

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA
CASE No. 502009 CA029903XXXXMBAG

FD DESTINY, LLC, et al.,

Plaintiffs,

-vs-

AVP DESTINY, LLC, et al.,
Defendants.

AVP DESTINY, LLC, et al.,

Plaintiffs,

-vs-

FREDERICK A. DELUCA,
individually, et al.

Defendants.

DEPOSITION OF FRANCES B. SAAVEDRA
VOLUME II

Tuesday, October 21, 2014
9:25 a.m. - 3:25 p.m.

200 E. Broward Boulevard
Suite 2100
Fort Lauderdale, Florida 33301

Stenographically Reported By
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Present:

Anthony Pugliese

PROCEEDINGS

(Continued from Volume I of the same day.)

MR. YANEZ: Back after lunch.

BY MR. YANEZ:

Q. In 2005, you had mentioned you were working with Great Florida Bank; correct?

A. Uh-huh, yes.

Q. Around the time that Fred Florio first met Anthony Pugliese, you had told Fred DeLuca about that meeting; correct?

A. Yes. Well, he's the one that sent Fred Florio.

Q. Okay. And based on that meeting, was it your impression that Fred DeLuca wanted to meet Anthony Pugliese?

MR. HUTCHISON: Objection to the form.

MR. YANEZ: You can answer the question.

THE WITNESS: That man scares me.

Yes, definitely.

BY MR. YANEZ:

Q. Did Fred DeLuca ask you to conduct an in-depth investigation of Anthony Pugliese?

MR. HUTCHISON: Objection. Asked and answered earlier this morning.

1 THE WITNESS: Well, if by "in-depth," giving
2 him confidential information, then yes. I gave him
3 confidential information I normally wouldn't have
4 given any other person.

5 BY MR. YANEZ:

6 Q. Was this before they went into business
7 together?

8 A. Absolutely.

9 Q. What type of information did you give
10 Fred DeLuca?

11 A. I told him that Anthony had \$11,500,000 in
12 his accounts. I told him how much he had in
13 real estate. I gave him personal financial statement
14 information.

15 Q. Did you actually present financial statements
16 to Fred DeLuca?

17 A. I didn't present them. I actually -- because
18 I felt like that would go above and beyond. But I gave
19 them to him verbatim.

20 THE WITNESS: None of that, boys.

21 MR. HUTCHISON: We're actually laughing about
22 something else, Fran.

23 THE WITNESS: I hope it's not that my skirt
24 is stuck up in my pantyhose.

25 MR. HUTCHISON: I can assure you it wouldn't

1 trips, Leonard Abess. And I did -- I was introduced to
2 his sister, Suzanne. But I don't even know if she'd
3 remember me. And she does work there.

4 Q. So when you testified earlier that you met
5 with Fred DeLuca at his house in June of 2007, you
6 specifically spoke about the Destiny project; correct?

7 A. Yes.

8 Q. And Fred DeLuca, did he tell you specifically
9 how much the offers were for the Destiny property that
10 they received after closing?

11 A. Yes, he did.

12 Q. And what was his reaction to those offers?

13 A. Well, I think one was -- now, remember, this
14 is a long time ago, and I'm blond.

15 So one was like two times the amount, and the
16 other was like three times the amount, like 11 million
17 and 13 million. I could have those numbers a little bit
18 off. But then he said that he wasn't interested,
19 because he never liked Anthony's house. He had said
20 that before, that it was ost- -- that he didn't like it;
21 that it was a bit much.

22 Q. Well, did Fred DeLuca -- I apologize.

23 MR. HUTCHISON: Finish your answer, please.

24 THE WITNESS: Okay. And that he would just
25 wait and keep it all for himself.

1 be that.

2 BY MR. YANEZ:

3 Q. Aside from the people you mentioned earlier,
4 did you ever meet or deal with any of Fred DeLuca's
5 other business associates?

6 A. Besides the ones mentioned, I met his wife.
7 I don't know if she's a business associate.

8 Q. Do you know David Freedman?

9 A. I met Steve Sager, I met Larry Freedman --
10 wait, Larry Feldman. Steve Sager, S-a-g-e-r, and
11 Larry Feldman, F-e-l-d-m-a-n.

12 Q. Do you know Bobby Ray?

13 A. I met "The Ax."

14 Q. What did you mean by that?

15 A. Oh, his attorney up in Connecticut, he has a
16 real name. They always called him like "Lenny the Ax"
17 or -- I don't know if his last name had "ax" in it or
18 Axelrod. You know what, I have some paperwork with me.
19 I could probably look through it and find his name.

20 Q. Was it Axelrod?

21 A. It may have been.

22 Q. When did you meet him?

23 A. When I was up there for one of my visits. I
24 tried to make it once a year while he was my client,
25 maybe twice a year. And I brought Leonard on one of the

1 BY MR. YANEZ:

2 Q. Did -- what does that mean?

3 A. Well, at the time, when I was sitting there
4 with him, he indicated that he meant he'd get rid of
5 Anthony and keep it all for himself.

6 Q. Was this in June of 2007?

7 MR. HUTCHISON: Objection as to form,
8 leading.

9 MR. YANEZ: It's not a leading question.

10 BY MR. YANEZ:

11 Q. Was that in June of 2007?

12 MR. HUTCHISON: Same objection.

13 THE WITNESS: What happens when he says that?

14 BY MR. YANEZ:

15 Q. You can answer the question.

16 A. Oh. Approximately, yes. I'm sure of the
17 year, I'm not sure of the exact month.

18 Q. Did Fred DeLuca tell you that the offers that
19 they received shortly after closing would not have
20 affected his lifestyle?

21 A. Absolutely. He said that it wouldn't affect
22 his lifestyle at all, just like the lottery ticket.

23 Q. Did Fred DeLuca ever tell you that property
24 would be worth more once the entitlement process was
25 completed?

1 A. Yes.
 2 Q. Did he tell you that property was going to be
 3 more valuable than initially thought?
 4 A. Oh, absolutely. He thought it would be
 5 worth --
 6 MR. HUTCHISON: Objection. Wait just a
 7 minute. Let me object.
 8 Object to form, leading.
 9 BY MR. YANEZ:
 10 Q. Answer the question.
 11 A. I'm sorry, I'm not used to this.
 12 MR. HUTCHISON: You're doing fine.
 13 MR. YANEZ: Can you just read it back to her,
 14 please.
 15 (Whereupon, the requested portion of the
 16 record was read aloud by the Court Reporter.)
 17 THE WITNESS: He had said that from the very
 18 beginning, but at that point in time, he said it
 19 would be worth billions.
 20 BY MR. YANEZ:
 21 Q. Did he also tell that you it was a great idea
 22 to double the size of the property to increase the
 23 number of developable units?
 24 MR. HUTCHISON: Objection as to form.
 25 THE WITNESS: I get you next, don't I. I can

1 THE WITNESS: You know, that's really
 2 distracting. Can you whisper it?
 3 Yes. He said that he -- and, you know what?
 4 I believed him. He said it, and I believed him
 5 because of his previous behavior. And I honestly
 6 didn't know what to say when he said that, because
 7 they were both my previous clients.
 8 BY MR. YANEZ:
 9 Q. Did he specifically tell you that the Destiny
 10 project was going to be his because of Anthony's
 11 lifestyle?
 12 A. Oh, absolutely. He hated Anthony's
 13 lifestyle. He absolutely hated it. He made comments
 14 about the statue garden, that no one should live that
 15 way.
 16 Q. After Fred DeLuca made those comments to you,
 17 did you warn Anthony about them and his intentions?
 18 A. Yes, I did.
 19 Q. When did you warn him and how did you --
 20 A. Immediately.
 21 Q. How did you warn him?
 22 A. By phone.
 23 Q. And what did Anthony say?
 24 A. "That's good to know."
 25 Q. Did Fred DeLuca ever say that he was the only

1 hardly wait. Where's the razor blades?
 2 Yes.
 3 BY MR. YANEZ:
 4 Q. Did he tell you that Anthony Pugliese
 5 acquired an option to buy an additional parcel in 2006
 6 and nearly doubled the size of the project?
 7 MR. HUTCHISON: Object to the form.
 8 THE WITNESS: Yes. I won't even look at him,
 9 if that helps you.
 10 MR. HUTCHISON: You can look at him.
 11 THE WITNESS: I'll look at you.
 12 MR. HUTCHISON: No. You don't have to --
 13 THE WITNESS: He absolutely told me that.
 14 MR. HUTCHISON: My objection to form has
 15 nothing to do with your answer. It has to do with
 16 the question.
 17 THE WITNESS: I'll look at you then.
 18 MR. HUTCHISON: You can listen to Anthony.
 19 THE WITNESS: Anthony's not saying anything.
 20 BY MR. YANEZ:
 21 Q. Did Fred DeLuca tell you that he wanted to
 22 take over the project from Anthony and then sell it for
 23 billions?
 24 A. He said that he --
 25 MR. HUTCHISON: Objection to form.

1 investor in the Destiny project?
 2 A. Investor? I thought they were partners.
 3 Q. Did he say he was the -- okay.
 4 A. Never. I -- this is the first I've heard of
 5 him being an investor. Why would he put Fred Florio in
 6 his office if he was an investor? It was always a
 7 partnership.
 8 Q. Did he ever mention that he was Anthony's
 9 partner?
 10 A. Yes.
 11 And it was always -- why would -- it was
 12 always a partner. It was at my understanding from Day
 13 One, from the day that they undertook this that they
 14 would be partners.
 15 Q. Did you find it odd that Fred DeLuca wanted
 16 to take over the project from Anthony, when they were
 17 50/50 partners?
 18 MR. HUTCHISON: Objection as to form.
 19 THE WITNESS: Yes. I found -- but not out of
 20 the ordinary. Not after the other things like that
 21 that I had seen. But I found it frightening.
 22 BY MR. YANEZ:
 23 Q. Were you still in contact with Fred DeLuca in
 24 2007, during the Destiny entitlement process with the
 25 Department of Community Affairs?

1 MR. HUTCHISON: Objection to the form.
 2 THE WITNESS: I was still in contact with
 3 him, but I don't know if we talked about that exact
 4 project.
 5 BY MR. YANEZ:
 6 Q. Did Fred DeLuca ever complain to you about
 7 the length or expense of the entitlement process?
 8 A. No.
 9 Q. Were you in contact with Fred DeLuca in 2008,
 10 when he stopped funding the Destiny project?
 11 A. Yes. I was in contact with him.
 12 Q. What did he tell you?
 13 A. He called me and told that Anthony was a
 14 really bad man.
 15 Q. What specifically did he say?
 16 A. He said Anthony was a really bad man and that
 17 he was taking money from the company and paying his
 18 sister's pool bill. Pool cleaning or pool whatever
 19 bill. And I kept really quiet, because from years of
 20 seeing Fred, I learned to be quiet and listen.
 21 Because he said to me, "You say anything that
 22 comes out of your mouth." Because I used to just say
 23 anything that came out of my mouth, which included, "Are
 24 you sure your wife doesn't hate you?" There's a fine
 25 line between love and hate.

1 Q. What did he tell you about that?
 2 A. He didn't -- we didn't talk about that very
 3 much.
 4 Q. Did tell you he would do whatever was
 5 necessary to end up with the Destiny project?
 6 MR. HUTCHISON: Object to the form.
 7 THE WITNESS: He mentioned it slightly in
 8 passing. Fred's not big on expanding or
 9 expounding.
 10 BY MR. YANEZ:
 11 Q. What did he say, passively, to that effect?
 12 A. That's a good word. That is how he speaks,
 13 passively. He just said he's taking care of it.
 14 Q. What did he mean by that?
 15 A. Well, I think that's about the time it had
 16 hit the news.
 17 Q. What do you mean by "hit the news"? What are
 18 you referring to?
 19 A. Developer in Palm Beach, that kind of thing.
 20 Q. Are you referring to the civil lawsuit that
 21 Fred DeLuca filed against Anthony Pugliese?
 22 A. Yes. Sorry. Thank you.
 23 Q. Did Fred DeLuca ever tell you that he wanted
 24 to kill the Destiny project?
 25 A. Yes. He wanted to take it over for himself.

1 Q. Did Fred DeLuca tell you that he wanted to
 2 bleed Anthony Pugliese dry?
 3 MR. HUTCHISON: Objection to the form.
 4 THE WITNESS: Words similar, but not as
 5 bloody. He's very polite.
 6 BY MR. YANEZ:
 7 Q. What did he say exactly?
 8 A. That he would take him for everything he
 9 could.
 10 But I had already seen bleeding someone dry.
 11 Sucking marrow out of someone's bones, which would be
 12 that (pointing).
 13 Q. What do you mean "by that"?
 14 A. XtremeMac. I've already seen people beg me,
 15 please, please, get Fred away from me.
 16 And you know what? If anyone doubts that,
 17 they can look up Kevin and ask him.
 18 Q. Kevin who?
 19 A. On that card, Kevin --
 20 Q. Kevin Doyle?
 21 A. -- Doyle. If he's not dead.
 22 Q. Were you still in contact with Fred DeLuca in
 23 2009, when he permanently stopped funding the Destiny
 24 project?
 25 A. Yes.

1 And what Fred would want with land, I have no idea.
 2 Maybe a whole group of Subways. Minions, little yellow
 3 things.
 4 Q. Did he ever tell you that he wanted to bring
 5 a criminal case against Anthony?
 6 A. Never, no. That was shocking, disheartening,
 7 and awful, when I saw that.
 8 Q. And you mentioned earlier you had met
 9 Carolyn Bolton?
 10 A. Yes.
 11 Q. Are you still friendly with Carolyn Bolton?
 12 A. I have no objections to her, but I haven't
 13 seen her in a number of years.
 14 Q. What do you mean by "no objections to her"?
 15 A. I mean like if I saw her on the street, I
 16 would say hi. And, you know, we don't have any
 17 animosity.
 18 Q. Did Fred DeLuca ever have a relationship with
 19 Carolyn Bolton?
 20 A. Yes.
 21 MR. HUTCHISON: Objection as to form. Same
 22 thing. If you want to go into that, we're gonna
 23 go --
 24 MR. YANEZ: I'm only asking about her
 25 personal knowledge. I don't think I'm -- I'm not

1 going to try to get into any detail.
 2 MR. HUTCHISON: Well, it's going to stop
 3 there, or we're going to go to the Judge.
 4 THE WITNESS: Can I ask a question?
 5 MR. HUTCHISON: No. I know you're still mad
 6 at me. I'm sorry. I'm sorry, Fran, but this is a
 7 legal issue that I have to deal with.
 8 BY MR. YANEZ:
 9 Q. Let me ask you this: Did Fred DeLuca have a
 10 business relationship or personal relationship with
 11 Carolyn Bolton?
 12 A. Both. And her roommate.
 13 Q. What is her roommate's name?
 14 A. I don't know. But she died of cancer.
 15 Q. Did her roommate also have a business
 16 relationship with Fred DeLuca?
 17 A. No. Only social.
 18 THE WITNESS: May I ask -- may I say
 19 something to you? Am I allowed to say something to
 20 him?
 21 BY MR. YANEZ:
 22 Q. There's no question pending.
 23 A. No, but may -- am I allowed to?
 24 Q. Is it responsive to the last question?
 25 A. Yes.

1 A. No. But he looks like he's going to fall
 2 asleep.
 3 Q. Okay. Are any of my questions harassing you
 4 today?
 5 A. No.
 6 Q. Are any of my questions annoying you today?
 7 A. Not at all. No, I just --
 8 Q. Am I embarrassing you today?
 9 A. No. I'm not embarrassed at all. You know
 10 what, I don't understand why Fred would deny it. Who
 11 cares? It's all in the past.
 12 Q. Okay. I just wanted to make sure that I
 13 wasn't annoying you or embarrassing you in any --
 14 A. No, not at all.
 15 MR. YANEZ: That's all I have. He's got some
 16 questions for you.
 17 THE WITNESS: Is it your turn?
 18 MR. HUTCHISON: Yes.
 19 CROSS EXAMINATION
 20 BY MR. HUTCHISON:
 21 Q. Ms. Saavedra, I want to clear up your work
 22 history because I was a little confused on the work
 23 history.
 24 A. I should have brought my résumé.
 25 Q. Yeah, well, I didn't have an opportunity to

1 Q. What is it you want to say?
 2 A. I want to say, why am I not allowed to say
 3 anything?
 4 MR. HUTCHISON: Fran, there's a procedure we
 5 have to follow.
 6 THE WITNESS: I don't know that. I'm a
 7 stupid, blond ex-banker.
 8 MR. HUTCHISON: Well, I don't believe that
 9 for one minute. But the lawyer understands it, and
 10 so for now, you just answer his questions, and
 11 we'll get through this deposition faster.
 12 BY MR. YANEZ:
 13 Q. Again, I'll state -- let me ask you some
 14 questions a different way.
 15 Are you represented by an attorney here?
 16 A. No, but I did consult one. My old boyfriend
 17 from when I was 26.
 18 Q. And I don't want to know what you spoke
 19 about.
 20 A. Oh, he -- he was a wimp.
 21 Q. I just want to clarify, is -- is
 22 Mr. Rick Hutchinson, seated to your left, your attorney?
 23 A. No.
 24 Q. Is John Chapman, seated to your left, your
 25 attorney?

1 talk to --
 2 A. I might have it on my e-mail if you want me
 3 to print it out.
 4 Q. It doesn't have to be exact. Let's just do
 5 it approximate.
 6 Where is it that you first met Fred DeLuca?
 7 A. At Bank of America.
 8 Q. And you were at Bank of America approximately
 9 what years?
 10 A. I was there forever. They grandfathered me
 11 in 15 years, but I started at First Federal of Broward
 12 in '78. So they took some of the years away.
 13 Q. But just --
 14 A. Let's say -- I didn't meet him. I met Joyce
 15 and Carolyn first.
 16 Q. Well, let's --
 17 A. And Bob Spuck. I met Fred DeLuca,
 18 probably -- I told you when I met him exactly. I met
 19 him New Year's Eve, 1997.
 20 Q. But what years were you at Bank of America,
 21 just approximately?
 22 A. Oh, if they really did it correctly, it would
 23 be from '78 to the year 2000.
 24 Q. 2000. So you left Bank of America in
 25 approximately the year 2000?

1 A. Uh-huh.
 2 Q. And you met Fred DeLuca while you were
 3 working at Bank of America?
 4 A. Correct.
 5 Q. And when you met Fred DeLuca, what was your
 6 title, if you can remember?
 7 A. Bank officer.
 8 Q. And as bank officer in 1997, what were your
 9 responsibilities; what were your duties?
 10 A. Maintain a portfolio, as part of a team, do
 11 you need the team members' names?
 12 Q. No.
 13 And when you say "maintain a portfolio," just
 14 kind of describe what that means.
 15 A. Of the existing clients. Anytime they called
 16 or needed anything, I was the person they spoke with.
 17 So the existing portfolio, and then there was somebody
 18 that developed business. And it got away from me.
 19 Q. Now, at one point, you said you were an
 20 auditor in loans, and then you were a loan --
 21 A. My very first job, 1978, was loan auditing.
 22 Q. And in loan auditing, what did you do?
 23 A. I took loans that had been closed and audited
 24 them for mistakes.
 25 Q. What kind of mistakes?

1 negative amortizations, kind of like the last wave of
 2 sub-prime, where the loan rates went up to 17, 18
 3 percent.
 4 And so people would call in and say, I can't
 5 make my mortgage payment. Can we -- you know, there's
 6 been a death in the family. So they would capitalize
 7 the loan payments onto the back end of the loan. And we
 8 would do new documents for that.
 9 Q. And then you also got into lending. What did
 10 you do with lending, for lending?
 11 A. I became a residential loan officer.
 12 Q. And just since I never was a residential loan
 13 officer, what do you do as a residential loan officer?
 14 A. Ah, that's like the worst job in the world.
 15 You have to get business. You have to obtain loans. At
 16 one point, every loan I had was so small, my boss asked
 17 me if I was getting car loans.
 18 Q. Did you also then help with the documentation
 19 of those loans as well?
 20 A. No. I had an assistant. I had a processor.
 21 Q. And then you switched to the commercial area,
 22 I think you told us about 1989, 1990?
 23 A. Actually, I was in residential when I went to
 24 my boss and said, I can't do this anymore. Because I
 25 had a pager, it was 24 hours a day, and my son was

1 A. Documentation, any errors, if a note was
 2 signed incorrectly, mortgage, things like that. If we
 3 were missing documents.
 4 Q. And as loan services, what do you do?
 5 A. That was a bunch of different things. Escrow
 6 analysis. This was all residential.
 7 Q. Okay.
 8 A. But escrow analysis, customer service, but it
 9 was all on the phone. Like not your customer service
 10 where it was credit cards. They didn't have those back
 11 then. It was on loans, all loans.
 12 Q. And when you say "escrow analysis," just tell
 13 us briefly what that means.
 14 A. You know, at end of the year, when you pay
 15 your taxes and your insurance.
 16 Q. Each one, if you pay it, it sits in an
 17 escrow?
 18 A. Right. But sometimes there is overage or
 19 shortage. And then you have to go explain it to the
 20 client. That's what I did. I explained to the client
 21 why there was a shortage or an overage. An overage, of
 22 course, they got a check. If there was a shortage, of
 23 course, they were really not happy about that.
 24 And any -- like, we did extensions and
 25 modifications. And that's when they had neg-am loans,

1 really young. And I said -- they were calling at
 2 Christmas -- it's taking nine months to get a loan
 3 through, a residential loan.
 4 So I said, I'll take any job. And I took a
 5 50 percent pay cut to start in commercial lending, and I
 6 started at the bottom.
 7 Q. And -- but it worked out well?
 8 A. Eventually, it did, yeah. That was 1989.
 9 MR. HUTCHISON: And did we get copies of
 10 Exhibit 6?
 11 MR. YANEZ: No. I'd have to get them for
 12 you. Do you just want to use this one copy?
 13 MR. HUTCHISON: Well, on the next break,
 14 we'll get copies. We'll put it down for now.
 15 THE WITNESS: I'm not that interesting.
 16 BY MR. HUTCHISON:
 17 Q. Okay. So, then in 1997, you had told us that
 18 you had been looking at loan balances and saw
 19 Fred DeLuca's loan balance; is that accurate?
 20 A. At Bank of America, right. Because I was on
 21 a team that I was working with an existing portfolio of
 22 clients.
 23 Q. Okay.
 24 A. And my job was to cross-sell and to provide
 25 other products, like capital management, private

1 banking, everything that big banks sell.
 2 Q. So when you saw the loan balances that
 3 Fred DeLuca had, you saw that as an opportunity for more
 4 business?
 5 MR. YANEZ: Form.
 6 THE WITNESS: Well, I saw it to talk to my
 7 bosses and say, we should be doing more with him.
 8 But what it really turned out to be was that it
 9 turned into a spreadsheet.
 10 BY MR. HUTCHISON:
 11 Q. Let's start with -- were you able to, at all,
 12 expand the business that Fred DeLuca had with
 13 Bank of America?
 14 A. No. But Fred will be happy, because he got
 15 money back.
 16 Q. But the --
 17 A. No, no. It didn't. But it worked to his
 18 benefit.
 19 Q. So the -- Bank of America, it wasn't a
 20 profitable account for Bank of America?
 21 A. It was really profitable until I looked at it
 22 and said, This is all gravy.
 23 Q. So you looked at the account, saw that there
 24 were some overcharges, or "gravy," as you refer to them,
 25 and that led Fred DeLuca to renegotiate the terms of his

1 Q. And you were able to look at it and see where
 2 he was able to cut the costs --
 3 A. Right.
 4 Q. -- and treat it like other similarly situated
 5 customers?
 6 A. Correct.
 7 Q. When is it that you had got the
 8 Doctors Associates business? Were you still at
 9 Bank of America?
 10 MR. YANEZ: Form.
 11 THE WITNESS: No. I moved to City National.
 12 And that's when I was already there.
 13 BY MR. HUTCHISON:
 14 Q. So you moved to City National about 2000?
 15 A. Uh-huh, May 2000.
 16 Q. May 2000. And --
 17 A. And Fred actually said, "I think you should
 18 do that."
 19 Q. Okay. Now, when you get to City National,
 20 we're talking about the Doctors Associates business was
 21 primarily the sweep accounts of all of the franchises;
 22 correct?
 23 A. That's only one of the accounts.
 24 Q. Okay.
 25 A. He moved every single account except for

1 account with the bank?
 2 A. And I had met him, and it had to be at the
 3 end of '97, '98 when I gave him personal information.
 4 Q. So --
 5 A. The thing you don't want to go near.
 6 Q. So my question is this: You saw that
 7 Bank of America had been charging Fred or overcharging
 8 Fred?
 9 A. Not even overcharging him. Charging him as a
 10 regular customer. And somebody with those kinds of
 11 balances usually negotiates. And I don't know if that
 12 was Carolyn or Joyce's or Fred's fault, but usually
 13 people with money like that negotiate or keep an eye on
 14 it at least.
 15 Q. So large -- so what -- Fred ended up getting
 16 rates or accommodations from Bank of America similar to
 17 what other large customers would have gotten?
 18 A. Or other people that usually take a look at
 19 their statements would get, yeah.
 20 Q. So somebody wasn't taking a look at
 21 Fred DeLuca's bank statements?
 22 A. I was.
 23 Q. Well, I mean somebody from Fred DeLuca's
 24 side; right?
 25 A. Yes, yes.

1 payroll.
 2 Q. And with respect to moving those accounts,
 3 did you have to fly to Connecticut and make a
 4 presentation to a committee in order to get those
 5 accounts moved to City National?
 6 A. Not so much, no. I flew up there to take a
 7 look, but I had to send them things. They wanted to
 8 work with me because they were used to me, and Fred told
 9 them to.
 10 Q. Well, when you say "Fred told them to," did
 11 you have to make a presentation to Dave Worroll and
 12 others with respect to whether the terms that
 13 City National were offering were better than the terms
 14 of a competitor bank?
 15 A. Well, they knew it by the five things, like
 16 that one e-mail said, five things that we can offer. I
 17 mean, they knew it. It was a much smaller bank, but
 18 they knew that I was going to give them so much more
 19 personalized service and cheaper, much cheaper.
 20 Q. Can I have those exhibits, please?
 21 A. Is it okay if I hand them --
 22 Q. Yes.
 23 A. I'm not sure of my role here.
 24 Q. I'll tell you what, there's Exhibit Number 1.
 25 Is that the e-mail you were talking about?

1 A. Yes.
 2 Q. Okay. And so what --
 3 A. It says, "Look how much you'll save." The
 4 very first line is, "Look how much you will save
 5 per annum."
 6 Q. Right.
 7 A. Which is back in -- what date was that?
 8 Q. August 3rd. I have my own copy.
 9 A. Oh. I was trying to read it upside down.
 10 Q. I know, but I have my own copy. So you can
 11 keep your copy.
 12 So in other words, when you write this e-mail
 13 to Dave Worroll on August 3rd in the year 2000, you're
 14 telling him that you can move, that by moving
 15 Doctors Associates accounts from Bank of America to
 16 City National Bank, it was going to benefit
 17 Doctors Associates?
 18 A. Correct. By these things, these items.
 19 Q. These five bullets points?
 20 A. Actually, six if you read the last --
 21 Q. But there's only five bullet points, and the
 22 sixth point is in the last paragraph.
 23 A. I was being funny.
 24 Q. I got it.
 25 Now, where does the e-mail come from? I see

1 Q. And how many e-mails did you give him?
 2 A. Whatever you see.
 3 Q. Do you still have some e-mails? Did you give
 4 him copies, or did you keep a set for yourself?
 5 A. I kept a set for myself.
 6 Q. So if I wanted a copy set, I could get a copy
 7 set from you?
 8 A. I don't have them with me.
 9 Q. No, but at your home. You have them at your
 10 home?
 11 A. Yes.
 12 Q. And how many are there that relate to
 13 Fred DeLuca?
 14 A. I just had a file marked "Fred." And I have
 15 one named "Andy," and I have one for Anthony.
 16 Q. And how many documents are in the one marked
 17 "Fred DeLuca"? An inch thick?
 18 A. Yeah, probably just an inch. Yeah, he didn't
 19 have a lot.
 20 Q. And how many documents in the file for
 21 Anthony Pugliese? About an inch?
 22 A. Probably a little bit more, because there
 23 were -- he did real estate.
 24 Q. He did a lot more deals?
 25 A. Uh-huh.

1 you printed it out. When did you print it out?
 2 A. I printed out all of my client's stuff,
 3 because I had moved.
 4 Q. So when would you have printed out this
 5 e-mail that is Exhibit 1?
 6 A. When I moved -- when I knew I was moving from
 7 City National to BB&T. I just kept a file, like on
 8 Anthony, ah -- Andy Martin, Vincent Chu, on all of my
 9 big clients.
 10 Q. So you would have printed this e-mail --
 11 A. I just printed anything, whatever I had, I
 12 kept, because you're only as good as your book of
 13 business.
 14 Q. And when did you give these e-mails to
 15 Anthony Pugliese?
 16 MR. YANEZ: Form.
 17 THE WITNESS: Does that mean answer?
 18 MR. YANEZ: Yeah, you can answer.
 19 THE WITNESS: Probably about --
 20 MR. HUTCHISON: It's confusing, I know.
 21 BY MR. HUTCHISON:
 22 Q. My question is: When did you give these
 23 e-mails to Anthony Pugliese?
 24 A. I was just going to answer you. Probably
 25 about a year ago.

1 Q. Correct?
 2 A. Yes. I'm so sorry.
 3 Q. And you told us that you closed over \$110
 4 million worth of loans that Anthony Pugliese had in
 5 real estate closings?
 6 A. Over an extended time period, yes.
 7 Q. What was the time period there?
 8 A. A few years.
 9 Q. Like 2004 to 2007?
 10 A. Actually, City National didn't do a lot of
 11 real estate with him, because it got in trouble for
 12 doing too much real estate, and BB&T didn't.
 13 They were awful. They were the worst bank
 14 ever. Is anyone Baptist here?
 15 Q. You can answer.
 16 A. I was going to make it "Baptist Bible
 17 Thumpers." That's what I thought it stood for.
 18 They're really like a white man's bank. And
 19 so I left as quickly as I possibly could.
 20 Q. Okay. And we're going to -- we'll get back
 21 to where you left.
 22 So you were at City National from 2000 until
 23 about what time?
 24 A. May 2004.
 25 Q. And May 2004 is when you went to BB&T?

1 A. Yes. Because they made -- for one thing,
 2 City National Bank did not pay me like what they would
 3 have paid a man.
 4 Q. Okay.
 5 A. Bringing in that kind of business.
 6 Q. So how long were you at BB&T?
 7 A. About ten months. And then I got a great
 8 offer.
 9 Q. So like February, March 2005, you started
 10 with --
 11 THE WITNESS: Yeah. Medhi Ghomeshi at
 12 Great Florida Bank. M-e-d-h-i, sorry, and
 13 Ghomeshi, G-h-o-m-e-s-h-i.
 14 BY MR. HUTCHISON:
 15 Q. So in February approximately -- strike that.
 16 Approximately February of 2005, you started
 17 with Great Florida Bank?
 18 A. Uh-huh -- sorry. Yes.
 19 Q. And is that when you started to write loans
 20 for Anthony Pugliese, when you went to --
 21 A. Well, I had a lot of loans written up, and
 22 credit approvals, and files already documented and
 23 written up that -- the underwriting was done at BB&T in
 24 North Carolina, Raleigh. So everything was more
 25 difficult.

1 You were at Great Florida Bank for how long?
 2 So from February of 2005 until what date?
 3 A. Around 2007. I'm not sure of the exact date.
 4 Q. Okay. So you were --
 5 A. My husband is a CPA from Price Waterhouse
 6 Coopers, so he could probably look it up for you easier
 7 than I can.
 8 Q. Okay. But I guess what I'm saying is: When
 9 you stopped banking, you were at Great Florida Bank?
 10 A. Yes.
 11 Q. That was the last stop?
 12 A. Yes.
 13 Q. Okay. So somewhere in about, approximately
 14 two years, you wrote about \$110 million in loans for
 15 Anthony Pugliese?
 16 A. Right.
 17 Q. Now, you told us that you have a file for
 18 Anthony Pugliese that would be more than an inch thick
 19 because of the amount of loans that you had written.
 20 A. Well, because you have to write up credit
 21 approval forms. It's more bank forms than Anthony
 22 forms, they're more...
 23 Q. Do you still have that folder for
 24 Anthony Pugliese with that documentation?
 25 A. Not with me.

1 So I brought those to the head underwriter at
 2 Great Florida Bank. That -- they really wanted me. And
 3 I brought the files and met them for dinner and said,
 4 Would you be interested? And I said, Would you approve
 5 these? And they said, yes.
 6 So that's all it took, is the fact that I
 7 could do business. Because it's really terrible to have
 8 deals and not to be able to -- like you want clients, I
 9 want clients, and I want to close deals.
 10 Q. So when you said that you had closed \$110
 11 million worth of loans for Anthony Pugliese, that
 12 started at Great Florida Bank?
 13 A. Yes. I tried at BB&T, but they only closed
 14 like a million dollars worth, and that was for someone
 15 else.
 16 Q. When was the last time you closed a loan for
 17 Anthony Pugliese?
 18 A. When I quit banking, which is probably 2006
 19 or 2007. I'll have to look, because I was working
 20 part-time.
 21 Q. Okay.
 22 A. My mom was dying; remember that part?
 23 Q. Yeah. And I'm sorry to hear that.
 24 A. I was sorrier.
 25 Q. Yeah. I'm sure you were.

1 Q. At your home, do you have it?
 2 A. Yes.
 3 Q. So you have a home for both -- at your
 4 house -- strike that.
 5 At your house, you have both a file for
 6 Fred DeLuca and Anthony Pugliese; is that correct?
 7 A. And a few other clients.
 8 Q. I'm not worried about the other clients. I'm
 9 only talking about --
 10 A. I don't want you to think it's just down to
 11 two people.
 12 Q. But including -- at your house, you have
 13 files for clients, including Fred DeLuca and
 14 Anthony Pugliese?
 15 A. Right.
 16 Q. And you could give us copies of the
 17 Fred DeLuca and Anthony Pugliese file? Will you do
 18 that?
 19 A. Yeah. There's nothing on it.
 20 Q. You said -- well, there's e-mails in there,
 21 e-mails in each folder?
 22 A. I doubt if there's any e-mails from
 23 Anthony's.
 24 Q. Why is that?
 25 A. Because if they are, they're from Rick,

1 explaining the deal.
 2 Q. I don't mean Anthony Pugliese himself, but
 3 people who work for Anthony, like Joe Reamer or Rick.
 4 A. They would just be explaining the deal.
 5 Q. Well, you have those e-mails?
 6 A. Most likely. I haven't looked at it in a
 7 long time.
 8 Q. Well, we'll look at it. We'll get a copy
 9 from you; is that okay?
 10 A. Are you going to pay for the copy costs?
 11 Q. I'll pay for the copy costs.
 12 MR. YANEZ: Excuse me. I'm sorry. Is this
 13 an ore tenuis request for production, or is it a
 14 deposition?
 15 MR. HUTCHISON: I'm asking if she wants to
 16 give it to us. It's not a request for production
 17 to you.
 18 MR. YANEZ: Subpoena or -- you could always
 19 do that. But...
 20 BY MR. HUTCHISON:
 21 Q. What's your cell phone number, Ms. Saavedra?
 22 A. (954)560-1735.
 23 Q. I'll have someone from my office call you and
 24 coordinate that, and we'll pay for the copies.
 25 MR. YANEZ: And we'll object accordingly, for

1 Anthony Pugliese a year ago?
 2 A. I just gave him a small amount that I thought
 3 were correct for what I thought was happening.
 4 Q. And what did you think was happening?
 5 A. The same thing that happened there.
 6 Q. What do you mean?
 7 A. Blood sucking.
 8 Q. Okay. Let's talk about blood sucking for a
 9 minute.
 10 What was the name of the company? XtremeMac?
 11 I want to talk to you about XtremeMac.
 12 A. Right there (indicating).
 13 Q. When did the individuals that own XtremeMac
 14 come to see you?
 15 A. Probably 2002, at City National Bank.
 16 Q. 2002?
 17 A. Uh-huh.
 18 Q. And I think the last name was McNulty; is
 19 that what you said?
 20 A. Well, Dale McNulty was a guy I met on a date.
 21 So you can't find him. He might be dead now. But his
 22 son was involved with -- I don't even know his son's
 23 name except his last -- his last name, I'm sure, is
 24 probably McNulty.
 25 Q. And Dale McNulty was a successful

1 the record, to relevance.
 2 BY MR. HUTCHISON:
 3 Q. Now, how many --
 4 A. Why would you want -- excuse me for asking --
 5 why would you want that?
 6 Q. Well, let me ask you a question: How many
 7 documents from Fred DeLuca's file did you give to
 8 Anthony Pugliese?
 9 A. What you see.
 10 Q. Well, I saw about six e-mails. Did you give
 11 any more than that? It might have been seven or eight
 12 e-mails, but whatever is marked here in front of you.
 13 THE WITNESS: Do you guys have anything else?
 14 BY MR. HUTCHISON:
 15 Q. What do you --
 16 MR. YANEZ: The question is --
 17 THE WITNESS: I'm asking the lady I also
 18 lady, because I don't know.
 19 BY MR. HUTCHISON:
 20 Q. Okay. So --
 21 A. What year is this? 2014; correct?
 22 Q. Yes, this is 2014.
 23 A. You were going to say "no." See?
 24 Q. What I was going to say is -- what I'm asking
 25 is: Do you know how many documents you gave to

1 businessman, you said?
 2 A. Yes. He had a seat on the New York Stock
 3 Exchange, and I went to the Red Cross Ball with him
 4 many, many years ago. And he said, my son's in with
 5 this company and they need help. And they're a really
 6 good company. I think they're a good cause, and they
 7 need a loan.
 8 So they came to me initially for a loan, and
 9 once I took a look at their credit report and their
 10 history and their tax returns, I said, because I also
 11 can underwrite the loans, I said, there is absolutely no
 12 way that we can do -- no one -- no one I knew from any
 13 bank would have touched them.
 14 Q. Did you tell Dale McNulty that?
 15 A. Well, they were all there. Kevin, Seth,
 16 Dale McNulty, his -- McNulty's son, Little McNulty -- I
 17 don't know what they call him. And I said, you know,
 18 it's not going to work. I said -- and they were like
 19 desperate. They said, We have all of these orders and
 20 it's right near Christmas, and what can we do? And
 21 blah, blah, blah.
 22 And I said, Well, I do have this one idea.
 23 Because I knew Fred well. And I said, maybe, I have
 24 this idea, but let me check it out first.
 25 So I talked to Fred. I didn't blurt his name

1 out; I didn't do anything. I just said, Let me see if
 2 this avenue is at all open. And he was interested.
 3 And Fred Florio can vouch for this, because
 4 he was commandeered to sit in their warehouse or
 5 office -- whatever you want to call it. And we both got
 6 iPads out of it. I wish I'd kept mine.
 7 Q. iPods, you mean?
 8 A. Not -- iPods. Thank you. Shows you how
 9 technologically advanced I am.
 10 Q. When you told Dale McNulty and everybody else
 11 in the meeting that XtremeMac did not qualify for a loan
 12 or that the individuals that owned XtremeMac did not
 13 qualify for a loan, did Dale McNulty understand that?
 14 A. Yes. But he, himself, was not involved. It
 15 was his son.
 16 Q. He was advising his son; correct?
 17 A. He was trying to help his son extricate
 18 himself from whatever percentage he had put in, or if he
 19 was friends -- I don't even remember if he was just
 20 besties with one of the guys or what. But one of the
 21 guys, I think, Seth, had worked for Apple. Somebody out
 22 of the three guys had worked for Apple. And so they had
 23 an in. That's why they could produce these things.
 24 Because at that time, nobody had any rights to produce
 25 anything for Apple at that time period.

1 A. No. And I am totally not kidding when I tell
 2 you that they begged me to get Fred off of it --
 3 Q. Well --
 4 A. And I said, I can't do that.
 5 Q. You're getting to the end. I want to find
 6 out the beginning.
 7 A. No. I'm getting to the middle.
 8 Q. I want to say the beginning.
 9 So would any financial institution lend to
 10 XtremeMac?
 11 MR. YANEZ: Form.
 12 THE WITNESS: You mean at the very beginning?
 13 BY MR. HUTCHISON:
 14 Q. When XtremeMac --
 15 A. No. I told them that.
 16 Q. Okay.
 17 A. And that's when I told you a moment ago
 18 that -- I said, I had this idea, and I asked Fred if he
 19 was at all interested, because he was a tech guy.
 20 Q. Now, did you handle the loan documents
 21 between Fred DeLuca and XtremeMac?
 22 A. No. No, that was completely on his own.
 23 Q. Did you see any of the, you know --
 24 A. Only when they came crying.
 25 Q. Did you see any of the contracts between

1 Q. Did anybody from XtremeMac try to get a loan
 2 from another bank?
 3 A. Yes. And they tried with me at every other
 4 bank I went to, Great Florida, BB&T.
 5 Q. Okay. And they couldn't get it?
 6 A. No. Nobody would underwrite it, because they
 7 had burned themselves. They all got divorced, they all
 8 used up all their credit lines and had all collection
 9 accounts.
 10 Q. Now, you said that you actually underwrote,
 11 or underwrote (sic), loans. What does that mean?
 12 A. That means you look up their credit, you make
 13 a judgment, but then you also have to present it to
 14 another committee, either a committee or a senior
 15 underwriter.
 16 Like at Great Florida, it was Mickey Clutter,
 17 who was really great at swearing. I mean, he knew swear
 18 words that I didn't even know existed.
 19 So he thought Anthony's loans were great.
 20 And he was a really great underwriter. And I also knew
 21 him from Bank of America.
 22 Q. And so XtremeMac couldn't get any banking,
 23 any banks -- strike that.
 24 XtremeMac could not get a loan from any bank;
 25 is that right?

1 Fred DeLuca and XtremeMac?
 2 A. Only the part that said the 35 percent when
 3 Kevin was, like, crying and sweating.
 4 Q. And --
 5 A. He's a very large guy.
 6 Q. And how many years ago was that?
 7 A. Many.
 8 Q. If they came to you in 2002 --
 9 A. Right. And this is 2014, and I haven't
 10 worked.
 11 Q. Right. But what I'm trying to say is: They
 12 came to you in 2002, and you introduced them to Fred in
 13 2002. How many years was Fred the lender for them?
 14 A. He got them out of the hole -- I'm guessing.
 15 I don't know because I don't have -- I wasn't privy to
 16 all the secret information.
 17 Q. Just tell me what you know.
 18 A. They came to me at BB&T, and they came to me
 19 at Great Florida. And they even asked me to refer them,
 20 and I said, You guys are too burnt up to go anywhere.
 21 Q. What does that mean, "You're too burnt up"?
 22 A. I said, You'd have to go to a hard money
 23 lender. You all know what that is; right?
 24 Q. No. What's a hard money lender?
 25 A. A hard money lender is somebody that's going

1 to take whatever collateral and lend you, like, at
 2 whatever rate they feel like, you know, 24 percent,
 3 whatever. And that was their only option, Fred, hard
 4 money lender; Fred, hard money lender.
 5 Q. So they went to Fred?
 6 A. No. They already were with Fred.
 7 Q. Okay.
 8 A. But they were begging me to get rid of him.
 9 We can do it. We're being profitable now. I said, It
 10 doesn't matter if you're profitable now. They're still
 11 going to look at your past history.
 12 Q. Okay.
 13 A. So that's true. They look at your past
 14 history.
 15 Q. So they came to you for lenders twice? They
 16 came to you --
 17 A. Three times.
 18 Q. They came to you for lenders in the
 19 beginning, and they could not qualify for a bank. And
 20 that's when you introduced them to Fred; correct?
 21 A. Right. But I -- I asked Fred first. I said,
 22 Are you at all interested?
 23 Q. Right. And then, when they didn't want to
 24 have Fred be their lender anymore, they came to you for
 25 a lender again, but you told them it was already too

1 Q. Well, do you know? I'm asking you --
 2 A. No. I really don't know. I've -- I've had
 3 so many deaths and not worked, that I -- I don't know.
 4 I literally have dropped off the face of the earth.
 5 Q. So you don't know what happened -- when you
 6 stopped banking in 2007, you don't know what happened to
 7 XtremeMac?
 8 A. No. I keep in touch with a couple of
 9 customers every now and then, because my son's in
 10 real estate. But, like, a realtor, commercial realtor.
 11 Q. Do you know if XtremeMac's in business today?
 12 A. I just said, I don't know. Maybe we should
 13 Google them.
 14 Q. And then -- now you mentioned --
 15 A. Do you want me to do that?
 16 Q. No, I don't. Remember, I just want to know
 17 what you know. You don't have to do homework. You
 18 don't have to Google things, and you don't have to
 19 guess. I just want to know what you know, and this will
 20 go a lot faster.
 21 A. Okay. You asked.
 22 Q. But thank you for offering, but I want to
 23 make it fast. I don't want to keep you here for longer
 24 than necessary.
 25 You also said that there was another company

1 late?
 2 A. Well, they asked if there was any way to get
 3 Fred out of the picture.
 4 Q. Okay. And was there?
 5 A. And I said, no, that they're -- even though
 6 they were profitable, they -- they don't look at just
 7 now, this quarter; they look at years. They look at
 8 previous history and bankruptcies. And they had a lot
 9 of really bad things.
 10 Q. How much did Fred DeLuca loan XtremeMac?
 11 A. I'm guessing, but I thought it was like
 12 \$300,000. I could be wrong.
 13 Q. Did XtremeMac ever pay back the \$300,000 loan
 14 to Fred DeLuca?
 15 A. I think so, but I -- I don't know. I was not
 16 involved in that transaction except for the
 17 introduction.
 18 Q. So you don't know if Fred DeLuca's loan was
 19 ever paid off or not; is that correct?
 20 A. I'm pretty sure it was, because he had 35
 21 percent of the company, and they made a -- they made
 22 really good products.
 23 Q. What happened to the company?
 24 A. I don't know. Maybe we should Google it and
 25 see where they are.

1 named Bagel Boys. What was your involvement with the
 2 Bagel Boy investment with Fred DeLuca?
 3 A. I had no involvement whatsoever. I only was
 4 involved with Marion Platchko who used to work for --
 5 that sounds like I'm a lesbian. Sorry.
 6 Marion Platchko used to work for Subway, and
 7 she knew Fred and his wife and his sister since they
 8 were, like, 16. She knew Fred when he was 16. And his
 9 sister, Suzanne, she was really good friends with. And
 10 she knew that Fred had helped the Bagel Boys.
 11 It was a small, like, two store place in
 12 Connecticut.
 13 Q. So everything you know about Bagel Boys, you
 14 heard from Marion Platchko?
 15 A. Right. But she was a friend, and I did stay
 16 at her place, so it wasn't like she just said it briefly
 17 over the phone.
 18 Q. I understand. But you had no involvement in
 19 the --
 20 A. Right.
 21 Q. -- actual business transactions --
 22 A. Not actually.
 23 Q. Right?
 24 A. Absolutely. You're correct.
 25 Q. And then you mentioned a third company that

1 dealt with clothing. Do you remember that?
 2 A. David Sullivan. Fred did that all on his
 3 own, but he brought that to me at City National Bank.
 4 Q. Uh-huh.
 5 A. Apparently Dave --
 6 Q. Can I ask you a question?
 7 A. Uh-huh.
 8 Q. Who was the lender? City National Bank or
 9 Fred DeLuca?
 10 A. Fred had been the original lender.
 11 Q. Okay. And then what happened?
 12 A. I guess Fred got tired of trying to collect.
 13 Q. So then they then refinanced Fred's loan with
 14 Great Florida Bank?
 15 A. I don't think he ever, like, legally had
 16 paperwork. He just brought David in, sat him down, and
 17 that he was like, Zippy the pinhead. If you met him,
 18 you'd understand.
 19 Anyways, he just said, David's going to do
 20 this. And sat him down and he --
 21 Q. Well, did you do a credit check on David?
 22 A. Yeah. And it was horrible.
 23 Q. And Fred DeLuca personally guaranteed the
 24 loan?
 25 A. Yes. And then David ran out on it.

1 Q. So Fred DeLuca ended up having to pay that
 2 loan to --
 3 A. He fought it. He fought it for a long time,
 4 so -- I think he ended up paying it off.
 5 Q. But the loan was actually between
 6 Great Florida Bank and the clothing --
 7 A. That one was at City National.
 8 David Sullivan was City National.
 9 Q. So the loan was between City National and the
 10 clothing company owned by David Sullivan, and
 11 Fred DeLuca guaranteed that loan?
 12 A. Correct.
 13 Q. And then David Sullivan defaulted on the
 14 loan, and you believe Fred DeLuca had to pay it?
 15 A. Yes. But he did fight it.
 16 Q. Okay.
 17 A. He wanted him to charge it off, because he
 18 was such big buddies with Leonard by then.
 19 Q. Was Leonard at City National?
 20 A. Yeah. Leonard Abess used to own
 21 City National.
 22 Q. And then Exhibit 3 --
 23 A. I don't --
 24 Q. I'm going to hand it to you. The ones with
 25 the pink sticker are the original exhibits --

1 A. Right.
 2 Q. -- and then Anthony and I have the
 3 handwritten ones. So I'm going to give you 3. You can
 4 give me 1 back. Thank you.
 5 This was a fax to you from Fred DeLuca dated
 6 March 5th, 1998. Do you see that?
 7 A. Yes, I do.
 8 Q. And it says, "Please show this to Anne."
 9 Who is Anne?
 10 A. Anne Gottfried. She was my boss.
 11 Q. Spell her last name.
 12 A. G-o-t-t-f-r-i-e-d.
 13 Q. Okay. And then he wrote, "I still have to
 14 tone the letter up, but I'll be sending a letter very
 15 similar to this to Fortune's editor in chief."
 16 Do you see that?
 17 A. Yes, I do see that.
 18 Q. And Anne Gottfried was your boss at what
 19 bank?
 20 A. Bank of America.
 21 Q. And Fred DeLuca wanted Anne Gottfried to see
 22 his response?
 23 A. Because all of Bank of America flipped out
 24 when this hit the newsstand.
 25 Q. So Fred was --

1 A. They were like, Oh my God, he really is the
 2 slime ball we talked about.
 3 Q. So Fred DeLuca was worried about his image
 4 and wanted Bank of America to see his side so they --
 5 A. Well, they made me call him. And they wanted
 6 to know, What's going on, what is this?
 7 And Steve Sager's quoted in this. Have you
 8 read this?
 9 Q. So let me go back to Exhibit 3, the facts.
 10 Bank of America has read the article by
 11 Fortune magazine and had you get Fred's response to that
 12 article?
 13 A. Yes.
 14 Q. And that's why Fred sent you this fax,
 15 Exhibit 3?
 16 A. In fact, there's another one that --
 17 Q. Is that correct?
 18 A. -- you don't have.
 19 Yes. Yes. I'm sorry I nodded -- where he
 20 had another -- there was another e-mail where he
 21 actually was all over the place in his response, and
 22 that's not here.
 23 Q. Now, when you left Bank of America in 2000
 24 and went to -- let me just double-check my notes here --
 25 City National?

1 A. Uh-huh.
 2 Q. Then you left City National and went to BB&T,
 3 did Fred DeLuca move --
 4 A. Nope.
 5 Q. -- Doctors Associates' business from
 6 City National --
 7 Fran, we're sorry to have some rules, but the
 8 problem is: The person who's working the hardest in
 9 this room is that lady there. And she can only take
 10 down one of us at a time, and she has to have a verbal
 11 response. So you're doing well, but the problem is that
 12 she's got to get everything down.
 13 A. Okay.
 14 Q. So when you moved from City National to BB&T
 15 Bank in 2004, did Fred DeLuca transfer the
 16 Doctors Associates bank accounts?
 17 A. No.
 18 Q. What you moved from BB&T To
 19 Great Florida Bank, did Fred DeLuca transfer any bank
 20 accounts?
 21 A. No. But that's when he used me to get
 22 Leonard to give him zero charges.
 23 Q. He was trying to get each bank to go against
 24 each other to get the lowest charges, lowest rates?
 25 A. To get zero, absolutely zero, charges and to

1 A. Correct.
 2 Q. And then you said it was at least a year
 3 later that you had invited Fred DeLuca to stop by the
 4 house, and you showed him the house?
 5 A. Yes.
 6 Q. So that would have been early 2010 or spring
 7 of 2010?
 8 A. Approximately.
 9 Q. Okay.
 10 A. Can't hold my feet to the fire on these
 11 because my brother died that year, too.
 12 Q. But it was at least a year after you had
 13 moved into Victoria Park?
 14 A. Correct.
 15 Q. So approximately spring of 2010?
 16 A. Correct.
 17 Q. And after the spring of 2010, you also saw
 18 Fred DeLuca, what? Was it about two years ago?
 19 A. At the Concours d'Elegance.
 20 Q. And where was that charity event held?
 21 A. It's always held at the Boca Raton Hotel.
 22 Q. Boca Resort?
 23 A. Yeah. Is that what it's called?
 24 Q. Boca Raton Resort and Hotel, something like
 25 that.

1 get Fed funds rate, which is unheard of. In my world,
 2 I've never heard of that. He said, ask for Fed funds
 3 rate, and that will do it. Then we'll move.
 4 Q. Now, you testified earlier that you went to
 5 Fred DeLuca's house -- and I'm trying to get the date.
 6 A. June of -- oh, sorry.
 7 MR. YANEZ: No, it's -- there's no question
 8 pending.
 9 BY MR. HUTCHISON:
 10 Q. You went to Fred DeLuca's house in
 11 June of 2007, I think you said. Is that accurate?
 12 A. Sounds right.
 13 Q. How do you know it was 2007?
 14 A. Because my mother hadn't died yet, and I
 15 wasn't working.
 16 Q. Okay. So you quit working in 2007, shortly
 17 prior to your mother's death?
 18 A. To stay home with her.
 19 Q. Okay.
 20 A. Fully.
 21 Q. And then after June of 2007, you said that
 22 you moved in to Victoria Park approximately five years
 23 ago?
 24 A. We moved in February of '09.
 25 Q. February of 2009?

1 A. Yeah.
 2 Q. And when was that? About two years ago?
 3 A. It -- yes. It's done in February.
 4 Q. So then February of 2012, approximately?
 5 A. Wait, no. It's done in December. I'm sorry.
 6 There's -- I do some events with my husband. It's done
 7 in -- in December. Sorry.
 8 Q. So you would have saw Fred at the Boca Resort
 9 in 2012?
 10 A. Yes. I was actually shocked to see him.
 11 Q. Did you go up and talk to him?
 12 A. Yeah. I ran right up.
 13 Q. And you would describe your relationship as
 14 friendly?
 15 A. Well, I didn't feel -- I did not feel
 16 unfriendly, no. So, yes. I --
 17 Q. Your relationship with Fred DeLuca was
 18 friendly?
 19 A. Yes. And --
 20 Q. And do you remember discussing -- when Fred
 21 went to your house in spring of 2010, do you remember
 22 discussing the lawsuit between Anthony Pugliese and
 23 Fred DeLuca?
 24 A. Unfortunately, yes.
 25 Q. And do you remember saying that, you know,

1 you were basically sorry that it ended up in a lawsuit,
 2 and he said, you know, that things will work themselves
 3 out or something to that effect?
 4 A. I didn't say I was sorry that day. I said it
 5 at the concourse.
 6 Q. Oh, okay. At the concourse.
 7 So that would have been at the Boca Resort in
 8 2012; is that right?
 9 A. That would be correct.
 10 Q. And then Fred DeLuca told you that he was
 11 going to end up with the property?
 12 A. Not at concourse.
 13 Q. Did he tell you that when he was at your
 14 house?
 15 A. No. He said that at lunch.
 16 Q. Did Fred DeLuca tell you that he had
 17 initiated a foreclosure action to get the property back?
 18 A. No. I had to read about that. And then I
 19 called. I tried to call him, and he wouldn't call me
 20 back.
 21 Q. Okay. Did you have any phone conferences --
 22 telephone calls with Fred where he had told you that he
 23 had started a foreclosure action, and he was going to
 24 end up with the property?
 25 A. Phone calls about the foreclosure action?

1 very social type of thing. So I was like blown away.
 2 And I -- he said, are you sorry that you
 3 introduced both of us together? Are you sorry because
 4 you knew what was going to happen? Like I had
 5 premeditated this.
 6 Q. Uh-huh.
 7 A. And I said, neither. I mean, he was standing
 8 with someone, too.
 9 Q. When did he tell you that he was going to end
 10 up with the property because of the foreclosures
 11 lawsuit?
 12 A. In '07, and that was -- that was later when
 13 we ran into him at the concourse.
 14 Q. But I'm talking about when you read about the
 15 foreclosure lawsuit.
 16 A. He didn't call me back when I called him. I
 17 talked -- instead, Florio called me.
 18 Q. And what did Florio tell you?
 19 A. Florio said, Franny, it's okay. We all know.
 20 We're big boys. He just was generic, very generic.
 21 Q. Did Florio tell you that Fred DeLuca was
 22 going to end up with the property because of the
 23 foreclosure lawsuit?
 24 A. No. He kept the phone call like ten seconds
 25 and just said, Sorry, Franny, Fred told me to give you a

1 Q. Yeah.
 2 A. Sorry. No. I read about it, and I had to
 3 say something to him.
 4 Q. Okay. And what did you say to him?
 5 A. I said that I was sorry.
 6 Q. And how did he respond?
 7 A. Very interesting response.
 8 Q. Okay. What did he tell you?
 9 A. He told me, What exactly are you sorry for?
 10 Q. Because it wasn't your -- he said it wasn't
 11 your fault; right?
 12 A. No. No, he never said that. No, he didn't
 13 say that at all.
 14 Q. Did Fred ever blame you for anything
 15 regarding --
 16 A. He said he wished he hadn't met Anthony, but
 17 he could fix that. But he said two things at the
 18 concourse, he was sorry -- he said, what exactly are you
 19 sorry for?
 20 Q. Now, "at the concourse"; you're talking about
 21 the Boca Resort?
 22 A. Yeah. Sorry. The event is called the
 23 Concours d'Elegance.
 24 "What exactly are you sorry for?" And I
 25 didn't expect that. I expected, like, hi, hello, like a

1 call.
 2 Q. Did you ever have any discussions with
 3 Fred DeLuca where he said he was going to have the
 4 property after you read -- after you found out about the
 5 lawsuit, either lawsuit?
 6 A. Not after the criminal --
 7 Q. After you read about the criminal lawsuit,
 8 did you talk with Fred DeLuca?
 9 A. If I did, it was generic. Never touching on
 10 it.
 11 Q. When did you first read about the civil
 12 lawsuit? Before the criminal lawsuit?
 13 A. It was like '09 or '10.
 14 Q. So after you read about the civil lawsuit --
 15 A. And I -- that's even when I saw him, and
 16 he -- he didn't want to talk about --
 17 Q. Well, did he tell you he was going to end up
 18 with the property then?
 19 A. He told me that before. You keep trying to
 20 trick me.
 21 Q. No. I'm asking you if he told you again.
 22 I'm not trying to trick anybody, Fran. Did
 23 he ever tell that you again?
 24 A. If you're a villain in a cartoon, are you
 25 going to repeat yourself again?

1 Q. I don't know. I'm not a villain in a
 2 cartoon. I'm only asking you about your discussions
 3 with Fred DeLuca because you're the only one who was
 4 there to tell me about it, other than Mr. DeLuca so --
 5 A. No. He didn't -- he didn't highlight it
 6 because he had the ball rolling. Why would he need to
 7 highlight it and give away his cards?
 8 Q. What ball did he have rolling?
 9 A. The lawsuit. It already said in the paper
 10 that he had got -- gained control.
 11 Q. After you read about the criminal charges
 12 against Anthony Pugliese, did you call Anthony Pugliese?
 13 A. You know what, it took me awhile to even know
 14 that there were criminal charges because that's Palm
 15 Beach and we are in Broward. So when I read about them,
 16 when it finally hit down here, I called and I apologized
 17 to him.
 18 Q. What did you say to Anthony Pugliese?
 19 A. I'm sorry.
 20 Q. What were you sorry for?
 21 A. That that happened. And that he has a young
 22 son.
 23 Q. Okay. And what did Anthony say?
 24 A. It's okay.
 25 Q. Anything else?

1 deposition today, about your deposition?
 2 A. I just got informed by a phone call. That
 3 I -- well, you left me two messages.
 4 Q. I did, and you never called me back.
 5 A. No. I was afraid to talk to anyone. I'm
 6 telling you.
 7 Q. Well, you did talk to somebody, because you
 8 coordinated your deposition time. Who did you talk
 9 with?
 10 A. I just got a message that said your
 11 deposition's at 9:00 o'clock, and the address.
 12 Q. And you didn't call back and say, I'll be
 13 there.
 14 A. Of course they knew I'd be here.
 15 Q. Well, who did you speak with?
 16 A. I don't know, but I'll go home and listen to
 17 the machine again.
 18 Q. So you didn't talk to anyone about your
 19 deposition today; is that accurate?
 20 A. Yes.
 21 Q. In the last two years, have you been
 22 interviewed at all about Anthony Pugliese and
 23 Fred DeLuca?
 24 A. In the last two years, interviewed?
 25 Q. By anybody who works for Fred DeLuca or

1 A. No.
 2 Q. How many discussions --
 3 A. I hope I don't have to do this ever again.
 4 Q. How many discussions did you have with
 5 Anthony Pugliese about any of the lawsuits or the
 6 criminal charges?
 7 A. Practically none. I've been a hermit about
 8 this. My husband has, like, throttled me and said, do
 9 not get involved in this at all.
 10 Q. Were you ever interviewed by an investigator?
 11 A. No.
 12 Q. Okay. And when's the first time you met with
 13 Anthony Pugliese or Edgar Belaval or Anthony Yanez?
 14 A. I don't even know who that is.
 15 Q. Did you ever speak with Edgar Belaval?
 16 A. No. I didn't even know who that was when he
 17 came in here.
 18 Q. Did he introduce himself?
 19 A. No.
 20 Q. Well, this is Edgar Belaval. He's an
 21 attorney for Anthony Pugliese.
 22 A. Hi, Edgar. Nice to meet you.
 23 Q. Did you speak with Anthony Yanez prior?
 24 A. No, never.
 25 Q. Who did you speak with prior to your

1 anybody who works for Anthony Pugliese.
 2 A. I talked to Anthony once.
 3 Q. When was that?
 4 A. About a year ago, but he didn't interview me.
 5 Q. Well, what did you talk about?
 6 A. I told you. I said to him I was sorry.
 7 Q. And when did you give him the documents that
 8 you told me earlier?
 9 A. About a year ago.
 10 Q. Well, how did that happen? Did you meet him?
 11 A. Through osmosis.
 12 Q. Okay. Well, I'm not sure how that works so
 13 explain that to me.
 14 A. I mailed them to him.
 15 Q. You mailed them to Anthony Pugliese at what
 16 address?
 17 A. His office address, which is like 201 -- what
 18 is it -- Pugliese Way? 202, what is it? 201?
 19 Q. Were you interviewed by anybody from
 20 Pugliese's legal team in the last --
 21 A. Well, apparently not, if I didn't even know
 22 these were his legal team.
 23 Q. He may have other lawyers, Fran, so just let
 24 me finish my question.
 25 Did anybody from Anthony Pugliese's legal

1 team interview you?
 2 A. No. But I did tell you that Fred DeLuca
 3 called me and said, Anthony may have somebody call you.
 4 Q. When did Fred DeLuca call you?
 5 A. Whenever the shit hit the fan. And --
 6 MR. YANEZ: Watch your language.
 7 THE WITNESS: Sorry. Whenever the poop hit
 8 the fan. Can I say poop?
 9 MR. YANEZ: That's fine.
 10 BY MR. HUTCHISON:
 11 Q. Well, the lawsuit was filed -- the initial
 12 lawsuit was filed in September of 2009. Does that help
 13 you?
 14 A. Yes. Then it had to be after that, because
 15 he said -- and that's when he said, Anthony's a really
 16 bad man, and he's been paying for his sister's pool
 17 cleaning and our relationship might come up.
 18 That's what Fred said to me. And I said, I
 19 don't care. My husband knows. And that was the only
 20 other time that Fred discussed this in a legal way.
 21 Q. So Fred would have called you sometime after
 22 September of 2009 --
 23 A. You know, we can get my husband on conference
 24 call. He has a much better memory with this.
 25 Q. Let's start with just your memory.

1 Q. When did you go to Anthony's office?
 2 A. Like late in 2008. Whenever I picked up the
 3 stuff for Junior Achievement. When was that?
 4 MR. YANEZ: You got to answer his questions.
 5 THE WITNESS: Oh my God. I can't do that
 6 alone with my brain. My husband and I finish each
 7 other's sentences.
 8 BY MR. HUTCHISON:
 9 Q. Okay.
 10 A. I worked for six months for Junior
 11 Achievement, and then I went to Spain. And I told you
 12 when I set up the booth, the storefront, I picked up
 13 site plans -- yes.
 14 Q. Site plans?
 15 A. You weren't listening.
 16 Q. You picked up site plans, but do you remember
 17 when that was?
 18 A. I'd have to ask my husband. 2009?
 19 Q. And I'll tell you the lawsuit was filed in
 20 September of 2009, the first lawsuit. I don't know if
 21 that helps or not, but that's when it was filed.
 22 A. We didn't discuss that. I just noticed
 23 everything was empty.
 24 Q. Because you had answered some questions
 25 earlier to Mr. Yanez about Fred DeLuca stopped funding

1 A. Which is getting worse by the minute.
 2 Q. You want to take a break?
 3 A. I'm getting -- no. I'd rather get it over
 4 with. I'm getting cranky.
 5 Q. Okay. So Fred would have called you sometime
 6 after the lawsuit was filed and told you that Anthony
 7 was a bad man and that he was paying for his sister's
 8 expenses --
 9 A. Pool. Pool cleaning.
 10 Q. Pool cleaning out of LCOC's bank?
 11 A. He didn't specify exactly where it was coming
 12 from, but apparently it was Fred's money.
 13 Q. Okay.
 14 A. That's the impression I got. He didn't say,
 15 It's coming from this account, it's coming from a
 16 specific -- whatever you just said, whatever acronym you
 17 just used.
 18 Q. Was that -- did Fred tell you that he had
 19 stopped funding the project?
 20 A. No.
 21 Q. Well, did you know Fred stopped -- had
 22 stopped funding the project in 2009?
 23 A. I kind of got a hint when I went to Anthony's
 24 office and it was mostly empty and people had been laid
 25 off.

1 in 2008. Did you mean --
 2 A. Wait. Read that back to me, then.
 3 Q. I'll just tell you this: Earlier today,
 4 Mr. Yanez asked you about Mr. DeLuca stopped funding in
 5 2008. Was it --
 6 A. "Funding," that's the word he used?
 7 Q. He said "funding the project." Okay?
 8 So my question is: Did you mean 2009?
 9 MR. YANEZ: Form.
 10 You can answer if you know.
 11 THE WITNESS: I don't know. Because all I
 12 keep thinking about are the pictures that I have in
 13 my briefcase.
 14 BY MR. HUTCHISON:
 15 Q. Okay. Well, let me ask you this: You don't
 16 know when Fred DeLuca stopped funding the project;
 17 right?
 18 A. No. But apparently it was sometime before
 19 2009 when I went to pick up the specs and plans and
 20 project stuff for Junior Achievement, which you can
 21 check with Melissa Aiello, who's the president of
 22 Junior Achievement.
 23 Q. Do you know when Anthony Pugliese stopped
 24 putting in funding?
 25 A. I have no clue, because I didn't go to Fred's

1 office and see empty walls and empty -- you know, looks
 2 to me like he's doing pretty well with breakfast and...
 3 Q. Now, did you -- now, you had said that --
 4 what year was it you said that when you moved to
 5 Great Florida Bank, Anthony had made your year. What
 6 year was that?
 7 A. I actually indicated more than one year.
 8 Q. How many years?
 9 A. More than one. I moved there in 2000 -- I
 10 was at City National until 2004, so I moved to -- you
 11 can still hear me, can't you?
 12 I moved to BB&T for almost a year. And
 13 then -- let's say 2000 -- end of 2005, I moved to
 14 Great Florida Bank.
 15 Q. I had you at -- you told us earlier, February
 16 of 2005.
 17 Were you at -- let me ask you this: Were you
 18 at Great Florida Bank when Anthony Pugliese and
 19 Fred DeLuca met?
 20 A. I introduced them.
 21 Q. What bank were you at? Where were you
 22 working at the time?
 23 A. I was at -- I'm not allowed to ask
 24 questions -- if you tell me the year, I will tell you
 25 the bank.

1 A. So anything we do has to be participated out.
 2 Do you know what that is?
 3 Q. Tell us.
 4 A. Apparently you don't do any real estate.
 5 Q. Okay.
 6 A. Do you?
 7 Q. You have to answer the questions.
 8 A. I know. But, it's still -- it's frustrating.
 9 They have to go to another really big bank, like M&I up
 10 in Wisconsin or Indiana or Chicago, and sell off a
 11 portion of it or ask them to buy it -- however you want
 12 to phrase it.
 13 So Anthony has had his loans participated.
 14 Great Florida didn't have the lending capacity, because
 15 in order to have the lending capacity, you have to have
 16 the deposits. That's what Bank of -- your deposits
 17 correlate directly to your lending ability.
 18 Q. Did Anthony Pugliese discuss at all with you,
 19 back in 2005, how to obtain financing to purchase the
 20 land at Yeehaw Junction?
 21 A. No. How to obtain financing?
 22 Q. Yeah. Where to get a loan.
 23 A. No. You mean, like, what bank?
 24 Q. Yes.
 25 A. No.

1 Q. Well, I will tell you this: Fred DeLuca and
 2 Anthony Pugliese met sometime in early 2005, or spring
 3 of 2005.
 4 A. I was at BB&T.
 5 Q. Now, you had said earlier that Fred Florio
 6 had met --
 7 A. Well, is it before or after May?
 8 Q. I don't know. I can't answer that.
 9 A. Then it's up for grabs. It could be
 10 Great Florida because May seems to be when I move.
 11 Q. Well, why, when you were at either BB&T or
 12 Great Florida, did you -- did Anthony Pugliese ask you
 13 to fund the purchase of the property, ask the bank that
 14 you were at?
 15 A. What?
 16 Q. In other words, did Anthony Pugliese try to
 17 seek financing for the Yeehaw Junction property from
 18 you, the bank you were in?
 19 A. No.
 20 Q. Why not?
 21 A. Well, because Great -- do you know anything
 22 about Great Florida Bank?
 23 Q. No.
 24 A. It's a really tiny bank.
 25 Q. Okay.

1 Q. Did you know that there was a loan on the
 2 property that they bought in Yeehaw Junction? Did you
 3 know that?
 4 A. No. The only thing I knew is he was
 5 excited --
 6 Q. Who was?
 7 A. -- and happy (indicating).
 8 Q. Who was? Anthony Pugliese?
 9 A. Yes. That's who I'm pointing at. That or
 10 the wall.
 11 Q. She can't take that down.
 12 A. Oh, sorry. There's too many rules. Can I
 13 just go home?
 14 Q. We're getting closer to done, but we're not
 15 done yet.
 16 Now, with respect to -- why was
 17 Anthony Pugliese happy?
 18 A. He was happy to begin with, just finding the
 19 property on Yeehaw Junction.
 20 Q. And was he happy to meet Fred DeLuca?
 21 A. Yes. They both were happy.
 22 Q. Did -- at the initial meeting where you were
 23 out there, was it described by Anthony Pugliese that
 24 they were going to obtain entitlements on this raw land,
 25 and then that would increase the value of the land?

1 A. He had always planned, on his own, to -- I'm
2 probably lacking the right words. He knew it was by the
3 turnpike and I think 441. I could be wrong, because I
4 haven't seen it or dealt with it or smelled it or
5 anything in years. That it was in the right location
6 for traffic. So he knew that the easement
7 restrictions -- am I saying -- I can't ask anyone
8 anything? That it would be in a good position to put a
9 city. This was before Fred. He knew that this was a
10 good plan.

11 Q. And was the plan to get entitlements so that
12 would increase the value of the raw land?

13 A. Most likely, yes. I don't think he said to
14 me, I'm so excited, Fran. I plan to get entitlements.

15 I don't think he worded it that way to me.

16 Q. How did he word it to you?

17 A. I don't recall.

18 Q. Do you know -- did you ever see any of the
19 loan documents related to that property at
20 Yeehaw Junction?

21 A. No.

22 Q. Did you ever see any corporate documents
23 relating to the property at Yeehaw Junction?

24 A. No. I only saw the specs and plans and
25 drawings.

1 A. Correct.

2 Q. Now, you said you had received some pictures
3 and other things from Anthony Pugliese to set up a booth
4 or an office?

5 A. They weren't pictures. They were the
6 actual -- am I allowed to ask him a question to ask him
7 what they were?

8 Q. Unfortunately not.

9 A. Then I don't know what I got. A whole bunch
10 of paper.

11 Q. Were you ever compensated by Anthony Pugliese
12 in any way?

13 A. No. But I should be right now by all of you.

14 Q. Did you ever receive any gifts from
15 Anthony Pugliese?

16 A. No. But I should be getting something right
17 now in the mail from everybody.

18 I will leave my address, and you can send
19 donations.

20 Q. I'm trying to hurry.

21 A. And gifts. Jewelry is appreciated.

22 Q. Now --

23 A. Sorry. I make myself laugh, sorry. You
24 don't have to type that.

25 Q. Now, you had testified earlier that when you

1 Q. Okay. What specs and plans are you talking
2 about?

3 A. That he gave me for -- I can't even remember
4 the name of where I worked at this point.

5 Oh, my God, where I did work?
6 Junior Achievement.

7 No whispering, boys.

8 MR. YANEZ: Do you need a break?

9 THE WITNESS: No. I want to go home.

10 BY MR. HUTCHISON:

11 Q. Now, with respect to the negotiations between
12 Fred DeLuca and Anthony Pugliese, were you present for
13 any of those negotiations?

14 A. No. I was not present.

15 Q. Do you know --

16 A. I was there at the initial meeting, and I was
17 there when they were both really happy. And I was there
18 when things -- I wasn't there, because people were dying
19 all around me -- but when things went south.

20 Q. With regard to the terms of the agreement
21 between Anthony Pugliese and Fred DeLuca regarding the
22 Yeehaw Junction property, are you aware of those terms?

23 A. None whatsoever. I have no clue.

24 Q. Nobody told you the terms of their agreement;
25 correct?

1 had told Anthony Pugliese about Fred DeLuca that you had
2 warned him.

3 A. Sorry.

4 Q. What did you warn him about in 2005?

5 A. Well, actually I ended up warning him twice.

6 Q. Let's talk about the first time in 2005.

7 A. Well, I just said that, you know, there was
8 XtremeMac -- what happened with XtremeMac.

9 Q. Okay. And what did Anthony say?

10 A. Not very much. I think he's -- he was going
11 to be watchful. And then I warned him again.

12 Q. When you dealt with Anthony Pugliese, did you
13 deal with any of his lawyers for his real estate
14 transactions?

15 A. I thought he had an in-house lawyer. I could
16 be wrong, or he --

17 Q. Henry Frick? Does that ring a bell?

18 A. Yes, that rings a bell.

19 Q. Was that Anthony's in-house lawyer?

20 A. Yeah. But I'm sure -- we had our own closing
21 attorney, Mark Somerstein (phonetic). Does that name
22 ring a bell to anyone?

23 Q. Now, in the spring of 2005, did Fred DeLuca
24 tell you that he had gone and saw Anthony's house on the
25 ocean?

1 MR. YANEZ: Form.
 2 THE WITNESS: Yes. I don't know if it was
 3 spring of 2005, but it was after meeting Anthony.
 4 Is that -- you're making me so tired because you
 5 keep repeating yourself.
 6 BY MR. HUTCHISON:
 7 Q. Okay. So, when is it that you learned that
 8 Anthony had shown Fred DeLuca Anthony's house on the
 9 ocean?
 10 A. I learned it from Fred.
 11 Q. When?
 12 A. Oh, my God, this is 2014. I don't remember
 13 what I ate this morning for breakfast.
 14 Q. Would it have been shortly after you
 15 introduced Anthony Pugliese and Fred?
 16 A. Yes. They had dinner together, and my first
 17 thought was, why wasn't I invited? I was never invited.
 18 So, anyways, he said, you know, Fred lives differently.
 19 He --
 20 Q. Who --
 21 A. Fred DeLuca lives differently.
 22 And he made several condescending remarks
 23 about Anthony's house, which I've been to. Met his
 24 wife. I've met Anthony's wife. My husband -- before I
 25 even married my husband, I went over there with my then

1 matter that we're not going to discuss today, but I am
 2 going to show --
 3 MR. HUTCHISON: I have everything else but
 4 the fax cover sheet.
 5 (Discussion held off the record.)
 6 (Deposition Exhibit No. 12 was marked for
 7 identification.)
 8 MR. YANEZ: Here you go.
 9 BY MR. HUTCHISON:
 10 Q. Ms. Saavedra, I'm going to show you
 11 Exhibit 12.
 12 A. Am I allowed to look at that?
 13 Q. Yes, you are.
 14 A. Oh.
 15 Q. I was going to give you the Bates numbers.
 16 It's FDD024022 --
 17 A. What does that mean?
 18 Q. -- through FDD024026 is the number there on
 19 the bottom of those. And I just wanted to get that in
 20 the record.
 21 Exhibit 12, if you take a look at the second
 22 page --
 23 A. Does that mean Fred DeLuca? What does FDD
 24 mean?
 25 Q. Take a look at the second page. You can move

1 fiance.
 2 If we're playing show and tell, then I'm
 3 going to bring out what's in my briefcase.
 4 Q. I'm going to show you an exhibit, another
 5 exhibit.
 6 MR. HUTCHISON: What exhibit are we on, Pam?
 7 THE REPORTER: Should be Number 12.
 8 BY MR. HUTCHISON:
 9 Q. Do you have anything in your briefcase
 10 regarding Fred DeLuca?
 11 A. Yes.
 12 Q. Okay. Other than pictures?
 13 A. I have a book.
 14 Q. Okay. Other than a book? Do you have any
 15 more e-mails or documents regarding Fred DeLuca?
 16 A. Even though the pictures are in his
 17 handwriting? Like, just the envelope. Look.
 18 Q. They're pictures. Do you have any documents
 19 or e-mails in there regarding Fred DeLuca?
 20 A. I'm looking. No, just the Subway article.
 21 But I know you want to underscore or obliterate that we
 22 had any type of relationship, but those were all the
 23 pictures of us in Europe that he had taken.
 24 Q. I don't want to underscore or obliterate it.
 25 I just don't need to discuss it today. It's a personal

1 the paper clip if it's easier to read.
 2 And it's a letter to you, dated May 1st,
 3 2005, from Joe Reamer. And it says, "Dear Fran,
 4 pursuant to your conversation with Mr. Pugliese, I'm
 5 enclosing a copy of Mr. Anthony V. Pugliese III's
 6 personal financial statement, dated May 1, 2005, that
 7 you requested."
 8 Do you see that?
 9 A. Uh-huh, yes.
 10 Q. If you turn to the next page, which is the
 11 third page of Exhibit 12, you will see that in the
 12 right-hand side, his net worth is 119 million --
 13 A. Correct.
 14 Q. -- -\$748,238.
 15 Do you see that?
 16 A. Yes. You don't have the cents on here,
 17 though.
 18 Q. No, I don't. I didn't write it. Mr. Reamer
 19 sent it to you.
 20 A. I know.
 21 Q. And why was that sent to you on May 1st,
 22 2005? Or --
 23 A. Well, I'm reading the thing to refresh my
 24 memory.
 25 Q. Well, the fax cover sheet wouldn't have come

1 to you? Look what the fax cover sheet does. Page 1 is
 2 to whom?
 3 A. Fred DeLuca from Tommy.
 4 Q. So I think you only got the second, third,
 5 fourth, and fifth page.
 6 A. Because usually I get these every time I do a
 7 loan.
 8 Q. So some time in the end of April or around
 9 May 1st, you would have received this letter?
 10 A. Yes.
 11 Q. Okay.
 12 A. And usually it's regarding a specific loan.
 13 Q. Okay. And then this -- this same letter
 14 was --
 15 A. So you don't need anything from me.
 16 Q. Then this same letter was then sent to
 17 Fred DeLuca. Do you see that?
 18 A. Yeah, I do see that. So -- and your point
 19 is? I'm sorry. I just don't understand. I'm sorry. I
 20 I'm confused.
 21 Q. Just look at the second page of Exhibit 12.
 22 And is that a letter that you would have received from
 23 Joe Reamer around May 1st, 2005?
 24 A. Yes.
 25 Q. And look at the attachments. Are those

1 A. Right. And I didn't just sign off on them by
 2 myself.
 3 Q. What do you mean by that?
 4 A. I had underwriters that reviewed them, really
 5 tough ones.
 6 Q. So the loans were approved by an underwriting
 7 committee?
 8 A. Well, not so much a committee as
 9 Mickey Clutter -- depending on the dollar amount, it
 10 would be Mickey Clutter, then Medhi Ghomeshi, and then
 11 if it was participated out, you know, their committee
 12 had to underwrite it.
 13 Q. Have you ever heard of a company called the
 14 "Land Company of Osceola County, LLC"?
 15 A. No.
 16 Q. Sometimes it's called LCOC. Have you ever
 17 heard of that?
 18 A. No. You used that earlier.
 19 Q. Okay.
 20 A. And I didn't know what that meant.
 21 What is that, may I ask?
 22 Q. It's the short abbreviation for Land Company
 23 of Osceola County, LLC.
 24 A. I knew that, but -- never mind.
 25 Q. Let me show you Exhibit -- I'm going to show

1 attachments the attachments that you would have received
 2 along with the letter?
 3 A. Correct.
 4 Q. Okay.
 5 A. But it would be -- and then they would follow
 6 up with an original.
 7 Q. Right. And so that's an accurate photocopy
 8 of the letter you would have received along with the
 9 attachments; correct?
 10 A. Correct.
 11 Q. And that's Anthony Pugliese's signature on
 12 the fourth page. Do you see that?
 13 A. Yes. Well, it looks like it. I don't know.
 14 I haven't seen him sign anything recently.
 15 Q. And it's dated May 1st 2005. Do you see
 16 that?
 17 A. Yes. Do you need this back?
 18 Q. No. We're going to give everything to the
 19 Court Reporter.
 20 When you were working with Mr. Pugliese, he
 21 was an experienced real estate developer?
 22 A. I felt he was, but I'm not the world renowned
 23 loan officer, so...
 24 Q. Well, you worked a lot of deals with him in
 25 2005; right?

1 you another Exhibit, a few e-mails, move this along.
 2 (Deposition Exhibit No. 13 was marked for
 3 identification.)
 4 BY MR. HUTCHISON:
 5 Q. Let me show you Exhibit 13.
 6 A. Oh, that's Rick's last name.
 7 Q. That's what I was going to ask. Is that the
 8 Rick you were referring to?
 9 A. Yeah, yeah.
 10 Q. All right. And --
 11 A. See, you have e-mails.
 12 Q. And I'm going to share them with you.
 13 A. Yeah, look at that.
 14 Q. Is the Wyles Road property one that you
 15 worked on for Anthony Pugliese?
 16 A. Yes. It sounds familiar, yes.
 17 Q. And what about the -- it looks like
 18 TPC Florida Investments is another one?
 19 A. PPC (sic), what does that stand for?
 20 Q. If you look at the attachments...
 21 A. Oh, TPC. That's got to stand for something.
 22 Q. Does that -- did you work on that? Do you
 23 recall working on that for Anthony Pugliese?
 24 A. I'd have to know the full name.
 25 Q. Yeah, I don't -- all I can show you is what I

1 have.
 2 A. I might have, yes.
 3 Q. Now, did the --
 4 A. What year was that?
 5 Q. 2005, I think. I'm only going to show you
 6 2005 e-mails, I think.
 7 A. Oh, okay.
 8 Q. I might have one later on, but most of them
 9 anyway.
 10 What's a commitment fee?
 11 A. A commitment fee is a fee that they charge so
 12 that you don't go to 15 lenders and then try to shop the
 13 deal and get the best deal around.
 14 Q. Who charges it?
 15 A. Well, I do. And I have a pretty hefty bank
 16 account. No, I'm kidding.
 17 It's the bank that charges it, or it could
 18 be -- I don't know how they do it when it's a
 19 participated loan. I don't know how that goes, if they
 20 charge it or they split it or they get part of it. But
 21 it's charged and -- basically for that.
 22 Q. Okay. So it's a -- is a committee fee, then,
 23 a fee charged by the bank?
 24 A. Yes.
 25 Q. When somebody borrows money from the bank?

1 A. It's actually prior to them closing the loan
 2 so that they don't -- because we give them a good rate
 3 and a special rate -- or a better than good rate.
 4 I'm not even making sense, sorry. I'm tired.
 5 Q. When is the commitment fee due then; before
 6 closing?
 7 A. It's before closing, because we issue a
 8 commitment letter.
 9 Q. So the commitment letter is from the bank
 10 saying, this is the terms of the --
 11 A. Right.
 12 Q. -- we will loan you money into. And then the
 13 borrower has to pay that commitment fee prior to the --
 14 A. Correct. For that rate to go into effect for
 15 that to be solid.
 16 Q. So the commitment fee is --
 17 A. Am I saying that correctly?
 18 Q. So the commitment fee is a cash payment prior
 19 to closing?
 20 A. It's usually a check, or we accept pennies.
 21 Q. Did you say "pennies"?
 22 A. Yes, but I was trying to add some levity.
 23 Q. What's a term sheet?
 24 A. This is basically like a term sheet.
 25 Q. You're looking at the second page of

1 Exhibit --
 2 A. The second page of Anthony Pugliese's
 3 attachment to the e-mail.
 4 Q. So that's Exhibit --
 5 A. This is Exhibit Number 13, Page 2.
 6 Q. Second page is the term sheet?
 7 A. Uh-huh.
 8 Q. And is the term sheet binding?
 9 A. No. A term sheet is not binding; a
 10 commitment letter is.
 11 Q. And with regard to the term sheet, does it
 12 have the interest rate on it?
 13 A. Usually a term sheet will have the interest
 14 rate, but not until you pay the commitment fee. But, I
 15 mean, the term sheet has the bank's name, not the
 16 Pugliese Company.
 17 Q. Right. So Exhibit 13, those two documents
 18 attached aren't really term sheets?
 19 A. No. This is just, Rick always made it really
 20 easy by boilerplate -- because they dealt with a number
 21 of banks.
 22 Q. But a term sheet would always have the
 23 interest rate on it, but it's not binding until the
 24 commitment fee is paid?
 25 A. You know, I guess -- I can't say always. I

1 hate to use that word -- I guess there's some banks that
 2 might not have an interest rate that might say, you
 3 know, to be determined. It could say a number of
 4 things.
 5 Q. And you had to pay a commitment fee without
 6 even knowing the interest rate?
 7 A. I don't know. I haven't been in banking in a
 8 few years. I'm just trying to cover my bases in case
 9 I'm wrong.
 10 Q. Well, let me ask you this: Did you ever
 11 issue a term sheet while you were working that didn't
 12 have an interest rate?
 13 A. No. No, I did not. I just thought you were
 14 asking a general question.
 15 Q. So every term sheet that you were involved in
 16 would have had an interest rate on it?
 17 A. For the most part, as far as I can recollect.
 18 You're really making me use my brain today.
 19 Q. Let me show you Exhibit 14. It's an e-mail
 20 to you from Richard Kleinhans, dated June 13, 2005.
 21 (Discussion held off the record.)
 22 (Deposition Exhibit No. 14 was marked for
 23 identification.)
 24 BY MR. YANEZ:
 25 Q. Now, it says, "I have a favor to ask you.

1 Can you prepare a letter, on Great Florida letterhead
 2 that "pre-qualifies" Anthony for financing. We are
 3 putting together a 42 acre deal today (vacant land).
 4 Purchase price around 10 million."
 5 Do you see that?
 6 A. I do see that.
 7 Q. And now, Anthony was closing on a lot of
 8 real estate deals in 2005; correct?
 9 A. Yes.
 10 Q. Okay. And was that unusual for you to write
 11 a letter like this, a prequalification letter?
 12 A. Well, it wasn't highly unusual, but I would
 13 say it wasn't typical. Is that a normal answer? Can I
 14 say that?
 15 Q. You can say whatever you feel is appropriate.
 16 A. I can't say that?
 17 Q. Then he writes --
 18 A. Because, look, even in "Importance," he put
 19 "Normal."
 20 Q. Okay. And it says, "Anthony is one of the
 21 most -- one of my largest clients."
 22 Was Anthony one of your largest clients in
 23 the summer of 2005?
 24 A. Absolutely.
 25 Q. Was Anthony a larger client than Fred DeLuca

1 Q. You don't really think I'm scary.
 2 A. Yes, I do.
 3 And so he said, call anyone, everyone.
 4 So I called Anthony and said, Can I get
 5 2 million? And I got it.
 6 Q. What bank were you at then?
 7 A. Great Florida.
 8 Q. So that would have been late 2005 or late
 9 2006?
 10 A. Yeah.
 11 Q. Okay. I'm going to show you Exhibit 15 and
 12 16 together, because I think it will make more sense.
 13 (Deposition Exhibit Nos. 15 and 16 were
 14 marked for identification.)
 15 MR. YANEZ: Fifteen is on top, or what order
 16 are you going in, Rick?
 17 MR. HUTCHISON: Exhibit 15 is a letter from
 18 Fran Saavedra.
 19 MR. YANEZ: Okay. Got it.
 20 MR. HUTCHISON: E-mail, I should say, from
 21 Fran Saavedra.
 22 BY MR. HUTCHISON:
 23 Q. Do you see that?
 24 A. That's really incriminating. I'm being
 25 sarcastic. Let the record show that Fran Saavedra is

1 in the summer of 2005?
 2 A. Fred did nothing when I moved to
 3 Great Florida Bank.
 4 Q. So Fred DeLuca wasn't even a client in 2005?
 5 A. I think he put a couple of million, which was
 6 nothing, and then took it out.
 7 Q. And it says, "He has a substantial credit
 8 line available to him through our bank."
 9 Was that true?
 10 A. You know what? I can't -- I can't recall.
 11 Q. Earlier you had said that --
 12 A. For a credit line, I can't recall that. I
 13 can recall the loans, but I can't recall a credit line.
 14 Sorry.
 15 Q. Earlier you said, at the end of one year, you
 16 needed some deposits. And you called Anthony and asked
 17 him to deposit \$2 million, and he did?
 18 A. Absolutely.
 19 Q. Tell us about that.
 20 A. Vince Post, whose phone number I still have
 21 in my phone, called us all in a room and said, we need
 22 deposits, anybody, anywhere. Because that affects your
 23 lending, as I had explained before. And so he said, we
 24 really need to up our deposits. He said, call anybody.
 25 And Vince was a scary guy, scarier than you, and...

1 being very sarcastic.
 2 Q. And then you look at Exhibit 16, and that's
 3 an e-mail from Richard Kleinhans to you, dated
 4 July 20, 2005. Are they both e-mails that you would
 5 have sent for Exhibit 15 and received Exhibit 16?
 6 A. Yes. And we actually did do these loans.
 7 Q. You did each one of them?
 8 A. Yeah.
 9 Q. Okay. And that would have been at
 10 Great Florida Bank?
 11 A. Yep. And one of them, Anthony, sold and
 12 made like -- one of our board of directors at
 13 Great Florida Bank, one of his friends or something
 14 bought one of Anthony's properties. Not on purpose. He
 15 didn't even know it was Anthony -- for like double or
 16 something.
 17 I don't know the details. You'd have to ask
 18 that man in the blue shirt. But it's one of these
 19 that's named here.
 20 Q. Now, in 2009, numerous foreclosures were
 21 filed on Anthony Pugliese, and there were judgments of
 22 approximately --
 23 A. Gee, I wonder why that happened.
 24 Q. -- \$30 million. Were you involved in any of
 25 those foreclosures?

1 A. What year was that?
 2 Q. It would have been like 2009, 2010-ish.
 3 A. No. Thank goodness. Because my mother and
 4 father died, and my brother then died, because that left
 5 me an unscathed lender. Because after I got out of
 6 banking, they put my loans in other people's names.
 7 (Discussion held off the record, and a brief
 8 recess was taken.)
 9 BY MR. HUTCHISON:
 10 Q. Ms. Saavedra, I'm going to hand you
 11 Exhibit 5. And if you look at the top there, it says,
 12 "To Kharen Gaynair," okay? And it says -- it's copied
 13 from -- to Wally Howard.
 14 A. Uh-huh.
 15 Q. And what bank are those two with?
 16 A. They were at City National.
 17 Q. Now there is no "from" line, and there is no
 18 date or time sent?
 19 A. There is a date down here (indicating).
 20 Q. Right. Well, let's talk about that.
 21 Exhibit 5, the bottom e-mail, is from Kharen,
 22 K-h-a-r-e-n, Gaynair, G-a-y-n-a-i-r. And that's dated
 23 Monday, November 6th, 2000, and it's to Wally Howard,
 24 and the subject is DeLuca?
 25 A. Right.

1 Q. Okay.
 2 A. You're asking me to remember something from
 3 the year 2000.
 4 Q. Do you know if that top e-mail identified was
 5 sent or not?
 6 A. If it was to Kharen Gaynair, it was
 7 definitely sent.
 8 Q. Because if you look at Exhibit 4, for
 9 example, you see that it has a "to" line and a "sent"
 10 line, and you printed it out the same way as you did
 11 Exhibit 5; correct?
 12 A. Right. Well, I'm telling you, Kharen Gaynair
 13 had Leonard's ear, and if he wanted Fred's numbers,
 14 there would be no way that I wouldn't give it to him.
 15 Q. Back in -- when you were working in 2004,
 16 2005, was it your job to introduce or take large clients
 17 and introduce them to people who needed investment
 18 capital or needed money?
 19 A. I am pretty sure you've asked me this a few
 20 times before. But, no, it wasn't my job to introduce
 21 them to each other. I took it upon myself to make
 22 introductions if I thought it would be service value.
 23 Q. Well, other than Fred DeLuca, did you
 24 introduce other large clients to people who were looking
 25 for money or starting up a company?

1 Q. That's the original message, right, the
 2 bottom e-mail?
 3 A. Right.
 4 Q. And then the top one, it says, "To
 5 Kharen Gaynair, copy" or CC, "Wally Howard," but there's
 6 no "from" line and no date or time?
 7 A. I think it's because it's a forward.
 8 Q. Well, I'm asking, it should have a "from";
 9 right? So is that a draft, the top e-mail?
 10 A. I don't think so. I don't know. I'm not a
 11 tech person, but I don't think so, because it also says,
 12 "Leonard wants Fred DeLuca's home numbers," and Kharen
 13 was, as I said, like, his right-hand person. So I
 14 wouldn't be drafting something.
 15 Also, it's talking about buying products or
 16 using products that we were, you know, really pushing.
 17 E-partner and Positive Pay. And the two repo sweep
 18 accounts.
 19 Q. Do you know why it doesn't have a "from" line
 20 or a date line?
 21 A. I am clueless, except that there's a line
 22 here. So maybe I copied two together to put in my file.
 23 Q. Well, that wouldn't have gotten rid of the
 24 "from" line or the "sent" line, would it?
 25 A. Unless it was at the bottom. I don't know.

1 A. I took Fred and introduced him to XtremeMac.
 2 I took Andy Martin, one of my other clients, and
 3 introduced them. I took Ben Fillichio -- and it's
 4 F-i-l-l-i-c-h-i-o, I think -- and introduced him to a
 5 few other clients. But we had a mixer, we had a huge
 6 mixer at City National Bank, for our clients to meet
 7 each other.
 8 Q. And you would help --
 9 A. And Eric Laakso introduced me to Anthony.
 10 Q. But my question is: You would --
 11 A. But that wasn't my job to introduce my
 12 clients to each other.
 13 Q. Okay. But while you were working, you did
 14 introduce clients to other clients --
 15 A. Only --
 16 Q. -- who were looking for money or who were
 17 starting up a company?
 18 A. No. Only if I thought somebody was buying or
 19 selling something. Because, remember, it was
 20 real estate. So if they were buying real estate or
 21 selling real estate and I thought that Ben could buy one
 22 of Andy's shopping centers, then fine. That would be
 23 it. Not drastic measures, not partnerships; that wasn't
 24 my job.
 25 Q. What was the real estate market like when you

1 went to Great Florida Bank in 2005?
 2 A. It was great. I -- when I heard the market
 3 crashed, I thought the sky was falling. I literally
 4 thought the sky was falling.
 5 Q. Why was that?
 6 A. Well, I was at home. My mom and dad had both
 7 died. My mom's house was being foreclosed upon, and I
 8 thought, I'm never getting a job in banking again, and I
 9 literally thought -- because I always worked. I've been
 10 in banking 33 years -- and I thought, I'm never going to
 11 get a job. I never heard of this bubble.
 12 I mean, yes, I understood it, but I totally
 13 freaked, sitting at home, jobless, almost homeless, even
 14 though I was engaged.
 15 Q. But when you were last working in 2005, 2006,
 16 the real estate market was --
 17 A. Of course it was booming. Nobody foresaw the
 18 bubble; otherwise, it wouldn't have happened.
 19 Q. You mentioned the Green Sky Industries
 20 earlier --
 21 A. You mentioned it; I answered.
 22 Q. Did you have any involvement in
 23 Green Sky Industries?
 24 A. No.
 25 Q. Do you know any of the terms of the agreement

1 A. Somebody left me a voice mail at home. And
 2 I'm not sure who exactly it was.
 3 Q. I know I left you a voice mail and gave you
 4 my office number to call back, but did you actually
 5 speak with anybody?
 6 A. No.
 7 Q. And I didn't have the date or the time,
 8 either, on my messages. That's why I'm curious.
 9 A. No. I did not speak. I showed up.
 10 Q. Okay. You had mentioned earlier Dave Worroll
 11 is still with Doctors Associates. How do you know that?
 12 A. What?
 13 Q. That Dave Worroll was still with
 14 Doctors Associates.
 15 A. That's what I hear.
 16 Q. From whom?
 17 A. That's just what I heard. I don't know for a
 18 fact, but I hear he is.
 19 Q. Who did you hear that from?
 20 A. Well, I heard a couple of years ago that he
 21 was still there, from City National Bank.
 22 Q. Anybody else?
 23 A. No.
 24 Q. When was the last time you spoke with
 25 Fred Florio?

1 between Anthony Pugliese and Fred DeLuca?
 2 A. Only that he was a partner in part of it.
 3 Q. But did you know the terms of the agreement
 4 between Fred DeLuca and Anthony Pugliese?
 5 A. I wouldn't have any reason to know.
 6 Q. You ever see any documents related to
 7 Green Sky Industries?
 8 A. No.
 9 Q. Ever seen any loan documents related to
 10 Green Sky Industries?
 11 A. No, and I wouldn't have had any reason to.
 12 Q. You had mentioned earlier that you had
 13 received a voice mail from us to be here today. Who was
 14 the voice mail from?
 15 A. I don't know. I told you I'd have to go home
 16 and listen to it.
 17 Q. It just said, show up for a deposition, and
 18 you just showed up?
 19 A. Well, I knew it was going to be coming up.
 20 Q. How did you know that?
 21 A. You left me two voice mails.
 22 Q. And I asked you to call me back, and you
 23 never did.
 24 But did you speak with anybody about your
 25 deposition -- about scheduling?

1 A. Well, actually, I spoke to Fred Florio and
 2 had dinner with him about a week or so ago, and his
 3 wife, Michelle.
 4 Q. And when was the last time you spoke with
 5 Fred prior to that?
 6 A. Oh, it has to be a year or two.
 7 Q. Okay. Did you talk with Fred Florio about
 8 the lawsuits?
 9 A. All I said was, How is it to be at a
 10 deposition?
 11 Q. And what did he say?
 12 A. Franny, you have nothing to worry about.
 13 Q. Did you talk about the facts of the case at
 14 all?
 15 A. No.
 16 Q. Did you talk about anything that had happened
 17 between Fred DeLuca and Anthony Pugliese?
 18 A. He absolutely refuses to talk about it. He
 19 said, just tell the truth -- show up, tell the truth,
 20 and you'll be fine.
 21 Q. Who went to the dinner, just the three of
 22 you?
 23 A. Yeah. And she gave me leftovers.
 24 Q. Oh, you went to his house?
 25 A. (The witness nods.)

1 Yes. I'm so sorry.
 2 Q. And how did it come about that you went to
 3 Fred Florio's house for dinner last week?
 4 A. I got the message that I was supposed to come
 5 here for a deposition, and I panicked and called him.
 6 Notice I called him and not anyone else.
 7 Q. And what did he say?
 8 A. You'll be fine. Come over here and have
 9 dinner.
 10 Q. Did you review any documents when you were at
 11 Fred Florio's?
 12 A. None whatsoever.
 13 Q. Okay. And prior to that, when was last time
 14 you had spoken to Fred Florio?
 15 A. A year or two ago. No matter how many ways
 16 you ask me that, it's gonna be the same.
 17 Q. Sometimes I forget my prior question. I'm
 18 sorry. Be patient. If you tell the truth, I'm not
 19 worried about it. Just tell the truth and give me the
 20 same answer.
 21 Did you speak with Fred Florio a year ago
 22 about anything about the lawsuits or Anthony Pugliese
 23 and Fred DeLuca?
 24 A. No. Wait -- which one are you asking?
 25 Q. A year ago, you said you spoke with

1 A. Well, I told him what happened to the other
 2 people.
 3 Q. Right. You said you warned him; is that
 4 accurate?
 5 MR. YANEZ: Form.
 6 THE WITNESS: Correct. But more to the
 7 point, I told him what happened to other people.
 8 BY MR. HUTCHISON:
 9 Q. And you told him that because you wanted him
 10 to be careful if he had a business dealing with
 11 Fred DeLuca; correct?
 12 A. I had no idea this would happen. None
 13 whatsoever.
 14 Q. But that wasn't my question. My question is:
 15 You told Anthony Pugliese, in 2005, about --
 16 A. XtremeMac.
 17 Q. -- about XtremeMac, because you wanted
 18 Anthony Pugliese to be careful if he was going to do
 19 business with Fred DeLuca; correct?
 20 A. I just told him about XtremeMac.
 21 Q. Because you wanted him to know that so he was
 22 careful?
 23 A. Up front.
 24 Q. And you wanted him to be careful when he
 25 entered into negotiations or any agreement with

1 Fred DeLuca.
 2 A. I said a year or two.
 3 Q. Last time you spoke with Fred Florio, which
 4 was a year or two ago.
 5 A. All I said was I was sorry.
 6 Q. Did you talk about anything else about the
 7 lawsuits?
 8 A. Absolutely not.
 9 Q. Now, you had said earlier that, back in 2005,
 10 when you first introduced Anthony Pugliese and
 11 Fred DeLuca -- what information about Fred DeLuca did
 12 you give Anthony Pugliese?
 13 A. He cofounded Subway, billionaire, but nothing
 14 he couldn't get off the Internet.
 15 Q. Okay.
 16 A. And I said he was a nice guy.
 17 Q. Well, you also warned him, though, you told
 18 us; didn't you?
 19 MR. YANEZ: Form.
 20 THE WITNESS: Right.
 21 MR. YANEZ: Go ahead.
 22 BY MR. HUTCHISON:
 23 Q. Well, when you said --
 24 A. But at that time, I was still seeing him.
 25 Q. Okay. But you told us, in 2005, prior to --

1 Fred DeLuca; correct?
 2 MR. YANEZ: Form.
 3 You can answer if you understand the
 4 question, or if you know the answer.
 5 THE WITNESS: To the best of my recollection.
 6 BY MR. HUTCHISON:
 7 Q. To the best of your recollection, what,
 8 that's correct?
 9 MR. YANEZ: Same objection.
 10 THE WITNESS: Yes.
 11 BY MR. HUTCHISON:
 12 Q. I'm not so sure I got an answer to my
 13 question.
 14 A. I just got so confused there for a minute.
 15 MR. HUTCHISON: Would you read the question
 16 back, please.
 17 (Whereupon, the requested portion of the
 18 record was read aloud by the Court Reporter.)
 19 THE WITNESS: I wouldn't word it that way.
 20 BY MR. HUTCHISON:
 21 Q. Well, how would you word it?
 22 A. It was more like this is what happened when I
 23 introduced XtremeMac. But criminal charges? Nobody
 24 could foresee that. So there is no way I could warn him
 25 of that.

1 Q. But what were you trying to warn him about in
2 the spring of --

3 A. I felt they were equals -- that they were
4 equally matched, because he would -- Anthony is smart
5 and he's also street smart. So if there was anyone that
6 could be a match for Fred DeLuca, and that could be an
7 equal partner, it would be Anthony and Fred. And they
8 both seemed quite happy at the beginning.

9 So any warning I gave was tepid. Let's use
10 that word, tepid. Tepid at the beginning, and then at
11 the end, it was a whole different warning. It was like,
12 Alert, danger, danger, Will Robinson.

13 Q. What information did you tell Fred DeLuca
14 about Anthony Pugliese back in the spring of 2005?

15 A. I told him glowing things. I told him, He
16 was my best customer, that I succeeded in spite of not
17 having Fred. You know, because before it was just -- I
18 was Fred DeLuca's banker. Now I was -- I had tons
19 clients.

20 Q. Uh-huh.

21 A. And Anthony was -- you know, so many people
22 tried to see Anthony. I'm telling you, he had a stack
23 of business cards, like, 2 or 3 inches thick of bankers
24 trying to see him. And I got in to see him, and he gave
25 me so many chances and followed me from bank to bank.

1 told him he had 11,500,000 when I first met Anthony.

2 Q. Well, you saw that Tom Sangiacomo gave
3 Fred DeLuca --

4 A. Right. Right, but I didn't know that at the
5 time.

6 Q. Okay. So any financial information that you
7 would have given to Fred DeLuca about Anthony Pugliese
8 was actually given to Fred DeLuca by Tom Sangiacomo and
9 shown in Exhibit 12; correct?

10 A. Correct. But I didn't know that. That's
11 part of due diligence --

12 Q. Okay.

13 A. -- if they go forward.

14 Q. Now, did you give Anthony Pugliese all the
15 e-mails that you had about -- had regarding Fred DeLuca
16 or Doctors Associates when you sent Anthony Pugliese
17 information last year?

18 A. As far as I know, yes. Its not like I have a
19 safe and stockpile of e-mails on just Fred. He's not
20 that important.

21 Q. So you sent the entire, about an inch-thick,
22 file -- a copy of that to Anthony Pugliese?

23 MR. YANEZ: Form. Covered that previously.

24 THE WITNESS: Thank you.

25 MR. YANEZ: You don't need to thank me. It's

1 And that chart you're looking at are my other customers,
2 too. It's not just Fred.

3 Q. What else did you tell Anthony Pugliese
4 about --

5 A. I said, He's honest --

6 Q. Let me finish my question.

7 A. I'm sorry.

8 Q. What else did you tell Anthony Pugliese about
9 Fred DeLuca back in the spring of 2005 when you first
10 introduced the two of them?

11 A. Well, I was a lot perkier about Fred then. I
12 said -- well, there wasn't much to say. He had a lot of
13 money. He was looking to be known for more than just
14 Subway, which was the truth.

15 Q. Okay. Anything else?

16 A. And he had always wanted to be known for
17 something more than just Subway. And I thought this
18 would be a really good match.

19 Q. Did --

20 A. If he was -- you know, if they were
21 interested.

22 Q. Did you tell Fred DeLuca anything about
23 Anthony Pugliese that you considered confidential or --

24 A. Absolutely. I told him what was in his bank
25 account. How, you know, his -- his assets, because I

1 just -- answer the question if you know the answer.
2 But we already covered it.

3 THE WITNESS: Yes. But it wasn't even that
4 many pages. I mean, look at the pages you have.
5 It's not an inch thick.

6 BY MR. HUTCHISON:

7 Q. Well, yeah, that's what I'm saying. So there
8 were some stuff that you did not give to
9 Anthony Pugliese that you had in Fred DeLuca's file;
10 correct?

11 A. Most likely. I would have to go home and
12 look.

13 Q. How did you decide which e-mails to provide
14 Anthony Pugliese and which ones to keep?

15 A. They're not all e-mails.

16 Q. Well, how did you decide which documents to
17 give Anthony Pugliese and which ones to keep?

18 A. Threw them up in the air. I don't know.
19 Picked out -- honest -- I honestly don't know. I'd have
20 to go through the remaining ones and see. Maybe the
21 ones that were more confidential -- I still do hold a
22 confidential particle in my body.

23 Q. Well, speaking of that, where did you -- the
24 information in Exhibit 10, where would you have obtained
25 that client --

1 A. Where is 10?
 2 Q. Where would you have obtained that client
 3 information?
 4 A. This would be a report generated from -- it
 5 says right here, CNB.
 6 Q. CNB, which is which bank?
 7 A. City National Bank.
 8 Q. And does City National Bank know that you
 9 took client information from them?
 10 A. No, they didn't. But I -- that's what most
 11 loan officers do when they think they're going to go to
 12 another bank.
 13 Q. And when you gave, you know, a copy of
 14 Exhibit 10 to Anthony Pugliese, you realized you were
 15 giving banking information about different clients to
 16 Anthony Pugliese?
 17 MR. YANEZ: Form.
 18 You can answer the question if you know the
 19 answer or if you understand it.
 20 THE WITNESS: Repeat.
 21 (Whereupon, the requested portion of the
 22 record was read aloud by the Court Reporter.)
 23 THE WITNESS: I did not think that I would be
 24 seeing it here.
 25

1 MR. YANEZ: Answer the question. I mean, I
 2 can't.
 3 THE WITNESS: No. Somebody stop me if I'm
 4 wrong. It's like 200 years for a \$150,000. That's
 5 what I understand from the newspaper. I think that
 6 Fred has more money than God, and that what he's
 7 doing is wrong.
 8 BY MR. HUTCHISON:
 9 Q. Do you understand what the criminal charges
 10 are? What Mr. Pugliese allegedly did that was criminal?
 11 A. He didn't murder anyone.
 12 Q. Do you understand what he allegedly did was
 13 criminal?
 14 A. I understand that. I took -- actually, you
 15 know what? I majored in criminology.
 16 Q. Okay. So what are the criminal charges
 17 against Anthony Pugliese?
 18 A. I don't know, and I don't care, because I
 19 think what Fred has done has been criminal.
 20 Q. What did Fred DeLuca do that was criminal?
 21 A. Oh, my God. Those four guys begging for
 22 their lives. You didn't see them in my office.
 23 Q. You're talking about the four guys from
 24 XtremeMac?
 25 A. Yeah. Crying, begging.

1 BY MR. HUTCHISON:
 2 Q. What does that mean?
 3 A. Exactly what I said. Let me say it over and
 4 over and over again. I did not think I would be seeing
 5 it here. I did not think I would be seeing it here.
 6 Q. So you gave it to him not realizing that he
 7 was going to use it and show other people?
 8 A. Exactly. I wanted to help someone that I
 9 felt should not have been criminally arrested.
 10 Q. Well, this is not the criminal case. This is
 11 the civil case.
 12 A. It doesn't matter to me. It's all one whole
 13 ball of wax.
 14 Q. And why do you think he should --
 15 Anthony Pugliese should not have been charged
 16 criminally?
 17 A. Oh, we don't have enough hours in the day for
 18 that.
 19 Q. Oh, I mean, what do you know about the
 20 criminal charges --
 21 A. I --
 22 Q. What do you understand the criminal charges
 23 to be?
 24 A. From what I read in the paper, it's like --
 25 stop me if I'm wrong.

1 Q. What else did you think Fred DeLuca did that
 2 was criminal?
 3 A. I don't know. That's just a starter.
 4 Q. Well, I'm saying, what else?
 5 A. I just think that -- you know, I just think
 6 that people should leave well enough alone and learn to
 7 forgive and forget.
 8 Q. Is there anything else that you could think
 9 of that you, in your mind, think Fred DeLuca did that
 10 was criminal?
 11 A. I could be really sarcastic now, but I think
 12 I should save it.
 13 Q. So just tell me what -- just answer the
 14 question if you can.
 15 A. I don't know. I saw him pursue
 16 David Sullivan with a vengeance. I just saw a vengeance
 17 in him that I had never seen.
 18 Q. Well, Fred DeLuca never found David Sullivan.
 19 A. No. I thought he did find him somewhere,
 20 somehow. I don't know. I wasn't around.
 21 Q. So you don't know if Fred DeLuca found David
 22 Sullivan or not; correct?
 23 A. No. But he went to the end of the earth
 24 to --
 25 Q. But you don't know if Fred DeLuca found

1 David Sullivan; correct?
 2 A. No. But I'm sure you're going to ask him.
 3 Q. And with regard to the guys with XtremeMac,
 4 you knew about XtremeMac prior to introducing
 5 Fred DeLuca to Anthony Pugliese; correct?
 6 A. Right. But to take 35 percent and not try to
 7 work out a deal? Compassion is lacking.
 8 Q. But you knew that prior to introducing
 9 Fred DeLuca to Anthony Pugliese; correct?
 10 MR. YANEZ: Form.
 11 THE WITNESS: Yes. But there's a difference.
 12 Why don't you ask me that question again? What's
 13 the difference?
 14 BY MR. HUTCHISON:
 15 Q. What's the difference?
 16 A. The difference is: Anthony is a man that had
 17 money and means and intelligence. He wasn't bankrupt.
 18 He wasn't in his garage making a product and coming and
 19 begging. And Fred asked me about other deals.
 20 Q. I'm going to ask you to keep and preserve all
 21 the documents regarding Fred DeLuca and Anthony Pugliese
 22 you have, please.
 23 A. They're like in a trunk, stored away. So
 24 it's really hard to get to. So, of course, I can keep
 25 that.

1 Q. When did Fred DeLuca say to you, I'm going to
 2 take Anthony Pugliese for what -- for what he could --
 3 A. That was when I was in person.
 4 MR. YANEZ: Form. I think we've covered
 5 that.
 6 MR. HUTCHISON: Okay.
 7 THE WITNESS: That was in person, at lunch.
 8 BY MR. HUTCHISON:
 9 Q. Okay. When?
 10 A. Or late -- late afternoon lunch, whatever you
 11 want to call it.
 12 Like in 2006. I'm sorry. I'm confused about
 13 years, but it's 2014.
 14 Q. So you think it was in 2006 that he said
 15 that?
 16 A. Yes.
 17 Q. And then, did you also say something about
 18 bleeding dry? Or you said that wasn't the words he
 19 used?
 20 A. Right. I said that that's what I thought.
 21 He was going to do because he said was going to --
 22 Q. When you had the conversation with
 23 Fred DeLuca after the lawsuit was filed and he called
 24 Anthony a bad man, he told you that Anthony was using
 25 the money to pay for his sister's pool cleaning bill?

1 Q. Thank you very much.
 2 A. I'm not a vindictive person against Fred. I
 3 just think that he should -- I even called him after he
 4 got sick.
 5 Q. Did you talk to him?
 6 A. No. He didn't call back. Because I felt
 7 bad.
 8 Q. So you had said earlier that Fred had told
 9 you -- Fred had called you after the lawsuit was filed?
 10 A. Uh-huh.
 11 Q. And told you that Anthony was a bad guy.
 12 A. Yes. Bad man. Those were his exact words.
 13 Q. And he told you that he's going to take him
 14 for what he could?
 15 A. He did not say that on the phone
 16 conversation. He said that in person.
 17 Q. When was that?
 18 A. You keep trying to trip me up.
 19 Q. I'm trying to get the facts straight, ma'am.
 20 I'm not trying to trip you up. If you tell the truth --
 21 A. Don't say ma'am. Fran is fine.
 22 Q. If you tell the truth, we won't have a
 23 problem with anybody.
 24 A. I am telling the truth, but you keep trying
 25 to confuse me.

1 A. Yeah.
 2 Q. Do you remember him telling you anything
 3 else?
 4 A. No. But he made that noise like, ooh, he's a
 5 bad man.
 6 Q. Okay. Anything else?
 7 A. No. And I -- I just listened. I learned to
 8 not interrupt. Funny. I'm interrupting all over the
 9 place here, but it's a really bad habit of mine. Sorry.
 10 Q. And so when's the last time you actually
 11 spoke with Fred DeLuca?
 12 A. Probably when I ran him into him at the
 13 concours.
 14 Q. In 2012?
 15 A. Yeah. He was with Mickey Markov. You can
 16 ask him -- I don't --
 17 Q. At the Boca Resort; correct?
 18 A. Yes. Yes. 2012. I think that's -- I can
 19 call my husband and ask him what year it was.
 20 Q. Was anybody else present besides
 21 Mickey Markov, you and Fred DeLuca?
 22 A. There was a woman, but I don't know her name.
 23 I think she was with Mickey Markov. We were standing
 24 outside -- well, they were standing outside the ladies
 25 room and --

1 Q. I want to go back to the conversation that
 2 you had told me about where Fred DeLuca said he was
 3 going to take Anthony for what he could.
 4 Who was present for that conversation?
 5 A. Me.
 6 Q. Who else?
 7 A. Fred and I often had lunch. You know, we
 8 were friends.
 9 Q. So you and Fred DeLuca?
 10 A. Yeah. At his house on his couch. The one in
 11 the -- towards the sunroom. It's bright green if I
 12 remember correctly.
 13 Q. And just the two of you were there that day?
 14 A. Yes. As often it was just the two of us.
 15 Q. All right. I just need about five minutes,
 16 and I think I'm done or real close to done.
 17 THE WITNESS: I'm sorry if I aggravated you.
 18 BY MR. HUTCHISON:
 19 Q. You didn't aggravate me.
 20 A. You made a face like my husband makes.
 21 Q. No aggravation.
 22 (A brief recess was taken.)
 23 MR. HUTCHISON: On the record.
 24 BY MR. HUTCHISON:
 25 Q. Mrs. Saavedra, you ready?

1 land was going to get -- go through some process and
 2 afterwards, it would be worth a lot of money?
 3 A. Yes. He did say that it would be worth
 4 billions.
 5 Q. Okay. And how did he figure out that it was
 6 going to be worth billions? Where was he getting that
 7 number from?
 8 A. I don't know, but he -- he's like Rain Man.
 9 Q. Well, he did -- did -- and when did you have
 10 that conversation?
 11 A. That was when I saw him in person in June
 12 of -- I think it was 2007.
 13 My nose is running, sorry.
 14 Q. 2007 or 2006 is what you were --
 15 A. Yes, sorry.
 16 Q. Was it 2007 or 2006?
 17 A. '06.
 18 Q. Okay. And did you tell Anthony Pugliese
 19 that, that Fred DeLuca had said that?
 20 MR. YANEZ: Form.
 21 THE WITNESS: Sorry.
 22 MR. HUTCHISON: Take a minute, blow your
 23 nose.
 24 THE WITNESS: No, I thought I was having a
 25 nose bleed.

1 A. I'm ready.
 2 Q. You had mentioned something about --
 3 A. I'm listening.
 4 Q. -- Fred DeLuca telling you that after the
 5 project got entitlements it would be worth a lot of
 6 money. Do you recall that testimony?
 7 A. Actually, I said that I wasn't sure of the
 8 exact verbiage of the word "entitlement," that he had
 9 used that particular phrase, but that it would be worth
 10 a lot of money, because Anthony had explained it to me
 11 that he had gotten roads and I guess ingresses and
 12 egresses put in. But Fred did not use the word
 13 "entitlements."
 14 Q. When did Anthony Pugliese explain to you that
 15 there were roads put in or ingresses or egresses?
 16 A. That's what he wanted. That was the whole
 17 plan, because it was near -- remember I said it was near
 18 like -- the Turnpike, sorry. My brain is shutting down.
 19 And I think 441. I'm not positive they were these
 20 roads, but --
 21 So I know that he had done a lot of footwork,
 22 Anthony. So Fred did not use the word entitlements.
 23 That would make him a real estate person, and he's not a
 24 real estate guy.
 25 Q. Well, did Fred tell you anything about the

1 BY MR. HUTCHISON:
 2 Q. Nope. Well, let me withdrew that question,
 3 because I want to make sure I understand exactly what he
 4 told you.
 5 What did he tell you about the value of the
 6 land and what he was going to do?
 7 A. He told me --
 8 MR. YANEZ: Form.
 9 You can answer.
 10 THE WITNESS: Go ahead.
 11 MR. YANEZ: No. I just want to state my
 12 objection for the record. Just go -- answer the
 13 question, please.
 14 MR. HUTCHISON: Well, is it a form objection?
 15 What is it?
 16 MR. YANEZ: Well, I mean, it's a substantive
 17 objection. You've asked and answered it already.
 18 It's been asked and answered. That's my objection.
 19 MR. HUTCHISON: That's your objection?
 20 MR. YANEZ: That's my objection, but she can
 21 answer the question still.
 22 BY MR. HUTCHISON:
 23 Q. You can answer. Go ahead, please.
 24 MR. YANEZ: Answer the question, please.
 25 THE WITNESS: He said that they had been

1 given -- he had been given -- not he had been
 2 given -- they had been -- already been given
 3 offers. Oh, my God, I'm not even talking right.
 4 Offers had been given. Am I saying that
 5 right? Is that correct English? I'm losing my
 6 mind right now. Sorry.
 7 BY MR. HUTCHISON:
 8 Q. You want a break?
 9 A. No. I want to go home. I'm tired.
 10 Q. We'll be done in a few minutes if you can
 11 hang through it; if not, we'll take a break. It's up to
 12 you.
 13 A. No, no. I don't want a break.
 14 And he said, all on his own, and I just sat
 15 and listened, that why would he sell -- why would -- I
 16 said, Well, are you going to sell? And he said, why
 17 would he sell when he could hold onto it and basically
 18 hang Anthony out to dry, and it would be worth billions.
 19 Q. And did you tell Anthony Pugliese that?
 20 A. Eventually.
 21 Q. How long after Fred DeLuca said that to you
 22 did you --
 23 A. A long time.
 24 Q. A year, two years?
 25 A. I was really afraid. I told my husband

1 about?
 2 Q. Yes. But this one does have it?
 3 A. But look -- if you just look at the top, it
 4 doesn't.
 5 Q. But it has a "from," and it has a "date
 6 sent." That's what the other one didn't have.
 7 A. It didn't have a from and sent?
 8 Q. Yeah. Remember? I mean, not that it
 9 matters.
 10 A. I just -- I just was wondering.
 11 Q. See? It doesn't have a "from," and it
 12 doesn't have a "date sent."
 13 A. Oh, you're right. Okay.
 14 Q. That's Exhibit 5. It doesn't have a "from"
 15 and "date sent." That's I asked you if Exhibit 5 was
 16 just a draft that you saved and was never sent.
 17 A. I would -- I would never do that -- mess
 18 around with Leonard.
 19 Q. Okay. So Exhibit 9, that's -- which bank is
 20 that?
 21 A. City National.
 22 Q. And City National is doing an analysis to
 23 determine how profitable the account is?
 24 A. Right.
 25 Q. Now, is profitability of an account something

1 first.
 2 Q. Okay.
 3 A. If you want, subpoena him.
 4 Q. And so how long after Fred DeLuca said that
 5 did you then tell Anthony Pugliese?
 6 A. Well, I'm not allowed to ask Anthony, and I
 7 don't remember.
 8 Q. Okay. Now, let me show you Exhibit 9. And
 9 that's this one here (indicating).
 10 A. It would be so much easier if I could just
 11 ask him.
 12 Q. You see this? It's called -- the top e-mail?
 13 A. Babble?
 14 Q. The subject's called "Doctors Associates
 15 Profitability Update."
 16 Do you see that?
 17 A. Yes, I do see that.
 18 Q. Now, is this the profitability of all the --
 19 of the Doctors Associates accounts profitability to the
 20 bank?
 21 A. Can you give me a second to read it?
 22 Q. Sure.
 23 A. That same line shows through it. Must be the
 24 printer.
 25 But remember that thing you were wondering

1 that you share with the customer?
 2 MR. YANEZ: Form.
 3 THE WITNESS: Which customer?
 4 BY MR. HUTCHISON:
 5 Q. Well, does the bank tell a customer how much
 6 money it's making off that particular customer?
 7 A. Well, in this case, because I was having a
 8 relationship with said customer, I did tell him.
 9 Q. No. But I'm talking about normally.
 10 A. No.
 11 Q. Okay. So if a bank is making money off a
 12 customer --
 13 A. Well, that's what their business is.
 14 Oh, I'm sorry. I interrupted. Sorry.
 15 Q. So because the bank's in the business to make
 16 money, it makes money off of their customers; correct?
 17 A. Correct.
 18 Q. Okay. So when a bank loans money, it's
 19 actually obtaining or borrowing that money at a lower
 20 interest rate than it is lending to a borrower; correct?
 21 A. Could you repeat that? I'm sorry. I was
 22 reading this.
 23 Q. All right. Well, put that down so we can get
 24 out of here faster.
 25 A. Yeah. When a bank --

1 Q. Let me start again.
 2 If a bank is loaning a customer money at 7
 3 percent --
 4 A. Right.
 5 Q. Okay -- it has actually obtained or borrowed
 6 that money at a rate lower than 7 percent --
 7 A. Correct.
 8 Q. -- correct?
 9 A. Right.
 10 Q. So a bank borrows money at one interest rate
 11 and lends it at a higher interest rate?
 12 A. Right.
 13 Q. Is that accurate?
 14 A. Right. But this -- none of this was lending.
 15 Q. Okay. But I wasn't asking about that
 16 exhibit.
 17 A. Oh.
 18 Q. My question is about loans. When it comes to
 19 lending, banks borrow money at a low interest rate and
 20 then they lend it at a higher interest rate; correct?
 21 A. That would be how it works, yes.
 22 Q. Now, with regard to closings on a particular
 23 loan, is it -- when you were at City National, was it --
 24 did it happen sometimes, or did it happen often, that
 25 prior to closing, you were still running to get all of

1 A. Yes.
 2 MR. HUTCHISON: And I have no more questions.
 3 MR. YANEZ: I just have two.
 4 REDIRECT EXAMINATION
 5 BY MR. YANEZ:
 6 Q. Is Fred DeLuca a bank?
 7 A. No.
 8 Q. Was Fred DeLuca Anthony's partner?
 9 A. Yes.
 10 MR. HUTCHISON: Objection as to form, and
 11 foundation.
 12 BY MR. YANEZ:
 13 Q. Did you have any involvement whatsoever with
 14 the Destiny project?
 15 A. No.
 16 MR. YANEZ: That's all I have.
 17 MR. HUTCHISON: Thank you, Ms. Saavedra.
 18 (Deposition concluded at 3:26 p.m.)
 19 - - -
 20
 21
 22
 23
 24
 25

1 the documents done the day before closing or the day of
 2 closing?
 3 A. I wasn't. But Mark Somerstein's office is
 4 the one that prepared the documents.
 5 Q. Who's Mark Somerstein?
 6 A. An attorney.
 7 Q. Okay. Well, so when you were at
 8 City National, did it happen that the bank's attorney
 9 was working on the documents right up until the time of
 10 closing?
 11 A. Sometimes, yes. And sometimes if they were
 12 small loans -- I can't say this 100 percent, but as far
 13 as I know, sometimes if they were small loans, they
 14 might do it in-house because we did have in-house
 15 counsel.
 16 Q. What's a small --
 17 A. But I can't be positive on that.
 18 Q. How much is a small loan?
 19 A. Like, I don't know. Like a 100 or 200,000.
 20 Q. So I'm talking about larger loans, where
 21 outside counsel's used.
 22 A. Yes, always.
 23 Q. Was it common that the loan documents would
 24 be being worked on, and drafts would be going back and
 25 forth right until the time of closing?

1 CERTIFICATE OF OATH
 2 STATE OF FLORIDA
 3 COUNTY OF PALM BEACH
 4
 5
 6 I, the undersigned authority, certify that
 7 FRANCES B. SAAVEDRA personally appeared before me and
 8 was duly sworn.
 9
 10 Dated this 31st day of October, 2014.
 11
 12
 13
 14
 15 _____
 16 Pamela J. Sullivan, RPR, FPR, CLR
 Notary Public - State of Florida
 My Commission Expires: June 5, 2018
 My Commission No.: FF 126823
 17
 18
 19
 20
 21
 22
 23
 24
 25

1 CERTIFICATE
2 STATE OF FLORIDA
3 COUNTY OF PALM BEACH
4

5 I, Pamela J. Sullivan, Registered Professional
6 Court Reporter and Notary Public in and for the State of
7 Florida at Large, do hereby certify that the
8 aforementioned witness was by me first duly sworn to
9 testify the whole truth; that I was authorized to and
10 did report said deposition in stenotype; and that the
11 foregoing pages are a true and correct transcription of
12 my shorthand notes of said deposition.

13 I further certify that said deposition was
14 taken at the time and place hereinabove set forth and
15 that the taking of said deposition was commenced and
16 completed as hereinabove set out.

17 I further certify that I am not attorney or
18 counsel of any of the parties, nor am I a relative or
19 employee of any attorney or counsel of party connected
20 with the action, nor am I financially interested in the
21 action.

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23 transcript does not apply to any reproduction of the
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25 direction of the certifying reporter.

Dated this 31st day of October, 2014.

Pamela J. Sullivan, RPR, FPR, CLR

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