

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
FAMILY LAW DIVISION

██████████ ██████████,

Petitioner/Wife,

vs.

CASE NO.: 11-DR-011317-R

██████████ ██████████,

Respondent/Husband.

_____ /

DEPOSITION OF:

██████████ ██████████ ██████████

TAKEN BY:

Counsel for the Respondent

DATE:

August 1, 2012

TIME:

2:23 p.m. - 3:36 p.m.

PLACE:

Brandon Law Group, P.A.
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Suite 100
Brandon, FL 33511

REPORTED BY:

Kara Lacognata, RPR
Court Reporter, Notary Public
State of Florida at large

(Pages 1 to 54)

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A P P E A R A N C E S**APPEARING ON BEHALF OF
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**APPEARING ON BEHALF OF
THE RESPONDENT/HUSBAND:**

CHRISTIAN M. DENMON, ESQ.
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1 THEREUPON,

2 [REDACTED] [REDACTED],

3 the witness herein, having been first duly sworn, was

4 examined and testified as follows:

5 **DIRECT EXAMINATION**

6 BY MR. DENMON:

7 Q Hi, [REDACTED]. How you doing?

8 A Good.

9 Q And we met before. And, again, my name is Chris
10 Denmon and I represent [REDACTED]. And so I'm going to ask you
11 some questions that are related to the case and -- the case
12 that's set for trial come Monday, okay?

13 If I ask you something and you're confused by what
14 I ask you, that's okay. Just tell me, "I don't know what
15 you're saying."

16 A Okay.

17 Q If you need some time to talk to your attorney
18 about anything, that's fine. Just let me know and we'll
19 take a break, okay?

20 A Okay.

21 Q And is it [REDACTED] or Mrs. [REDACTED] or --

22 A [REDACTED] is fine.

23 Q Good.

24 [REDACTED], are you currently employed?

25 A As of today.

1 Q Okay. And where are you working as of today?

2 A Hilton Worldwide Reservations.

3 Q Okay. What do you do for Hilton?

4 A Reservations specialist.

5 Q Okay. And what does that exactly entail?

6 A You call a hotel and we make the reservations for
7 you for anything under the Hilton flag.

8 Q Okay. Where is the location? Is that in Tampa?

9 A Our home office is in -- our local office is in
10 Tampa. We also have one in Dallas. But I work outside my
11 home -- inside my home around my children's sleeping
12 schedule.

13 Q Okay. And do you have a salary yet?

14 A I make \$9 an hour.

15 Q Or hourly. Okay. It's \$9 an hour.

16 Do you know how many hours you'll be working?

17 A I work 20 hours a week.

18 Q Okay. And before that were you working somewhere
19 else?

20 A I also worked at Cracker Country.

21 Q Okay. And what were the dates of employment at
22 Cracker Country?

23 A September through December.

24 Q Of 2011? Of last year?

25 A Yes.

1 Q Okay.

2 A And then I worked maybe three days this year.

3 Q Okay. And at Cracker Country what was your hourly
4 rate?

5 A Eight dollars an hour.

6 Q Were there any tips?

7 A No.

8 Q How many hours a week were you working at Cracker
9 Country?

10 A Maybe six.

11 Q And before that what was your last previous
12 employment?

13 A I was a stay-at-home mom for eight years. Before
14 that I was an echo tech for Sibley -- Sibley Heart
15 Cardiology at Egleston Hospital in Atlanta, Georgia.

16 Q And what were your duties?

17 A Oh, actually --

18 Q Yes?

19 A Sorry. That was my -- my main job there. I did
20 work a part-time job after that. I worked at St. Mary's
21 Health Care System in Atlanta, Georgia.

22 Q And when did you work for St. Mary's Health Care?

23 A From -- I believe it was April 2005 until
24 October 2005.

25 Q And prior to that, that job was the -- what again?

1 Before you worked at St. Mary's Health Care, what was your
2 previous employment?

3 A Oh, the Sibley Heart Center at Egleston Hospital
4 in Atlanta, Georgia.

5 Q And what were the years or the months of
6 employment there?

7 A I worked part-time as well as full-time. It's
8 a -- a dual job. We have a clinic, and we have a hospital.
9 I started at the clinic in January of 2002, and I left the
10 clinic in October of 2003. During that time I was working
11 at the hospital PRN. I started there in June of 2003, and I
12 worked up until January 27th of 2004.

13 Q Okay. And your job title was an echo --

14 A Echocardio.

15 Q Echocardio --

16 A -- ographer.

17 Q Echocardiographer.

18 And what training do you have in echocardiography?

19 A I have a degree in cardiovascular ultrasound. And
20 then I was trained specifically for the pediatric
21 echocardiography for Egleston and Sibley Heart Center. And
22 I had ten years experience in adult echocardiography before
23 that.

24 Q This training, when did you receive the training
25 you're talking about?

1 A I graduated in -- from Ultrasound Diagnostic
2 School in 2000 -- 1998.

3 Q Now, am I correct that you are interested in
4 working in that line of field again?

5 A Yes, part-time.

6 Q Okay. And what have you done so far to explore
7 what it would take to get back into that field?

8 A I've had many resumes sent out. I've had a few
9 interviews. I've -- since my license has since expired, I
10 have to renew my license. It's with CCI, which is Cardiac
11 Credentialing International. I have to re-take one part of
12 my test at the rate of \$495. I have to do a --
13 two-to-three-month -- internship unpaid. And I must attend
14 three conferences. And the conference itself is
15 approximately a thousand dollars apiece.

16 Q Now, these requirements, are these requirements
17 that are regulated by your licensing agency?

18 A Yes.

19 Q Okay. And those requirements, again, are a test
20 that has to be taken --

21 A Uh-huh.

22 Q -- an internship unpaid for two to three months,
23 and there's conferences that must be attended. You said,
24 what, about a thousand dollars a pop?

25 A Yes.

1 Q And those interviews that you've gone on in this
2 particular line of field, if you weren't able to work yet,
3 then why did you go on these interviews?

4 A At the time my license was not expired.

5 Q When did your license expire?

6 A December 2011.

7 Q How long was the license good for?

8 A Three years.

9 Q So you had renewed your license somewhat around
10 December of 2008?

11 A Yes. They had changed when -- everybody used to
12 be due in December 2011 -- I mean, December of whatever year
13 you were registered, every three years. They since changed
14 that. And due to my moving, I did not get the forwarding
15 mail to let me know it was going to be expiring at a
16 different time and the different requirements that were
17 going to be required of me.

18 Q Okay. With your current employment, you said you
19 got the job today?

20 A No, no. I'm --

21 Q Or you started working today?

22 A No. I've been working since January 18th. But
23 there is a strong possibility that my job will end before
24 the end of the week.

25 Q Okay. And why is that?

1 A My house was broken into February 1st of this
2 year. All of my computer equipment was stolen. And I'm
3 using computer equipment that is not up to Hilton's
4 standards, so I have a lot of down time. And for three
5 months I've had more down time you're allowed for the entire
6 year.

7 Q How many -- when you say "down time," do you clock
8 in and clock out from your home?

9 A Yes.

10 Q Okay.

11 A But I'm not able to take reservations. So if
12 you're not on the phones taking reservations, it's
13 considered down time.

14 Q Okay.

15 A We're allowed to have 1.2 percent, and I've had
16 over 18 percent for three months.

17 Q Oh, so you clock in and clock out. While you're
18 clocked in, there's only a small percentage of time that
19 you're -- basically, break time. Is that right?

20 A That you can have difficulties. You do get paid
21 breaks, but difficulties.

22 Q So this isn't because you had manually done
23 something. It's because your computer isn't up to snuff?

24 A Right.

25 Q And what kind of computer do you have right now?

1 A I have a Dell --

2 Q It doesn't matter. What year is it?

3 A I don't know what it is. It's a 2005 from Aaron's
4 Rent-A-Center we got when we were in Alaska. So it's an
5 extremely slow, very basic computer. Hilton runs on a
6 closed VPN system, and it cannot keep up with the system.
7 So I get kicked off and we go down.

8 Q And the last question about Hilton: Are you able
9 to pick your hours currently or --

10 A I do have to work --

11 Q -- is there a minimum?

12 A I have to work 12 hours minimum.

13 Q Okay. Is there a maximum?

14 A Well, I have to work 12 hours minimum from 6 p.m.
15 at night to 2 a.m. And then I can fill in the rest with
16 what's remaining, optional. And the maximum is 29, but you
17 have to have permission to have that.

18 Q Okay. Currently on any medication?

19 A But the -- but the minimum is you have to do 20
20 hours a week. The minimum is 12 hours have to be done
21 during 6 p.m. to 2 a.m.

22 Q I see. Okay.

23 Currently on any medications?

24 A Yes.

25 Q Okay. What medications are those?

1 A Klonopin. Vyvanse.

2 Q What's the nature of Vyvanse? I'm not familiar
3 with that.

4 A I had a brain scan. I don't produce dopamine, and
5 it -- it produces dopamine for my body.

6 Q Okay.

7 A I take Geodon to sleep.

8 Q Anything else?

9 A And I take Cogentin -- I think I said that
10 right -- to reverse the effects that Geodon produces.

11 Q Okay.

12 A The side effects.

13 Q The Klonopin, how often do you take it?

14 A As needed.

15 Q Okay. And what is your current prescription?

16 A Up to three times a day.

17 Q Okay. Can we break for a second?

18 (Whereupon, there was a discussion off the record.)

19 MR. DENMON: Okay. And we're back on.

20 BY MR. DENMON:

21 Q And you did mention one other migraine medication
22 that you take?

23 A Yes. Topamax.

24 Q Okay. And what's your prescription for that or
25 how often do you take it?

1 A Once a day.

2 Q Okay. Now, I'm going to ask you some names of
3 witnesses. Your attorney has provided me with a witness
4 list, and I don't know many of these people. So I'm going
5 to ask you who they are and what they're going to testify
6 to, if you know.

7 And the first one is [REDACTED] [REDACTED].

8 A She's my counselor.

9 Q Okay. And how long have you been seeing
10 Ms. [REDACTED]?

11 A Over two years, roughly.

12 Q Did you start seeing her before or after this
13 divorce action was filed?

14 A Before. I started seeing her while [REDACTED] and I
15 were in couples therapy.

16 Q And how many times a week do you see Ms. [REDACTED]?

17 A Once a week.

18 Q And for how long?

19 A For one hour or 45 minutes.

20 Q Have you seen her continuously from the beginning
21 of your treatment until now?

22 A Since I lived in Florida. I probably started
23 seeing her in March of 2010 --

24 Q Okay.

25 A -- until now.

1 Q Okay. Have there been any lapses in time, or do
2 you go every week religiously?

3 A Pretty much every week --

4 Q Okay.

5 A -- unless there's just a scheduling problem.

6 Q Did you see her this week?

7 A Yes, I did.

8 Q What day did you see her?

9 A Monday.

10 Q Have you scheduled for next week yet?

11 A No. She's expected to have, possibly, emergency
12 surgery or extremely pending surgery this week.

13 Q Okay. And does your relationship with her extend
14 outside of the session, or is it just the session?

15 A Just the session.

16 Q Okay. And do you ever call her outside the
17 session, or is it just when you see her?

18 A Just to let her know that if I'm running late or
19 something like that.

20 Q Okay. And what is her title? I mean, is she a
21 psychologist? Therapist? Counselor?

22 A I would have to look at her card, to tell you the
23 truth. It's been so long, I'm not sure of her title.

24 Q Okay. And do you know what she's expected to
25 testify about if she comes and testifies for you at a final

1 hearing?

2 A Not particularly, just the -- I know she's eaten
3 the cost of our deductible for the last two years. She's
4 not charged me the deductible. And I guess it would be my
5 state of mind.

6 Q What is her rate?

7 A I don't know. I -- not since I've not had to pay
8 her.

9 Q So insurance covers it and there's a deductible,
10 but she's waived that part for you?

11 A Yes.

12 Q Okay. Ms. [REDACTED] [REDACTED]?

13 A I think it's [REDACTED].

14 Q Ms. [REDACTED]?

15 A She's the -- my children's counselor.

16 Q It says she's located on [REDACTED] [REDACTED] in Brandon?

17 A Uh-huh.

18 Q Who does she work for?

19 A I didn't bring my purse. One of the main
20 psychiatrists in the office is [REDACTED] [REDACTED]. But I
21 believe it's [REDACTED] Psychology.

22 Q Okay.

23 A I apologize. I don't know the exact name.

24 Q How old are your children?

25 A Six and eight.

1 Q And when did your children start seeing
2 Ms. [REDACTED]?

3 A [REDACTED], the 6-year-old, has started seeing her
4 three weeks ago. And [REDACTED] started seeing her, the
5 8-year-old, maybe three months ago.

6 Q Did they have a counselor -- counselor before
7 Ms. [REDACTED]?

8 A Well, yes. We went to the Bell Shoals Baptist
9 Church, and they had a teacher that was a counselor. But
10 she wasn't really a counselor. She was more of a -- deal
11 with whatever issue is going on at the time, not a certified
12 counselor in any way.

13 Q This teacher, when did they start seeing the
14 teacher?

15 A [REDACTED] saw her, I believe, November of last
16 year, and she saw her for three times.

17 Q Any other counseling for the children before that?

18 A No.

19 Q Okay. Why did you take [REDACTED] to see a
20 counselor in November of last year?

21 A She started having a lot of anger issues and fits
22 and rages. And it was just after she was told about the
23 divorce.

24 Q When was [REDACTED] told about the divorce?

25 A I do believe it was in November of last year.

1 Q November of 2011?

2 A No. It would be before that. August or
3 September.

4 Q Of 2011?

5 A Yes.

6 Q And why is your 6-year-old in treatment as of
7 three weeks ago?

8 A She's having nightmares. People are taking her
9 away. She feels very wronged by the custody situation as it
10 is. She's become overly clingy. She doesn't understand and
11 has started acting out.

12 Q What do you mean she feels wrong about the custody
13 situation?

14 A She feels that she's going to be taken away from
15 me, that she prayed that everything would go one way and it
16 went a different way. And she loves her father very much,
17 but she's very angry in the way the custody was arranged.
18 And she's been very vocal about that.

19 Q In what way? How was the custody arranged? And
20 I'm new to the case, so you've got to work with me.

21 A I was harassed and coerced by [REDACTED] and his
22 brother-in-law a couple of different occasions at my house
23 that they would mount a full-out one-to-two-year custody
24 battle to seek full custody of the children, that they would
25 prove me --

1 Q When? When was this?

2 A The first meeting was --

3 THE WITNESS: I'm sorry. Do you remember when I
4 sent over that first document, the proposal that he
5 had --

6 MS. O'CONNOR: There were so many versions, I
7 don't -- I don't remember.

8 THE WITNESS: I would say it was three or four
9 months ago. That would be my best guess. I don't have
10 it in front of me. That I would be proved an unfit
11 mother, and he would gain full custody of the children.
12 And that was reiterated over and over again.

13 Q (By Mr. Denmon) In front of you --

14 A Oh, yes.

15 Q -- or in front of your child or both?

16 A In front of me. I don't know -- the children were
17 not present at that time. I don't know what happens when
18 they're not with me.

19 Q But it's your thought that that's what's caused
20 your 6-year-old to have issues and need to -- need to seek
21 treatment?

22 A Well, the custody agreement is extremely irregular
23 and unfair to the children and to myself, and they are very
24 upset by it.

25 She was -- I was trying to explain to them what it

1 was so they'd be prepared because summer was coming up, and
2 he had the right to see them, them stay with him for the
3 summer. And while I was telling them, he called. And she
4 was so distraught, she ran and answered the phone and was
5 just screaming in the phone, "It's not fair. It's not
6 right. It shouldn't be like this."

7 She became crying all the time. She became
8 withdrawn on certain things, extremely clingy to me, lots of
9 fights between her and her sister.

10 She wanted to talk about it, but she didn't want
11 to talk to me or Daddy because she didn't want to "break our
12 hearts" is the way she put it. She goes, "I love you both
13 very much, and I don't want to break your hearts."

14 Q She sounds like a very wise 6-year-old.

15 A She really is.

16 Q [REDACTED], is that your mother?

17 A Yes.

18 Q And Ms. [REDACTED], what is she going to testify
19 to?

20 A The financial support that she's given me.

21 Q And is that what you've listed on your financial
22 affidavit?

23 A I do believe so.

24 Q Okay. Anything else from Ms. [REDACTED]?

25 A I'm not really sure.

1 Q Do you expect your mother to testify about
2 anything else at your trial?

3 A I don't know what questions are going to be asked
4 from either party.

5 Q What's your current address right now?

6 A My current?

7 Q Uh-huh.

8 A [REDACTED]

9 Q Is that in Brandon?

10 A Valrico.

11 Q Oh, I grew up in Valrico.

12 And how long have you lived at [REDACTED] [REDACTED]

13 A Ten months.

14 Q Is it a house?

15 A Yes.

16 Q And what is your rent at [REDACTED] [REDACTED]

17 A \$1100.

18 Q Do you share that house with anyone else, or is it
19 just you and your two children?

20 A Just me and my two children.

21 Q How many bed and how many bad?

22 A Three-bed, two-bath.

23 Q Now, before you stayed at [REDACTED] [REDACTED] where
24 did you stay?

25 A Partridge Point Trail. I have to think of the

1 name of the address. It's very similar.

2 Q Okay. How long were you at [REDACTED]?

3 A One year.

4 Q And did anyone else live at [REDACTED],
5 or just you and your two children?

6 A My mother lived there with me for nine months, and
7 then for two months I gave shelter to a friend and her
8 child. They were in an abusive situation.

9 Q What's that friend's name? Is that friend listed
10 as a witness here?

11 A No, she's not. She lives in Michigan.

12 Q And how did that terminate where the friend and
13 the two children no longer stayed in your home?

14 A We moved to a smaller house, and she moved back to
15 Michigan with her family.

16 Q So the last two months at Partridge Point was with
17 a friend. Prior to that was nine months with [REDACTED]?

18 A Yes.

19 Q Okay. And how did [REDACTED] end up leaving the
20 house?

21 A She got her own senior apartment.

22 Q Okay. While [REDACTED] was staying there, who paid
23 the rent?

24 A We both did.

25 Q Did you have any sort of formal or informal

1 agreement as to rent and utilities?

2 A No. She paid approximately what she would pay for
3 an apartment and utilities.

4 Q Is this reflected on the money that [REDACTED] lent
5 you?

6 A No. Since it was part of the rent, I -- she
7 loaned me money above and beyond that. She had to pay a lot
8 of the electric bills. She had to pay a lot more than her
9 share.

10 Q Okay. Prior to Partridge Point Trail, where did
11 you live?

12 A [REDACTED]

13 Q Home? Apartment? Condo?

14 A Condo.

15 Q Just you and your two children?

16 A That's my mother's condo.

17 Q Is this where you moved to when you left Georgia?

18 A No.

19 Q Okay. So this is your mother's condo. How long
20 were you at [REDACTED]?

21 A Five months with my mom. Two-bedroom, two-bath.

22 Q Did you have an arrangement or agreement as to how
23 rent was paid there and utilities were paid there?

24 A No, we did not. I was putting all of the money I
25 had at that point into the house in Georgia trying to

1 prepare it for sale. So I would give her money here and
2 there, but there was no rent being paid.

3 Q So this is while -- this is prior to the divorce
4 action being filed?

5 A Yes.

6 Q Okay. And the first residence, is there -- or the
7 last residence before that while you were in Brandon?

8 A It was [REDACTED] --

9 Q Okay.

10 A -- [REDACTED] [REDACTED] Seffner.

11 Q And who lived there?

12 A My friend. It's my friend's house, [REDACTED]
13 [REDACTED] -- or, sorry, that's her maiden name.

14 Q [REDACTED] [REDACTED]

15 A [REDACTED] [REDACTED] and her daughter.

16 Q Okay.

17 A And we stayed in her two extra rooms for six
18 months.

19 Q Did you have an arrangement with [REDACTED] as far as
20 rent?

21 A Yes.

22 Q What was the arrangement?

23 A We paid \$350 rent, half the utilities.

24 Q Was [REDACTED] a single mother at that time?

25 A She was going through a divorce.

1 Q Did her husband live with you at any point, or no?

2 A No.

3 Q [REDACTED] [REDACTED].

4 A That's my father.

5 Q And Mr. [REDACTED] is listed as a witness. What do
6 you intend him to testify to?

7 A Money he loaned me.

8 Q The money he loaned you, is that -- is he still
9 with [REDACTED]?

10 A No.

11 Q Where does -- [REDACTED] [REDACTED] lives in Seffner?

12 A Uh-huh.

13 Q Anything else that [REDACTED] [REDACTED] might testify
14 to that you know?

15 A Not that I know of.

16 Q [REDACTED] [REDACTED]?

17 A Another loan.

18 Q Who is [REDACTED] in relation to you?

19 A A friend. Her husband, [REDACTED], actually loaned me
20 the money, but he was killed in a car accident last year.
21 But that was a joint agreement between them.

22 Q Is that a long-time friend or somebody recent?

23 A Long-time.

24 Q Okay. Anything else that [REDACTED] [REDACTED] might
25 testify to besides a loan?

1 A No.

2 Q [REDACTED] [REDACTED]?

3 A Long-time friend, loan of money.

4 Q Anything else that [REDACTED] might testify to?

5 A Not that I know of.

6 Q [REDACTED] [REDACTED] c/o Bell Shoals Church?

7 A He's the -- one of the elders in charge of
8 benevolence. The church helped me pay part of my rent at
9 one point.

10 Q What point was that?

11 A I believe that was -- I think it was August of
12 2011.

13 Q Did they loan you money, or did he give you money?

14 A It's considered a gift. It's to be repaid if
15 you're able to, but it's not required.

16 Q Anything else from [REDACTED]?

17 A Not that I know of.

18 Q Any sort of relationship as a friend relationship
19 or anything with [REDACTED] [REDACTED] outside of the church walls?

20 A No.

21 Q Okay. [REDACTED] [REDACTED]?

22 A She loaned me money.

23 Q And when did [REDACTED] loan you money?

24 A November of 2011. She and [REDACTED] [REDACTED] helped
25 me put the downpayment on the house I'm renting now.

1 Q Was it a first and last month's rent sort of deal?

2 A Yes, plus a deposit.

3 Q And [REDACTED], who we've already mentioned
4 slightly, anything else that [REDACTED] will testify
5 to?

6 A That I only had privileges to my 401K money to pay
7 the rent and any expenses.

8 Q So she's going to testify to your financial
9 condition when you were staying with her?

10 A Yes.

11 Q Anything else that she might testify to?

12 A Not that I know of.

13 Q Any other witnesses that we haven't mentioned?

14 A Not that I know of.

15 Q Okay. Besides [REDACTED], any other
16 doctors -- well, what doctors are currently treating you?

17 A I see Dr. [REDACTED].

18 Q And Dr. [REDACTED] is the same place that -- runs
19 the same shop that you're currently bringing your kids to,
20 correct?

21 A Yes.

22 Q And what do you see Dr. [REDACTED] for?

23 A She's a psychiatrist.

24 Q How long have you been seeing Dr. [REDACTED]?

25 A Let's see. March of this year, somewhere around

1 there.

2 Q Are there any other psychiatrists you're seeing --

3 A No.

4 Q -- or mental health doctors?

5 A No.

6 Q Before Dr. [REDACTED], were you seeing any other
7 psychiatrists or mental health doctors?

8 A Yes. [REDACTED] [REDACTED].

9 Q And when did you see Mr. [REDACTED] -- Dr. [REDACTED]?

10 A From July 2011 until approximately March or so of
11 this year -- or January. Maybe it was January. I didn't
12 see him as often. I'd see him maybe every couple of months.

13 Q Every couple of months?

14 A Yes.

15 Q How often do you see Dr. [REDACTED]?

16 A About every two months, sometimes every month if
17 we're adjusting medication.

18 Q And as a psychiatrist, does she prescribe the
19 Klonopin?

20 A Yes.

21 Q And what else does she prescribe?

22 A Vyvanse.

23 Q Okay.

24 A She's also a neurologist and she prescribes the
25 Topamax.

1 Q And before Dr. -- or before [REDACTED], any
2 psychiatrists or mental health doctors?

3 A In Georgia I saw Dr. [REDACTED], [REDACTED] -- [REDACTED].

4 Q When did you cease seeing Dr. [REDACTED]?

5 A When I moved to Florida, January of 2010.

6 Q Now, from January of 2011 until beginning
7 treatment with Dr. [REDACTED], did you see any psychiatrists or
8 mental health examiners?

9 A No.

10 Q Now, we've discussed it to an extent, but any
11 other physical health problems -- we talked about mental
12 health problems and issues. Any other mental health issues
13 and treatment that I haven't -- we haven't brushed upon yet?

14 A I don't -- not mental health, no.

15 Q Okay.

16 A Physical health, I have -- I was diagnosed three
17 years ago with severe endometriosis, and at that point it
18 was recommended that I have a complete hysterectomy.

19 Q Why have you not done that yet?

20 A I was told we never have the money.

21 Q Have you -- you're still covered under [REDACTED]'
22 insurance, correct?

23 A Uh-huh.

24 Q Have you --

25 A But the copay and the deductible have to be paid.

1 Q And do you know what the copay and deductible
2 would be for this procedure?

3 A Well, now that I've had the copay -- or the
4 deductible paid by [REDACTED], I would only have to pay the
5 15 percent that would be left over. So I am trying to
6 arrange to have that done as soon as possible. I have a
7 doctor's appointment later in the month for an evaluation.

8 Q Is [REDACTED] -- when we're talking deductible, are
9 we talking about that -- not the deductible for the
10 treatment but the deductible yearly that you have to have
11 with the insurance plan?

12 A Yes.

13 Q And what's that deductible?

14 A Fifteen hundred dollars, personal, and three
15 thousand, family.

16 Q Fifteen hundred, personal; three thousand, family.
17 Are you saying [REDACTED] picked up the tab on that?

18 A Yes.

19 Q Out of her own money?

20 A Yes.

21 Q And so that 15 percent you're mentioning on the
22 endometriosis, where does that come from?

23 A That's what the insurance wants. They'll pay up
24 to 85 percent, and I'll be left with a 15 percent bill.

25 Q Okay. And do you know what the total -- what that

1 cost will be?

2 A I haven't checked. Until I go to my
3 consultation --

4 Q And so are you planning on going to a consultation
5 for it?

6 A Yes.

7 Q When is that?

8 A I had to cancel the one I had, so it should be
9 later next week. I'm on the waiting list to be called back.

10 Q How long -- when did you decide to go forward with
11 this procedure?

12 A About two months ago.

13 Q And what caused you to decide two months ago that
14 it was a good time to go forward with this procedure as
15 opposed to three years ago?

16 A The deductible is paid, and I would only have a
17 small percentage to -- that I would owe.

18 It's only getting worse. It's -- it's rapidly
19 spreading because I had a C-section two years before and
20 there was no endometriosis, and from the pictures it is
21 severe two years later. So I know it is spreading, and it's
22 probably more severe at this time. And it's causing me
23 physical pain.

24 Q Any other physical ailments or diagnoses?

25 A I have two broken teeth that we have insurance

1 for, but I don't have the money to pay the portion.

2 And when I had my surgery that showed the
3 endometriosis, the anesthesiologist knocked out my tooth.
4 So I have a temporary plate, and that has never been fixed
5 or addressed.

6 Q How did they knock out your teeth?

7 A When they were extubating me.

8 Q Okay. Do you have any of those estimates for what
9 it would cost to fix your teeth?

10 A Yes, I do, not on me, but I have them at my
11 dentist's office.

12 Q Okay. And when did you go see the dentist? How
13 long ago?

14 A Oh, this has been going on for three years. And
15 the broken teeth have been for maybe four months. And I was
16 told I needed them capped, if one of them could even be
17 saved.

18 Q And why -- what caused the broken teeth?

19 A Just breakdown of the cavity and then the cavity
20 breaking off part of the tooth --

21 Q Okay.

22 A -- or, actually, they were filled, and then the
23 filling broke.

24 Q Okay.

25 A But it's \$545 apiece to have a crown put on.

1 Q Okay.

2 A And we do have the insurance for it, but that's
3 our part.

4 Q Is \$545?

5 A Uh-huh.

6 Q Okay. Any other health issues?

7 A No.

8 Q Health concerns?

9 A Not that I know of.

10 Q Okay. How did you and [REDACTED] end up separated?

11 A In the first of December, I ran a computer check
12 on his computer. Several of my friends and family members
13 would not leave me alone in the state of our marriage that
14 had been in a very bad state since we had gotten married,
15 and they were sure there was something on his computer that
16 was evidence to an affair, pornography. Something was
17 there. So I ran SafeEyes, a computer program, and it came
18 up with over 1200 pornography pictures and videos.

19 Q And so because of the pornography, you left
20 [REDACTED] and you came to -- or came to Florida?

21 A Yes. That was the final straw.

22 Q Had you been in Florida before that?

23 A When he was in Alaska, we came back to Florida due
24 to seasonal depression.

25 Q And then after coming back to Florida?

1 A We rejoined him in Georgia.

2 Q When he got back to Georgia?

3 A Yes.

4 Q I don't see a rehabilitative plan. Have you put
5 anything together for your attorney regarding what kind
6 of -- what kind of plan or what kind of money would help you
7 get back to work?

8 A The test that I have to take.

9 Q What you've told me already, right?

10 A Right, the internship.

11 Q Anything else that would be required for you to
12 get back to work doing your -- your trained skill?

13 A As far as I know, that's what I've been told.

14 Q Are you asking the judge to give you
15 rehabilitative alimony?

16 A Yes, I am.

17 Q Okay. Do you know what you're asking for or why?

18 A I'm asking for -- why? Because we can't live off
19 of the child support.

20 Q And do you know how much you're asking for, or are
21 you going to leave that to your attorney and the judge?

22 A I'm going to leave that to my attorney and the
23 judge.

24 Q Okay. Are you seeking any other alimony
25 besides -- I mean, how long are you looking for alimony?

1 A I don't think we've determined that. It depends
2 on how long it takes me to clear these qualifications. I'd
3 like to do them as soon as possible.

4 Q Are you looking for alimony only until you get
5 cleared with your qualifications and get back up to snuff
6 there, or are you looking for longer alimony than that?

7 A I'm not sure at this time. There was a lot of
8 unpaid child support and alimony.

9 Q That -- that's a separate issue. But, I mean,
10 just for purposes -- let's assume that we didn't have that
11 issue and we're just talking about alimony, just talking
12 about you guys are squared up and then the case is over.
13 Clearly, you want -- you're asking the court for support
14 until you get back on your feet with your job, right?

15 A Right.

16 Q Are you asking for support from the court for
17 anything after that?

18 A Until I find a job.

19 Q Okay. Anything after that?

20 A I'm not sure at this time.

21 Q Okay. Where did you meet [REDACTED]?

22 A Just outside of Nashville.

23 Q How did you guys end up in Georgia? Was he
24 working in Georgia at the time?

25 A Yes. He worked in Georgia. And I worked in

1 Athens, but I was living in Georgia and drove back and forth
2 to Athens.

3 Q Okay. I gotcha.

4 And then eventually you guys began a relationship
5 and got married, and you moved to Georgia with him, right?

6 A Yes.

7 Q And so he's currently employed by Lockheed Martin,
8 right?

9 A Yes.

10 Q And he was working with them when you met,
11 correct?

12 A Yes.

13 Q Okay. And that was in Georgia?

14 A Uh-huh.

15 Q And he's worked with them throughout the duration
16 of your marriage?

17 A Yes.

18 Q The back child support, do you know what that
19 number is that you're looking for in back child support, or
20 is your attorney kind of handling that and figuring that
21 out?

22 A I believe the total was somewhere around \$22,000,
23 wasn't it?

24 MS. O'CONNOR: Roughly \$21,000. The summary is
25 going to be in our exhibits.

1 Q Okay. And so you've worked together with your
2 attorney to figure out what that number is based on records
3 and that sort of thing?

4 A Uh-huh.

5 Q Okay. And when -- when are you looking -- when
6 was the start date of this back child support? Was it the
7 date of separation?

8 A Yes.

9 Q Okay. Anything before -- are you asking for
10 anything before December of 2009 or January of 2010?

11 A No.

12 Q Okay. In 2011 [REDACTED] received two tax returns,
13 one from the State of Georgia and one from the federal
14 government.

15 A Uh-huh.

16 Q Did he deposit both of those into your joint
17 account?

18 A In 2011?

19 Q Last year.

20 A Yes. They were deposited into our joint account.

21 Q Okay. And did you ultimately withdraw the entire
22 balance of both tax returns?

23 A Yes, I did.

24 Q Okay. And so those tax returns would be based on
25 money that [REDACTED] made in 2010, right?

1 A Yes.

2 Q Okay.

3 A The money was used to pay off family bills and
4 family debt.

5 Q The marital home in Georgia, what do you want the
6 judge to do with that?

7 A [REDACTED] can either buy me out or he can put it up
8 for sale. It was up for sale two years ago. He took it off
9 the market.

10 Q So either way would work for you, right?

11 A Yes.

12 Q Okay. Did [REDACTED] put in about \$13,000 when you
13 bought that home of his own nonmarital money?

14 A No. That was marital money. I helped pay off
15 \$21,000 in debt when we were first married, and some of that
16 was included into the second mortgage of the home and our
17 house payments.

18 Q The \$21,000 in debt, was that debt that you both
19 had accrued together?

20 A No. That was his debt. I came in with no debt.

21 Q Did you have any elective surgeries around that
22 time that accrued debt for you guys?

23 A At that time?

24 Q Uh-huh.

25 A No.

1 Q Have you had any elective surgeries that have
2 caused substantial debt for both you and [REDACTED]?

3 A I did have one elective surgery that I paid for
4 out of my 401K.

5 Q Did you have [REDACTED] reimburse that 401K
6 afterwards?

7 A Yes, I did because it was life-saving surgery.
8 The doctor told me I would have been dead within two weeks.

9 Q Okay. But --

10 A And that came out of the tax return.

11 Q Which year?

12 A 2010.

13 Q So for the -- for money earned in 2009?

14 A Yes.

15 Q Okay.

16 A And I saw nothing else from the tax return.

17 Q Not the same tax return that I was talking about
18 earlier, the year before?

19 A Correct.

20 Q Okay. And [REDACTED] has a 401K. What are you
21 asking the judge to do with that 401K?

22 A To do a QDRO.

23 Q Okay. So you're asking the judge to, what, divide
24 it up equitably?

25 A Yes.

1 Q And [REDACTED] had value in this 401K when you got
2 married, right, or do you not know?

3 A He did have some value in it.

4 Q Okay. Do you think it's fair to ask the judge to
5 divide up only what was accrued while you were married?

6 A I'm not really sure since I was required to cash
7 out all of my 401K by him.

8 Q Now, that 401K, was that the -- was that the one
9 that you used to pay for the elective surgery that
10 ultimately he reimbursed?

11 A He reimbursed part of it. I also --

12 MS. O'CONNOR: I'm sorry. Can we just clarify?
13 You keep referring to elective surgery, and she made
14 reference to life-saving surgery.

15 MR. DENMON: I'm sorry. Gastric bypass.

16 MS. O'CONNOR: So it's life-saving. It's not
17 elective. I just --

18 THE WITNESS: They went in to repair a botched
19 bypass -- gastric bypass. At the time they found I had
20 a hernia from my pelvis to my liver. I was completely
21 disemboweled with my bowels twisted in three or four
22 places to the point there was necrosis setting in. And
23 the surgeon, Dr. [REDACTED], said that within 10 days to
24 2 weeks that I would have been in ICU on life support
25 and probably would have died.

1 Q (By Mr. Denmon) So you -- so there was a gastric
2 bypass surgery. When did you have the first one done?

3 A 2000.

4 Q Okay. And Dr. [REDACTED], that's what he -- he does
5 gastric bypass surgeries?

6 A Right. He went in to fix an area that was not
7 done correctly.

8 Q Did he go in to fix it, or were you going in for a
9 second surgery and he found it when he was going in there?

10 A He went in to fix a -- a botched procedure, and
11 then he found the endometriosis and the hernia.

12 Q How did he know it was a botched procedure?

13 A He did a scope beforehand.

14 Q Okay.

15 A And he could tell that it was not the correct
16 shape, so he felt that it was not done correctly.

17 Q How did you end up going to him?

18 A I was referred by a friend.

19 Q Okay. Because -- why were you going to see him?

20 A I was having various symptoms, and if you've ever
21 had a bypass surgery, you're only supposed to go back and
22 see another doctor who specializes in it. And I saw his
23 nutritionist for a little while, worked with her, and then I
24 started seeing him.

25 Q Okay.

1 A And he felt like something was not -- not correct
2 upon exam and then upon the scope.

3 Q Okay. Did he redo the gastric bypass or whatever
4 they do, or did he not touch that?

5 A He fixed a part of it. I had another hernia
6 behind my stomach, and that's part of the botched procedure.
7 And then he had to repair a piece of it because of the way
8 it was misshapen because of the poor surgery done the first
9 time.

10 Q Is he still treating you?

11 A No.

12 Q Okay. Did you terminate that, or did he terminate
13 treating you?

14 A I moved down here and I haven't --

15 Q He's from up there?

16 A Yes.

17 Q Okay. Have you had any issues related to, I
18 guess, this region -- I'm referring to your stomach
19 region --

20 A Right.

21 Q -- since then?

22 A No.

23 Q Okay. So there haven't been anymore trips back to
24 that sort of doctor or whatever it is?

25 A No.

1 Q That specialized doctor?

2 A No.

3 Q Okay. Now, Mr. [REDACTED] -- [REDACTED] has a pension.
4 Have you -- any thoughts about how you would like that
5 pension divided up?

6 A With a QDRO with it as well.

7 Q Okay. And this is something I haven't talked
8 about with your attorney yet, but if we could put our heads
9 together -- well, do you understand that [REDACTED]' pension,
10 he wouldn't start getting paid out until sometime around
11 2034, 2035? Does that make sense --

12 A Yes.

13 Q -- as far as you understand it?

14 So if we could work out something, if we could,
15 that would be some sort of payment now or some other
16 distribution of assets instead of just getting that pension
17 in 2034, 2035, would you be interested in that? And I'm
18 just -- this is not for the judge. It's just --

19 A It's a possibility.

20 MS. O'CONNOR: If you know.

21 THE WITNESS: I mean, I guess there's a
22 possibility.

23 Q (By Mr. Denmon) Yeah. And I don't know if we can
24 because it's tough to estimate what a pension is worth when
25 it's 25 -- when it's all those years from now. But it's

1 something that ██████ would be interested in, I think, and
2 you might too, if we could figure out some way to value it
3 now so you wouldn't have to be dealing with ██████ in 25
4 years. You won't have to be dealing with each other. So --
5 but that's something we'll talk about and see if we can
6 figure something out.

7 A I'd be open to discussion.

8 Q Okay. Who handled the books when it comes to
9 paying debt and paying the bills when you guys were married?

10 A I did the first three years.

11 Q Okay. And did he do it, then, after that point?

12 A Yes. His spending was out of control. I couldn't
13 make the bills, so I gave him the checkbook so he could see
14 what he was spending each month.

15 Q Okay. And since then has the spending been out of
16 control?

17 A I don't know. I don't have privy to any of that
18 information.

19 Q Nothing from three years into the marriage
20 until -- or until the time you separated?

21 A Right.

22 Q Okay. Did ██████ choose to move to Alaska?

23 A Yes.

24 Q Is that because you guys could make more money and
25 you guys could pay down some debt?

1 A That was one of his thoughts.

2 Q Okay. Did you disagree with that thought, agree
3 with that thought? Or if you don't remember, that's fine,
4 too.

5 A It's only hearsay, but he told one of my friends
6 it's to get me away from most of my friends.

7 Q Ultimately he agreed to send you back to Florida,
8 right?

9 A Yes.

10 Q He stayed in Alaska?

11 A At a doctor's recommendation.

12 Q And he stayed in Alaska, right?

13 A Yes.

14 Q Okay. And when you guys separated, did you guys
15 have anything in savings?

16 A Not in our joint savings account. He had several
17 other checking and savings accounts that I have no clue what
18 was in them. My name's not on them. I don't have privy --
19 information to them.

20 Q You -- did you know at the time when you separated
21 that you guys had substantial credit card debt?

22 A He did tell me that we did.

23 Q Okay.

24 A And that's one of the reasons I ran the software
25 check.

1 Q You ran the software check on his computer because
2 he told you you have credit card debt?

3 A Yes. We were supposed to come back from Alaska
4 with no debt. We came back with over \$10,000 debt. In a
5 year and a half, it was up to \$40,000.

6 Q So when you were separated, the debt got paid
7 down, right? When he was in Alaska working hard and you
8 were in Florida, the debt got paid down?

9 MS. O'CONNOR: Object to form. If you know the
10 answer to that question --

11 Q Yeah. And if you don't, that's fine.

12 A I don't know.

13 Q But what you're telling me now is that the debt
14 after you guys rekindled went up?

15 A I don't know what the debt was when we went up to
16 Alaska.

17 Q Okay. When he left Alaska, you said the debt was
18 \$10,000?

19 A Yes.

20 Q You guys got back together, right?

21 A Yes.

22 Q And then at the time you separated, the debt was
23 up to \$40,000, right?

24 A Yes.

25 Q Okay. You filed a financial affidavit in December

1 of 2011 -- well, it looks like it was November of 2011.

2 Have you filed any financial affidavits since then?

3 MS. O'CONNOR: We have one that we need to file
4 today.

5 Q So you're working on one with your attorney as we
6 speak?

7 A Yes.

8 Q Okay. And what have you changed in that financial
9 affidavit? Do you know?

10 A No, I don't. I haven't looked at the --

11 MS. O'CONNOR: Can we go off the record for a
12 minute?

13 (Whereupon, there was a discussion of the record.)

14 MS. O'CONNOR: We can go back on.

15 THE WITNESS: My -- we'll be changing my
16 employment.

17 Q (By Mr. Denmon) Okay. Have your expenses changed
18 substantially one way or the other since December 2011?

19 A My rent is lower, but I've had to take on more
20 expenses since then.

21 Q Your rent is \$1100, right?

22 A Yes.

23 Q You have \$1100 on your financial affidavit. So
24 what are the "more expenses" that you've taken on since
25 then?

1 A My car insurance.

2 Q And what's that?

3 A \$134 a month.

4 Q Was [REDACTED] paying that before?

5 A Yes, he was.

6 Q At the time of the temporary hearing, he was
7 paying the car insurance?

8 A Yes.

9 Q Okay. And what other expenses have you taken on?

10 A The children's extracurricular activities.

11 Q And what are their extracurricular activities?

12 A Girl Scouts, the YMCA. And we are in the process
13 of trying to set up gymnastic lessons for the 6-year-old.

14 Q When did they start Girl Scouts?

15 A Last year.

16 Q What does Girl Scouts cost a month?

17 A About \$15 each.

18 Q Do you have a family plan at the YMCA?

19 A Yes, we do.

20 Q It's about 70 bucks, \$75?

21 A No. We pay \$48.

22 Q Are you telling me I'm getting ripped off?

23 A We have financial assistance.

24 Q And the gymnastic lessons, that's something you're
25 discussing, but it hasn't happened yet?

1 A Yes. [REDACTED] and I both discussed that, something
2 for [REDACTED] as well.

3 Q I think it is the Olympics time.

4 The Nissan, are you paying the loan on -- is there
5 a loan on the Nissan? That's [REDACTED]' car, correct?

6 A That's [REDACTED]' car.

7 Q The Odyssey is your car, correct?

8 A Yes.

9 Q Okay. Is there a loan on that?

10 A Yes.

11 Q Okay. Are you paying that, or is [REDACTED] paying
12 that?

13 A [REDACTED] is paying that right now.

14 Q On your new financial affidavit, are you changing
15 the values of the loans from [REDACTED], [REDACTED] and [REDACTED],
16 [REDACTED] and [REDACTED] at all, or is the value going to be the
17 same?

18 A I guess it would be roughly the same, but there
19 could be a possibility of change for a court reporter for
20 the trial.

21 Q And your attorney and I will talk about that.
22 Thanks for reminding us.

23 The -- in your financial affidavit you have three
24 loans from [REDACTED]. Were all three of these loans in 2011?

25 A Yes.

1 Q Okay. And you have a loan from [REDACTED] and [REDACTED] and
2 a loan from [REDACTED] and [REDACTED]. Were both of those loans
3 in 2011?

4 A Yes, I believe so.

5 Q Okay. You have a Kohl's, a Home Depot, a
6 BrylaneHome and a Chase Bank credit card. Do all -- are all
7 these credit cards since the date of separation? Did you
8 get these while you were in Florida?

9 A No. I've had them before then.

10 Q Okay. And the balance on these cards as listed on
11 your financial affidavit, does this balance reflect what was
12 on the cards at the time of filing the financial affidavit?

13 A Yes.

14 Q Okay. And do you know what the balance was on
15 these cards at the time of separation?

16 A Not off the top of my head. I'd have to look at
17 them.

18 Q Okay. Where are the kids in school right now?

19 A Foundation Christian Academy.

20 Q When did you start them in Foundation Christian
21 Academy?

22 A January of 2010.

23 Q Okay. And at the time it cost you money to put
24 them in school, right?

25 A Yes, it did.

1 Q And why did you choose that school as opposed to a
2 public school?

3 A I did not know where we were going to be living.

4 Q Okay.

5 A And I did not want to move them from school to
6 school.

7 Q Okay.

8 A They were already in a private Christian school
9 before we moved down here, and this one is affiliated with
10 our church.

11 Q Okay. And they continue to go to the same school
12 you said, right?

13 A Yes.

14 Q Okay. And for a period of time, you had tuition
15 bills, right?

16 A Uh-huh.

17 Q And now you've qualified for some assistance from
18 the church, so your bills are less?

19 A From a state scholarship set up for students.

20 Q So now currently what do you pay for tuition for
21 the children?

22 A A hundred dollars a year.

23 Q The rent on the first house that you rented, was
24 it \$1750 a month?

25 A Uh-huh.

1 Q How did you find that house?

2 A Turned down the wrong street. We were looking for
3 a different house and we found that one.

4 Q Okay. Well, I do appreciate you coming in and
5 speaking to me.

6 MR. DENMON: And do we have an affidavit of
7 attorney's fees from you yet?

8 MS. O'CONNOR: No.

9 MR. DENMON: It's not in the file?

10 MS. O'CONNOR: No.

11 MR. DENMON: Thank you.

12 THE WITNESS: Okay. Thank you.

13 (Whereupon, the deposition was concluded at 3:36 p.m.)

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CERTIFICATE OF OATH

STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, the undersigned authority, certify that
██████. ██████ personally appeared before me and was duly
sworn.

WITNESS my hand and official seal this 22nd day of
September, 2012.

KARA T. LACOGNATA, RPR
Notary Public
State of Florida at large

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REPORTER'S DEPOSITION CERTIFICATE

STATE OF FLORIDA)
COUNTY OF PINELLAS)

I, KARA T. LACOGNATA, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of ██████ ■. ██████; that a review of the transcript was requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, attorney or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

DATED this 22nd day of September, 2012.

KARA T. LACOGNATA, RPR

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ERRATA SHEET

██████████ v. ██████████

CASE NO. 11-DR-011317-R

DEPO OF: █████ ██████████

TAKEN: 8/21/12

Please read the transcript of your deposition and make note of any errors in the transcription on this page. DO NOT MARK on the transcript itself. Please sign and date this sheet at the bottom, even if you have not made any corrections. Thank you.

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Under penalties of perjury, I declare that I have read my deposition and that it is true and correct, subject to any changes in form or substance entered here.

SIGN _____ DATE _____