

Part of Exhibit "2"
Testimony of Harrison Slaughter

there could be a conflict, I think. You can tell me your thoughts on this. One would be that you would call him as a witness, and the other -- which you're telling me is not an issue. You see no reason that you would be calling him as a witness. And the other possibility, of course, is that he would be a potential witness for Mr. Amodeo and would be giving testimony or would not be giving testimony, even though he had testimony to give. And I have to rely, I think, on what Mr. Slaughter tells me in that regard.

MR. GOLD: One thing I can tell you is we've had numerous discussions with Mr. Slaughter and Mr. Amodeo. We, in discussing this August 2006 mock deposition or whatever you want to call it, we specifically asked Mr. Amodeo, you know, who was there. He didn't say anything about Mr. Slaughter. Mr. Slaughter never piped up and said by the way, I was there too and I've already given you the stuff. That never happened.

Now, whether Mr. Amodeo would have called him as a witness with 20 or 30 other people there, I don't know that that would have ever happened as well. But I know, based on what I know now, I would not have called Mr. Slaughter as a witness.

THE COURT: Okay. Mr. Sands.

MR. SANDS: Could I be heard for just a moment, your Honor?

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THE COURT: Yes, sir.

MR. SLAUGHTER: I was just going to address one of the facts that -- I wouldn't have known to get the transcript had I not been there, and I certainly wouldn't have hidden the fact to them because I could care less whether they knew I was there because I was the one that was bringing him in to cooperate. But as it relates to being a witness for him, that's why Mr. Sands, when it became clear that he was indicted, I brought Mr. Sands and Brian Phillips in because of the potential that I would be a witness because Paul Hawkins and I were the first lawyers that told him that what they were doing was a crime. So the point I was thinking, I could very easily be a witness on his behalf and I told him, I think sometime on January 6 or 7, and it took us a while to convince him, but within a day or so he got the message. But that's the other issue here is that we were the ones that told him, hey, what you're doing wrong is, you know, a massive federal crime. And granted there was another witness with me, Paul Hawkins, but I just wanted to put that on the record. And I think Mr. Gold would agree that I'm the one that brought him in and told him that he was committing a crime. That specifically told him this is a crime.

MR. SANDS: I would just like to add to the record, Your Honor, that I also placed this information in the original draft of the sentencing memorandum which I

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