3 publish.  
4 THE DEFENDANT: Okay.  
5 Q (BY THE DEFENDANT:;) And are you familiar with this  
6 type of document?  
7 A No, I'm not.  
8 Q So you not familiar with sending Moneygram from  
9 Walmart? You've never seen a Moneygram sent from Walmart?  
10 A I've seen a Moneygram before. I'm not personally  
11 familiar with this document.  
12 Q Okay. Can you read who the sender information is,  
13 who the end is sender is on this document?  
14 A Sender information: Anthony Williams."  
15 Q Okay. And can you read who the receiver is on this  
16 document?  
17 A "Receiver: Dorita Dixon.  
18 Q Okay. Now, you just testified that Dorita Dixon  
19 said she did not know me?  
20 A That's correct.  
21 Q Okay. So from this document could you ascertain  
22 that she does know me, if I'm sending her money?  
23 A I don't know that.  
24 Q Okay. So --- but you talked to her?  
25 A I did speak with her.

p. 12

1 Q Okay. And I'm showing you a document of a money  
2 order of a wire that I sent from Moneygram from me to her. And  
3 what's her address there? What's the city and state?  
4 A I see two addresses. Are you talking about the part  
5 of the box you're sending from or --  
6 Q No, the receiver. What's the receiver's city and  
7 state destination? What's the receiver's --  
8 A Destination is Washington, D.C.  
9 Q Washington. And does it have a phone number?  
10 A Yes.  
11 Q Okay. Do you --- do you know like what's the prefix  
12 for usually Washington, D.C. numbers?  
13 A It's 202.  
14 Q Okay. So tht is a Washington, D.C. number?  
15 A It would appear to be so.  
16 Q Okay. So if I'm sending someone a Moneygram, and I  
17 have their actual number, that is, a number that's in the  
18 Washington, D.C. area, would you say that I actually do know  
19 this person, that I have had communication in order for me to  
20 send them some money?  
21 A It's possible; however, dealing with a lot of  
22 identity theft, I do not know -- I would not know that to be  
23 proof that you know this person.  
24 Q Okay. So -- and when you -- have you ever done a  
25 Moneygram?

p. 13

1 A I have not.

## Rudy Davis

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2 Q You ever sent a Western Union?

3 A Yes

4 Q Okay. So if you sent the Western Union, what is the  
5 procedure in sending the money? Do you have to -- let me ask  
6 you this question.

7 A Sure.

8 Q Do you have to present valid identification to send  
9 it?

10 A You have to present identification. Doesn't have to  
11 be valid as my experience in identity theft tells me.

12 Q Okay. So what type of identification would you have  
13 to present in order to send money?

14 A You'd want to present some type of photo ID.

15 Q And that would consist of what?

16 A Could be a driver's license.

17 Q A driver's license. Could it be a state ID?

18 A I'm not an expert on Western Union, but I assume it  
19 could be.

20 Q So if you was to receive it when someone send you  
21 money and you go to, say, Western Union and Moneygram and say,  
22 "Hey, someone sent me some money," so would you have to present  
23 valid identification that you were the person that the money  
24 was sent to so you would be the right person to pick that money  
25 up? Correct?

p. 14

1 A I do believe you do.

2 Q Okay. So could you see the amount of money that I  
3 sent? What was the amount?

## Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:07 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 4-- AGENT OLESKI - MAU-SHIMIZU - 1

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4 A \$430  
5 Q Okay. Now, did you ask her had she ever had any  
6 money sent to her from me?  
7 A No, I did not.  
8 Q Okay. Did you ask the building manager how much did  
9 it cost to rent a mailing address there?  
10 A I did not.  
11 Q Okay. So how do you know that I didn't have a  
12 mailing address purchased for this location by Ms. Dorita  
13 Dixon?  
14 A So my understanding is that Dorita Dixon doesn't  
15 have the ability to sell a mailing address for a location she  
16 doesn't own. Speaking with the property manager, I would  
17 believe that the property manager would have knowledge of such  
18 a deal.  
19 Q So she had never had rented a spot out of there?  
20 She had never rented a office space or a space there? She had  
21 never rented it at all?  
22 A No, she absolutely rented a space there.  
23 Q Okay. So she did rent a space there. Okay. So how  
24 long was she there?  
25 A I don't know the full length. I just know she was

p. 15

1 there between 2012 and 2015  
2 Q Okay. So she was there during the time that the  
3 trustee of the company that I have as trustee listed as the  
4 mailing address, correct?  
5 A That's correct.  
6 Q Okay. So do you not understand that that was  
7 the --- what the money was sent for to have a mailing address in  
8 Washington, D.C. , that was attached to my Washington, D.C.  
9 office?  
10 A I do not understand that.  
11 Q Okay. So you didn't complete your investigation?  
12 A I completed the investigation of speaking with  
13 Dorita Dixon on and asking her if she knows Anthony Williams  
14 and she said no.  
15 Q So you never talked to anybody else in Washington,  
16 D.C., any of my other employees in Washington, D.C.?  
17 A I don't know who your employees are.  
18 THE DEFENDANT: Okay . I have no more questions.  
19 THE COURT: All right. Thank you.  
20 Mr. Yates, do you have any questions?  
21 MR. YATES: Very briefly, Your Honor.  
22 REDIRECT EXAMINATION  
23 BY MR. YATES:

## Rudy Davis

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24 Q Agent Oleski, you testified that you did conduct  
25 some interviews in connection with your investigation, correct?

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1 A That's correct.  
2 Q And you were asked in particular by Anthony Williams  
3 regarding your interaction with Ms. Dorita Dixon, correct?  
4 A That's correct.  
5 Q And Dorita Dixon indicated to you that  
6 you -- that -- excuse me --- that she did not know Anthony  
7 Williams, correct?  
8 A That's correct.  
9 Q All right. And then Mr. Williams had raised and  
10 presented to you and showed to you Exhibit 817, correct?  
11 A That's correct.  
12 Q Okay. And 817 appears to --  
13 THE COURT: We have it in front of us, so what's  
14 your question.  
15 Q (BY MR. YATES:) Okay. Is it possible that Dorita  
16 Dixon was lying about knowing Mr. Anthony Williams?  
17 A Absolutely possible.  
18 MR. YATES: Nothing further.  
19 THE COURT: All right. You're excused as a witness.  
20 Thank you. Please don't discuss your testimony with anyone  
21 until the conclusion of the trial. Good day, sir.  
22 THE WITNESS: Thank you, ma'am.

PATRICIA A. MAU-SHIMIZU

p.8

1 Q Ms. Mau-Shimizu, is the Hawaii State Bar Association  
2 a Hawaii state governmental agency?  
3 A No. We were established by the Hawaii State Supreme  
4 Court, but I am not officially --- we are not officially a state  
5 agency. We are a 501(c) (6) according to the IRS.  
6 Q So that means this --- the Hawaii State Bar is a  
7 private corporation, correct?  
8 A It's a corporation. It's a nonprofit corporation.  
9 Q But it's a private corporation, correct?  
10 A It is not a government entity.  
11 Q I'm saying it's a private corporation, correct?  
12 A It's not a government entity.  
13 Q Right. But I'm asking you --  
14 THE COURT: All right. So--  
15 MR. YATES: Objection --  
16 THE COURT: --asked and answered. Ask the next  
17 question.  
18 THE DEFENDANT: It's a yes or no.  
19 THE COURT: She answered the question. You can ask  
20 another question.  
21 Q (BY THE DEFENDANT:) Is there a constitutional  
22 article or amendment that created the Hawaii State Bar?  
23 A The Hawaii State Bar Association was created by the  
24 Hawaii State Supreme Court by its rules.  
25 Q This is a yes or no question. Is there an article or

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## Rudy Davis

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1 amendment in the Constitution that created the Hawaii State  
2 Bar?  
3 A It was created by rule by the Hawaii State Supreme  
4 Court through their rules.  
5 Q Maybe you're misunderstanding my question. This is  
6 a yes or no question, Ms. Mau-Shimizu. Is there an article or  
7 an amendment in the U.S. Constitution that has a provision that  
8 created the Hawaii State Bar? Yes or no?  
9 MR. YATES: Objection. Asked and answered.  
10 THE COURT: Overruled.  
11 THE WITNESS: There is a provision in the Hawaii  
12 State Constitution which authorizes the judiciary as the third  
13 branch of government and part of that is the regulation of the  
14 practice of law in the state of Hawaii. That's the Hawaii  
15 State Constitution. And no, there is no provision in the U.S.  
16 Constitution creating the Hawaii State Bar Association.  
17 Q (BY THE DEFENDANT:) Now, does the Hawaii State  
18 Constitution override the U.S. Constitution? Yes or no?  
19 I think it's --- it works in conjunction with the  
20 Federal Constitution.  
21 Q Do you know what Article VI in the U.S. Constitution  
22 states?  
23 MR. YATES: Objection. Calling for a legal --  
24 THE DEFENDANT: She's an attorney.  
25 THE COURT: Wait. Let him put his objection on the

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1 record and then I'll rule on it. So your objection?  
2 MR. YATES: Asking for a legal opinion and we have  
3 not qualified Ms. Mau-Shimizu as a legal expert.  
4 THE COURT: Right. But she's testified that she has  
5 been in the practice of law and she regulates lawyers.  
6 MR. YATES: Yes, correct.  
7 THE COURT: All right. So overruled.  
8 All right. So do you want the question repeated?  
9 THE WITNESS: Yes, please.  
10 THE COURT: All right. So let me just read the  
11 question from the record: "Do you know what Article VI in the  
12 U.S. Constitution states?"  
13 THE WITNESS: I'm not familiar verbatim.  
14 Q (BY THE DEFENDANT:) Okay. So did you study  
15 constitutional law in law school?  
16 A Over 40 years ago, yes.  
17 Q And so if you studied over 40 years, don't you all  
18 still have to have continuing education to be abreast on the  
19 laws of the United States, especially the Constitution?  
20 A The continuing legal education requirements here in  
21 the state of Hawaii, as well as the other 49 states, you don't  
22 have to necessarily take constitutional law if that's not your  
23 area of practice. Usually attorneys take continuing legal  
24 education in their area of practice or if they're transitioning  
25 to a new practice. But then of course at the Hawaii State Bar

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1 Association we offer every year a program by the UH law school  
2 dean that gives a overview of the issues coming -- arising from  
3 the federal courts. But there's no requirement to take  
4 constitutional law as a continuing legal education subject.

## Rudy Davis

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5 Q Do you have an oath that you took to uphold the U.S.  
6 Constitution?  
7 A Yes.  
8 Q Now, is it possible to uphold something you know  
9 absolutely nothing about?  
10 A I didn't say I didn't know absolutely nothing about  
11 the U.S. Constitution.  
12 Q Okay.  
13 THE COURT: Okay. So just ask her about if you have  
14 a question about Article VI.  
15 THE DEFENDANT: Okay.  
16 THE COURT: But she just said she can't repeat it  
17 verbatim.  
18 Q (BY THE DEFENDANT:) So if I was to quote you the  
19 Article VI, would you remember that that's what it states?  
20 THE COURT: Okay. So it's not a memory test. Do  
21 you have a question about Article VI?  
22 Q (BY THE DEFENDANT:) Well, do you know that  
23 Article VI states that the U.S. Constitution is the supreme law  
24 of the land?  
25 A Yes, the U.S. Supreme -- U.S. Constitution is the

p. 12

1 law of the land for the 50 states and territories.  
2 Q Right. So therefore, if a state pass a law, whether  
3 it's a state constitutional law or a state law, if it abrogates  
4 the Constitution or contravenes the Constitution, is that law  
5 valid?  
6 A It could be challenged.  
7 Q So ---  
8 A But there's sovereignty in all the 50 states, so it  
9 could be challenged if a state promulgated a law, whether it's  
10 criminal or civil, which is not -- which is not consistent with  
11 the U.S. Supreme Court and the U.S. Constitution  
12 Q So all the laws would have to be in accordance or  
13 in harmony with the U.S. Constitution to be valid, correct?  
14 A You would hope so.  
15 Q Well, isn't that how --  
16 THE COURT: Okay. So what's your question on a  
17 specific law? Honestly, I'm not going to let you have this big  
18 discussion philosophically about the constitutional scope --  
19 THE DEFENDANT: Okay  
20 THE COURT: -- of the U.S. Constitution versus  
21 state.  
22 Q (BY THE DEFENDANT:) Is there a provision in the  
23 Constitution, any article or amendment that mentions the word  
24 attorney at law anywhere?  
25 THE COURT: Okay. Again, she's not being offered to

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1 talk about the United States Constitution.  
2 THE DEFENDANT: But --  
3 THE COURT: Just ask her is that does the United  
4 States Constitution permit practice of law by unlicensed people  
5 that you don't have to -- that's your point, right?  
6 THE DEFENDANT: Well, I have to make the  
7 ground -- foundation first to ask that.  
8 THE COURT: No, you could ask her because she's

## Rudy Davis

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9 already testified what the requirements to practice law in  
10 Hawaii.  
11 Q (BY THE DEFENDANT:) So according to the  
12 Constitution, is there any article or amendment that says  
13 someone that's not a member of the bar cannot assist others in  
14 court?  
15 A I don't believe so.  
16 Q Are you familiar with the First Judiciary Act of  
17 1789?  
18 A No, I'm not.  
19 Q Do you know what year the Sixth Amendment was added  
20 to the Constitution?  
21 THE COURT: Okay. Again, I'm not going to let you  
22 ask her these questions because it has nothing to do with the  
23 issue she's testifying about about what you need to practice  
24 law in the state of Hawaii.  
25 THE DEFENDANT: But --

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1 THE COURT: So if you have a question that says  
2 there's another law that permits and unlicensed person to  
3 practice law in Hawaii, go ahead and ask her.  
4 Q (BY THE DEFENDANT:) Well, does the Sixth Amendment  
5 allow a accused who's been accused of a crime the assistance of  
6 counsel?  
7 THE COURT: All right. I'm not going to ask  
8 you -- leet you ask her questions on that 'cause that has  
9 nothing to do with the issues in this case.  
10 THE DEFENDANT: But that --  
11 THE COURT: No, no. I've permitted you to represent  
12 yourself in this case. That's not an issue before the jury.  
13 What's before the jury are the allegations that the  
14 government has to prove against you about Mortgage Enterprise,  
15 et cetera. So you can ask her questions about representing  
16 people in civil matters.  
17 THE DEFENDANT: Well, this is what I'm trying to  
18 establish because present in -- this is their witness that she  
19 works for the Hawaii State Bar and see --  
20 THE COURT: I'm not going to have this dialog with  
21 you. I'm just telling you move on, and at the next recess you  
22 can put it on the record. But I'm not going to have you  
23 inquire about self-representation in criminal law cases. All  
24 right. You can ask her about civil cases.  
25 Q (BY THE DEFENDANT:) So in civil cases is -- can

p. 15

1 someone who's not a member of the bar assist anyone in court?  
2 A No. A person -- in civil cases a person who is a  
3 party in the action may represent him or herself.  
4 Q So you're not familiar with the term "next friend"?  
5 A No.  
6 Q You've never read Rule 17 of the Federal Rules of  
7 Civil Procedure?  
8 A I'm not familiar with Rule 17, but on rule -- I'm  
9 familiar with Rule 17 of the Hawaii State Supreme Court rules  
10 which establishes the Hawaii State Bar Association.  
11 Q So is the Hawaii State rules different than the  
12 federal civil rules?

## Rudy Davis

---

13 A yes.

14 Q How so?

15 A Numerous differences. I only practiced in state

16 court. I'm not familiar with federal court. Federal Rules of

17 Civil Procedure, I took that class over 40 years ago, but I

18 never really practiced in federal court. I practiced in state

19 court.

20 Q So then you don't know -- if you didn't practice in

21 federal court, so then you don't know if the rules are similar?

22 THE COURT: Well, Okay. So I'm not going to -- so

## Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:06 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 5-- MAU-SHIMIZU-2

23 you can ask her if the federal rules or the state rules of  
24 civil procedure have anything to do with the licensed practice  
25 of law. That's what she's being offered for, the licensed

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1 practice of law in the state of Hawaii. So is there some rule  
2 you want to point out to her that covers the licensed -- or who  
3 can practice law?  
4 THE DEFENDANT: Right. That's the U.S. --  
5 Q (BY THE DEFENDANT:) Well, you testified earlier  
6 that the laws have to be in accordance with the U.S.  
7 Constitution, the U.S. Supreme Court, correct?  
8 A Yes.  
9 Q Okay. So if the U.S. Supreme Court rules on an  
10 issue, is all the states bound by that ruling by the U.S.  
11 Supreme Court?  
12 A Should be.  
13 Q Okay. So if the U.S. Supreme Court rules that  
14 someone that's not a member of the bar can assist other people  
15 in court, whether it's criminal or civil, then the states are  
16 bound to obey that U.S. Supreme Court ruling, correct?  
17 A If there's such a rule -- if there's such a rule.  
18 Q Right. So if I showed you a rule, a plethora of  
19 rules from the Supreme Court that states that laymen in and out  
20 of prison can assist other people in court without being  
21 charged with the unlicensed practice of law, then would you be  
22 in accordance with the ruling of the Supreme Court?  
23 A I would have to review your documents.  
24 Q So if -- if we had a recess and you could look up  
25 those --

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1 MR. YATES: Objection, Your Honor.  
2 THE COURT: Let him finish his question.  
3 Q (BY THE DEFENDANT:) So if we had a recess and you  
4 could look up those Supreme Courts ---'cause I can give you the  
5 actual case number --- and you read that, then would you agree  
6 with the U.S. Supreme Court that one does not have to be a  
7 member of the bar, that they can assist others in court without  
8 being a member of the bar?  
9 MR. YATES: Objection, Your Honor. This witness is  
10 not being offered as an expert. She's merely being offered to  
11 demonstrate that Mr. Williams is not a licensed member of the  
12 Hawaii State Bar Association. This is an inappropriate line of  
13 questioning for this witness. You know, had the --- had  
14 Mr. Williams posed this line of question with a legal expert,  
15 that might be a different matter. This is an inappropriate  
16 line of questioning for this witness. Thank you.

## Rudy Davis

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17 THE COURT: All right. Sustained.  
18 Okay. So next question. She's here to testify whether or  
19 not you're licensed to practice law in the state of Hawaii and  
20 what the requirements are to be licensed to practice law. If  
21 you want to ask her questions --  
22 THE DEFENDANT: Okay.  
23 THE COURT: -- on that, go ahead.  
24 Q (BY THE DEFENDANT:) Ms. Mau-Shimizu, did the Hawaii  
25 State Bar write me a letter stating that what I was doing is

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1 the unlicensed practice of law?  
2 A I don't recall.  
3 Q Did the Hawaii State Bar ever charge me for  
4 representing people in court for the unlicensed practice of  
5 law?  
6 A Not to my knowledge since I been there because it  
7 hadn't been reported to the Hawaii State Bar Association.  
8 Q Well, you just said you looked up the -- my name in  
9 your system, correct?  
10 A Yes.  
11 Q Okay. So if you looked up my name in the system,  
12 why were you looking up my name?  
13 A I was asked to verify whether you were an attorney  
14 licensed to practice law in the state of Hawaii.  
15 Q Okay. And so who told you to -- who asked you to  
16 look that up?  
17 A Someone from the U.S. Attorney's Office.  
18 Q Do you have a name?  
19 A I don't recall the initial person I spoke to.  
20 Q Okay. What about the second person you talked to?  
21 A I spoke to Mr. Yates and I spoke to Megan and  
22 Heather.  
23 Q And so when you talked to them, did they say that I  
24 was violating the unlicensed practice of law statutes?  
25 A No. They just asked whether your name was in the

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1 database as a attorney licensed to practice law in the state of  
2 Hawaii.  
3 Q Okay. Did they tell you that I was telling  
4 customers that I was a member of the bar?  
5 A I had inquired as to why the inquiry.  
6 Q And what did they say?  
7 A That you were representing yourself as an attorney  
8 licensed to practice in the state of Hawaii.  
9 Q So -- so they told you that I was actually  
10 representing myself as a licensed attorney in Hawaii?  
11 A I believe so.  
12 Q So they didn't tell you that I was representing that  
13 I was a private attorney genera and not a licensed attorney  
14 and not a member of the bar? That's not what they told you?  
15 A No. They told me that you were not -- they asked me  
16 if you were licensed to practice in the state of Hawaii.  
17 Q Did you see any of the videos of me assisting people  
18 in Hawaii state court here?  
19 A I didn't research anything on you.  
20 Q So you just basically just took their word?

## Rudy Davis

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21 A I answered their question.  
22 Q I'm saying you said they told you what -- that I was  
23 claiming to be an attorney licensed. So you just took their  
24 word that that's what I was telling people?  
25 A I had no reason to believe what they said was not

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1 true. They didn't say they were telling people. They were  
2 answering my question as to why they were inquiring about an  
3 Anthony Williams  
4 Q So did they ask you to file civil charges against me  
5 for unlicensed practice of law?  
6 A No, because that's not within the jurisdiction of  
7 the Hawaii State Bar Association.  
8 Q So let me get this straight. So if the Hawaii State  
9 Bar alleges someone is practicing law without a license, they  
10 don't send a letter to that person?  
11 THE COURT: Okay. So why don't you ask her if  
12 that's what the Hawaii State Bar Association does.  
13 Q (BY THE DEFENDANT:) Is that what the Hawaii State  
14 Bar Association does?  
15 A If someone is reporting to us that they are  
16 practicing law, representing themselves as an attorney, and we  
17 check the database and they're not licensed in the state of  
18 Hawaii, I refer the name to the Office of Disciplinary Counsel,  
19 and that's the Supreme Court entity created for the  
20 disciplining of people and the investigation. The Hawaii State  
21 Bar Association does not investigate allegations. We do not  
22 prosecute.  
23 Q So is the Hawaii State Bar Association, is it  
24 operated differently than the other state bar association?  
25 A No, it's very similar. And I might add to my prior

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1 THE COURT: I understand.  
2 THE DEFENDANT: What I'm trying to establish that --  
3 THE COURT: I understand and I have sustained the  
4 objection. Ask her another question about the Hawaii State Bar  
5 Association.  
6 Q (BY THE DEFENDANT:) So -- so before 1899 in the  
7 state of Hawaii, one did not have to be a member of the bar  
8 association, correct?  
9 A No, it was a loose-knit organization in 1899.  
10 Q So before 1899, who could assist people?  
11 THE COURT: Okay. So why is that relevant? She's  
12 talking about during the period of time that's alleged in the  
13 indictment. As fascinating as it is, what happened in the 19th  
14 century, it's not relevant to what's going on today.  
15 So if you have any questions regarding the area that  
16 Mr. Yates asked her questions on, go ahead and ask her other  
17 questions.  
18 Q (BY THE DEFENDANT:) So if someone was violating the  
19 Hawaii State Bar so-called licensed rules, wouldn't that person  
20 be sanctioned by the Hawaii State Bar?  
21 A No. We would refer the matter to the Office of  
22 Disciplinary Counsel or to the Hawaii Attorney General's Office  
23 for investigation and possible prosecution. The Hawaii State  
24 Bar Association does not investigate or prosecute. That's not

## Rudy Davis

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25 within our jurisdiction.

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1 Q Okay. So since 2013, has the Hawaii State Bar  
2 referred me and my actions of assisting people in court here in  
3 Hawaii for investigation and criminal charges for unauthorized  
4 practice of law?

5 A Not to my knowledge; however, during that time frame  
6 I must disclose I was filling out an insurance form for my  
7 volunteer attorneys and you had sued the Hawaii State Bar  
8 Association, the governor, lieutenant governor, and all -- the  
9 chief justice of the Hawaii Supreme Court and all the judges of  
10 the state bench and the Hawaii State Bar Association. I came  
11 across the case in which you filed against us, the Hawaii  
12 State Bar Association.

13 Q Right. And so since you came across that, what did  
14 I allege in the lawsuit?

15 A That you were allowed to practice law.

16 Q That I didn't have to be a member of the bar to  
17 practice law, correct?

18 A Yes

19 Q And since I filed that lawsuit, if what I was doing  
20 was illegal, wouldn't the Hawaii State Bar would have answered  
21 and say, "You are practicing law and we're charging or the  
22 Attorney General?" Wouldn't they would have filed a response  
23 to say What you were doing was wrong?

24 A A case was filed in Florida, and this Hawaii State  
25 Attorney General's office notified me that the case was

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1 dismissed.

2 Q Right. So I'm saying in Hawaii, so if I was doing  
3 that, wouldn't I have been charged in Hawaii since the Attorney  
4 General knew what I was doing? They actually put an  
5 advertising on the TV about if anybody was represented by me to  
6 call them and make a complaint. Do you remember that?

7 MR. YATES: Objection.

8 THE WITNESS: No, I don't.

9 MR. YATES: Relevance and speculation and calls for  
10 speculation.

11 THE COURT: All right. She's indicated she doesn't  
12 know, so, okay.

13 Q (BY THE DEFENDANT:) So I was never charged with  
14 unlicensed practice of law in your system in the state of  
15 Hawaii, correct?

16 A I don't keep track of people who have been charged  
17 with any infraction of the law. I keep track of people who are  
18 licensed to practice law in state courts in the state of  
19 Hawaii.

20 Q So the Hawaii Bar Association only has authority  
21 then over bar members, correct?

22 A We have authority over bar members and we assist the  
23 Hawaii Supreme Court to make sure that only those individuals  
24 who have been authorized by the Hawaii State Supreme Court to  
25 practice law in the state of Hawaii do so.

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## Rudy Davis

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1 Q So if I leave practicing to attorneys at law and  
2 what I did is being an expert, is that different between  
3 practicing and being an expert in law?  
4 A I don't understand your question.  
5 Q Well, let me explain it like this: you saying the  
6 attorneys at law practice law, right?  
7 A Licensed attorneys, yes, practice law.  
8 Q Okay. So if -- just to give you an analogy, if you  
9 wanted to have, say, triple bypass surgery, would you want a  
10 medical student that's practicing or would you want a doctor  
11 that's an expert in triple bypass surgery?  
12 THE COURT: Okay. So interesting question, but it's  
13 not really relevant. She's talking about licensed individuals  
14 so -- to practice law. She doesn't have any training or  
15 experience in the medical practice. So...  
16 THE DEFENDANT: But she asked what the difference  
17 between practice and being an expert. I was just giving her an  
18 a analogy so she can understand the question.  
19 THE COURT: Understood. So you can ask her  
20 questions about license -- what do you have to be to be  
21 licensed, how the database is kept. You can ask her those  
22 questions. So I'm not going to let you ask her that  
23 hypothetical 'cause it's not really relevant.  
24 THE DEFENDANT: Well the only reason I did that  
25 because she said she didn't understand --

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1 THE COURT: You can ask another question. You can  
2 ask another question.  
3 Q (BY THE DEFENDANT:) So the practice of law  
4 constitute what?  
5 A Use the skills one has gained through education and  
6 experience to assist people, whether it's it court, drafting  
7 documents, or draft -- or drafting laws, like at the state  
8 capitol, what I used to do for 30 years.  
9 Q SO there's no provision where someone who's not a  
10 member of the bar can fill out forms for somebody else other  
11 than an attorney at law, member of the bar?  
12 A Could you repeat the question?  
13 Q So there's no other way a person can draft legal  
14 pleadings for someone else unless they are a member of the bar  
15 association?  
16 A But there are a lot of -- I don't know how to answer  
17 your question because there are a lot of these forms online  
18 like LegalZoom and the rest. So they're licensed in other  
19 jurisdictions, and attorneys in other jurisdictions are

## Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:07 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 6-- MAU-SHIMIZU - 3

20 assisting people here in the state of Hawaii and all across the  
21 nation, so they're using technology.  
22 Q Okay. You just mentioned LegalZoom. Do you --- are  
23 you familiar with the lawsuit that the state bar associations  
24 filed against Legal Zoom?  
25 A No, I'm not a party to that.

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1 Q Okay. If you was to look at the lawsuit, the  
2 lawsuit was about --  
3 THE COURT: No, no. Do you have any objection to  
4 this? Isn't this far afield, Mr. --  
5 MR. YATES: Yes, yes, Your Honor.  
6 THE COURT: I mean, I don't want to earn your  
7 paycheck for you.  
8 MR. YATES: I apologize, Your Honor. Out of scope  
9 and improper hypothetical.  
10 THE COURT: All right. Sustained.  
11 So you need to ask her questions in the area that  
12 Mr. Yates asked her questions in about what you have to be to  
13 be licensed, how she keeps the database. We're going kind of  
14 far afield here.  
15 Q (BY THE DEFENDANT:) Okay. So the licensing by the  
16 bar is only for members of the bar, correct -- well, from your  
17 agency?  
18 A Only people authorized by the Hawaii Supreme Court  
19 to practice in state courts come to the Hawaii State Bar  
20 Association to check in with us and to become members.  
21 Q And are you -- you familiar with the Black's Law  
22 Dictionary, correct?  
23 A Yeah, I saw one 40 years ago when I was in law  
24 school.  
25 Q So after you got out of law school, you stopped

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1 looking at legal books, legal dictionaries?  
2 THE COURT: Okay. So what do you want to ask her  
3 that has to do with licensign withing the state of Hawaii to  
4 practice law?  
5 THE DEFENDANT: 'Cause in the Black's Law Dictionary  
6 it states who can be licensed and who don't have to be  
7 licensed.  
8 THE COURT: All right. Is the Black's Law  
9 Dictionary something the Hawaii Bar Association relies on to  
10 determine who can be licensed to practice law?  
11 THE WITNESS: NO, we do not rely on Black's Law  
12 Dictionary.  
13 THE COURT: Okay.

## Rudy Davis

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14 Q (BY THE DEFENDANT:) So how do you define legal  
15 terms? What authority do you use to define the legal terms?  
16 MR. YATES: Objection. Out of scope and irrelevant.  
17 THE COURT: Legal terms for what? Like who can  
18 practice law?  
19 THE DEFENDANT: Right.  
20 THE COURT: So where do you get your direction as to  
21 how people can be licensed to practice law?  
22 THE WITNESS: Through the Hawaii State Supreme  
23 Court.  
24 Q (BY THE DEFENDANT:) And what is the Hawaii State  
25 Supreme Court relying on?

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1 A If the Supreme Court has told me through court order  
2 that the individual has passed the exam, passed the character  
3 fitness test and all the other items requiredd by the Hawaii  
4 State Supreme Court, yes I would admit them to be licensed with  
5 the Hawaii State Bar Association.  
6 Q Well, no, I'm asking you so that's the only thing  
7 you know. So you don't know any U.S. Supreme COurt rulings  
8 outside of what you have been taught that you have to be a member of  
9 the bar association, correct?  
10 A No, this is the Hawaii State Bar Association.  
11 Q Right, that's what I'm saying, the Hawaii State Bar.  
12 So that's the only thing that you know, correct? So you've  
13 never done the research in looking up the U.S. Supreme Court  
14 rulings that give people like me the right to assist others in  
15 court, correct?  
16 A I have not -- did not have occasion to do so.  
17 That's out of the scope of my responsibility.  
18 Q Okay. So you don't know that it's true 'cause you  
19 haven't done the research?  
20 A Yes.  
21 Q Okay. Now, since I been in Hawaii and you --- are  
22 you the director of the Hawaii State Bar Association or you the  
23 manager or --  
24 THE COURT: She's the executive director.  
25 THE DEFENDANT: You the executive director. Okay.

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1 THE COURT: Right. But --  
2 Q (BY THE DEFENDANT:) So you've never --  
3 THE COURT: She doesn't prosecute. All right. So  
4 you could be prosecuted by the AG's and she doesn't know about  
5 it.  
6 So anyway, so it's been asked and answered. So you can  
7 ask another question.  
8 Q (BY THE DEFENDANT:) Okay. So you didn't get any  
9 letters from the Attorney General Office that they was going to  
10 file some -- a complaint against me for the unlicensed practice  
11 of law, correct?  
12 A I didn't. That's not a standard practice.  
13 Q So would they let you know if they was going to go  
14 after somebody? or you wouldn't know?  
15 A They wouldn't necessarily let me know other than to  
16 ask me or give me a call or email to say is this individual in  
17 your database authorized to practice law in the state of

## Rudy Davis

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18 Hawaii.

19 Q Okay. Did Gregg Yates or Ken Sorenson tell you that  
20 I been charged with unlicensed practice of law in the state of

21 Hawaii?

22 A Yes. When they called me to ask me to search the  
23 database, then I inquired why are you searching for the name of  
24 this individual?

25 Q No, no, I think you misunderstood what I just asked.

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1 I said did they tell you that I have been charged in the state  
2 of Hawaii and convicted of unlicensed practice of law?

3 A No.

4 THE DEFENDANT: Okay. I have no more questions.

5 THE COURT: All right. Any redirect?

6 MR. YATES: No redirect from the government, Your  
7 Honor.

8 THE COURT: All right. Thank you, Ms. Mau-Shimizu.

9 You're released as a witness. Please don't discuss your  
10 testimony with anyone until the conclusion of the trial. Thank  
11 you.

12 THE WITNESS: Thank you.

## Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:05 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 7--MELVYN VENTURA

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10 Q Okay. Now, did Anthony Williams say anything about  
11 referring other clients to MEI?  
12 A I don't remember him suggesting that to me, but I  
13 have a friend, a sister that going to church with me, and  
14 because I wanted to help her with the same situation that I'm  
15 at, so I refer it --- referred them to him.  
16 Q Okay. So after you signed up for MEI, what did  
17 Anthony Williams tell you to do regarding your mortgage  
18 payments to PNC?  
19 A It was --- at that time it was Mr. Malinay that told  
20 me to -- that I can --- I can stop making payment.  
21 Q Okay. And what did you do.  
22 A I stop make the payment.  
23 Q And what happened after you stopped making the  
24 payments to PNC?  
25 A And once again starting to get delinquency notice,

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1 foreclosure threat.  
2 Q Okay.  
3 A A letter.  
4 Q And what, if anything, did MEI or Anthony Williams  
5 do after you started getting these threats?  
6 A And then they stop the foreclosure.  
7 Q How did they stop the foreclosure?  
8 A By filing some documents in court.  
9 Q Okay. Did the foreclosure indeed -- were you out of  
10 foreclosure at that point?  
11 A At that point I was --- could you elaborate the  
12 question, sir?  
13 Q Sure. You said that they stopped the foreclosure.  
14 But did you actually get out of foreclosure at that point?  
15 A No.  
16 Q Okay. So do you understand that MEI and Anthony  
17 Williams did anything that pulled you out of foreclosure at  
18 all?  
19 A Could you repeat the question, sir?  
20 Q Yeah. Did they do anything to take you out of  
21 foreclosure?  
22 A They-- they tried to challenge it in court.  
23 Q Okay. And was that successful?  
24 A It was. I believe it was 'cause I still have my  
25 house.

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4 THE COURT: Let the record reflect the jury is not

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5 present. Present are counsel and Mr. Williams.  
6 I believe the government has a issue they'd like to raise?  
7 MR. YATES: Yes, your Honor, very briefly. We were  
8 presented with three documents yesterday which we understand  
9 that the defendant wishes to use with respect to this current  
10 witness, Mr. Melvyn Ventura. The government has significant  
11 concerns regarding these three documents and because they may  
12 required, you know, some argument, wish to bring this to the  
13 Court's attention outside the presence of the jury.  
14 To briefly outline them, there is -- one --  
15 THE COURT: Is it possible to put them on the  
16 docucam si I can see them?  
17 MR. YATES: We sure can.  
18 THE COURT: All right. Thank you.  
19 MR. YATES: So the first document that the  
20 government is referring to is a -- appears to be a five-page  
21 email chain. The most recent emails are all between the  
22 witness and Mr. Williams. They appear to be communications  
23 that Mr. Williams is having with the witness pertaining to the  
24 subject of his testimony. We certainly don't have a problem  
25 with Mr. Williams communicatin with the witness; that's, you

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1 know, his own business.  
2 We do, however, have serious concerns with this -- the  
3 hearsay nature of this email chain. It appears merely to be  
4 Mr. Williams's attempt to, you know, litigate his own case  
5 theory with this witness.  
6 We also have concerns with the fact that, you know, he  
7 seems to be making incendiary arguments regarding, you know,  
8 the -- it looks like a suggestion to go to the Bureau of  
9 Conveyances website to look up the mortgages of the judge and  
10 the prosecutor to see how many mortgages they paid off. It  
11 seems like it has no relevance whatsoever.  
12 But primarily, this is a hearsay statement. All of it are  
13 hearsay statements. They're certainly hearsay against  
14 the -- as to the party. We could, as the government, introduce  
15 a party admission, but it's not something that Mr. Williams can  
16 introduce on his favor. And with respect to Mr. Ventura, the  
17 witness, he's not a party. So these are not party admissions  
18 that can be admitted against him.  
19 Also, this out of court statement is NOT a statement under  
20 oath in a separate proceeding, so it's not even proper as  
21 impeachment evidence should Mr. Ventura testify contrarily to  
22 this document.  
23 So with respect to that document, we object.  
24 THE COURT: All right. Mr. --  
25 MR. YATES: I can go through all three or I can

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1 leave you to discuss.  
2 THE COURT: What are the other two documents?  
3 MR. YATES: The other two documents are  
4 affidavits -- or I should say they're named affidavits. The  
5 first of these purports to be an affidavit by Mr. Ventura. It  
6 is not signed. Certainly the government has not seen this  
7 document or is not aware of this document. And there's no  
8 indication that this document was ever introduced as part of

## Rudy Davis

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9 any legal proceeding under oath. So this is not-- this is  
10 also entirely hearsay, not relevant, and it's outside of any  
11 exception.  
12 Finally, there is a third affidavit, again, just a  
13 document that's named an affidavit. This one does appear to  
14 have a signature on it and it does appear to have some kind of  
15 acknowledgement or notary statement. However, also there's no  
16 indication that this was introduced as part of a legal  
17 proceeding under oath. And so absent any foundation, it's not  
18 even proper for impeachment, but even with that foundation,  
19 it's certainly not proper as substantive evidence.  
20 Thank you, Your Honor.  
21 THE COURT: What about a prior recorded -- what  
22 about a recorded recollection, 803(5)?  
23 MR. YATES: 803(5), yes, Your Honor. With respect  
24 to the affidavit, these are merely conclusory statements. I'm  
25 going to note nothing fraudulent about an email, nothing

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1 fraudulent about an email; that's the representations over and  
2 over again. So we're not clear how this is a fact that would  
3 represent a recorded recollection --  
4 THE COURT: Well, it was made or adopted by the  
5 witness when the matter was fresh in the witness's memory.  
6 That's the second prong of recorded recollection.  
7 MR. YATES: Sure, but --  
8 THE COURT: I guess he can deny it or can be  
9 confronted with it, but it looks like it's squarely within  
10 Rule 803(5) as a recorded recollection.  
11 MR. YATES: And the government's position with  
12 respect to that is that this would pertain to recorded facts  
13 and not merely legal conclusions or conclusory statements as is  
14 the case with this affidavit  
15 One moment.  
16 Also, another note, it does say that at least according to  
17 that exception that this was adopted when the matter was fresh  
18 in the witness's memory. This is dated looks like 2018, so  
19 it's not clear that that's -- that foundation has been laid.  
20 THE COURT: All right. It's an adopted statement so  
21 maybe he had a better recollection in 2018 than 2020, but,  
22 okay. So those are the two, the unsigned affidavit, the signed  
23 affidavit.  
24 MR. YATES: The email chain -- and the email chain.  
25 THE COURT: And the email chain.

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1 MR. YATES: Yes, Your Honor.  
2 THE COURT: All right. Mr. Williams.  
3 THE DEFENDANT: Well, their argument, first of  
4 all, it's utterly ridiculous. They want to exclude an email  
5 exchange between me and this witness when their whole bogus  
6 indictment has to do with four emails between me and this  
7 witness. So they want to indict me on emails that's a  
8 out-of-court statement that aint sworn under oath, but they  
9 don't want to enter in a sworn statement by this same witness  
10 that's accounting what these email statements between him and  
11 me were about, that there was nothing fraudulent about, and  
12 he's sworn to oath to a notary that there's nothing fraudulent

## Rudy Davis

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13 and while it was fresh in his mind.  
14 Also, there is another affidavit I need to show you that  
15 this witness also did in 2015. Do I need to put it on the  
16 screen?  
17 THE COURT: Well, have you given it to the  
18 prosecutors?  
19 THE DEFENDANT: Yeah, I got it from them. It's part  
20 of their discovery.  
21 THE COURT: Okay.  
22 THE DEFENDANT: They got it off my computer and all  
23 that stuff. It's Exhibit 2138.  
24 THE COURT: All right. You've already identified it  
25 as an exhibit?

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1 THE DEFENDANT: Right.  
2 THE COURT: Okay.  
3 THE DEFENDANT: It's page 18.  
4 THE COURT: Okay. This is a --  
5 THE DEFENDANT: Affidavit from the witness.  
6 THE COURT: By Mr. Ventura.  
7 THE DEFENDANT: Yeah. On 20--  
8 THE COURT: Why don't you put it on the docucam.  
9 MR. YATES: Yeah, we just received this today, Your  
10 Honor.  
11 THE DEFENDANT: No, you didn't. You been had this.  
12 THE COURT: All right. So I --  
13 MR. ISAACSON: Mr. Williams, is there a second page  
14 to it?  
15 THE COURT: We'll get into when it was produced.  
16 But so this you also want to use with regard to Mr. Ventura; is  
17 that right?  
18 THE DEFENDANT: Yes. This was actually --  
19 MR. YATES: Your Honor, I'm going to need the page  
20 number. This exhibit contains numerous documents that are --  
21 THE DEFENDANT: 18 and 19. This  
22 was actually produced in the government's discovery under Bates  
23 number 030246.  
24 THE COURT: Okay. So -- so let's leave the  
25 affidavits aside. What about the emails?

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1 THE DEFENDANT: Yeah, the emails --  
2 THE COURT: Why is that not hearsay?  
3 THE DEFENDANT: Well, because this is the direct  
4 statement from this witness and to me and my direct statements  
5 to him, the same thing they're trying to use their hearsay  
6 statements to charge me with, this bogus --  
7 THE COURT: So charging is another thing, being in  
8 trial. So a hearsay statement is an out-of-court statement  
9 being offered for the truth of the matter that's not been given  
10 under oath. So we agree that the emails are not given under  
11 oath and so they're exceptions for allowing a statement, and I  
12 don't see any exception with regard to the email. So he's not  
13 an opposing party so there's not that exception.  
14 But moreover than that, I'm wondering why it's relevant  
15 that you folks, whatever the subject matter of the emails are,  
16 is relevant to the issue in this.

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17 THE DEFENDANT: Because --  
18 THE COURT: Is he saying something different than he  
19 said to you in his email?  
20 THE DEFENDANT: Well, what he's stating is  
21 that -- well, in the email that he appreciates me for stopping  
22 his foreclosure.  
23 THE COURT: Okay. So it's relevant to what they  
24 asked him about the foreclosure.  
25 THE DEFENDANT: Right.

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1 THE COURT: Okay  
2 THE DEFENDANT: Right. And that he knows that what  
3 I was doing was right and helping people; that, you know, I'm a  
4 good -- you know, good-hearted person, my intentions are good.  
5 THE COURT: Okay.  
6 THE DEFENDANT: So, you know, he's just basically  
7 telling me how he appreciates, you know, what I do, my fight  
8 against corruption and things like that.  
9 Also, it goes directly to -- 'cause the 16 of the counts  
10 has to deal with him, his 12 payments and 4 of his email  
11 correspondence to me. So in order for me to defend myself  
12 against these emails that they're saying is fraudulent, I can  
13 show how other emails that was, you know, communication with  
14 this.  
15 THE COURT: Okay. So I'm going to allow the emails  
16 in but only Mr. Ventura's, not your emails to him because your  
17 emails to him don't reflect his recorded recollection or  
18 his -- his understanding at the time. So only his part of the  
19 emails come in.  
20 THE DEFENDANT: So only his response.  
21 THE COURT: His responses.  
22 Of the affidavits, the one that's not signed --  
23 THE DEFENDANT: Right.  
24 THE COURT: -- can't come in.  
25 THE DEFENDANT: I know can't come in.

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1 THE COURT: The one that is signed by him can come  
2 in as a recorded recollection under 803(5). Same for this  
3 affidavit of truth; as long as he verifies that's his  
4 signature --  
5 THE DEFENDANT: Right  
6 THE COURT: -- then you can offer it --  
7 THE DEFENDANT: Okay.  
8 THE COURT: --if you're offering it as an exhibit  
9 Mr. Isaacson, you have a clarification?  
10 MR. ISAACSON: Yeah, I do, Judge. The email you are  
11 speaking of has been marked Defense Exhibit 20151. And you do  
12 have a copy. So my understanding is if we were able to redact  
13 Mr. Williams's portion of this, then you would -- that's what  
14 you're speaking of?  
15 THE COURT: I would receive it into evidence over  
16 the objection of the government under 803(5).  
17 MR. ISAACSON: And the affidavit is signed is  
18 Defense Exhibit 2149 and that's the one we're referring to for  
19 the signed affidavit.  
20 THE COURT: Correct.  
21 MR. ISAACSON: Okay



## Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:07 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 8-- MELVYN VENTURA

22 THE COURT: Now, let me just look at the notes to  
23 see if it can only be read into evidence or can be received as  
24 an exhibit. It states in the rule, "If admitted, the record  
25 may be read into evidence but may be receive as an exhibit

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1 only if offered by an adverse party."  
2 So he is a witness --  
3 THE DEFENDANT: For the government.  
4 THE COURT: Mr. Ventura is a witness being offered  
5 by the government. Mr. Williams is the adverse party with  
6 regard to that. He's the one offering it into evidence. So I  
7 think that means I can receive it into evidence -- let me just  
8 look at the notes real quick. Okay. Doesn't really talk about  
9 that. So I'm going to find that you're adverse so you can  
10 offer it as an exhibit.  
11 Again, so my clarification of my ruling with regard to the  
12 emails, only Mr. Ventura's statements will be received over the  
13 objection of the government, and only the signed affidavits  
14 will be received as recorded recollection being offered by  
15 Mr. Williams who's the adverse party since Mr. Ventura's being  
16 called by the government.  
17 THE DEFENDANT: Okay. So we're going to need time  
18 to redact and get copies  
19 MR. ISAACSON: Your Honor, I can either -- I don't  
20 know -- we can-- Ms. Yeung's back at the office. We could try  
21 to electronically do it, have her bring it down in 15 minutes.  
22 THE COURT: I'll leave that you, but we're going  
23 to start with the witness 'cause we have the jury waiting. So  
24 he can start with something else other than the emails, but  
25 when you get it to him, you get it to him. But you need to

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1 show Mr. Yates first before you guys --that is, show him the  
2 redacted document before you can offer it.  
3 MR. ISAACSON: Yes, Your Honor.  
4 THE COURT: All right. We're in recess and we'll  
5 have Ms. Elkington get the jury.

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11 Q (BY THE DEFENDANT:) Do you remember that Edna  
12 Franco had already been sanctioned by the DCCA? Do you  
13 remember that?  
14 A I remember that.  
15 Q Okay. And did you remember that Edna and Henry set  
16 up a fraudulent company, tried to name it like mine? Did you  
17 remember that?

## Rudy Davis

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18 A I heard about it  
19 Q Okay. You heard about it but you don't remember all  
20 the --  
21 A I don't remember.  
22 Q Okay. Did you make a complaint to the FBI against  
23 me or MEI or CLOA for fraudulent names or deceiving you or  
24 anything like that?  
25 A No, sir.

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1 Q Okay. And did you ever contact the FBI or DCCA and  
2 make a complaint against me, MEI or CLOA?  
3 A No, sir.  
4 Q And the payments that you were sending to MEI,  
5 didn't you understand that that was to help fight your  
6 foreclosure that you were in at that time?  
7 A Yes, sir.  
8 Q And the quarterly statement that was sent to you  
9 that you received from MEI, you did understand that those were  
10 not false; they just reflected your balance that you would owe  
11 if you was able to complete the program?  
12 A That is from my understanding sir.  
13 Q Okay. Now, you do understand the email that we had  
14 regarding your December payment in November 23rd that there was  
15 nothing fraudulent about the email that you sent me in  
16 November, correct?  
17 A Yes, sir.  
18 Q Okay. And was there anything fraudulent about the  
19 response I sent you regarding you not have to make -- you  
20 didn't have to make that December payment?  
21 A Would you repeat that again, sir?  
22 Q Was there anything fraudulent about my response  
23 email telling you that you didn't have to make that December  
24 payment?  
25 A Uhm, I thought it was --- it was okay.

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1 Q Okay. And there was nothing fraudulent about your  
2 response that you sent to me on the following -- response to  
3 the email, correct?  
4 A Yes, sir.  
5 Q Okay. And do you support my fight for the people to  
6 get justice in the courts?  
7 A For all these years, sir, I have known you, sir, I  
8 believe in you. I have trusted you all these years.  
9 Q Okay.  
10 A Not until I -- I have a meeting with my first  
11 pretrial interview when they asked me the questions that did  
12 this -- didn't this occur to your mind thta the -- that your  
13 signature on a documents -- the signature on the documents  
14 is -- signature of the documents is a seal of your agreement to  
15 pay the loan.  
16 Q And who told you that, Mr. Ventura?  
17 A The prosecutors.  
18 Q And are they in the courtroom today?  
19 A Yes, sir.  
20 Q And could you point them out?  
21 A Uhm, Mr. Gregg.

## Rudy Davis

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22 Q He was the only one?

23 A Yes.

24 Q Okay. So prior to you talking to them or prior to

25 them tampering with you, they --- you would -- had a different

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1 view?

2 MR. YATES: Objection to the characterization.

3 THE COURT: All right. Rephrase the question.

4 Don't use the word "tamper."

5 Q (BY THE DEFENDANT:) So prior to them telling you

6 about your signature as a seal or to that effect, you had a

7 prior different belief?

8 A Yes.

9 Q Now --

10 A I --

11 THE COURT: Wait. Let him finish his answer.

12 THE DEFENDANT: I'm sorry. Go ahead.

13 THE WITNESS: Yeah. In fact, sir, I was even

14 defending you at first. But when that question asked and

15 thought of myself being a Christian, it just like slapped me in

16 the face and I'm ashamed of it because it's true. That is my

17 signature and that is a -- my promise to pay off the loan. So

18 that's when I changed -- I changed my perspective of the whole

19 situation, sir.

20 Q (BY THE DEFENDANT:) So, Mr. Ventura, so if you were

21 loaned lawful money by someone, you believe you should pay it'

22 back, correct?

23 A Of course, yes.

24 Q Okay. Now, if someone told you that they loaned you

25 some money and they deceived you into thinking that you were

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5 Q Let me ask you this question: When you got your

6 home -- right? -- did you see the check that the bank said they

7 loaned you?

8 A I did not.

9 Q Did you ask for verification of the check that they

10 said they loaned for your house?

11 A I did not.

12 Q Do you remember me filing documents against the bank

13 on your behalf when we was fighting your foreclosure?

14 A Yes.

15 Q And do you remember one of the questions I would ask

16 the bank is if you loaned my client lawful money, produce the

17 bank statement that shows you debited this money to purchase

18 this house on behalf of my client? Do you remember that was one

19 of the questions and the answers and admissions?

20 A Yeah. But that it doesn't matter because of my

21 signature. I am liable to that loan --

22 Q Right.

23 A --- because of my signature. It's my face on there,

24 sir.

25 Q I understand that.

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1 A It's my face on that -- you know, that document that

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2 I signed. That's why it make me feel guilty and feel like I'm  
3 hypocrite. If you see me, I'm walking around with my shirt,  
4 the Church of Christ. I feel guilty.

5 Q Do you remember what the bank's answer was to that  
6 question about loaning them money?

7 A Well, all those questions you asked the bank they  
8 could not provide you, they could not answer you.

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12 Q And what is your understanding of what a strawman  
13 is?

14 A My understanding is there is a way you could have a  
15 house free and clear. Like I said, it's a complex process.  
16 But there is a way how you could do that. And that's the  
17 reason why I -- you guys got me convinced because I already  
18 watched that before I met Mr. Henry Malinay. I already know  
19 what you guys talking about.

20 But like I said, just recently it dawned into my  
21 mind that, you know, no matter what, it's still wrong because I  
22 signed. That's my signature on there on the document.

23 Q Right.

24 A That represent me who I am. It's my face on there.

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6 Q (BY THE DEFENDANT:) Okay. Now, do you remember a  
7 motion that I filed for you that the court issued -- well, that  
8 the banks filed a motion for protective order against me? Do  
9 you remember that?

10 A Yes, sir.

11 Q And do you remember that the order asked the court  
12 to strike the motion that I filed so that the bank wouldn't have to  
13 answer me?

14 A Yes, sir.

15 Q And did I always promptly answer any motions that  
16 the bank filed against you for foreclosure?

17 A Would you repeat that, sir?

18 Q Did I always promptly file a response to any motion  
19 that the bank filed against you?

20 A Yes, sir.

21 Q And have you come to know me that I'm also a avid  
22 believer in the bible?

23 A Yes, sir. That's why -- that's why every now and  
24 then I called you brother because of our -- our understanding  
25 about the bible, although we disagree on some belief.

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1 Q All right.

2 A Some doctrines.

3 Q Uh-huh. Now, and so now that you've known me, is it  
4 safe to say that you know that everything I do, I do based on  
5 my faith?

6 A Yes.

7 Q And since you've come to know me, in your own  
8 personal experience am I a man of integrity?

9 A Yes.

10 Q Am I a man if I promise you I'm going to do  
11 something, I'm going to do just that?

## Rudy Davis

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12 A Yes.

13 Q Okay. And am I someone that you saw championed and

14 stand up for the rights that people that can't stand up for

15 themselves?

16 A Yes.

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4 Q So I never just drafted something and didn't notify

5 you so you could actually see what I was filing?

6 A No.

7 Q Okay. So everything that I did for you was what I

8 contracted to do for you?

9 A Yes, sir.

10 Q And the only reason you didn't get to finish the

11 actual process is because of my illegal incarceration which was

12 16 days after you was formally welcomed to the MEI program,

13 correct?

14 A Yes.

15 Q And you are familiar with Rosy Thomas?

16 A Yes.

17 Q And who is Rosy Thomas?

18 A It's someone that I met later.

19 Q And is she a client of mine?

20 A Yes.

21 Q And did I also fight her foreclosure?

22 A Yes.

23 Q And did I also fight her mom's foreclosure?

24 A Yes.

25 Q And is her mom and her still in their home?

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1 A Yes.

2 Q Okay. And if i hadn't of helped you with the

3 foreclosure, do you think that the bank would have foreclosed

4 on your house?

5 A Yes.

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21 THE COURT: The record will reflect the jury's not

22 present, no is the witness. Present are Mr. Williams and

23 counsel.

24 So Mr. Williams, I understand you have an issue you'd

25 like resolved before we bring in the witness and the jury.

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1 THE DEFENDANT: Yes. It's clear that the

2 prosecutor's office intimidated Mr. Ventura into feeling guilty

3 for something that he hasn't felt guilty about his whole life.

4 And so when you have a person like that who, you know, is a

5 good person, but the FBI come knocking at your door, request

6 that you come talk to them,, or -- that would, you know, scare

7 anybody. And so he clearly was scared into changing his belief

8 that oh, I got to pay because of my signature. That's

9 clear -- that clearly violates the witness tampering statute

10 where you cannot persuade someone to either change what they

11 was going to testify or even change who they was going to

## Rudy Davis

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12 testify for, which they've done that clearly.  
13 THE COURT: Okay. So what are you asking for?  
14 THE DEFENDANT: Dismissal because of witness  
15 tampering.  
16 THE COURT: Okay. And who will be responding on  
17 behalf of the government?  
18 All right. Mr. Sorenson, if you could just speak into a  
19 microphone. Thank you.  
20 MR. SORENSON: Your Honor, I would simply respond  
21 that I don't know that any foundation for witness tampering has  
22 been laid whatsoever. This witness did not say anybody  
23 tampered with him. He discussed with our office in pretrial  
24 preparation his testimony. During the context of his testimony  
25 we talked about the notes and his promises to pay on those

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1 notes in areas that we were going to go into on direct  
2 examination.  
3 There's no-- there's certainly no showing of a corrupt  
4 effort to persuade or dissuade Mr. Ventura from testifying any  
5 way. I think it's been pretty clear from his testimony what  
6 his beliefs are.  
7 THE DEFENDANT: Well, here's the documentation.. I  
8 can put it up on the -- the -- it's Defense Exhibit 2150.  
9 THE COURT: What is it?  
10 THE DEFENDANT: This is where he sent the email to  
11 one of my other clients saying that after talking to him, he's  
12 backing out of testifying for me.  
13 THE COURT: Okay. But that doesn't have to do with  
14 Mr. Ventura.  
15 THE DEFENDANT: Yeah it is. It's Mr. Ventura.

## Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:06 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 9-MELVYN VENTURA

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16 This is his email.  
17 THE COURT: Okay. Why don't you put it on the  
18 docucam so I can see it.  
19 All right. So this not an email to you. It's an email  
20 to Rosy.  
21 THE DEFENDANT: Right, Thomas, and she forwarded  
22 that to me.  
23 THE COURT: All right. So he basically reiterates  
24 sort of what he testified to day.  
25 THE DEFENDANT: Right, and what he says, "But they

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1 were right. They made me understand." So they persuaded him  
2 into sayig that Oh, I got to pay my mortgage. They persuaded  
3 him that. He didn't have that sentiment before they contacted  
4 him; That was not his sentiment because this man did as much  
5 research as I did, and then he said he didn't, which he did;  
6 that's the reason why he knew what I was talking about because  
7 he did research it.  
8 But like I said, when the FBI come calling or U.S.  
9 Attorney's Office, and they're very intimidating, the  
10 average -- if a person don't have the faith like I have and no  
11 fear, then they gonna fold, and that's what happened.  
12 THE COURT: So just for the record, this is an email  
13 dated January 18, 2020, from Mr. Ventura to Rosy Esprecion --  
14 THE DEFENDANT: Right.  
15 THE COURT: -- E-s-p-r-e-c-i-o-n, subject re:  
16 Affidavit from ATW  
17 All right. So I understand what your position is and your  
18 argument and you're seeking dismissal. So your oral motion is  
19 denied. The court does not find that the government has  
20 intimidated, influenced, or otherwise forced --  
21 THE DEFENDANT: Persuaded.  
22 THE COURT: -- Mr. Ventura corruptly. He has  
23 testified that it was his honest change in belief after looking  
24 at the documents and meeting with the prosecutors.  
25 All right? So anything else that we need to take up

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14 Q (BY THE DEFENDANT:) Okay. Mr. Ventura, tell me how  
15 you feel about my faith and what I believe in?  
16 MR. YATES: Objection. Relevance.  
17 THE COURT: Okay. It's marginally relevant. I'll  
18 let you ask him this one question, then we're moving on.  
19 Okay. Tell him how you feel.  
20 THE WITNESS: I still believe taht you still have

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21 faith in God, still -- because of -- because of your fear in  
22 God, I still believe that you can be trusted.  
23 Q (BY THE DEFENDANT:) Now, do you remember a few days  
24 ago sending me a email and us -- a communication in the email?  
25 A Yes, sir.

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5 Q (BY THE DEFENDANT:) uhm, is that how you still feel  
6 right now, Mr. Ventura, where it says you are a minister of  
7 Yahweh?  
8 A Are you talking about the first paragraph on the  
9 top?  
10 THE COURT: All right. You see where it says, "You  
11 have a very good intention and a good heart that you're willing  
12 to sacrifice for others suffering for a good cause. But is it  
13 right with God? You're able to save my house from foreclosure  
14 and it may even have a free and clear title. But don't you  
15 think that it's like robbing a bank? Thanks God that he opened  
16 my eyes to see that it was a mistake."  
17 Is that what you wrote?  
18 THE WITNESS: Yes, ma'am.  
19 THE COURT: All right. What do you want to ask him  
20 about that?  
21 Q (BY THE DEFENDANT:) Do you still feel about the  
22 part that you said about me being a minister of Yahweh and I  
23 have a good heart? You still feel that way?  
24 A I still believe that.  
25 THE DEFENDANT: Okay. One more exhibit. This is

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1 Exhibit 2149. It's already been entered into evidence. I'd  
2 like to publish it.  
3 THE COURT: All right. You may publish.  
4 Q (BY THE DEFENDANT:) Now, Mr. Ventura, when you sign  
5 a document that's drafted on your behalf, do you read it?  
6 A Uh-huh, I read it.  
7 Q Okay. So the affidavits that was drafted for you,  
8 did you read it to make sure that everything in the affidavit  
9 was truth and what you felt?  
10 A Yes  
11 Q Okay. So you didn't sign it blindly; you signed it  
12 knowing what you were stating in this sworn statement?  
13 A Yes, sir.  
14 THE DEFENDANT: Okay. No more questions.  
15 THE COURT: All right. So, Mr. Ventura, you're  
16 excused as a witness, but don't discuss your testimony with  
17 anyone until after the trial is finished.  
18 THE WITNESS: Okay, ma'am.  
19 THE COURT: All right. So I wish you a very good  
20 day.  
21 All right. Good-bye.  
22 THE WITNESS: Good-bye, ma'am.  
23 THE COURT: Thank you.

MACRINA PILLOS

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## Rudy Davis

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- 3 Q Why did Ms. Cabebe introduce you to Anthony  
4 Williams?  
5 A Because she told us that he owned the MEI.  
6 Q Okay. And why did you need to speak with or why did  
7 you want to speak with Anthony Williams?  
8 A Because of the foreclosure and the letter that we  
9 received for the default letter from Wells Fargo.  
10 Q Okay. So let's talk about that. So at some point  
11 you stopped paying Wells Fargo; is that correct?  
12 A Right, because they told us to-- not to pay Wells  
13 Fargo any more.  
14 Q Okay. And so as a result of those instructions to  
15 stop paying Wells Fargo, you received default letters?  
16 A Right.  
17 Q And then you went into foreclosure?  
18 A Right.  
19 Q Okay. And as a result of that, you met with Anthony  
20 Williams?  
21 A Yes  
22 Q Okay. Now, how did Anthny Williams refer to  
23 himself when he spoke with you?  
24 A Well, we met each other at one of the office in  
25 Maui, and he introduced himself as a general attorney.

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- 5 CROSS-EXAMINATION  
6 BY THE DEFENDANT  
7 Q Ms. Pilllos?  
8 A Yes.  
9 Q Where were you born?  
10 A I was born in the Philippines.  
11 Q And in Philippines, did you go to school?  
12 A Oh, yes.  
13 Q And did you graduate high school?  
14 A Yes.  
15 Q Did you go to college?  
16 A Sure.  
17 Q Okay. So when you went to school in the  
18 Philippines, was one of the curriculum that they taught you  
19 how to speak English?  
20 A Yes.  
21 Q Did they teach you how to write English?  
22 A Yes.  
23 Q Did they teach you how to read English?  
24 A Yes.  
25 Q Was that a normal curriculum for Filipino children

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- 1 in the Philippines?  
2 A Yes.  
3 Q So every Filipino child when they go to school they  
4 learn to read, write, and speak English?  
5 A Yes.  
6 Q So there would be no Filipinos that went to school  
7 in the Philippines that didn't know how to speak English,  
8 correct?  
9 MR. YATES: Objection.  
10 THE COURT: Overruled. So to the extent you

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11 understand the question --  
12 THE WITNESS: Yes, Your Honor.  
13 THE COURT: -- you can answer it. So do you have  
14 the question before you?  
15 THE WITNESS: No, Your Honor.  
16 THE COURT: Could you repeat that?  
17 Q (BY THE DEFENDANT:) With the Filipino curriculum,  
18 so there would be no Filipino child that went to school that  
19 didn't learn how to read, write, or speak English?  
20 A Yes  
21 Q Okay. So every Filipino children they taught that?  
22 That's their curriculum in school?  
23 A Right.  
24 Q Okay. So when did you meet me, Ms. Pillos? What  
25 year?

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1 A When I met you?  
2 Q Yes. What year?  
3 A That was in 2015, if I'm not mistaken, right.  
4 Q Okay. So what year did you meet Anabel and Henry  
5 Malinay?  
6 A I met Henry Malinay in 2013.  
7 Q Okay. So you met Henry Malinay before you ever met  
8 me?  
9 A Right.  
10 Q And you met Anabel before you ever met me?  
11 A Right.  
12 Q And they're the ones that signed you up, correct?  
13 A Right.  
14 Q So when they signed you up, did they tell you -- did  
15 they tell you personally that they actually was still working  
16 for me?  
17 A Yes  
18 Q And so you believed that they -- what they told you  
19 was true?  
20 A Right.  
21 Q So did they tell you that the time that they wrote  
22 you up that I was incarcerated, that I was in jail? Did they  
23 tell you that?  
24 A No.  
25 Q So you didn't know that the whole time that they

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1 dealt with you that I was actually unlawfully incarcerated at  
2 the time?  
3 MR. YATES: Mischaracterizes evidence, Your Honor.  
4 THE COURT: All right. Overruled.  
5 THE WITNESS: Pardon me?  
6 Q (BY THE DEFENDANT:) So you didn't know that I was  
7 incarcerated the whole time you was dealing with Anabel and  
8 Henry?  
9 A No, I don't know.  
10 THE DEFENDANT: Okay. I'd like to pull up  
11 Government Exhibit 820 -- no --819, please.  
12 Q ( BY THE DEFENDANT:) And you recognize this  
13 document, Ms. Pillos?  
14 A Yes.

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15 Q And who filled out this document for you?  
16 A Anabel Cabebe.  
17 Q And can you see the date right there?  
18 A Yes.  
19 Q And that's -- it says November 4th, 2013 correct?  
20 A Yes.  
21 Q Okay. So Anabel and Henry didn't tell you that two  
22 months prior --  
23 MR. YATES: Objection, Your Honor, Mischaracterizes  
24 the document.  
25 THE DEFENDANT: I haven't finished the question.

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1 THE COURT: I'm sorry. What is the date  
2 MR. YATES: November 4, 2014.  
3 THE DEFENDANT: I said 2013.  
4 THE COURT: Well, let me look at the transcript.  
5 All right. He said -- it's recorded as 2013. So your  
6 question.  
7 THE DEFENDANT: Okay.  
8 THE COURT: The objection's overruled. Your  
9 question.  
10 Q (BY THE DEFENDANT:) So you didn't know that when  
11 you -- this document was filed by Anabel that I had been  
12 incarcerated two months prior to this? You didn't know that,  
13 correct?  
14 A No, I didn't know that.  
15 Q Okay. Now, you said you had paid Anabel for the  
16 services that she and Henry said that they could provide to  
17 you, correct?  
18 A Pardon me?  
19 Q You said that -- yesterday you testified that  
20 Anabel -- you had to pay Anabel for the services they said they  
21 could provide to you, correct?  
22 A Yes.  
23 Q And did you pay her in cash?  
24 A I paid him -- I paid Anabel \$1,000 to process this  
25 paperwork.

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1 Q Was that in cash or a check?  
2 A In cash.  
3 Q Did she give you a receipt?  
4 A No.  
5 Q So did you ask for a receipt?  
6 A No.  
7 Q You didn't think that was odd that you would pay  
8 somebody a thousand dollars and they didn't want to give you a  
9 receipt?  
10 A Well, the thing was that because we are lots of us  
11 who sign up, so I don't think none of us asked for the receipt.  
12 Q So none of you asked for a receipt?  
13 A No.  
14 Q Okay. So you met Anabel you said in Maui?  
15 A Yes.  
16 Q And so she flew to Maui to meet you?  
17 A Right.  
18 Q Now, did she fly with Henry with you --

## Rudy Davis

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- 19 A No, only her.  
20 Q So just her?  
21 A Yes.  
22 Q So when did you meet Henry?  
23 A I met Henry for the first time that was in 2013.  
24 Q Okay.  
25 A And this was the times that he introduced us

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- 1 regarding about MEI  
2 Q Okay. So did he actually tell you MEI, Mortgage  
3 Enterprise Investments, or did he say Mortgage Enterprise?  
4 A Mortgage Enterprise Investments.  
5 Q So he actually used the word "investments"?  
6 A Right.  
7 Q And he said that he worked for that company?  
8 A Right.  
9 Q And that he was working for me?  
10 A Right.  
11 Q That's what Mr. Malinay told you?  
12 A Right.  
13 Q Now, if you knew that Mr. Malinay did not work for  
14 me, would that have influenced you not to sign up with him?  
15 A Sure.  
16 Q Okay.  
17 THE DEFENDANT: Now, give me Government Exhibit 807,  
18 please.  
19 Q (BY THE DEFENDANT:) You recognize this form,  
20 Ms. Pillos?  
21 A Yes.  
22 Q And that's your signature?  
23 A Yes.  
24 Q Do you see my signature anywhere on that form?  
25 A No. But I saw this name, Williams, ET.

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- 1 Q Okay. Can you see that page, the foreclosure?  
2 A Yeah.  
3 Q Do you see my signature on that form?  
4 A No.  
5 Q Do you see my signature on that form, the next form?  
6 A No.  
7 Q Do you see my signature on this form?  
8 A No.  
9 Q Do you see my signature on this form?  
10 A No.  
11 Q Do you see my signature on this form?  
12 A No.  
13 Q But is that your signature?  
14 A Yes.  
15 Q And that's your husband's signature?  
16 A Yes.  
17 Q And do you see my signature on this form?  
18 A No.  
19 Q Is that your signature?  
20 A Yes.  
21 Q And that's your husband's signature?  
22 A Yes.

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23 Q Now, who filled this form out, Ms. Pillos?

24 A Anabel Cabebe.

25 Q So Anabel filled this form out?

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5 Q Now, this letter was addressed to you from the DCCA,

6 Ms. Pillos; is that correct?

7 A Yes.

8 Q And do you remember this letter?

9 A Yes, I remember this letter.

10 Q And what -- excuse me. What was this letter in

11 regards to?

12 MR. YATES: Your Honor, is this document going to be

13 placed into evidence? 'Cause if not, the government objects to

14 this.

15 THE COURT: All right. So you can't go into the

## Rudy Davis

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**From:** WILLIAMS ANTHONY TROY (05963122)  
**Sent Date:** Monday, March 2, 2020 2:05 PM  
**To:** ruddavis@yahoo.com  
**Subject:** 10- PILLOS

16 content of the letter unless it's in evidence. Do you want me  
17 to receive it into --  
18 THE DEFENDANT: Yes  
19 THE COURT: Any objection? Just this page of  
20 Exhibit 2035.  
21 THE DEFENDANT: Right.  
22 THE COURT: Any objection, Mr. Yates?  
23 MR. YATES: Yes, Your Honor. The government objects  
24 to 2035, page 8. This is a hearsay document. It appears to be  
25 merely an inquiry document, so this does not have any indicia

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1 of authorship by the current witness and does not appear that  
2 the current witness has any part in its creation or its  
3 initiation.  
4 THE COURT: Okay. But it clearly was received by  
5 her. She's identified it as correspondence that she received.  
6 so the court is going to receive it into evidence over the  
7 objection of the government.  
8 THE DEFENDANT: I'd like to publish it.  
9 THE COURT: You may publish.  
10 THE COURTROOM MANAGER: Your Honor, just to be  
11 clear, that's page 8?  
12 THE COURT: Just page 8. Ye.  
13 ah.  
14 THE COURTROOM MANAGER: Thank you.  
15 THE COURT: The rest of the identified exhibit is  
16 not received.  
17 (Exhibit 2035, page 8 received into evidence.)  
18 Q (BY THE DEFENDANT:) Okay. Ms. Pillos, on this  
19 document, you see the date right there? I'm going to circle  
20 it.  
21 THE COURTROOM MANAGER: Your Honor, he's asked to  
22 publish it?  
23 THE COURT: Yes, he may.  
24 Q (BY THE DEFENDANT:) And what is the date of that  
25 document, Ms. Pillos?

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1 May 7, 2015  
2 Q And so when the DCCA contact you, were they  
3 contacting you regarding numerous complaints that were filed by  
4 other Maui residents?  
5 A I'm not --  
6 Q You can go ahead and read the -- read the -- can I  
7 read it to her? Or she, you know, won't know how to read it?  
8 THE COURT: No. She can't testify about anything  
9 she doesn't remember.

## Rudy Davis

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10 THE DEFENDANT: What I'm saying, that was to her.  
11 Q (BY THE DEFENDANT:) So you remember receiving this  
12 letter, Ms. Pillos?  
13 THE COURT: She already --  
14 THE WITNESS: I couldn't -- I don't remember because  
15 this was a long time.  
16 Q (BY THE DEFENDANT:) I know. But you just said you  
17 do --  
18 THE COURT: All right. Ask her a question. She  
19 said she doesn't remember receiving this letter.  
20 THE DEFENDANT: Well --  
21 THE COURT: So what do you want to ask her about it?  
22 THE DEFENDANT: Well, the first question I did ask  
23 her. She did remember it.  
24 THE COURT: She just testified she doesn't remember,  
25 this was a long time ago. You can ask her another question.

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1 Q Okay. Ms. Pillos, you see this form right here?  
2 A Yeah.  
3 Q Okay. You see it says Client and Company Protection  
4 form? You see that at the top under Mortgage Enterprise  
5 Investments?  
6 A Yeah  
7 Q Okay. Now, did Anabel explain to you why I had to  
8 add this cover page to all the applications?  
9 A No. I don't remember.  
10 THE DEFENDANT: Okay. Can you -- can we blow this  
11 up a little bit?  
12 Q (BY THE DEFENDANT:) Can you see where it says  
13 Client under there, Ms. Pillos?  
14 A Yes.  
15 Q And can you read that -- do you understand what it's  
16 saying, this -- this little excerpt on this form?  
17 A Yes.  
18 Q And does it have my toll free 800 number on this  
19 form, Ms. Pillos?  
20 A Yes.  
21 Q And does it have my direct extension?  
22 A Yes.  
23 Q And it is talking about that if a rep charge you  
24 fees beyond what's stated in the app, to call me personally?  
25 A Well, the thing we didn't -- I don't remember if we

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1 received this letter. I don't remember at all.  
2 Q Okay. Ms. Pillos, is that your signature? Is that  
3 your signature, Ms. Pillos?  
4 A Yes.  
5 Q Okay. So you signed this form that had my direct  
6 number, my direct extension to call me if you had any questions  
7 about Anabel, what she did, if you had any questions. So you  
8 telling me that Anabel told you that she would call me?  
9 A Right.  
10 Q But you had the form with my direct line and my  
11 direct number to call and talk to me.  
12 A Well, the thing is that, okay, we signed the  
13 paperwork, but I really don't remember.

## Rudy Davis

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14 Q I'm saying when you signed this paperwork, you  
15 didn't read the document? You didn't read the -- what you were  
16 signing?

17 A No. I forget.

18 Q And so you didn't see the number on here?

19 A No. I don't remember.

20 Q So you never got to really talk to me to verify that

21 Anabel didn't work for me no more?

22 A Well, she introduced me. She introduced -- Anabel

23 introduced me that you are the owner of the Mortgage

24 Enterprise -- Mortgage Enterprise Investments.

25 Q Right. Well, I am the owner of Mortgage Enterprise

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1 Investments. But did she tell you that I'm not the owner of

2 Mortgage Enterprise?

3 A No, she never say that that you are not the owner.

4 Q So she didn't -- did she make a distinction between

5 Mortgage Enterprise Investments and Mortgage Enterprise?

6 A She did say Mortgage Enterprise Investments and you

7 are the owner.

8 Q Okay. I'm asking you did she make a distinction?

9 Did she say there's a Mortgage Enterprise Investments and then

10 there's a Mortgage Enterprise?

11 A No. I forget.

12 Q So you don't remember?

13 A I don't remember?

14 Q Okay. So, Ms. Pillos, if you knew at this time that

15 Anabel nor Henry actually worked for me, that I actually fired

16 them for fraud, would you have done business with them?

17 A No.

18 THE DEFENDANT: Okay. I have no more questions.